

Attendance Policy 2022-2023

A. Attendance Required

Alabama State Law 16-28-3, Code of Alabama, 1975 requires all children between the ages of six (6) and seventeen (17) to attend school daily. Alabama State law states that each child who enrolls in a public school, including a charter school, whether or not the child is required by law to enroll, is subject to the school attendance and truancy laws of the state. Parents or guardians having legal rights and control of school age children are responsible for their children's regular attendance and proper conduct. Failure to comply with the Compulsory School Attendance Law requires the Attendance Officer to file a complaint in the Jefferson County Family Court.

Responsibility of Parents:

Any time that a student is absent, the parent or guardian must provide a written note to school satisfactorily explaining the absence. A satisfactory note from parent or guardian meets the following State guidelines:

- o illness that endangers the student's health or the health of others; including students that are deemed ill by the school nurse;
- o death in the immediate family;
- o legal quarantine;
- o emergency conditions as determined by the principal; and
- o students that are receiving healthcare, hospitalized, etc.
- o prior permission of the principal and consent of the parent or guardian;
- o inclement weather that would be dangerous to the life and health of the child.

The note or doctor's excuse must be sent to school within three (3) days of the student's return to school to be counted as an excused absence. A written note from parents or guardians, as described above, will excuse absences for up to but not exceeding ten (10) absences during the school year. Further absences will require a written excuse from a medical doctor or court official. Parents or guardians of any student having a chronic ailment that may cause the student to miss school during the year are required;

- o To provide the school with a clinical or doctor's statement verifying the child's condition at the beginning of each year;
- o To provide the school with a clinical or doctor's statement verifying the child's condition at any time the student enrolls in any school in the district during the beginning, middle, or end of the school year.

The statement shall reflect the nature of the child's illness, and state that the student may have to miss school from time to time due to this illness. Failure of parent/guardian to provide the

school with a chronic ailment statement can result in unexcused absence accumulation, and referral to Juvenile Court.

STUDENTS COUNTED ABSENT

Students are counted absent in the following situations:

- Students that are off school grounds, unapproved, or have an unknown location on a day that the student is scheduled to attend school.
- The student is serving an out-of-school suspension including any days missed immediately preceding the discipline.
- A family vacation.
- Any student scheduled to be in class but not in attendance.
- A student not attending for unknown reasons, although scheduled to attend.

INVESTIGATING NON-ATTENDANCE

1. The superintendent shall require the Attendance Officer to investigate all cases of non-attendance (Alabama State Law 16-28-16, Code of Alabama, 1975).
2. In the event that the investigation discloses that the non-attendance was without valid excuse or good reason and intentional, the attendance officer shall bring criminal prosecution against the parent, guardian, or other person having control of the child (Alabama State Law 16-28-16, Code of Alabama, 1975).

CHRONIC ABSENTEEISM

1. Chronic absence refers to students who are repeatedly absent during the school year for both excused (e.g., suspension, illness, death in the family, etc.) and unexcused absences. This accumulation of total absences is the major difference from truancy, which only calculates unexcused absences.
2. Chronic absence does not only affect the students who miss school. It slows down instruction for other students, who must wait while their teacher repeats material for absentee students. This makes it harder for students to learn and teachers to teach. Reducing chronic absence can help close achievement gaps.
3. Addressing and managing chronic absences ensures that students have an equal opportunity to succeed in a global economy, where graduation from school and advancing to college, or gainful employment with specific skills are more essential than ever.

SUPPORT POLICY FOR ABSENCES

# of Absences	Actions Taken	Possible Additional Supports
1st Absence	Email / Phone call home to caregiver, if no documentation provided	
3rd Absence	<ul style="list-style-type: none"> ● Email / Phone call home to caregiver, if no documentation provided ● 1st notification of truancy warning notice sent home 	Parent / Caregiver shall also be provided with a copy of Alabama's Compulsory School Attendance Laws and informed of the penalties that can be applied and the procedures that shall be followed in the event that other unexcused absences occur.
5th Absence	<ul style="list-style-type: none"> ● Email / Phone call home to caregiver, if no documentation provided ● Letter sent home via USPS ● Parent / Caregiver is contacted for phone call / meeting about attendance ● The Parent / Caregiver, or person having charge of the child shall attend a conference with the attendance officer and Head of School or her designee and/or participate in the Early Warning Program provided by Juvenile Court 	<ul style="list-style-type: none"> - Meeting with Attendance Officer and Family and Community Engagement Specialist - Specialist and Parent / Caregiver to develop an individualized support plan - Carpool Assistance, if applicable
7th Absence	<ul style="list-style-type: none"> ● Second Notification of Truancy ● Complaint / petition filed against the child and/or parent/caregiver 	Home Visit by Attendance Officer and/or Family and Community Engagement Specialist

10th Absence	<ul style="list-style-type: none"> • 3rd Notification of Truancy • Scholar labeled Habitually Truant • 2nd Meeting with Head of School 	
11+ Absences	<ul style="list-style-type: none"> • Family referred to Juvenile Court for further legal action 	

MAKE UP WORK

All absences and tardies are noted daily. Scholars are responsible for all missed assignments. Scholars and families must arrange a way to complete all missed assignments and homework. Since missing class affects academic achievement, repeated absences may be reflected in the scholar's grades.

Scholars will be held accountable for work missed due to absences. Guides are not required to provide make up work.

Scholars who are absent from school cannot attend or participate in any other school-sponsored activities occurring on the day of the absence unless the school has given advance permission.

TARDY POLICY

Legacy Prep values punctuality. It is an important life skill and a show of respect to others. Just as we expect Staff to be punctual for their scholars, families need to ensure that scholars arrive at school on time. This is even more important because Legacy Prep Scholars begin their learning from the moment a scholar enters the building. If a scholar is late to school, they miss Bright Work, morning meeting, assignments, disrupts the learning of other scholars, and risk falling behind.

Scholars arriving at 8:05 a.m. or later are considered TARDY. Please call the main office if you know your scholar will be tardy.

NOTE: Scholars who arrive close to 7:45 a.m. may not have enough time to finish their breakfast since activities start promptly at 8:00 a.m. Therefore, if parents/caregivers want their child to receive breakfast, the scholar must arrive at school no later than 7:50 a.m. to have enough time to eat without feeling rushed.

Parents or Guardians must escort late scholars to the Main Office to sign in BEFORE the student is permitted to enter their classroom. Late arrivals after 7:55 a.m. disrupt class for all scholars in the class and therefore should be avoided, if possible. Three (3) late arrivals will count as the equivalent of one (1) absence for the purpose of our attendance policy.

Tardiness is excused only if a scholar has a medical, dental, or legal appointment, or there has been a death in the immediate family. All excused tardies require appropriate documentation (i.e. note from doctor, lawyer, etc). **Traffic congestion or parking delays are not a valid excuse.**

Parents will be notified if a scholar is tardy more than 3 times. The Family and Community Engagement Specialist will be notified if a scholar has been tardy six (6) times which is equivalent to two (2) unexcused absences and a plan of action will be created with the parents/caregivers to eliminate future tardy days.

NOTE: Family Vacations, Bad Weather, Trouble with public transportation, trouble with reliable transportation, other reasons are UNEXCUSED TARDIES.

EARLY PICKUP / DISMISSAL

An early pickup counts as a tardy. Please do not request to pickup scholars beyond 40 minutes of regular dismissal time, 3:00 p.m. Scholars may not be checked out beyond 2:15p.m., Monday-Friday. Parents / Caregivers are required to sign-out scholars from the main office for any early dismissal. A scholar will be dismissed early only to a parent/caregiver or a properly authorized and identified adult. A letter or a phone call from you authorizing another adult to pickup your child is required, if you did not previously list that adult as an authorized adult.

Early pick up/checkout cause scholars to fall behind in the subjects that Guides cover at the end of the day. It is vital that your scholar completes the full day of school unless there is an extenuating circumstance – in which case you will need to call ahead, prior to the checkout cutoff time.

Early pickup /checkouts also disrupts the flow of dismissal and the routine of each classroom as they prepare to dismiss scholars for the day. Please be mindful of these things as we do our best to conduct a safe and speedy dismissal. As a reminder, three (3) unexcused tardies equals an unexcused absence.

CONSEQUENCES FOR TARDINESS

As is the case with scholar absences, if a concerning pattern of tardies or early dismissals is noted, The School Leader will reserve the right to accelerate and consequences. For example, if a scholar has 15 unexcused tardy days in a row, a parent/caregiver meeting may be called to resolve the situation. If a scholar is tardy for several consecutive days without parent/caregiver communication, the school may conduct a home visit or other investigation. DHR may be contacted if the Attendance Officer determines there is a cause for concern.

Nine (9) Tardies in a Trimester: If a scholar is late nine times in a trimester, it is considered a severe issues and will be documented on the child's report card. At Family Achievement

Conferences for the trimester, a school administrative member will meet with the family to develop an "On Time" plan. Tardies are considered 9 unexcused tardies, 9 early dismissals, 9 late pickups or a combination of unexcused tardies, early pickups, and late pickups that adds up to 9 in a given trimester.

PROSECUTION

1. Where no valid reason for non-attendance is found, the attendance officer shall mail or physically deliver written notice to the parent, guardian, or other person having control of the child. Where the parent, guardian, or person in charge or control of the child is not at his or her regular residence, the attendance officer may leave written notice with a person over 12 years of age residing at the usual place of residence with instructions to hand such notice to parent, guardian, or other person having control of the child (Alabama State Law 16-28-16, Code of Alabama, 1975).
2. The written notice require the attendance of the child at the school within three days from the date of the notice (Alabama State Law 16-28-16, Code of Alabama, 1975).
3. Prosecution may be initiated by the local superintendent, and attendance officer, principal, teacher, private tutor, probation officer, or an authorized representative of the State Superintendent of Education or the Department of Human Resources (Alabama State Law 16-28-22, Code of Alabama, 1975).
4. When the student is a habitual truant, or because of irregular attendance or misconduct has become a menace to the best interest of the school which he or she is attending or should attend, and the parent, guardian, or other person files a written statement in court stating that he or she is unable to control said child, the attendance officer must file a complaint in juvenile court against said student (Alabama State Law 16-28-14, Code of Alabama, 1975).

ATTENDANCE REPORTING

RECORDING ATTENDANCE

1. The principal, teacher of Legacy Prep shall keep an attendance register showing the enrollment of the school and every absence of each enrolled child from school for a half day or more during each school day of the year (Alabama State Law 16-28-8, Code of Alabama, 1975).
 - a. The attendance roll must be checked daily and each absence recorded (Alabama State Law 16-28-7, Code of Alabama, 1975).
 - b. Students must be in attendance one half of the instructional day to be counted and reported present (Alabama State Law 16-28-8, Code of Alabama, 1975).

WEEKLY UNEXCUSED REPORT

The principal or her designee shall submit electronically to the local superintendent the names of all children six years and older who were absent to without being excused or whose absence was not satisfactorily explained (Alabama State Law 16-28-7, Code of Alabama, 1975).

TRUANCY

The definition of Truancy is unexcused absences or skipping school/class for a day or portion thereof. The difference between chronic absenteeism and truancy is that chronic absenteeism identifies, and totals excused and unexcused absences whereas, truancy identifies only unexcused absences.

TRUANCY REPORTING

A parent, guardian, or other person having charge of any child officially enrolled in Alabama public schools (K-12) shall explain in writing the cause of any and every absence of the scholar no later than three (3) school days following return to school. A failure to provide such explanation shall be evidence of the scholar being truant each day he or she is absent. Seven (7) unexcused absences within a school year constitute a student being truant for the purpose of filing a petition with the court. The Early Warning Truancy Prevention Program timeline for reporting truancy shall define the truancy status of any scholars as follows:

1. First Truancy / unexcused absence (warning)

- a. Parent/guardian shall be notified by the school principal or his/her designee that the student was truant and the date of the truancy.
 - b. Parent/guardian shall also be provided with a copy of Alabama's compulsory school attendance laws and advised of the penalties that can be applied and the procedures that shall be followed in the event that other unexcused absences occur.
2. No earlier than fifth unexcused absence (conference)