

# REGULATION

## ANNE ARUNDEL COUNTY PUBLIC SCHOOLS

**Related Entries:** JB, JCH, JCH-RA, JS, JS-RA

**Responsible Office:** DIVISION OF STUDENT SUPPORT SERVICES

### COMPULSORY ATTENDANCE

#### A. PURPOSE

To establish procedures regarding student attendance within Anne Arundel County Public Schools (AACPS), including ages for compulsory attendance in compliance with State education law and regulations.

#### B. BACKGROUND

AACPS is responsible for ensuring that students are enrolled in and regularly attending school in accordance with Maryland education law and regulations.

#### C. DEFINITIONS

1. ***Continuously Absent*** – an absence of 5 or more consecutive school days.
2. ***Lawful Absence*** – students enrolled in public schools are considered lawfully absent from school for any portion of the day, only under the following conditions:
  - a. Death of a family member:
    - i. Three school days shall be considered excused upon the death of family member;
    - ii. The principal may grant extra days for extenuating circumstances;
  - b. Illness of the student:
    - i. The principal or a pupil personnel worker shall require a physician's certificate from the parent(s)/guardian(s) of a student reported continuously absent for illness;
    - ii. The principal or pupil personnel worker may require a physician's certificate from the parent(s)/guardian(s) of a student reported absent for 10 or more days in a school year for illness;

- c. Behavioral health need:
  - i. The principal or pupil personnel worker shall require the parent(s)/guardian(s) of a student reported continuously absent for a behavioral health need to submit a certificate from an appropriate health care provider licensed or certified under the Health Occupations Article of the Annotated Code of Maryland;
  - ii. The principal or pupil personnel worker may require a certificate from an appropriate health care provider licensed or certified under the Health Occupations Article of the Annotated Code of Maryland from the parent(s)/guardian(s) of a student reported absent for 10 or more days in a school year for a behavioral health need.
- d. Court appearance:
  - i. A copy of the court document for a court summons is required;
- e. Hazardous weather conditions which would endanger the health or safety of the student when in transit to and from school;
- f. Work approved or sponsored by a school, the school system, or the Maryland State Department of Education, accepted by the Superintendent or Superintendent's designee or principal or principal's designee;
- g. Observance of a religious holiday;
- h. State of emergency;
- i. Suspension from school;
- j. Lack of authorized transportation, which does not include students denied authorized transportation for disciplinary reasons;
- k. Other emergencies or set of circumstances, which, in the judgment of the Superintendent or the Superintendent's designee, constitute a good and sufficient cause for absence from school;
- l. Deployment related absences such as visitation with a parent(s)/ guardian(s) who is an active duty member of the uniformed services and has been called to duty for, or is on leave from, or immediately returned from deployment to a combat zone or combat supporting position:
  - i. Under the *Interstate Compact on Educational Opportunity for Military Children*, to which Maryland is signatory pursuant to statute, the

Superintendent or the Superintendent's designee may excuse a student's absence for the purpose of visiting with a parent(s)/guardian(s) who is an active duty member of the uniformed services and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat supporting posting.

- ii. The student shall be given lawful absences during a service member's deployment.
  - iii. The time period when lawful absence may occur is 1 month before leaving and 6 months after return.
  - iv. The Superintendent or the Superintendent's designee shall determine a reasonable amount of time if there is an issue regarding the amount of lawful time; or
- m. Pregnant and parenting needs, including:
- i. Prenatal medical appointments;
  - ii. Labor;
  - iii. Delivery;
  - iv. Recovery;
  - v. Postnatal medical appointments; and
  - vi. Lactation accommodations.
3. **Tardiness** – any time a student arrives after the official start of the school day or class period.
4. **Truant Student** – a student who is unlawfully absent from school for:
- a. Eight days in any quarter;
  - b. Fifteen days in any semester; or
  - c. Twenty days in a school year.
5. **Unlawful Absence** – any time a student does not attend school that does not qualify as the above listed reasons for a lawful absence.

## D. PROCEDURES

### 1. All Students

- a. Each child who resides in Maryland and is 5 years old or older and under the age of 18 by September 1 of the school year shall attend a public school regularly during the entire school year unless the child is otherwise receiving regular, thorough instruction during the school year in the studies usually taught in the public schools to children of the same age, or is exempted from attendance as provided by law.
- b. Students shall be considered in attendance at school when participating in school-sponsored activities during the school day, and when that participation is approved by the Superintendent or the Superintendent's designee, or the school principal or the principal's designee. Students shall be considered in attendance in an alternative program setting when participating in activities during the day sponsored by the alternative program and when that participation is approved by the director of a licensed child care center, registered family day care home, or Head Start program.
- c. Any person who has legal custody or care and control of a child who is 5 years old or older and under the age of 18 by September 1 of the school year shall see that the child attends school or receives instruction as required by State law and regulations, unless the child is exempted from attendance pursuant to State law and regulations.
- d. Pursuant to Maryland education law, the principal shall work proactively with the Office of Student Services when a child enrolled in school has had irregular attendance without lawful excuse or shows evidence of maladjustment, in order for the causes of the irregular attendance to be studied and interventions developed.
- e. Students and parents/guardians shall be made aware of the AACPS attendance policy and procedures.
- f. Any absence, including absence for any portion of the day, for any reason other than those cited as lawful, shall be considered unlawful and may constitute truancy.
  - i. Students who are truant may fail to meet the requirements for earning credit. The principal and appropriate affiliated personnel concerned shall review cases of this nature and shall determine whether or not a passing grade may be given and credit awarded for the subject(s) in question.

- ii. The principal shall refer truant students to the Office of Student Services.
- g. Upon return to school from any absence, students shall be required to provide a written note within 3 school days from the parent(s)/guardian(s) or eligible student explaining the cause of absence from school, or the absence shall be recorded as unlawful. Waiver of the 3 school day requirement is under the discretion of the principal.
- h. If an absence is due to a behavioral health need, the school shall provide the student or the student's parent(s)/guardian(s) information about school or community behavioral health resources that are available to the student.
- i. Students with unlawful absences may request missed assignments but may not receive credit for this work.
- j. The number of unlawful absences may be rounded up to the nearest full day.
- k. A student with lawful absences shall be allowed a reasonable number of days that equals at least as many days that the student was absent to make up work. The reason for the absence shall be considered when determining the numbers of days granted to complete the work. A student with lawful absences near or at the end of a grading period may receive a temporary "I" (Incomplete) and be allowed a reasonable number of days that equals at least as many days that the student was absent to make up work.
- l. Students and parents/guardians shall be informed of pertinent information concerning attendance via the *AACPS Student Handbook*, *AACPS Parent Handbook*, a school handbook, or a newsletter.
  - i. All students and parents/guardians shall be apprised of these policies regardless of when they start the school year.
  - ii. Appeals regarding this regulation and its corresponding policy shall be in accordance with the procedures as set forth in Policy and Regulation JCH/JCH-RA – Student Complaints Related to Policy, Regulation, or Law.

## 2. **Pregnant and Parenting Students**

Notwithstanding any other provisions in AACPS policies or regulations, a student's absence due to a student's pregnancy or parenting needs is a lawful absence as defined by State law.

- a. Any absence due to pregnancy-related or parenting-related conditions shall be excused, including:

- i. Prenatal medical appointments;
  - ii. Labor;
  - iii. Delivery;
  - iv. Recovery;
  - v. Postnatal medical appointments; and
  - vi. Lactation accommodations.
- b. A parenting student shall receive at least 10 days of excused absences after the birth of the student's child.
- c. Any parenting-related absence due to an illness or a medical appointment of the student's child, including up to 4 days of absences per school year which may not require a note from a physician, shall be excused.
- d. Any absence due to a legal appointment involving the pregnant or parenting student that is related to family law proceedings, including adoption, custody, and visitation shall be excused.
- e. In addition to hospital services, a pregnant or parenting student may be allowed to:
- i. 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
  - ii. 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.

**Regulation History:** Revised 09/13/17; 09/06/22; 09/26/23

**Note Previous Regulation History:** Replaces AR901.01 issued 5/20/91, revised 05/16/07  
Developed by Superintendent 02/07/07  
Reviewed by Board 04/23/14  
Issued 04/23/14

**Legal References:** Sections 4-139, 7-301, 7-301.1, and 7-301.3 of the Education Article; Code of Maryland Regulations 13A.08.01.03