

**JB-R Student Attendance**

12/7/23

**RATIONALE/OBJECTIVE:**

In compliance with the requirement set forth in O.C.G.A. § 20-2-690.1, the parents/guardians, or other persons having charge of any child(ren) between their sixth and sixteenth birthdays are required by law to enroll and send such child(ren) to a public or private school or utilize a home study program. In addition, all children enrolled for twenty (20) school days or more prior to their seventh birthday shall become subject to the provisions of the state's compulsory school attendance law (O.C.G.A. §§ 20-2-690 through 20-2-701) and cannot be withdrawn except as provided in Administrative Rule JBC-R (School Admissions/Withdrawals).

The State Board of Education's Student Attendance Rule defines "Truant" as any child subject to compulsory attendance who, during the school calendar year, has more than five days of unexcused absences. The District will comply with all applicable State authority, including law and State Board Rules, regarding student attendance.

**RULE:**

The Cobb County School District (District) requires that principals, teachers, and other designated personnel make and keep proper attendance records and administer disciplinary measures necessary to maintain regular student attendance.

- The District requires that principals, teachers and other designated personnel make and keep proper attendance records. It is important that local schools keep accurate data to reflect each student's excused and unexcused absences. A copy of this documentation should remain on file in the school throughout the school year.
- Attendance should be taken in every class period for middle and high schools. Elementary schools shall take attendance daily.
- Local schools will provide to the parent/guardian or other person having control or charge of the student enrolled in the school, possible consequences and penalties for failing to comply with compulsory attendance.
- By September 1 of each school year or within 30 school days of a student's enrollment in the school system, the parent, guardian, or other person having control or charge of such student shall sign a statement indicating receipt of such written statement of possible consequences and penalties. In addition, students age ten or older by September 1 shall sign a statement indicating receipt of written statement of possible consequences for non-compliance to the local system's policy. The school will make two reasonable attempts to secure such signature or signatures and will be considered to be in compliance if it sends a copy of the statement, via certified mail, return receipt requested, or first-class mail, to such parent, guardian, other person who has control or charge of a child, or children. The school will retain signed copies of statements through the end of the school year.

The following procedures shall be observed in regard to attendance of students:

**A. Absences Considered Excused:**

In accordance with State Board of Education Rule 160-5-1-.10 and O.C.G.A. § 20-2-690.1 the following are considered excused absences:

1. When personally ill and when attendance in school would endanger their health or the health of others.

2. When, in their immediate family, there is a serious illness or death which would reasonably necessitate absence from school. Immediate family is defined as mother, father, siblings, grandparents, step-parents or legal guardian.
3. Observing religious holidays, necessitating absence from school.
4. When mandated by order of governmental agencies (examples: pre-induction physical examination for service in the armed forces or a court order).
5. Children may be excused from school attendance when prevented from such attendance due to conditions rendering school attendance impossible or hazardous to their health or safety.
6. A student may be granted an excused absence not to exceed one day in order to register to vote or to vote in a public election.
7. A student whose parent/guardian is in military service in the armed forces of the United States or the National Guard, and such parent/guardian has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted excused absences, up to a maximum of five (5) school days per school year to visit with his/her parent/guardian relative to such leave or deployment of the parent/guardian.
8. A student who is participating in an official District performing arts program performance shall be granted an excused absence.
9. A student whose parent or legal guardian is currently serving or previously served on active duty in the armed forces of the United States, in the Reserves of the armed forces of the United States on extended active duty, or in the National Guard on extended active duty may be granted excused absences, up to a maximum of five school days per school year, not to exceed two school years, for the day or days missed from school to attend military affairs sponsored events, provided the student provides documentation prior to absence from a provider of care at or sponsored by a medical facility of the United States Department of Veterans Affairs; or an event sponsored by a corporation exempt from taxation under Section 501(c)(19) of the Internal Revenue Code.
10. Students shall be counted as present who:
  - a. Are a foster care student who attends court proceedings relating to their foster care for any day, portion of a day, or days missed from school. A student in foster care means a student who is in a foster home or otherwise in the foster care system under the Division of Family and Children Services of the Department of Human Services.
  - b. Are serving as Pages in the Georgia General Assembly for days or class periods missed from school for this purpose;
  - c. Who successfully participate in the Student Teen Election Participant (STEP) program for the school days during which he or she serves in the STEP program. No student shall be permitted to be absent from school or participate in the STEP program for more than two school days per school year; or
  - d. Who participates in an activity or program sponsored by 4-H.

**B. Excused and Unexcused Absences:**

1. A letter written by a parent/guardian and/or licensed physician explaining the reasons for absences must be presented to school authorities by all students. Failure to submit a note within three school days after a student's return from an absence will result in the absence being marked as unexcused.
2. The principal may ask for additional medical or other documentation to verify that absences are excused, particularly when more than three (3) absences have been accumulated during the semester.
3. Students who become ill or injured while at school shall be dismissed from school only after parents/guardians have been notified. Exceptions to this policy shall be made only in cases of emergency.
4. A student shall be dismissed before the school day officially ends when a parent or guardian sends a written request or speaks by telephone with the principal or principal's designee, explaining the reason for early dismissal to the principal or appears in person requesting the student's dismissal the school shall verify the identity of anyone requesting early dismissal of a student from school.

5. Individual students who have emergencies necessitating their absence from school for a portion of the school day must have been present for one-half of the instructional day in order to be included in the average daily attendance count.
6. Students shall not leave the school grounds during school hours without permission from the principal or principal's designee.
7. Principals or principal's designees may require verification of right of custody/identification of anyone requesting early dismissal of a student.
8. Pregnant Students – See Administrative Rule JQF-R (Married and Pregnant Students).

**C. Late Arrivals/Early Checkouts:**

1. To be considered "in attendance" for a school day, a student must be present for at least one-half of the school day, excluding the lunch period. Students leaving school before meeting that requirement will be considered absent for the day.
2. A parent/legal guardian may be required to bring appropriate documentation showing the necessity of an early checkout/late arrival.

**D. Excessive Absences:**

As required by Georgia law, the District will participate in a Student Attendance and School Climate Committee, and will address excessive absences as discussed in the Student Attendance Protocol (Form JB-5, incorporated by reference here), which contains procedures to be used in identifying, reporting, investigating and prosecuting cases of alleged violations of O.C.G.A. § 20-2-690.1, relating to mandatory school attendance and appropriately addressing the issue with parents and guardians.

The parental contacts discussed in the Attendance Protocol are the minimum to be utilized. The District and/or local school administrators may initiate additional contacts with parents/guardians if deemed appropriate to address the attendance issues of their respective school communities. Likewise, local school administrators may confer and/or make a referral to the School Social Worker at any time it is deemed appropriate.

**E. Suspensions/Expulsions:**

Absences due to out-of-school suspensions or expulsions shall not count as unexcused absences for the purpose of determining student truancy and the ability to make up work. However, these absences may be considered when determining attendance incentives criteria and other decision in the school where poor behavior is considered. Parents of students who are suspended or expelled will be notified pursuant to Administrative Rules JCEB-R (Student Hearing Procedure) and JDD-R (Student Suspension).

**F. Penalties:**

Pursuant to the Georgia Compulsory Attendance Statute, O.C.G.A. § 20-2-690, *et seq.*, a parent or legal guardian who fails to send his or her child to school may be charged with a misdemeanor. At its discretion, a court having jurisdiction may subject the parent or guardian to a fine not less than \$25.00 and not greater than \$100.00, imprisonment not to exceed thirty (30) days, community service, or any combination of such penalties, if found guilty of violating the Compulsory Attendance Statute. Each day's absence after the child's school system notifies the parent, guardian, or other person who has control or charge of a child of five unexcused days of absence for a child shall be considered a separate offense as related to the penalty.

Reclassified an Administrative Rule: 9/1/04

Revised: 1/27/05; 6/21/05; 7/1/06, 8/10/11; 10/10/12

Revised and re-coded: 1/7/13 (Previously coded as Administrative Rule JE)

Revised: 3/13/13; 8/22/19; 10/24/19; 8/1/22; 12/7/23

Legal Reference

O.C.G.A. 20-2-690.2	Establishment of Student Attendance and school climate committee; membership; summary of penalties for failure to comply; review and policy recommendations; reporting
O.C.G.A. 20-2-691	Minimum Annual Attendance Required
O.C.G.A. 20-2-696	Duties of Visiting Teachers and Attendance Officers
O.C.G.A. 20-2-692.1	Excused absences for days missed to visit with parent or legal guardian in the military prior to

O.C.G.A. 20-2-692.2	deployment or while on leave; attendance at military affairs sponsored events Foster care student attending court proceedings related to that student's foster care to be credited as present at school
O.C.G.A. 21-2-92	Student Teen Election Participant (STEP) program
O.C.G.A. 20-17-2	Interstate Compact on Educational Opportunity for Military Children
O.C.G.A. 20-2-690.1	Mandatory education for children between 6 and 16
O.C.G.A. 20-2-692	General Assembly pages granted excused absences
O.C.G.A. 20-2-693	Exemptions
O.C.G.A. 20-2-694	Administration/enforcement of attendance reqts.
O.C.G.A. 20-2-695	Employing attendance officers in addition to visiting teachers
O.C.G.A. 20-2-697	Cooperation of principals and teachers with attendance officers and visiting teachers
O.C.G.A. 20-2-698	Assumption of temporary custody of truant children by peace officers
O.C.G.A. 20-2-701	Mandatory reporting of truants to juvenile or other courts
O.C.G.A. 40-5-22	Requirements for licensure; school attendance requirements
Rule 160-4-2-.31	Hospital/Homebound Instruction
Rule 160-5-1-.02	School Day and School Year for Students and Employees
Rule 160-5-1-.10	Student Attendance
Rule 160-5-1-.15	Acceptance of Transfer Credit and/or Grades
Rule 160-5-1-.28	Student Enrollment and Withdrawal

## ATTENDANCE PROTOCOL

### I. Attendance Referral Process

The primary goal of this attendance protocol is to address unexcused absences for students ages six to sixteen. This attendance protocol is to serve students who attend face to face and/or virtual (e.g., Elementary Virtual Program [EVP] and Cobb Online Learning Academy [COLA]) programs within the District. Absences stemming from out of school suspensions, while concerning, shall not warrant a School Social Work referral unless deemed necessary by school administration.

- **Three (3) unexcused absences:** Teachers will communicate with parents regarding student attendance via e-mail, phone, parent conference or postcard. (If a principal opts to complete this communication in another way, it should be documented on their website.) Documentation should be kept by teachers throughout the school year. Teachers will utilize International Welcome Center translators to assist in communicating with parents who do not speak their primary language.
- **Five (5) unexcused absences:** Each school will utilize a CSIS generated letter in order to communicate with parents. This must be adhered to as the Georgia Law referencing attendance states that the school is required to contact parents by two reasonable attempts.
- **Five (5) consecutive unexcused absences:** The school staff or designee may contact the school social worker to investigate the reason for absences, so the appropriate follow-up or resource referrals may be completed prior to the withdrawal at 10 consecutive unexcused absences.
- **Seven (7) unexcused absences:** A School Social Work referral will be generated by principal or principal designee listing specific school-based interventions (telephone calls, letters, conferences, etc.) that have occurred prior to making the referral. Each intervention should be documented thoroughly.
  - **Excessive Absences (excused or unexcused):** At the discretion of local school administration, a referral to the School Social Worker can be made at any time it is deemed appropriate for excessive excused/unexcused absences. Previous years' attendance records may be taken into consideration when making a referral. The principal may ask for additional documentation to verify that absences are excused, particularly when more than three (3) absences have been accumulated during the semester.
  - **Students over the age of 16:** Attendance referrals shall not be initiated to the School Social Worker as this population is not governed by the Compulsory Attendance Law. Local schools will develop programs, strategies and/or interventions to address this population. However, should a parent and/or student request School Social Work assistance, a referral should be made at that time.
  - **Ten (10) or more unexcused absences:** Students and/or parents will be subject to a referral(s) to juvenile court, magistrate court and/or Department of Family and Children Services for truancy and/or educational neglect. Detailed information pertaining to the student, local school and school social work interventions will be necessary when filing a Complaint with DFCS, Juvenile and/or Magistrate Court. Prior to any action to commence judicial proceedings to impose a penalty on a parent, guardian or other person residing in the state who has control or charge of the child, notification shall be provided.

## II. School Social Work Interventions

The School Social Worker may implement one or more of the following interventions once a referral has been received:

- Parent contact via letter, phone call, e-mail, technology, home visit, and/or conference;
- Follow the Chronis Absenteeism Interventions and Strategies (CAIS) Plan;
  - Elementary Interventions:
    - Attendance Initiatives- School Wide-Based
    - Student Truancy Attendance Review (STAR)
    - Individual Counseling/Case Management (ICM)
    - Chronic Absenteeism Conference (CAC)
    - Student Truancy Educational Plan (STEP) 4th & 5th graders only
    - Parent Attendance Support Session (PASS)
    - Face to Face or Virtual: Truancy Intervention Panel (TIP)
  - Middle School Interventions:
    - Attendance Initiatives- School Wide-Based
    - Student Truancy Attendance Review (STAR)
    - Individual Counseling/Case Management (ICM)
    - Chronic Absenteeism Conference (CAC)
    - Student Truancy Educational Plan (STEP)
    - Parent Attendance Support Session (PASS)
    - Face to Face or Virtual Truancy Intervention Panel (TIP)
  - High School Interventions:
    - Student Truancy Attendance Review (STAR)
    - Individual Counseling/Case Management (ICM)
    - Chronic Absenteeism Conference (CAC)
    - Student Truancy Educational Plan (STEP)
    - Parent Attendance Support Session (PASS)
    - Face to Face or Virtual Truancy Intervention Panel (TIP)
- Student contact through support groups, incentive programs, and/or conferences;
- Conference with the teacher regarding student and/or participation in the RTI process;
- Referral to community resources including financial assistance, counseling services, and/or mentoring programs;
- Implement an attendance agreement acknowledging the consequences set forth by the Compulsory Attendance Law which may be signed by the student;
- A Truancy Intervention Panel may convene when deemed necessary by the School Social Worker;
- A court referral or Department of Family and Children Services referral may be necessary if truancy concerns are not resolved.

## III. School-Based Interventions

*Schools implementing Truancy Intervention Panels (TIP)/ Virtual Truancy Intervention Panel (VIP) will convene a panel review for the purpose of exploring the underlying causes of the student's absences.*

- Schools will establish a Truancy Intervention Panel (TIP)/ Virtual Truancy Intervention Panel (VIP) with the assistance of their School Social Worker. Local schools will have the option to choose a hybrid or school-based panel, based on local school administration and resources available to the school.
  - Hybrid Truancy Intervention Panels (TIP)/ Virtual Truancy Intervention Panel (VIP) incorporate school personnel in addition to community representatives

- School-based Truancy Intervention Panels (TIP)/ Virtual Truancy Intervention Panel (VIP) rely solely on the expertise of school personnel
- Schools will utilize various printed materials to communicate the content of Georgia's Compulsory Attendance Law to students and parents, including the Family Information Guide.
  - Truancy Information Brochure/Flyers prepared by the Cobb County School District and Cobb County Attendance Protocol Committee
  - The Truancy Intervention Panel (TIP)/ Virtual Truancy Intervention Panel (VIP) will establish an action plan to determine the responsibilities of parent and school.

#### **IV. Referral to Juvenile Court**

- The School Social Worker or Truancy Coordinator will complete the Truancy Petition/Complaint and attach all pertinent school information/documents, i.e. Attendance records, IEP, TIP/VIP notes, attendance contracts, etc. (Truancy or Educational Neglect Complaints).
  - In order to fully complete the Truancy Petition/Complaint – the information must include that the school has sought to resolve the expressed problem through available educational approaches (i.e. RTI, parent conferences, truancy intervention panels or other interventions). The information provided must reflect if the parent or legal guardian has been informed and has complied with the identified strategies to resolve the expressed problem.
- Notification must be provided to the parent/guardian(s) by the school.

#### **V. Warrant Application**

- In order to file an application with the Magistrate court the following has to be completed by the school social worker and Truancy Coordinator:
  1. Receive written approval from the school principal and school social worker supervisor
  2. Complete a written summary of interventions sent to the Truancy Coordinator (M.A.P. form)
  3. A certified letter must be mailed to the Parent (s) by the school (with a request return receipt)
  4. A copy of the certified letter and postal receipt will be sent to the Truancy Coordinator by the school social worker
  5. The truancy coordinator will ensure that all supplemental documents are completed and copied for filing of the warrant.

#### **VI. Definitions**

**Attendance Initiative:** A school wide intervention that uses a reward and incentive system to promote daily attendance.

**Attendance contract:** Student attendance contracts are utilized as an agreement between the school personnel and student and/or parent/guardian to ensure student attends school on a daily basis unless a valid excuse is provided.

**Attendance group:** Student attendance groups are comprised of students that have demonstrated a pattern of poor school attendance.

**Chronic Absenteeism Conference (CAC):** A conference held with School Social Worker and parent to discuss attendance concerns and implementing a plan to improve student attendance.

**Excused absence:** The reason for a student being absent meets the established criteria set forth by the school board policy for consideration for excused absences.

**Excuse note:** Notes may be tendered by parents and guardians. An excuse note must include: the date(s) of the student's absences, nature of the student's absence, and signed by the parent and /or guardian. Excuse notes originating from a medical professional must be written a stationary that includes the doctor and/or practice contact information. Excuse notes may be submitted electronically.

**Georgia Compulsory Attendance Law O.C.G.A 20-2-690.1:** This law provides the requirements for parents

and students as it relates to school enrollment and attendance. In addition, this code section sets forth the parameters regarding the prosecution and sentencing of parents.

**Individual Counseling/Case Management:** One-on-One contact with student assessing areas of concern (attendance/academics), identifying solutions, and setting realistic/reachable goals.

**Juvenile court:** This court operates under the legal authority granted to it by Georgia law. Juvenile courts provide services to deprived, unruly, truant and delinquent youth.

**Magistrate court:** This court operates under the legal authority granted to it by Georgia law. Magistrate court employs magistrate judges who are charged with reviewing warrant applications to judge the basis of the accusation and determine whether or not a warrant should be granted.

**Medical Documentation:** Medical verification may include standard doctor notes that include date(s) of student absence from school, the doctor and/ or practice contact information. These notes include dentist, doctors, psychologist, psychiatrist, etc.

**Parent or Guardian:** Any individual that has the legal right to provide for the care and control of a student.

**Rise Up (Student Attendance Group):** A group that is held when students have accrued at least 5 unexcused absences and have been identified by either the Student Truancy Attendance Review (STAR) panel or direct referral to the School Social Worker. The purpose of this meeting is to inform the students of the Cobb County School District Attendance Policy, Georgia Compulsory Attendance Law and to explain the importance of turning in written documentation by parent or doctor/nurse to excuse absences and establishing set day and night routine. Students are given information regarding the risk factors of truancy and how obtaining a high level of education can positively impact their life.

**Student:** Any individual who has met the enrollment requirements established by the Cobb County Board of Education and state law.

**Student Truancy Attendance Review (STAR):** A school-based attendance meeting facilitated by school staff led by the school social worker to review the attendance and academic status of students who have accrued at least 5 unexcused absences. The panel will identify students that need intervention and determine which service, program or intervention would be in the best interest of the student/family.

**Truancy Intervention Panels/ Virtual Truancy Intervention Panel:**

- Truancy intervention panels/ Virtual Truancy Intervention Panel address student attendance and academic concerns. These panels are designed to foster an environment in which families and students are empowered to create their own solutions.
- The scheduling of truancy intervention panel/ Virtual Truancy Intervention Panel reviews will be accomplished through consultation between the key stakeholders among local schools. Among these stakeholders are school administration, school social work, truancy coordinator, school counselors, teachers, and community volunteers.

**Truant:** In accordance with the Georgia Compulsory Attendance Law 20-2-690.1 a student is considered truant when he or she has accrued five or more unexcused absences.

**Unexcused absence:** It does not meet the established criteria set forth by the school board policy for consideration for excused absences. These reasons include: missing the school bus, attending appointments with parents to translate, baby-sitting, not having anything clean to wear, weather conditions that do not necessitate school closures and not wanting to attend school that day.