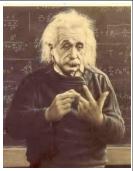
Student Attendance Steve Williams Bobby Truhe (402) 434-3000 Im H & S School Law Of StevelsEsteban (abtruhe) Schoollaw@hslegalfirm.com

Absenteeism Law Changes

- Review policy with county attorney annually
- Remove "barriers to attendance"
- Council on School Attendance



General Policy

- Policy must include
 - Annual review with county attorney
 - How district will handle "excessive absences due to illness"
 - Circumstances and number of absences (or hourly equivalent) upon which district will render services "to address barriers to attendance"

General Policy: Considerations

- Discuss forms and list of excused absences approved by the board
- Discuss "may" vs. "shall" report
- Discuss the CA's preferences for prosecuting cases—you're not part of the jurisdictional component
- Ask for building-level reports
- Discuss reports monthly or quarterly

Services

- Communication with parent/guardian
- Meeting with "at least"
 - 1. School attendance officer, social worker, administrator, OR designee
 - 2. Person in actual/legal charge
 - 3. The child, if appropriate
- Form "Collaborative Plan"

Services: Considerations

- Be consistent
- School rep should be appropriate for age and needs of student
- Don't make promises you can't or won't keep

Collaborative Plan

• "Shall consider, but not limited to"

- Illness of the child (mental and physical);
- Educational counseling;
- Referral to community agencies for economic services;
- Family or individual counseling; AND
- Assisting the family in working with other community services.

Collaborative Plan Addressing Barriers to Attendance

 Student Name:
 Click here to enter text.
 Student Grade:
 Click here to enter text.

 Building:
 Classroom/Homeroom Teacher:
 Classroom/Homeroom Teacher:
 Classroom/Homeroom Teacher:

Date of Meeting: <u>Click here to enter a date.</u> Number of absences at time of meeting: <u>Click here to enter text.</u>

What are the primary reasons the student has been absent: Click here to enter text.

Based on that information, meeting participants considered the following issues (check all the apply):

 $\hfill \square$ Illness related to physical or behavioral health of the child

Educational Counseling

Referral to community agencies for economic services

Family or individual counseling

- □ Assisting the family in working with other community services
 □ Referral to student assistance team for possible Section 504 or IDEA eligibility
- Other: Click here to enter text.

Attendance Plan

Based on the above considerations, this attendance plan will be put into place:

Steps to be taken by school staff: Click here to enter text.

Steps to be taken by student: Click here to enter text.

Steps to be taken by parent/guardian: Click here to enter text.

Steps to be taken by third parties: Click here to enter text.

Signatures of Meeting Attendees:

Parent/Guardian':

Student: ____

Attendance Officer:

Social Worker or School Administrator:

Other (indicate title):

Notice to family: Nebraska law requires students to be in attendance at school each day that such school is open and in session, except when excused by school authorities or when illness or severe weather conditions make attendance impossible or impracticable. Nebraska law also

* "If parents/guardians are not present at the meeting, please attach documentation showing that the school made reasonable efforts to invite the parents.

requires school officials to investigate any possible violation of this requirement. Please note that if your student accrues more than 20 absences, the school district may refer the child to the county attorney for action under Neb. Rev. Stat. § 43-247(3)(a) and (b).

I have received a copy of this Plan, including the above notice:

Parent/Guardian*:

Student: _

504 Considerations

- Interplay with Section 504
- Plans which address "absences"
- Consider absenteeism practice which defers to 504 plan/IEP
- Referral for evaluation based on absenteeism—required?
- Who attends the 504 meeting?
- Who attends the collaborative plan meeting?

Reports to County Attorney

- "May" report when
 - Collaborative Plan has not worked, and
 - Child has been absent more than 20 days
- Must notify child's family in writing before referring to county attorney
- "Illness that makes attendance impossible or impracticable shall not be the basis for referral"

Improving Attendance

- More teacher-student class time
- Improved achievement scores
 NeSA scores after 10 absences
- Increased funding, which means more teachers, paras, computers, supplies
- Less teacher time spent on makeup work
- Sign of healthy school climate

Improving Attendance

- Set expectations in policy
- Limit the number of absences
- Don't distinguish between excused or unexcused
 - Or limit reasons for excused absences • Doctor's note v. no note
- Miss > maximum = no earned credit

Improving Attendance

- Allow administrative discretion, but limit use to "legitimate reasons"
- Include appeal process
- Impose "inconvenient" consequence
 - Must be balanced so imposed and accepted

30 minutes after school to study after absence

Improving Attendance

Offer attendance incentive

- Loss of credit alone is ineffective
- Loss plus incentive plus other factors discussed here = effective
- Small social and student-oriented incentives > big rewards
- Must be attainable
 Perfect attendance v. 95% attendance
- Students must value, so vary by age/ability

Improving Attendance

- Personal contact with parent/student
- Is the teacher the problem?
 - Shocker! Kids don't like to go to classes with bad teachers
 - Pattern of absenteeism with teacher could be sign of problems in teaching
 - Policy provision for PAL to meet with teacher after certain level of absenteeism
 - Include issue in evaluation/remediation

Improving Attendance

- Building climate directly linked to student absenteeism
 - Policy provision for Supt. to meet with PAL after certain level of absenteeism
 - Develop strategies to improve attendance
 - Include issue in evaluation/remediation
- Be creative, experiment nobody knows your students better than you!

Improving Attendance

- Do your research and talk to those who have experience with such an approach
- Communicate with students, parents, administrators, teachers, and board
- The right combination results in fewer absences, disciplinary referrals, and suspensions

