

Category: **STUDENTS**

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Subject: MINIMUM STANDARDS FOR ATTENDANCE PROGRAMS

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## **SUMMARY OF CHANGES**

This regulation updates and supersedes the regulation of the Chancellor A-210 dated June 29, 2009.

### Changes:

- References to Integrated Service Centers and School Support Organizations have been removed. (p. 1, Section II(C))
- This regulation has been amended to reflect that Children First Networks must provide assistance to schools to develop an attendance plan. (p. 1, Section II(C)(1))
- This regulation has been amended to clarify that outreach and intervention efforts must be entered into the ILOG system on ATS. (p. 2, Section III(F))

### **ABSTRACT**

The tracking and follow-up of attendance 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. This regulation outlines the minimum standards for school attendance programs, including requirements for meeting state mandates, school attendance services, and overall attendance reporting and follow-up procedures.

#### **I. ATTENDANCE LAW**

- A. Each minor from 6 to 17 years of age in New York City is required to attend school on a full-time basis.
- B. Children who turn 6 before December 1<sup>st</sup> (in New York City, December 31<sup>st</sup>) of the school year are required to attend school at the beginning of that school year.
- C. Students who turn 17 on or after July 1<sup>st</sup> must complete the school year in which they turn seventeen years of age.
- D. 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 of attendance, providing guidelines related to attendance issues and services, educational and legal obligations with respect to attendance.
- B. Principals are responsible for:
  1. ensuring that each school meets standards of attendance as mandated by State requirements and delineated in Chancellor's Regulations and Department of Education procedural guidelines.
  2. the planning, implementation, and supervision of the school attendance program to include assigning an attendance coordinator (pedagogue or administrator) to oversee attendance services and ensuring the timely and effective tracking, follow-up, and support of all absent students.
- C. Children First Networks (CFNs) are responsible for the provision of support and assistance to schools in order to ensure that minimum 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.
  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.

**III. MINIMUM PROGRAM STANDARDS FOR SCHOOLS**

- A. Each school is required to submit annually on or before October 31<sup>st</sup> an Attendance Plan that delineates the school's attendance program. This plan is a component of the Office of School and Youth Development's Consolidated Plan.
- B. All student attendance must be recorded on a daily basis. 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 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.
- C. Teachers are responsible for ensuring that accurate records of attendance are kept for each student on register. These records include the attendance scan sheets and the change of attendance forms. Principals must make these records available to those authorized to review, inspect, or audit them. The school must have a backup system for exceptional reporting, such as when the ATS System is down.
- D. The attendance coordinator (administrator or pedagogue), under the supervision of principal or his/her designee, is responsible for the overall operation of the school attendance program. This includes, but is not limited to, ensuring that each student's 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 are followed.
- E. Each school must have an Attendance Committee comprised of, but not limited to, teachers, administrators, members of the pupil personnel team, i.e., attendance teachers, guidance counselors, and should include parents and students. The purpose of the Attendance Committee is to review and improve the school's attendance program.
- F. Parents must be contacted to determine the cause of a child's unexplained absence. Every effort must be made to telephone parents on the first day of a student's absence. If a parent cannot be contacted by the second day of absence, a letter or postcard is to be sent to the home. Automated calling systems should be utilized, wherever possible, to supplement school outreach efforts. All 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.
- G. Schools should make every effort to identify and document the reasons for student absences.
  - 1. Parents are expected to submit a note or letter explaining their child's absence from school. A note from a doctor or health-care professional should be provided in cases of extended (3 or more days) or frequent absence due to illness. If students have been absent from school for reasons other than illness, documentation of the reason for the absence is to be presented to the school (e.g., examination schedule of special examination, court order, etc.). Absence notes submitted by parents are to be maintained for one year after the end of the school year.
  - 2. Students who observe the religious holy days recognized by the New York State Commissioner of Education or other holy days not recognized on the calendar distributed annually may be excused based on a parent's request in writing prior to the date of observance. Teachers must mark the student absent and absence Reason Code "05" (Absence due to religious/cultural observance) should be entered into the ATS System. Students should be informed of the alternative dates offered for religious observers when tests are given by outside testing organizations.

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

- A. The Form 407 ensures that a documented investigation is undertaken for every student who requires follow-up due to attendance, safety, or legal issues. A Form 407 Attendance Follow-up and Outreach Referral will be automatically generated at the school under the following conditions:
1. When a student has been absent for:
    - 10 consecutive days
    - 20 aggregate days (over a 4-month period)
    - 8 consecutive days (if there has been a prior 407)
  2. 40 days after a student has been discharged as "Address Unknown" (Code12), a second Form 407 generates to re-investigate the status of the discharge so as to ensure that the "Address Unknown" designation is still appropriate and to ascertain if any additional information concerning the student's or family's whereabouts has become available.
  3. In September of each new school year, a Form 407 is automatically generated for kindergarten students who were discharged during the previous year as "Under 6 Years Old" (Code 04). It is important for schools to ascertain the current status of these students. The Form 407 is generated at the last school of attendance, for these students who will be 6 years of age in the new school year, only if they do not appear as active on another school register.
- B. The Form 407 Attendance Follow-up and Outreach Referral may be manually issued when a home visit or investigation is required, under the following circumstances:
1. When a suspended student does not return after the period of the suspension has ended or when the suspended student does not appear at a new school placement.
  2. When a special education student authorized to begin attendance in a new site does not report to the new placement within five (5) days.
  3. When a student has been excluded from school for the failure to obtain required immunizations or tuberculosis testing.
  4. When it is necessary to conduct an address investigation in order to confirm the residence of a student.
  5. When the principal requests an investigation.
  6. When a student has shown signs of being chronically truant.
- C. After the Form 407 has been generated the school is to implement the following steps:
1. The case is reviewed by school staff and any information, outreach efforts, and interventions that have been undertaken are entered in the ILOG System on ATS, and/or recorded directly on the Form 407. If the case can be resolved by school personnel, the resolution code is to be written on the Form 407 and the case is reviewed and signed by the principal or principal's designee. The resolution code, and date of closure are then entered into the ATS System, and the Form 407 is filed at the school.
  2. If the case cannot be resolved at the school level, the Form 407, with the school's interventions recorded on the form and entered into the ILOG System on ATS, is given to the attendance teacher for further investigation. Upon completion of the investigation, the attendance teacher writes the resolution code and date on the Form 407 and returns it to the school. This information is entered into the ATS System, and the Form 407 is filed at the school.

3. In general, it is expected that 407 cases be resolved within 10 days of being generated. All Form 407s generated for students in grades Pre-kindergarten through Grade 8 that remain open for over 10 days are tracked on the "School Absence Alert Report" that generates on a weekly basis in all schools with grades Pre-kindergarten through Grade 8. Any cases 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.
4. The school attendance coordinator must generate the R4RR Report (Form 407 Register Report) on a regular basis in order to monitor the status of 407 cases.

**V. CLEARANCE OF REGISTER**

- A. Schools are required to make every effort to identify the status of students who are on the school register but who have not appeared as of the beginning of the new school year.
  1. The principal, in conjunction with the attendance coordinator, must develop a Clearance of Register program to include procedures designed to locate and return to school students who have not appeared.
  2. The RSNS Report (No Show Report) is to be generated to identify those students who have not appeared. This report lists the names, addresses and telephone numbers of all "No Show" students.
- B. All students on a school's register are to be part of the Clearance of Register process. This includes students who have been list noticed into the school for the new school year.

**VI. TRAINING AND TECHNICAL ASSISTANCE**

The Office of School and Youth Development, Mandated Responsibilities Unit 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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