

Category: **STUDENTS**

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Subject: MINIMUM STANDARDS FOR ATTENDANCE PROGRAMS

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**SUMMARY OF CHANGES**

This regulation supersedes Chancellor's Regulation A-210 dated January 20, 2011.

**Changes:**

- Adds that children whose fifth birthday falls within the calendar year of admission are required to attend kindergarten, unless their parents elect to enroll them in first grade the following academic year (p. 1, §I.A.1).
- Clarifies the minimum standards of attendance programs that schools are to develop and implement on an annual basis; adds headings to each point listed under the section titled Minimum Attendance Program Standards for Schools for increased clarity (pp. 2-3, §III.A-F).
- Specifies that school attendance programs must provide for the recording of period attendance, where applicable, in addition to the recording of daily attendance in ATS (p. 2, §III.B).
- Defines chronic absenteeism and adds requirement that schools are to maintain a system for recognizing patterns of student absence and implement specific interventions to reduce the number of students who are chronically absent (p. 2, §III.C).
- Clarifies the role and purpose of a Form 407 Attendance Follow-up and Outreach Referral (p. 3, §IV.A-B).
- Changes one of the circumstances under which a Form 407 will be automatically generated: a Form 407 will automatically generate after 20 aggregate days of absence over a four-month period for students in pre-kindergarten through grade 8, but not for such students in grades 9-12 (p. 3, §IV.A.3).
- Clarifies the circumstances under which a Form 407 investigation may be closed (p. 3, §IV.E-F).
- Updates titles of DOE offices to reflect changes in DOE organization (p. 4, §VII).

## **ABSTRACT**

This regulation supersedes Chancellor's Regulation A-210 dated January 20, 2011. It sets forth the minimum standards for school attendance programs, including requirements for meeting state attendance mandates, and establishes the policies for school attendance services, attendance reporting, and follow-up procedures. The tracking and follow-up of attendance and chronic absenteeism is one of the Department of Education's most important responsibilities as it relates to the safety, welfare, and educational success of the students of New York City.

### **I. ATTENDANCE LAW**

- A. Each minor from 5 to 17 years of age in New York City is required to attend school on a full-time basis.
  - 1. Children who turn 5 on or before December 31<sup>st</sup> of the school year are required to attend kindergarten at the beginning of that school year, except that such children are not required to attend kindergarten if their parents<sup>1</sup> elect instead to enroll them in first grade the following academic year.
  - 2. Students who turn 17 on or after July 1<sup>st</sup> must complete the school year in which they turn 17 years of age.
- B. Exceptions to the age requirements for attendance are as follows:
  - 1. minors who have graduated from high school.
  - 2. students who have earned a high school equivalency diploma.
  - 3. students 16 or 17 years of age who have been issued a full-time employment certificate.

### **II. RESPONSIBILITIES FOR ATTENDANCE SERVICES**

- A. The Chancellor is responsible for setting the minimum standards for school-based attendance programs and providing guidelines related to attendance issues and services.
- B. Principals are responsible for ensuring that his/her school's attendance program meets minimum standards for attendance services, as mandated by State requirements and as delineated in this Regulation and other Department of Education procedural guidelines. This includes approving an annual Attendance Plan, managing the accurate recording of attendance, and supervising a school-based attendance coordinator and attendance committee, as set forth in Section III below.
- C. Children First Networks (CFNs) are responsible for providing support and assistance to schools in order to ensure that minimum attendance program requirements are met. This includes but is not limited to:
  - 1. assisting schools in the development of an Attendance Plan that will allow for the effective implementation of attendance tracking, outreach, follow-up and support services; and
  - 2. facilitating training for staff involved in the attendance program, including attendance teachers, attendance coordinators, principals, assistant principals, guidance counselors/support staff, pupil accounting secretaries, family assistants and para-professionals.

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<sup>1</sup> The term "parent," whenever used in this regulation, shall mean the student's parent(s) or guardian(s) or any person or agency in a parental or custodial relationship to the student.

### III. MINIMUM ATTENDANCE PROGRAM STANDARDS FOR SCHOOLS

- A. **Annual Attendance Plan:** Every year on or before October 31<sup>st</sup>, each school is required to submit an annual Attendance Plan that delineates the school's policies and procedures regarding attendance. This plan is a component of the Office of Safety and Youth Development's Consolidated Plan. Based on this plan, schools are to develop, communicate and implement policies for: maintaining accurate records of student attendance; monitoring patterns of student lateness and absence; and using effective intervention strategies to improve school attendance.
- B. **Recording Attendance:** Student attendance for the day must be recorded in ATS on a daily basis. In grades 9–12 and in departmentalized schools (a school that is organized around academic subject departments) at any grade level, attendance also must be recorded for each period of scheduled instruction, via ATS or another recording method, in accordance with procedures defined in the school's Attendance Plan. Teachers are responsible for ensuring that accurate records of attendance are kept for each student on register. Scan sheets must be signed by the teacher. Changes to scan sheets may only be made by the person whose signature appears on the sheet and must be initialed by that person. All other changes of attendance must be documented on the Change of Attendance Form or similar record and entered into the ATS System. Scan sheets and other forms of attendance documentation must be kept on file at the school for 6 years after the student's expected date of graduation. Principals must make these records available to those authorized to review, inspect, or audit them.
1. **Recording Reasons for Absence:** Schools are to make every effort to identify and document the reasons for student absences. School policy will define the kinds of absences that will be excused and those that will not be excused, and define the supporting documentation to be collected and maintained.
  2. **Recording Lateness/Early Departure:** School policy will define what constitutes a late arrival and define which late arrivals are excused and not excused. Schools are to keep records of late arrivals and early departures in accordance with school-defined policies. A student who is marked late is considered present for the school day. No number of late arrivals constitutes an absence. A student is considered present for the day if s/he attends at least one instructional period. Frequent or unexcused lateness or early departures require the same follow-up and intervention procedures as absences.
  3. **Religious Accommodations:** Schools must follow Chancellor's Regulation A-630 for recording early departures and excused absences due to religious observance.
- C. **Ensuring Regular Student Attendance:** Schools must establish and maintain a system for recognizing patterns of student absence. A student who misses the equivalent of 2 or more days per month, or 20 or more days in the school year, is considered chronically absent. Schools are to establish and implement specific interventions to reduce the number of students who are chronically absent.
- D. **Attendance Coordinator:** At each school, an attendance coordinator (administrator or pedagogue) is responsible for the overall operation of the school attendance program, under the supervision of the principal or his/her designee. This includes but is not limited to ensuring that student attendance is recorded accurately, all documentation is appropriately signed and available for review, parents are contacted following a student's absence, all documents related to attendance tracking are filed appropriately, and all 407 procedures, as specified below, are followed.
- E. **Attendance Committee:** Each school must have an Attendance Committee consisting of members of the school community including, but not limited to, teachers, administrators, attendance teachers, and guidance counselors. The Attendance Committee uses data and case study to identify and resolve underlying reasons for lateness and absences.

- F. **Parent Outreach:** Schools must contact parents to determine the cause of a child's unexplained absence and propose a resolution. Every effort must be made to telephone parents on the first day of a student's absence. Automated calling systems may be used, wherever possible, to supplement school outreach efforts. All parent contacts and attempted contacts must be documented and kept on file in the school. Outreach and intervention efforts are to be entered into the ILOG system on ATS. Schools are responsible for maintaining up-to-date parent contact information (address and phone numbers) in ATS.

#### IV. **THE FORM 407 TRACKING SYSTEM**

- A. The Form 407 Attendance Follow-up and Outreach Referral ensures that a documented investigation is undertaken for every student who requires continued follow-up after standard outreach and intervention measures have been utilized. A school conducts a 407 investigation to identify the reasons these students remain absent and to return them to school or appropriately discharge them. A Form 407 Attendance Follow-up and Outreach Referral will be automatically generated at all schools under the following conditions:
1. when a student has been absent for 10 consecutive days.
  2. where there has been a prior 407 investigation for a student, when such student has been absent for 8 consecutive days or 15 aggregate days.
  3. for students in pre-kindergarten through grade 8, when a student has been absent for 20 aggregate days over a four-month period.
- B. A 407 referral will also be automatically generated 30 days after a student has been discharged as "Address Unknown," or 20 days after a student has been discharged to a non-DOE school without documentation of enrollment. The purpose of these 407s is to initiate a new investigation to ensure that the "Address Unknown" designation is still appropriate and ascertain if any additional information concerning the student's or family's whereabouts has become available.
- C. The Form 407 Attendance Follow-up and Outreach Referral may also be manually issued when a home visit or investigation is necessary, as determined by school administration.
- D. After the Form 407 has been generated, the school is to record all information, outreach efforts, and interventions in either the ILOG System on ATS, directly on the Form 407, and/or as a comment code in ATS. If the case cannot be resolved at the school level, the Form 407 is given to an attendance teacher for further investigation.
- E. When the investigation is complete, the resolution code and date of closure must be entered into the ATS System and the Form 407 must be filed at the school. An attendance 407 is closed upon the student's return to school or valid discharge. A 407 that is generated when a student is discharged under the circumstances described in Section IV.B. of this regulation is closed with a code indicating the result of the investigation. For 407s that cannot be closed, a comment code may be entered in ATS.
- F. All Form 407s generated for students in pre-kindergarten through grade 8 that remain unresolved for over 10 days must be reviewed by the attendance coordinator and/or principal in order to ascertain the issues obstructing resolution. If the 407 cannot be closed within 10 days, a comment code must be entered in ATS.

#### V. **CLEARANCE OF REGISTER**

The principal, in conjunction with the attendance coordinator, must develop a Clearance of Register program designed to locate and either return to school or appropriately discharge students who are on the school register and who have not appeared at the beginning of the school year, including students who have been list noticed into the school.

#### VI. **TRAINING AND TECHNICAL ASSISTANCE**

The Office of Safety and Youth Development provides training, technical support, and assistance to schools and network staff on all issues related to attendance.

VII. **INQUIRIES**

Inquiries pertaining to this regulation should be addressed to:

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