

Hamilton County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Compulsory Attendance Ages	Descriptor Code: 6.201	Issued Date: 07/18/13
		Rescinds:	Issued: 09/15/16

General Provisions

Children between the ages of 6 and 17 years, inclusively, must attend a public or private school.¹

The compulsory attendance law, however, shall not apply to the following:²

- 1) A student who has received a diploma or other certificate of graduation;
- 2) A student who is enrolled and making satisfactory progress in a course leading to a GED;
- 3) A student enrolled in a homeschool who has reached the age of 17.

A parent or guardian or legal custodian who believes that his or her six-year old child is not ready to attend school may make application to the principal of the public school that the child would attend requesting a one-semester or one-year deferral in required attendance. Any such deferral shall be reported to the director of schools by the principal. Under certain circumstances, the Board may temporarily excuse students from complying with the provisions of the compulsory attendance law.³

No child shall be eligible to enter first grade without having attended an approved Kindergarten program.

A child entering a special education program shall be no less than three years of age.

Five-year old children

Any child residing within the State who will be five years of age on or before August 15 and whose parent(s) or legal guardian(s) applies for admission shall be enrolled in the school designated by the Board.⁴

Adult Students

Any student presently enrolled in the Hamilton County Schools who has his or her 18th birthday during the school year will be allowed to complete the school year at that school.

The student may be allowed to continue in that school for one additional semester provided that (1) the student will be able to earn sufficient credits in order to graduate at the end of that semester; (2) in the judgment of the principal, the student has had good attendance; and (3) in the judgment of the principal, the student has not been a disciplinary problem. Any student who wishes to remain enrolled in Hamilton County Schools who does not meet these criteria may apply to attend Hamilton County High School's adult high school program.

1 T.C.A. §49-6-3001(c)(1)

2 T.C.A. §49-6-3005

3 T.C.A. §49-6-3005

4 T.C.A. §49-6-201(3); T.C.A. §49-6-201(8)(d); Tennessee Rules and Regulations 0520-1-3.03(10)

1 personal illness days, parents must provide medical services documentation for the following: personal
2 illness, family illness, or personal (as defined above). To avoid student absences being recorded as
3 unexcused, a written statement signed and dated by the parent/guardian and any medical
4 documentation should be presented to the appropriate school official within five (5) days of the student
5 returning to school.

6 7 **HABITUAL TRUANCY**

8
9 Truancy is defined as an absence for an entire school day, a major portion of the school day or the
10 major portion of any class or activity during the school day for which the student is scheduled. A
11 student who accumulates three (3) days of unexcused absences may be deemed habitually truant.⁷

12
13 The principal must report the names of all students who have withdrawn from school or who have
14 accumulated three (3) days of unexcused absences to director of schools or designee. Upon a student's
15 accumulation of three (3) days of unexcused absences, the principal or designee will serve written
16 notice that the child's attendance at school is required by law to the parent, guardian, or other person
17 having control of a child subject to compulsory attendance.⁷

18
19 Ten (10) consecutive or fifteen (15) total unexcused absences during any semester renders a student
20 ineligible to retain a driver's permit or license, or to obtain such if of age.

21
22 The principal shall be responsible for notifying, in writing, the director of schools and the parents of
23 the student of any action taken by the school.

24
25 District personnel will intervene to address habitual truancy using a *Tiered Attendance Intervention*
26 support structure for students and their families, as detailed below.

27 28 Tier One

29 When a student reaches five (5) unexcused absences (this means an aggregate of five (5) days without
30 adequate excuse), the school will contact parent/guardian by mailing a five-day letter/invitation to meet
31 with a designated school official. A conference is required with the family to review the attendance
32 policy expectations for the student and sign an attendance contract. This contract will be in effect for
33 45 days. Parent and student may be required to participate in regularly scheduled follow-up meetings
34 based upon adherence to the attendance contract.

35 36 Tier Two

37 If a student continues to have unexcused absences, a referral will be made to the School Social Worker
38 and/or Truancy Officer. A legal notice will be sent to the family with an invitation for a mandatory
39 meeting where a needs assessment will be given. The letter will state this is a Tier 2 intervention and
40 that the family is required to meet with school social services team for a needs assessment. This
41 assessment will identify continued barriers and community resources to address those barriers such as
42 mental health and/or socio-economic supports. If the family refuses to meet or does not comply by the

- 1 4. Notification in writing is provided to the director of schools and the parents of the student of
2 any action taken by the school.
3

4 The attendance of students is to be regular and/or daily. The principal, or personnel designated by the
5 principal, shall check and verify where appropriate all reasons offered for absences. Questionable and
6 prolonged absences are to be reported to the Student Services department for prompt investigation.
7

8 **EXCUSED ABSENCES**

9 Conditions for which a student's absence may be excused are:
10

- 11 1. **Personal Illness:** Students are excused who are sick and whose attendance would be
12 detrimental to their health and the health of other students. A physician's statement may be
13 required.
14
- 15 2. **Death in Immediate Family:** Students may be excused for three (3) days in the event of a
16 death in their immediate families including mother, father, stepparent, brother, sister, or
17 grandparent. Extenuating circumstances may require a longer period of excused absence.
18
- 19 3. **Family Illness:** Students having an illness in the family which requires them to give
20 temporary help will be excused from attendance after receipt of a physician's statement
21 concerning the necessity of the student's assistance.
22
- 23 4. **Religious Holiday:** Students shall be excused on special or recognized religious holidays
24 regularly observed by that particular faith. Prior approval is required should these days
25 occur while school is in session.
26
- 27 5. **Personal:** Students who are absent for a good cause such as a doctor or dental appointment
28 which cannot be scheduled at times other than school hours, court appearances, etc. may
29 be excused upon proof of appointment. Prior approval by parent or guardian and the
30 principal or his designee is required.
31
- 32 6. **Approved School Sponsored Activities:** Students shall be marked present when
33 participating in a school sponsored activity away from the school building.
34

35 All other reasons for absence, including out of school suspensions and failing to report a reason, will
36 be deemed an unexcused absence. Ten (10) consecutive or fifteen (15) total unexcused absences during
37 any semester renders a student ineligible to retain a driver's permit or license, or to obtain such if of
38 age.
39

40 **EXPLANATION OF ABSENCES**

41
42 By law students must attend school daily. HCDE will allow parent/guardian excuses to serve as
43 documentation for three (3) personal illness days only. After three (3) parent/guardian excused

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1 **STATEMENT**

2
3 The Hamilton County Board of Education believes in the establishment of a tradition of regular school
4 attendance for each student. This establishes the first step toward a successful academic career
5 culminating in a high school diploma and this is an essential concept to learn for the job market.

6
7 Attendance is a key factor in student achievement and, therefore, students are expected to be present
8 each day that school is in session.

9
10 **RECORDING**

11
12 The Hamilton County Department of Education has a state approved system for maintaining
13 attendance records for each student enrolled in the district.

14
15 It shall be the duty of the principal or teacher of all public and non-public schools to report promptly to
16 the director of schools or his/her designated representative, the names of all children who have
17 withdrawn from school or who have been absent five (5) days. (This means a total of five (5) days
18 during the school year and not necessarily five (5) consecutive days.)

19
20 The director of schools or designee shall oversee the entire attendance program, which shall include:

- 21
- 22 1. All accounting and reporting procedures and their dissemination;
 - 23 2. Ensuring that all school age children (6-17) attend school;
 - 24 3. Providing documentation of enrollment status upon request for students applying for new or
25 reinstatement of driver's permit or license; and
 - 26 4. Notifying the Department of Safety whenever a student with a driver's permit or license drops
27 out of school.
 - 28 5. Report all children who have been absent for five days without an adequate excuse and have
29 failed to show improved attendance with support through the *Tiered Attendance Interventions*
30 to the Juvenile Judge.

31
32 The principal or designee shall be responsible for ensuring that:

- 33 1. Attendance is checked and reported daily for each class;
 - 34 2. Written excuses are submitted for absences and tardiness;
 - 35 3. System-wide procedures for accounting and reporting are followed;
-

1 deadline, the school social work and/or truancy officer may visit the family home. If this approach
2 proves unsuccessful, family will automatically be referred to Tier Three, Truancy Board.

3 4 Tier Three

5 If a student accrues eight (8) or more unexcused absences and does not respond to Tier 2 support
6 requests, a certified letter shall be mailed to the home notifying the family that they must attend a
7 Truancy Board meeting. Meetings will be held in each learning community and may include the
8 following members:

- 9 • District Appointed Administrative Leader
- 10 • School Social Worker or Truancy Officer
- 11 • HCDE Nurse (as needed)
- 12 • School Counselors
- 13 • Department of Children Services (DCS) representative and/or Mental Health personnel (as
14 needed)
- 15 • Juvenile Court Representative

16
17 At this meeting, a confidentiality statement will be signed by family and all parties present. Truancy
18 Board will listen to any barriers that family presents. A contract will be signed by the parent/guardian
19 making them aware that continued unexcused absences will result in a court referral.

20 If the parent/guardian doesn't attend this meeting, or the student fails to make continuous improvement
21 in his or her attendance, the Truancy Board will have no other choice but to refer the student to the
22 Juvenile Judge.

23 **PROCEDURAL DUE PROCESS**

24 The established policy should be reviewed periodically to ensure that procedural due process is
25 provided.

- 26
27 1. Prior to its enactment, notice of the rules, regulations, and penalties are provided to
28 students and parents.
- 29 2. All students receive a written copy of the policy. Students who arrive during the school
30 year also receive the policy.
- 31 3. Policy is to be enforced by all in a fair, consistent, nondiscriminatory manner.
- 32 4. The policy provides for exceptions through an impartial hearing and appeals process.
- 33 5. Announce policy at student assemblies and parent meetings.

34 35 36 Legal References:

- 37 1. TRR/MS 0520-1-3-.08(1)(a)
- 38 2. TRR/MS 0520-1-3-.03(15); TCA 49-6-2904
- 39 3. Attendance Accounting Procedural Manual,
40 Minimum Standards and Guidelines, State Department of Education
- 41 4. TCA 49-6-3017; TCA 49-2-2-3(b)(7)
- 42 5. TCA 10-7-504; 20 U.S.C. § 1232g
- 43 6. TCA 49-6-3108
- 44 7. TCA 49-6-3007

Cross References:

- Extracurricular Activities 4.300
- Reporting Student Progress 4.601
- Promotion and Retention 4.603
- Recognition of Religious Beliefs 4.803
- Student Records 6.600