

Regulation JEA

Las Cruces Public Schools

Related Entries: JEA, JKD, JKD-R, IKF, IKF-R
Responsible Office: Associate Superintendent for Instruction

COMPULSORY STUDENT ATTENDANCE

I. PURPOSE

To establish responsibility for recording and excusing student absences and to outline procedures for monitoring and improving attendance and for follow-up with students and parents in accordance with requirements set forth in 22-8-2 [NMSA 1978].

II. DEFINITIONS

- A. *“Attendance” means* students who are in class or in a school-approved activity. If a student is in attendance up to one half the total instructional time during a school day, the student will be counted as having attended one-half of a school day. If the student attends school for more than one-half of the total instructional time, the student will be counted as having attended for the full day (6-10-8-7 NMSA 1978).
- B. *“Hazardous weather conditions” means* weather conditions that would endanger the health or safety of the student when in transit to and from school, as defined and/or approved by the Superintendent of Schools or his/her designee.
- C. *“Habitual truant” means* a student who has accumulated the equivalent of ten (10) or more unexcused absences within a school year.
- D. *“Immediate family members” means* the child, spouse, father, mother, stepfather, stepmother, siblings, step-siblings, half-siblings, grandparents, mother-in-law, father-in-law, foster parents, guardians, and others who reside in the same household with the student.
- E. *“Long-term illnesses” means* acute or chronic health-related problems that require a student to be out of school more than three consecutive days, as verified by a health-care professional’s written note to the student’s school.
- F. *“Recurring illnesses” means* any medical or mental conditions that requires a student to see a health care professional on a recurring basis with standing appointments; and, that such appointments occur at least once per month.
- G. *“Short-term illnesses” means* any medical or mental conditions that keep a student out of school for three or fewer consecutive days, as verified by the parent.
- H. *“School-sponsored/school sanctioned activities” means:*
 - 1. Events or activities sponsored or held by school clubs, athletics, extracurricular or curricular classes;
 - 2. School coordinated visits to college/university campuses on officially designated visitation days or on alternate visits when the student has applied for admission to that particular college/university.
 - 3. Days in which a student is suspended, short-term, from school.

- I. “*Student in need of early intervention*” means a student who has accumulated five (5) unexcused absences within a school year.
- J. “*Work*” means employment in a gainful trade or occupation or engagement in an alternative form of education to which the parent/guardian consents, and which is approved by the Superintendent or his/her designee.

III. PROCEDURES: RECORDING ABSENCES

All Schools:

- 1. Each classroom teacher shall be responsible for taking daily student attendance.
 - a. In elementary schools, attendance is taken for the morning and afternoon sessions.
 - b. In middle and high schools, attendance is taken for each class period.
- 2. A copy of all attendance records shall be maintained electronically by the Department of Information Operations and Data Research for a period of three (3) school calendar years.
- 3. Building principals are responsible to establish attendance taking procedures when a teacher is absent.
- 4. Building principals are responsible to establish procedures to monitor the recording of daily attendance and notification to teachers when attendance has not been taken and recorded in the student information system.

IV. PROCESS AND CONTENT

- A. Student absences shall be considered **excused** if they fall within the following reasons and students provide verification:
 - 1. Illness (including chronic illness documented on a health plan, IEP, or 504 plan);
 - 2. Medical, health, or legal appointments;
 - 3. Limited family emergencies;
 - 4. Observance of religious holidays;
 - 5. Family deaths;
 - 6. College visits;
 - 7. Deployment of a military parent;
 - 8. Citizenship proceedings;
 - 9. As required by law, disciplinary actions or short-term suspensions;
 - 10. Required court proceedings;
 - 11. School-sponsored/school-sanctioned activities, including school sports participation, field trips and academic competitions;
 - 12. Hazardous weather conditions;

13. Work approved or sponsored by the school (i.e., service learning, Academic Career Experience (ACE)).
14. Limited extenuating circumstances as approved in advance by the school principal.
15. Provisions for pregnant or parenting teen as outlined in district policy.
16. When a student is not physically in the classroom but remains under the direct supervision of the school district, the absence(s) shall be documented as excused and are not counted as part of the 90 percent attendance calculation. School-sponsored/school sanctioned absences include, but are not limited to:
 - a. Standardized testing;
 - b. School sports participation
 - c. Field trips and academic competitions
 - d. Health center, nurse, counseling/guidance and administrative office visits;
 - e. In-school and out-of-school suspensions;
 - f. Principal-approved student government and/or student council activities.

B. **All excused absences for illnesses shall be verified** by a parent or other adult who is legally responsible for the care of a student, or by the school authority responsible for the absence. Verification shall be provided to the school when the student returns to school.

1. Long-term illnesses shall be verified in writing by a community health-care professional (doctor, dentist, optometrist, mental health counselor, etc.) or school nurse.
2. Recurring illnesses shall be verified in writing by a community health-care professional (doctor, dentist, mental health counselor, etc.) that the absence is recurring and necessary.
3. Short-term illnesses shall be verified in writing by a parent, community health-care professional (doctor, dentist, optometrist, mental health counselor, etc.) or school nurse.

B. Make-up Work and Grades

1. When a student is absent from school due to an absence that student shall be allowed to make up work missed. Parents/guardians shall be notified through newsletters, school handbooks, or any other community communication, that is the parent/legal guardian's responsibility to notify the school of the student's absence and the reason for the absence.
1. If the student is or will be absent, the parent/legal guardian may call the school and request make-up work. Teachers shall be granted at least twenty-four (24) hours from the time of request to compile the assignment.
2. It is the student's responsibility to request make-up assignments from

return from excused and/or unexcused absences. Failure to request make-up assignments shall not minimize the importance of make-up assignments and their impact on the student's progress. The student shall have the opportunity to complete the work in a period of time equal to the number of days absent unless this creates an undue hardship for the student. When a student is absent, make-up work may be adjusted from the original assignment so that learning needs are met without overburdening the student, teacher, or parent/legal guardian.

3. No student shall be refused permission to make up work missed during an excused absence. In general, for authorized or excused absences the student shall be afforded the opportunity to make up all work without penalty with a reasonable length of time. In cases of unauthorized or unexcused absences exceeding ten (10) days, the principal, or his/her designee and teacher shall judge the merit of providing make up work. Each judgement shall be made on a case by case basis.
4. Grades shall not automatically be reduced because of attendance or disciplinary action. Grading plans may include participation grades as part of an overall grading method. Student's grades may suffer as a result of mathematical averaging of missed assignments or zero participation grades. However, grades shall not be reduced as a direct penalty for non-attendance.

C. Chronic Attendance Problems

1. In compliance with state statute, students who have not been in school and who request to be enrolled late shall be enrolled. Grades and credits for the semester shall be determined by the teacher(s) in consultation with the principal, or his/her designee, and are dependent upon the effort and achievement demonstrated by the student during the time the student is enrolled. The student and his/her parents/legal guardians shall be made aware of this provision upon enrollment.
2. For students in need of early intervention, the principal, or his/her designee, shall hold a conference with parents/legal guardians, student, counselors, and others as determined by the principal. The conference shall attempt to investigate the reason(s) for the student's unexcused absences, establish a truancy reduction intervention plan and advise parents/guardians regarding the importance of regular school attendance and the legal implications involved. The conference shall be documented in the student information system as part of the school intervention efforts to reduce or eliminate truancy.
3. Should the conference described in 2 above fail, and the student is identified as a habitual truant, the principal, or designee, will send written notice of the habitual truancy by mail or by personal service to the parent of the student subject to and in noncompliance with the provisions of the Compulsory School Attendance Law. The notice shall include a date, time and place for the parent to meet with the principal, or designee, to develop

intervention strategies that focus on keeping the student in an educational setting.

4. If unexcused absences continue after written notice of habitual truancy as described in Section 3 above has occurred, the student shall be reported to probation services for investigation as to whether the student shall be considered to be a neglected child or a child in a family in need of services because of habitual truancy and thus subject to the provisions of the Children's Code [32A-1-1 NMSA 1978].

V. MONITORING ATTENDANCE

- A. Principals or designees are encouraged to intervene with students with chronic absenteeism (missing 10 percent or more of school days due to absence for any reason—excused absences, suspensions, and unexcused absences).”
- B. Student absences shall be reported to the student's parents/guardians on the student's quarterly report card.
- C. LCPS Information Systems will notify parents when a student has been absent through the use of an automated phone messaging system, All messages will be linked to parent information in the student information system provided by the parent.
- D. An unexcused absence of two or more classes up to fifty (50) percent of an instructional day shall be counted as one-half day absence, and the unexcused absence of more than fifty (50) percent of an instructional day shall be counted as one full-day absence.
- E. Each school, in collaboration with other school district offices and outside agencies, shall develop and implement a continuum of interventions designed to support regular school attendance.
- F. High Schools:
 1. In order for a student to receive credit for a class, he/she must be in attendance for a minimum of ninety (90) percent of the days the class is offered or has received approval of an appeal for credit.
 2. A student and the student's parent/guardian shall be provided written notice from the school district prior to and at such time as a student's attendance in any class drops below ninety (90) percent of the days the class is offered during any grading period.
 - a. Prior notice shall consist of letter(s) from the school district to the parent/guardian when non-attendance drops below the ninety (90) percent threshold for any class during any grading period.
 - b. The written parent notification shall indicate the need to schedule a parent/teacher conference to discuss available interventions that address the student's attendance patterns and academic progress.

- i. It shall be the responsibility of the parent/guardian to contact the school to schedule such a conference.
- ii. A translator shall be made available, at school district expense, at the conference, at the request of the parent/guardian.

G. High School Appeals:

1. Students who did not meet the ninety (90) percent attendance requirement must submit appeal packets to their school's attendance liaison in order to receive credit for the class in which they did not meet the minimum attendance requirement. The minimum attendance requirement does not impact the acceptance of credit awarded through alternative means, such as online courses, etc.
2. **Approved absences that are coded as "excused," as per section IV.A-B above, shall not be included when calculating whether a student has failed to meet the ninety (90) percent attendance requirement.** (Exception: students enrolled in alternative schools/programs may have to file an appeal based on the Principal's decision regarding the student's overall attendance based on excused and/or unexcused absences.)
3. Appeal packets, available in each high school guidance office, must be submitted to the school attendance liaison no later than ten (10) school days following the date the school district mails high school report cards to students. (Parents/guardians are responsible to ensure that a current address is on file at the school. The date that report cards are available is predetermined and posted on the school district's web page and included on the published school district calendar each semester.) Seniors are required to submit an appeals packet at least five (5) school days prior to the official last day for seniors.
 - a. The appeal packet must include:
 - i. A school credit appeal form with all requested information completed;
 - ii. An official school attendance report.
 - iii. An absence justification form with written explanation of all absences not justified on the school absence report, along with all available documentation.
 - b. Students who do not submit an appeal packet within the guidelines enumerated above shall not be eligible to receive credit for any class for which their attendance is less than ninety (90) percent during a semester.
 - c. Once submitted, the appeal packet shall be considered complete and no changes will be accepted.
4. A three-member committee at each high school shall review each student's appeal packet. This committee shall include the principal/designee and two other members.

- a. In making a determination on the awarding of credit, the committee shall determine if absences are justified. The committee may request the student and parent/guardian to appear before the committee if there are questions concerning the appeal packet.
- b. The committee's finding for each class appealed shall be either: 1) the credit is awarded due to extenuating circumstances; or 2) the credit is not awarded.
- c. Students shall receive notification of the attendance review committee's decision within three school days of the committee meeting.
- d. If a student is denied credit for a class by an attendance review committee, the student may file an appeal with the Superintendent. Such appeal shall be filed within five (5) school days of the receipt of the review committee's decision. Any high school senior whose appeal for credit is denied by the attendance review committee must present his/her appeal packet to the Superintendent or his/her designee at least three school days before the date of the scheduled graduation ceremony. The Superintendent or his/her designee shall hear the student's appeal and shall either: 1) award credit based on the appeal; or 2) deny credit. The decision of the Superintendent or his/her designee shall be final.

VI. REPORTING (NMAC 6-10-8)

- A. The district shall maintain class attendance records by class period for every instruction day for each student in each school or school program in the school district in a manner verifiable by the New Mexico Public Education Department (NMPED).
- B. The Information Operations and Data Research Department shall report absences with excused or unexcused identifiers through the district's student-teacher accountability reporting system and certify that the information is being reported consistently at intervals and in a manner as specified by NMPED.



4/15/19

Associate Superintendent for Instruction

Date Approved

History: Formerly Procedure 310, Revised 06.20.06, 10.28.93, 08.19.97, 11.03.05, 10.02.09, 12.02.09, 04.09.10, 06.21.10; 03.12.14; 05.07.14

Legal Reference: 22-12-2 NMSA, 22-12-6 NMSA, NMAC 6-10-8-7 and 6-10-8-8