

A. Purpose

To establish procedures that promote consistent attendance, include monitoring and ongoing communication with stakeholders, ensure students and families are provided with supports and interventions, and reinforce the connection between school attendance and academic success.

B. Background

1. Frederick County Public Schools (FCPS) recognizes that regular school attendance is vital for meeting the educational needs of all students. The responsibility for regular, daily punctual attendance is shared by the community, the home, students, and school personnel. Furthermore, consistent attendance leads to quality learning for all students.
2. It is expected that every student enrolled will remain a student until graduating or officially transferring from FCPS. Maryland law requires every child who is 5 years old or older and under 18 years of age residing in the state to attend public school regularly during the entire period of each school year, unless it can be shown that the child is elsewhere receiving regular, thorough instruction in the studies usually taught in public schools to children of the same age or the child satisfies an applicable exemption.

C. Definitions

1. “Absence” is defined to mean the failure of a student to be present at school, in class, or at a school-related or approved school-sponsored activity, including when not physically on school grounds or participating in approved off-campus instruction during the school day.
2. “Attendance” is defined to mean being present at school or school-related activities, or participation in the Truancy Prevention Council and Truancy Reduction Court.
3. “Chronically Absent” is defined to mean a year-to-date absence rate of 10% or more, including both lawful and unlawful absences.
4. “Exemplary Attendance” is defined to mean a student having three (3) or fewer lawful absences throughout the school year.
5. “Eligible Student” is defined to mean a student who has reached 18 years of age or is attending an institution of postsecondary education.
6. “Full Day” is defined to mean a student being in attendance for more than half of the school day.
7. “Frederick County Truancy Reduction Court” or “Truancy Court” is defined to mean a non-punitive, problem-solving court that aims to address chronic absenteeism by connecting students and families to support services to help them re-engage in school.

8. “Habitual Truant” is defined to mean a student who is unlawfully absent from school in excess of 20 percent of the school days within any marking period, semester or year.
9. “Hazardous weather conditions” is defined as weather conditions which would endanger the health or safety of students when in transit to and from school.
10. “Lawful Absence” is defined to mean an excused absence for any portion of the day under the following conditions:
 - a. Death in the immediate family.
 - b. Illness of the student, including mental illness and/or behavioral health needs.
 - c. Pregnancy and parenting related conditions.
 - d. Court summons,
 - e. Hazardous weather conditions.
 - f. Work approved or sponsored by the school, FCPS, or the Maryland State Department of Education (MSDE).
 - g. Observance of a religious holiday.
 - h. State emergency.
 - i. Suspension.
 - j. Lack of authorized transportation.
 - k. Other emergency or set of circumstances which, in the judgment of the superintendent or designee, constitutes a good and sufficient cause for absence from school.
11. “Parent” is defined to mean a biological or adoptive parent, a court-appointed custodian or guardian, a foster parent, or a caregiver (as defined by the Education Article of the Maryland Annotated Code or as designated by the United States Department of Health and Human Services, Office of Refugee Resettlement).
12. “School-Related Activity” or “School-Sponsored Activity” is defined to mean any school system activity, on or off school property, in which a student directly participates (*e.g.*, school field trip, athletic event, or class/graduation activity), or an activity in which the student does not directly participate but represents the school or student body simply by being present (*e.g.*, spectator at a school event).
13. “Truant” is defined to mean a student who is absent for a day or any portion of a day for any reason other than those cited as lawful in Code of Maryland Regulations (COMAR) Section 13A.08.01.03 and/or failure to bring a note written by a parent to verify a lawful absence.
14. “Truancy Prevention Council” is defined to mean a partnership between FCPS, local government, and community partners who meet with students and parents to identify barriers, provide necessary services and improve attendance and academic engagement.
15. “Unlawful Absence” is defined to mean an unexcused absence, including absence for any portion of the day, for any reason not specifically recognized as lawful, and such absences are presumed unlawful and may be considered truancy.

D. Procedures

1. Attendance Codes

- a. A student is coded as present if at school or at a school-related activity, at a different location. This may include authorized independent study, work study programs, field trips, athletic events, contests, music festivals, student conventions, instruction for home bound students, and similar activities officially authorized under Board Policies or FCPS Regulations.
- b. A student scheduled for less than a full day is to be counted present based on the amount of time they are scheduled (*e.g.*, a student scheduled for a two-hour block of time will be counted present for a full day if the student is in attendance for that entire block of time. A student scheduled for a two-hour block of time will be counted present for one-half day if the student is in attendance for one hour).
- c. When recording an absence, the appropriate code regarding the cause of the student’s absence shall be designated as indicated below:
 - i. **Lawful Absence Codes**

Absence Codes and Required Criteria per MSDE Maryland Student Records System Manual (Rev. 2020)		
01	Death in the immediate family.	The local school system shall determine what relationships constitute the immediate family.
02	Illness of the student.	The principal or a school appointed designee shall require from the parent: (a) A physician’s certificate for a student reported continuously absent for a physical illness or somatic health need; or (b) A certificate from an appropriate health care provider licensed or certified under Health Occupations Article, Annotated Code of Maryland, for a student reported continuously absent for a behavioral health need. (2) If a student or the student’s parent notifies a public school that the student’s absence was due to a behavioral health need, the school shall provide information to the student or the student’s parent about school or community behavioral health resources that are available to the student.
04	Court summons.	
07	Hazardous weather conditions.	

08	Work approved or sponsored by the school, the local school system, or the State Department of Education.	Must be accepted by the Superintendent or the school principal, or their designees as reason for excusing the students.
09	Observance of a religious holiday.	Up to 3 per school year.
10	State emergency.	
13	Other emergency or set of circumstances.	Must be judged by the Superintendent or designee, constitutes a good and sufficient cause for absence from school.
17	Health Exclusion - The school is excluding a student because of health concerns (i.e., lack of immunization, conjunctivitis, etc.).	
18	Suspension.	Reference Board Policy 403, Student Discipline, FCPS Regulation 403-01, Student Discipline , and FCPS Regulation 408-01, Suspension and Expulsion .
19	Lack of authorized transportation.	This does not include students denied authorized transportation for disciplinary reasons.
22	Pregnancy and parenting related conditions.	Must be determined by the local school system, including absences due to: (1) Labor, delivery, recovery, and prenatal and postnatal medical appointments; (2) Illness or a medical appointment of the student's child; and (3) A legal appointment involving the pregnant or parenting student related to family law proceedings, including adoption, custody, and visitation.
Absence Codes and Required Criteria per FCPS		
03	Doctor's note.	The principal may require documentation from a physician or other medical professional after the student is absent 10 days.
14	Illness in the family.	
15	Hardship.	Lack of housing, clothing, or other barriers that impact student attendance. This includes situations related to students experiencing homelessness.

23	College Visits.	Students shall provide prior written notice to the principal if they are absent due to visiting prospective colleges. Visits by students to prospective colleges are excused up to 4 days per year for students who provide the principal or designee with prior written notice.
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ii. **Unlawful Absence Codes**

Absence Codes and Required Criteria per FCPS		
16	Vacation.	Absences for students who take trips with approval of their parent will be considered unlawful. However, these absences will not be considered as truancy, for a maximum of 5 days, per school year, with prior written notice to the principal or designee. Students shall be permitted to make up missed classwork, homework and assessments missed while absent.
20	Truancy.	This does not include participation at Truancy Prevention Council or Truancy Reduction Court.
21	Other unlawful absence.	Documentation of a lawful absence not provided.

2. **Standards for Regular Attendance**

- a. An absence for any portion of the day, for any reason other than those cited as lawful is presumed to be unlawful unless a note stating the reason is submitted by the parent or eligible student and approved by the principal/designee within the same term of the absence.
- b. **Monitoring Attendance.** Procedures for monitoring attendance:
 - i. School staff will review each case in which the student has reached more than 5 unlawful absences during a 9-week grading period, 10 unlawful absences during a semester, or 20 unlawful absences during the year. School staff will also review, at least quarterly, the attendance of students who are in danger of being chronically absent.
 - ii. Concerns arising from the attendance review will be communicated to parents as follows:
 1. Written communication will be sent when the student is unlawfully absent three (3) and five (5) or more days within a marking period.
 2. Written communication will be sent when the student accumulates ten (10) absences, lawful or unlawful, within a marking period.

- a. A conference with school staff will be required to ensure that the school has knowledge of all barriers and that all appropriate interventions are in place to support the student.
 - b. The secondary letter will also include an explanation of the educational impact of being absent from school. Students need to be present to learn.
 - 3. Written communication will be sent when the student accumulates twenty (20) absences, lawful or unlawful, within a marking period.
 - a. A conference with school staff will be required.
 - b. The school team will consult with the Office of Student Services when considering a referral to the Truancy Prevention Council and before filing paperwork for the Truancy Reduction Court.
 - 4. Written communication will be sent when the student has been identified as chronically absent.
 - a. A conference with school staff shall be held unless additional information has been shared with the school.
 - b. The school team will consult with the Office of Student Services when considering a referral to the Truancy Prevention Council and before filing paperwork for the Truancy Reduction Court.
- c. **Tiers of Intervention to Address Attendance**
 - i. **Tier 1 (Universal).** All students receive prevention-oriented supports that promote and maintain good attendance.
 - ii. **Tier 2.** Targeted individual, targeted supports, in addition to Universal supports, for students who have a history of moderate absence (less than 9 days) during the past school year or face a hardship that makes attendance difficult.
 - iii. **Tier 3 (Intensive).** Students receive intensive, targeted, individualized support, in addition to Universal supports, if they are identified as chronically absent, approaching chronic absence, or historically chronically absent, and/or face a hardship that makes attendance more difficult.
- d. **Educational Impact of Absences.**
 - i. Students who were absent have the right to make up class work missed and to have this work reviewed and evaluated by the teacher to be included in the grade. Students have the responsibility to request and complete missed work.
 - ii. Unsatisfactory academic progress due to absences may result in non-promotion of a student as outlined in [FCPS Regulation 416-05, Academic Intervention, Support, and Promotion](#) (formerly 500-10).

- 3. **Procedures – Recording Absences.** The absentee report/attendance register is maintained to meet the needs of the local school system and the requirements established by the Maryland State Department of Education (MSDE). MSDE sets forth the rationale and guidelines for the implementation of a continuous student accounting system. It allows for flexibility in the manner in which records are maintained in the schools by providing a means for centralizing the function in the school. Attendance should be recorded daily by the teacher. Schools are accountable for accurate reporting by creating an original source document, which is maintained in the school office for a period of 3 years.

4. **Recognition of Exemplary Attendance.** Schools are permitted to recognize and acknowledge students who demonstrate exemplary attendance as part of their efforts to promote student engagement and responsibility. Recognition may include certificates, awards, public acknowledgment, or other appropriate forms of commendation. Such recognition must be implemented in a manner that is fair, inclusive, and does not disadvantage students with documented, excused absences due to illness, disability, or other legitimate circumstances. Schools are encouraged to ensure that attendance-based recognition aligns with broader educational goals and supports a positive school climate.
5. **Appeals Process.** Parents and/or eligible students seeking to appeal attendance violation decisions may do so by submitting a written appeal to the school principal. If the parent or eligible student is dissatisfied with the school principal's decision, the parent or eligible student may then file an appeal with the appropriate School Administration and Instructional Leadership (SAIL) director. For more information on the appeal process, refer to [Board Policy 105, *Appeal and Hearing Procedures*](#).
6. **Attendance Provisions for Students Who Are Pregnant or Parenting**
 - a. A student's absence due to pregnancy or parenting needs shall be considered a lawful absence, as required by State law and regulation, and [Board Policy 430, *Attendance and Enrollment*](#), and [FCPS Regulation 400-99, *Pregnant and Parenting Students*](#).
 - b. All absences shall be excused for the following pregnancy- or parenting-related reasons:
 - i. **Medical and Health-Related.** Pregnancy- or parenting-related conditions, including:
 1. Labor;
 2. Delivery;
 3. Recovery; and
 4. Prenatal and postnatal medical appointments.
 - ii. **Post-Birth.** A minimum of ten (10) school days of excused absence following the birth of the student's child
 - iii. **Child Illness or Medical Care.** Illness or medical appointments for the student's child, including up to four (4) school days per academic year for which the school may not require a physician's note
 - iv. **Legal Obligation.** Legal appointments involving the pregnant or parenting student related to family law proceedings, including adoption, custody, or visitation
 - v. **Lactation Support.** Use of a lactation space during school hours to nurse or express breast milk
 - c. **Academic Support and Make-Up Work**
 - i. Students who are pregnant or parenting may be entitled to/approved for home and hospital teaching (HHT) services as outlined in [Board Policy 417, *Interim Instructional Services*](#), and [FCPS Regulation 400-37, *Home-Hospital Teaching Services*](#).
 - ii. The student's school may allow the student to:
 1. Make up the work that the student missed in a time period that equals at least as many days that the student was absent; and

2. Choose one of the following alternatives to make up work that the student missed:
 - a. Retake a semester;
 - b. Participate in an online course credit recovery program; or
 - c. Allow the student 6 weeks to continue at the same pace and finish at a later date.

E. Related Information

1. Board Policy

- a. [Policy 105, *Appeal and Hearing Procedures*](https://apps.fcps.org/legal/documents/105)
(https://apps.fcps.org/legal/documents/105)
- b. [Policy 403, *Student Discipline*](https://apps.fcps.org/legal/documents/403)
(https://apps.fcps.org/legal/documents/403)
- c. [Policy 417, *Interim Instructional Services*](https://apps.fcps.org/legal/documents/417)
(https://apps.fcps.org/legal/documents/417)
- d. [Policy 430, *Attendance and Enrollment*](https://apps.fcps.org/legal/documents/430)
(https://apps.fcps.org/legal/documents/430)

2. Code of Maryland Regulations (COMAR)

- a. [COMAR 13A.08.01.01, *Attendance*](https://fcps-md.info/COMAR_13A-08-01-01)
(https://fcps-md.info/COMAR_13A-08-01-01)
- b. [COMAR 13A.08.01.02, *Age for School Attendance*](https://fcps-md.info/COMAR_13A-08-01-02)
(https://fcps-md.info/COMAR_13A-08-01-02)
- c. [COMAR 13A.08.01.03, *Lawful Absence*](https://fcps-md.info/COMAR_13A-08-01-03)
(https://fcps-md.info/COMAR_13A-08-01-03)
- d. [COMAR 13A.08.01.04, *Unlawful Absence*](https://fcps-md.info/COMAR_13A-08-01-04)
(https://fcps-md.info/COMAR_13A-08-01-04)
- e. [COMAR 13A.08.01.05, *Student Attendance Policy*](https://fcps-md.info/COMAR_13A-08-01-05)
(https://fcps-md.info/COMAR_13A-08-01-05)

3. External Resources

- a. [Maryland State Department of Education \(MSDE\). \(August 2020\). *Maryland Student Records System Manual*](https://fcps-md.info/MD_Student_Records_System_Manual)
(https://fcps-md.info/MD_Student_Records_System_Manual)

4. FCPS Regulations

- a. [Regulation 400-11, *Frederick County Virtual School \(FCVS\) Student Enrollment, Attendance and Commencement*](https://apps.fcps.org/legal/documents/400-11)
(https://apps.fcps.org/legal/documents/400-11)
- b. [Regulation 400-37, *Home/Hospital Teaching Services*](https://apps.fcps.org/legal/documents/400-37)
(https://apps.fcps.org/legal/documents/400-37)
- c. [Regulation 400-99, *Pregnant and Parenting Students*](https://apps.fcps.org/legal/documents/400-99)
(https://apps.fcps.org/legal/documents/400-99)
- d. [Regulation 403-01, *Student Discipline*](https://apps.fcps.org/legal/documents/403-01)
(https://apps.fcps.org/legal/documents/403-01)

- e. [Regulation 408-01, Suspension and Expulsion](https://apps.fcps.org/legal/documents/408-01)
(<https://apps.fcps.org/legal/documents/408-01>)
- f. [Regulation 416-05, Academic Intervention, Support, and Promotion](https://apps.fcps.org/legal/documents/416-05) (formerly 500-10)
(<https://apps.fcps.org/legal/documents/416-05>)

5. FCPS Resources

- a. [FCPS / Families & Students / Office of Student Services / Home and Hospital Teaching / Attendance on HHT](https://www.fcps.org/families_students/student_services/home_and_hospital_teaching/attendance_on_hht)
(https://www.fcps.org/families_students/student_services/home_and_hospital_teaching/attendance_on_hht)

6. Federal Law

- a. Every Student Succeeds Act (ESSA)
- b. Individuals with Disabilities Education Act (IDEA)
- c. Title IX of the Educational Amendments Act of 1972 (Title IX)

7. Maryland Statutes

- a. [Md. Code Ann., Educ. § 7-301](https://fcps-md.info/MD_Educ_Code_7-301)
(https://fcps-md.info/MD_Educ_Code_7-301)
- b. [Md. Code Ann., Educ. § 7-301.1](https://fcps-md.info/MD_Educ_Code_7-301_1)
(https://fcps-md.info/MD_Educ_Code_7-301_1)
- c. [Md. Code Ann., Educ. § 7-301.2](https://fcps-md.info/MD_Educ_Code_7-301_2)
(https://fcps-md.info/MD_Educ_Code_7-301_2)
- d. [Md. Code Ann., Educ. § 7-301.3](https://fcps-md.info/MD_Educ_Code_7-301_3)
(https://fcps-md.info/MD_Educ_Code_7-301_3)
- e. [Md. Code Ann., Educ. § 7-302](https://fcps-md.info/MD_Educ_Code_7-302)
(https://fcps-md.info/MD_Educ_Code_7-302)
- f. [Md. Code Ann., Educ. § 7-302.2](https://fcps-md.info/MD_Educ_Code_7-302_2)
(https://fcps-md.info/MD_Educ_Code_7-302_2)
- g. Md. Code Ann., Cts & Jud Pro T.3, Subt. 8c

F. Regulation History (Maintained by Legal Services)

<i>Responsible Office</i>	Office of Student Services
Adoption Dates	07/24/19
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