

ORANGE COUNTY PUBLIC SCHOOLS



2015-2016

# Attendance Policy and Procedures



# Table of Contents

## SECTION I

Policy Procedures and Best Practice .....	3
Quick Overview .....	3

## SECTION II

Student Entry and Withdrawal.....	9
Entry into School .....	9
Withdrawal From School .....	9
DNE's –No Shows at Beginning of the Year .....	9
DOE Technical Assistance Paper .....	10

## SECTION III

Student Attendance Recording Procedures .....	13
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## SECTION IV

Driver's License Issues .....	15
DMV Policy and Statutory Requirements.....	15
Hardship Waivers .....	16

## SECTION V

School-based Truancy Interventions Flow Chart .....	17
Connect Orange .....	18
Truancy Court Procedures.....	19
Attendance/Truancy Procedures.....	20

## Section VI

Student Attendance Policies .....	23
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## Policy, Procedure and Best Practice

In an effort to be consistent with OCPS goal of “One Vision~ One Voice~ One Style” attendance forms have been standardized and are to serve as the sole source for attendance forms.

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### Quick Overview

#### Attendance recording requirements

- Attendance must be recorded on a daily basis.
- Attendance must be recorded by 3 PM for Connect Orange
- Tardies TO SCHOOL must be recorded by the attendance clerk or other designated front office personnel. Teachers can only record tardies TO CLASS.
- Tardies TO SCHOOL must be entered manually in the daily column of SMS every day.
- Early Departures FROM SCHOOL for secondary students are to be entered manually in the period of departure upon each occurrence. If the student will be absent less than half of the day, you must manually place the EDU code in the appropriate column.
- Early departures FROM SCHOOL for elementary students, the daily code will be determined based upon time of departure, i.e. more than **half the day** would be considered “absent” and the AU code should be entered in the daily column until a proper excuse is presented. Indicate time of departure in the “**Comments**” section, and write EDU next to the time as well. If the early departure is excused, then the code will be EDE.
- If a substitute teacher cannot input the attendance data into the computer, the principal is responsible for ensuring that the substitutes provide that information at the beginning of each period to the attendance clerk or other personnel designated to input attendance information.

The information must be entered into the computer by the office staff as soon as possible after the start of each class.

## **Compulsory attendance requirements** FS 1003.21(1) (a)1; 2(c)

- All youths between the age of 6 and under 18 (under 16) per Florida statute 1003.21 must attend school.
- Students aged 16 and 17 are not required to attend school when and if a FORMAL DECLARATION OF INTENT TO TERMINATE SCHOOL ENROLLMENT FORM AND DOE EXIT SURVEY is on file with the district, and must be completed by Parent/Guardian and Student.

### **OCPS Intent to Terminate School Enrollment Form link**

<http://aelformatta1:8080/iFiller/iFiller.jsp?fref=4be139ab368afd6e55cfa5001295983a>

## **DOE Exit Survey** FS 1003.21(2)(c)

<http://www.fldoe.org/family/dropout/pdf/ExitInterviewForm.pdf>

- **Students 18 and over** are not required to attend school.
- Florida Statute provides that children under the age of 18 shall have access to education. Therefore, students 16 and over must be allowed to re-enter school. The exception to this is when an administrative action has occurred that restricts enrollment in a standard school setting. Please note that even if a child has filed a FORMAL DECLARATION OF INTENT TO TERMINATE SCHOOL ENROLLMENT FORM, that form **does not** preclude re-entry back into school.
- ESE students may remain in school until the age of 22, but after the age of 18, they are not required to be in school. Between the ages of 18 and 22, the choice is theirs.
- Students who fail to verify their current address may be transferred to their zone school prior to the end of the first semester of any school year. *Students whose address has not been verified before the start of the second semester may remain at their current school of attendance until the end of the current school year.*

## **Attendance in Grades 9-12**

- In order to earn credit for a class, students in grades 9-12 must be present for a total of 135 hours per class during the school year.
- In order to be in attendance for 135 hours, the student can have no more than 10 unexcused absences in a semester or 20 unexcused absences in a school year. However, if a student has less than 135 hours but has completed all related course work and has demonstrated mastery of course requirements, full course credit may be awarded per Florida Statute 1003.436
- Excused absences, field trips, and suspension days CANNOT be counted against a student for purposes of credit hours. Students are allowed to make up their work during excused absences, so these are counted as hours in attendance.
- Days when a student is on suspension count as excused absences.
- Hospital Homebound

All students placed within the Hospital Homebound Program are subject to compulsory school laws and will be held to OCPS Truancy Policy, as students attending traditional school.



## Driver License Issues

Students between 14 and 17 years of age are reported to the DMV when they accumulate 15 unexcused absences in a 90-day-calendar period, or when the school withdraws them with a dropout code (DNE, W05, W13, W15, W18, W21, W22, or W23).

- When a student requests reinstatement of his or her driver license, the school must undertake an investigation to determine eligibility.
- Students may request a waiver to retain their driving privileges. Hardship waivers are available, upon request, for specific reasons. See the DMV documentation for an explanation of those reasons.

## Excused absences FS 1003.26 (1)(a), (b), (c) 1, 2, 3, (d), (e), (f)

- A student is absent for the entire day if he or she misses more than  $\frac{1}{2}$  of the school day. All absences are recorded as unexcused until the student returns and provides documentation concerning the reason for the absence.
- There are specific reasons for excusing an absence. See Superintendent's Policy JE, Student Attendance (see page 24).
- Requests that fall outside the guidelines of district policy require the discretion of the principal; however, all excused absences outside the list provided should offer educational opportunities that are age appropriate for the student.
- For purposes of excused absences concerning family illness or death, there are no specific guidelines provided for the definition of 'immediate family'; however, the generally accepted definition includes the student's mother, father, brother, sister, stepmother, stepfather, step-siblings, and other relatives who live in the student's home.
- If a student begins to demonstrate a pattern of absences for medical reasons, the school may require a physician's note for any future absences. Best practices indicate that students who are absent for three or more consecutive days or who request more than five non-consecutive absences for medical reasons should be required to bring in a doctor's note. Illness can also be verified by the school nurse. This practice is encouraged if possible.
- Students who are granted an excused absence must be allowed a reasonable time to make up any missed work. At least one day must be allowed for each excused absence.

- Because so many of the school's functions depend on accurate attendance, all excuse notes should be received within 48 hours of the student's return to school. The reason for the absence should be changed (if necessary) in the computer the day it is received.
- Not all absences are excused. Merely providing a note is not enough to excuse an absence. The reason provided on the note must be considered before granting the excused absence.
- Phone calls are not acceptable communications for excusing an absence. E-mails and faxes may be accepted with proper verification.
- Take Your Child to Work Day is recognized by OCPS as an excused absence. It should not be counted against a student for perfect attendance purposes.
- Any student whose parent/legal guardian is an active member of the United States Armed Forces, set for deployment, on leave, or has returned from deployment may be excused up to five days per OCPS Policy, provided all assignments for missing dates are completed and returned within the allotted time.

## Suspensions

- Days during a suspension are considered excused.
- Suspended students are allowed to make up missed school work according to the guidelines provided under the **Excused Absences** section.

## Tardiness

- Students are tardy if they are not in class at the beginning of the school day.
- Tardies **TO SCHOOL** are all recorded electronically. The parent may provide a reason for the tardiness, and this will be considered if truancy actions are initiated.
- Secondary students can be counted as tardy for each individual period, but for truancy purposes, only tardy to school is considered.
- Students may ***not*** be suspended out of school for excessive tardiness TO SCHOOL.
- In the event a student has met the truancy threshold, five tardies to school or five early departures equal one unexcused absence. However, this is for referral purposes only, and the electronic record is not to be altered. Actual presence or absence on campus must be accurately reflected in the electronic record. **NOTE: Schools are encouraged to establish school-based consequences for tardies (excluding out of school suspension).**



## Early Departures

Students who have attended more than half a school day and are released from school prior to the closing of the school day shall be considered an early departure. Early departures are either excused or unexcused. Students may or may not be excused for the following reasons: (See examples below)

### Excused

- Medical appointments
- Counseling
- Legal appointments
- Funeral of family member or closely related friend (school may request proof)
- Family emergency (school may determine if valid)

### Unexcused

- For convenience of parent
- Personal reasons
- Shopping trips
- Vacations

## Early Release

Early departure of any student during the last hour of the school day is **Strongly Discouraged**.

## Truancy and Habitual Truancy

- **Truant** means one who is subject to compulsory school attendance, but who is absent from school with or without a justifiable consent from a parent or legal guardian.
- **Truancy** means the student has had at least five unexcused absences within a calendar month or 10 unexcused absences, within a 90-calendar-day period, or a combination of unexcused absences and tardies equivalent to the above numbers.
- **Habitual Truancy** means the student has 15 unexcused absences within 90 calendar days with or without the knowledge or justifiable consent of the child's parent or legal guardian, is subject to compulsory school attendance and, is not exempt under any other exemptions specified by law or the rules of the State Board of Education.

## Withdrawal Procedures

Please check the below link for any withdrawal concerns or contact Pupil Assignment.

<https://www.ocps.net/intranet/fs/pupilassignment/Documents/PA%20Handbook.pdf>

## Withdrawing Students

<https://www.ocps.net/intranet/fs/pupilassignment/Documents/PA%20Handbook.pdf>

## Religious Absences FS 1003.21 (2) (b)

- There are a number of religious holidays which qualify as excused absences. In order to qualify as an excused absence, the religious tenets must forbid secular activities on that day, and the parents must have declared that their student is observing the holidays of that specific religion. Religious absences are treated like **pre-arranged** absences, and must be requested in writing at least five days prior.

- Religious holidays which fit the criteria defined by the FDOE for the 2013 - 2014 school year follow:

### Jewish

Rosh Hashanah (Sept. 14-15, 2015)  
Yom Kippur (Sept. 22-23, 2015)  
Sukkot (Sept. 28 – Oct. 4, 2015)  
Simchat Torah (Oct. 5 – 6, 2015)  
Passover (April 22-30, 2016)  
Shavout (June 11-13, 2016)

### Muslim

Eid al-Fitr (July 4-5, 2016)  
Eid al-Adha (Sept. 23-24, 2015)

### Christian

Good Friday (March 25, 2016)  
Holy Epiphany (January 6, 2016)

- Requests for holidays that are not included here should be forwarded to Richard Moore, at [Richard.Moore@ocps.net](mailto:Richard.Moore@ocps.net).



### Teen Parents FS 1003.21 (2) d

Pregnancy is not an acceptable excuse for non-enrollment. Pregnant students and new parents are still mandated to attend school. However, if a student is enrolled in a teenage parent program, then he or she is exempt from minimum attendance requirement for absences related to pregnancy or parenting. The student is still required to make up work missed due to the absence.

Pregnant students sometimes require extra excused absences due to medical issues. These extended absences must be accompanied by a note from the student's doctor, and the doctor must determine the amount of time to be excused. The student is required to make up any work missed during these extended absences.

# Student Entry & Withdrawal Procedures



## Entry Into School

Please see Pupil Assignment handbook for all entry and withdrawal procedures. SMS Attendance by Office documentation can be found at Customer Care <http://ccdops.ocps.net/gm/folder-1.11.1309>

## Withdrawal From School

For appropriate withdrawal codes and procedure, please consult Pupil Assignment. Go to the OCPS website, click “Employee,” scroll down to “Handbooks - Pupil Assignment”.

When a student withdraws from school prior to the end of the school year, the appropriate withdrawal code must be shown on the day following the student’s last day of membership. If the withdrawal is made while the student is absent, the withdrawal must be entered on the day after it was officially determined that the student withdrew. (Note: If the “day following” falls on a Saturday, record the code on the date of the coming Monday). At the end of the school year, appropriate withdrawal codes must be recorded on the day after the last day of school for all students who are in membership on the last day of the regular 180 day school year. On the the day after the last day of summer school, the appropriate withdrawal code must also be assigned to all students who are in membership on the last day.

At the end of the school year, appropriate withdrawal codes must be recorded on the day after the last day of school for all students who are in membership on the last day of the regular 180 day school year. On the day after the last day of summer school, the appropriate withdrawal code must also be assigned to all students who are in membership on the last day.

## DNE’s – No-Shows At The Beginning Of The Year

Students who are on your school roster but have not been in attendance during the school year must be given a DNE code on the 10th day of school. Once the DNE process is completed, Pupil Assignment begins the geo-coding exercises (placing students on the map in the appropriate school zone).

Be advised, a code of DNE serves ONLY AS A PLACE HOLDER and is to be removed as soon as possible.

**Please consult with Pupil Assignment for any entry or withdrawal issues.**

The information below will assist in identifying and processing DNE students.

To identify potential ‘no show’ students in SMS, generate the Students with **No EN Code Report** found on the Reports page under the Attendance Reports section. *SMS roles of Administrator, Attendance, Registration, Secretary/Clerk and View All have access to this report.*

To generate the report:

- Enter the Specific Start and End date range. The radio button indicating Specify must be selected.
- The report can be generated by Grade level or for all.
- Click Run Report.

The names displayed are students who **do not have at least one EN** (first day of Entry) attendance code during that date range. These students are potential No Shows since there is no First Day of Entry attendance code. Each student on the

report needs to be reviewed to determine if the attendance codes shown are accurate. It is always better to have the appropriate withdrawal code versus a DNE.

It would be advisable to check with your teachers and guidance counselors (unclaimed schedules) to ensure accuracy. If the student is determined to be a true DNE, change the current year's entry date to one day prior to the first day of school, and then add a new record indicating the first day of school and DNE.

***You will be sent additional directives on recording, researching, and changing DNE records.***

***Use all codes in accordance with instructions per Pupil Assignment***

## DOE Technical Assistance Paper

### Dropouts by Reason and Strategies to Improve Reporting of Dropouts

Withdrawal Code	Reason	Strategy
<b>DNE</b>	Any PK-12 student who was expected to attend school but did not enter as expected for unknown reasons	<ul style="list-style-type: none"> <li>• This is a temporary code until the whereabouts and educational status of a student is confirmed, which usually occurs within the first 10 days of school year.</li> <li>• Each data entry clerk should be well trained in the entry of withdrawal codes.</li> <li>• When a school receives a request for the records of a previously enrolled student, the student's withdrawal code should be checked and revised to reflect accurate status.</li> </ul>
<b>W05</b>	Any student age 16 or older who leaves school voluntarily with no intention of returning	<ul style="list-style-type: none"> <li>• This code must only be used for students who have been counseled and who have filed the Intent to Terminate School Enrollment Form.</li> <li>• The school counselor or other school staff should conduct an exit interview with the student. It is critical to advise students and parents of alternative educational opportunities available within the district, such as adult education, GED, Exit Option Model, Teenage Parent Programs, and storefront schools. The student must be advised that termination from school may result in the loss of driving privileges or loss of cash assistance, if the student is eligible for Learnfare.</li> </ul>
<b>W13</b>	Any PK-12 student withdrawn from school due to court action	<p>This code should seldom be used. The Department is considering termination of this code in the future because of its limited use.</p> <p>Students assigned to Department of Juvenile Justice (DJJ) and Department of Children and Families (CF) facilities are participating in educational programs as required by law and therefore, should be coded W02 or W03, as appropriate.</p> <ul style="list-style-type: none"> <li>• Follow-up must be provided for any student coded W13 to determine student's placement.</li> <li>• Juvenile offenders remanded to adult court who are being held in county jails should be withdrawn using W26 and provided adult education.</li> </ul>

<b>W15</b>	Any PK-12 student who is withdrawn from school due to nonattendance	<ul style="list-style-type: none"> <li>• Use this code for students within compulsory school attendance age and who have left school with no intention of returning.</li> <li>• Use this code only after all procedures outlined in Sections 1003.26 and 1003.27, Florida Statutes, have been followed.</li> <li>• Pursuant to Section 1003.26, Florida Statutes, school attendance enforcement is the responsibility of the district superintendent of schools. This responsibility includes recommendation to the school board of a policy that ensures a timely response to every unexcused absence for which the reason is unknown.  The policy must include the following requirements: <ul style="list-style-type: none"> <li>◆ Schools must contact the parent after each unexcused absence to obtain the reason for the absence and to determine if the absence is excused or unexcused based on the district’s attendance policy. The school is required to refer specific students to the school child study team to determine if a pattern of non-attendance is developing and if so, to meet with the parent and student.</li> </ul> </li> <li>• The child study team is required to implement interventions to resolve the problem, and may include having the superintendent file a petition in truancy court pursuant to Section 984.151, Florida Statutes.</li> <li>• If the truancy is unresolved, the superintendent shall refer the case to the case staffing committee (Section 984.12, Florida Statutes) and may also file a truancy petition if appropriate. If a parent refuses to cooperate with interventions, the superintendent may seek criminal prosecution against the parent in certain situations.</li> </ul>
<b>W18</b>	Any PK-12 student who withdraws from school due to medical reasons	<ul style="list-style-type: none"> <li>• Do not use this code for reasons of hospital/ homebound (use W02) or home education (use W24).</li> </ul>
<b>W21</b>	Any PK-12 student who is withdrawn from school due to being expelled	<ul style="list-style-type: none"> <li>• Use this code for all expelled students.</li> <li>• If a student has been through the expulsion process and is offered and accepts alternative placement, use W01 or W02, as appropriate. If the expelled student transfers to a non-public school, capture the expulsion data and re-code the withdrawal code to W04.</li> </ul>
<b>W22</b>	Any PK-12 student whose whereabouts is unknown	<ul style="list-style-type: none"> <li>• This code may be used for students who are withdrawn because they cannot be located.</li> <li>• Use this code only for students for whom every effort has been made to locate them.</li> </ul>
<b>W23</b>	Any PK-12 Student who withdraws from school for any reason other than W01-W22, or W24-W27.	<ul style="list-style-type: none"> <li>• Check with the district attendance officer prior to using this code.</li> <li>• The district should maintain control of the application of this code to ensure use of specific withdrawal reasons when available.</li> <li>• This code will identify the student who is 16 or older as a dropout.</li> </ul>

<b>W24</b>	Any PK-12 student who withdraws from school to attend a Home Education Program	<ul style="list-style-type: none"> <li>• Use this code for students transferred to the Home Education Program.</li> </ul>
<b>W25</b>	Any PK-12 student under the age of 6 who withdraws from school	<ul style="list-style-type: none"> <li>• Use this code for all children under the age of six only.</li> </ul>
<b>W26</b>	Any PK-12 student who withdraws from school to enter the adult program prior to completion of graduation requirements	<ul style="list-style-type: none"> <li>• Use this code for all students entering an adult education program such as GED, or vocational school training.</li> </ul>

**Technical Assistance Paper**

<http://www.fldoe.org/core/fileparse.php/5576/urlt/0076240-dropout.pdf>

# Student Attendance Recording Procedures

Each district shall maintain attendance, absence, and withdrawal information on students enrolled in the district and be able to prepare, upon request, a record of each student's entry, reentry, and withdrawal dates as well as that student's days present and absent.



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## Daily Recordkeeping Requirement for Grades PK-12

For all students in grades PK-12, daily attendance shall be kept during the 180-day school year and its associated summer school. In all cases where a student is absent or tardy, the principal or the principal's designee shall ensure that teachers submit a signed and certified report to include the date, name, and grade level of the students who are absent or tardy.

## Class/Period by Period Recordkeeping Requirements for Grades 9 - 12

For students in grades 9 - 12, attendance must also

be maintained on a period by period basis for classes in the 180 day school year and its associated summer school in which student receive credit. As is the case of daily attendance recordkeeping, documentary evidence must be maintained on each individual student showing days present and days absent for each period.

## Recording Tardies to School

Any student who is not in class when the opening bell rings is considered tardy to school. All students who are tardy to school must be recorded in the Daily Code Column by changing the daily code to a "T". No other code may be used to record a tardy or the computer will not recognize the code, and the entry will be incorrect.

There is no grace period for tardies. Any student who comes in after the opening bell rings is recorded as tardy. Please note that classroom teachers can record "Tardy to class" but they cannot record "Tardy to school". Only the attendance staff can record "Tardy to school".

## Recording Early Departures

Any student who is withdrawn from class after completion of a half day of school shall be recorded as "early departure" in the appropriate place, according to level (see page 3 for more details) and time of departure. Once the truancy threshold has been met, five unexcused early departures will count as one unexcused absence for truancy reporting purposes.

## **SMS**

SMS Attendance by Office documentation can be found at Customer Care (cc.ocps.net) page > Student Systems Training and Support > SMS > SMS Documentation link > Support > Attendance.

For assistance with the student system (SMS), contact Student Systems Training and Support:

**Customer Care website:** <http://cc.ocps.net/>

Phone: 407-317-3375

### **Web:**

**Submit an Online Service Request at:**

<http://osr.ocps.net>

For assistance with registration and enrollment policy and procedures, contact

**Pupil Assignment** by phone **407-317-3342**.

**For questions on Attendance Policy and Procedure, contact:**

Richard Moore

Richard.Moore@ocps.net

407.836.9502

Or

Shirley Johnson-Delgado

Shirley.Johnson-Delgado@ocps.net

407.836.6578

# Driver License Issues

## DMV Policy and Statutory Requirements

For youth under the age of 18, holding a driver's license is a privilege that is directly linked to school enrollment and attendance. In order to qualify for a license, a youth must be actively enrolled in public school, private school, or a home education program. The youth cannot accumulate more than 15 unexcused absences in a 90-day period, or be withdrawn with a withdrawal code that indicates the youth has dropped out.

If the youth accumulates 15 unexcused absences in a 90-day period, or if the youth is withdrawn with a drop-out code (DNE, W05, W13, W15, W18, W21, W22, W23), OCPS electronically notifies the Department of Highway Safety and Motor Vehicles, and the DHSMV automatically issues an order to suspend the student's license or the student's ability to obtain a license. The DHSMV sends a letter to the student and the student's guardians explaining that the license is pending suspension.

Once the student receives the letter, he or she has 15 calendar days to provide proof of compliance to the DHSMV or to request a Hardship Waiver from the school's principal. The school that is responsible for the transmission of suspension to the DMV is also responsible for clearing the record when the youth is back in compliance, unless the student's license was suspended for inadequate attendance. The only school that can verify compliant attendance is the school the student is currently attending. Please see link below for a copy of required form.

<http://aelformatta1:8080/iFiller/iFiller.jsp?fref=54c3d2d5110ae14126e9ff9fc41c423b>

Compliance requirements depend on the reason for the suspension:

Reason for suspension	Compliance action required	School-based actions required
<b>Non-enrollment</b>	Must re-enroll in school	Issue a form HSMV 72870 for the student to take to the DMV. Note actions taken in SMS- DMV screen.
<b>Withdrawal with drop-out code</b>	Must be re-enrolled. Drop out code should be changed to a more applicable code based on re-enrollment.	Investigate re-enrollment. If verified, change drop-out code to more applicable one and send status letter ( <i>Request to Cancel Intent to suspend</i> )
<b>Inadequate attendance</b>	Must attend school with no unexcused absences for 30 consecutive school days. ANY unexcused absence begins the count again--back to day 1. Any excused absences add to the length of the count, until 30 days of attendance are reached.	Verify that attendance is now in compliance. Issue a form HSMV 72870 for the student to take to the DMV. Note actions taken in SMS- DMV screen.

## Hardship Waivers

After receiving a *Notice of Intent to Suspend*, a student has 15 days to request a Hardship Waiver. Requests should be in writing and submitted to the principal. Once the request is received, the principal must grant a Hardship Hearing within 30 days. There are two reasons to grant a Hardship Waiver- medical and employment.

### Issues to consider during the Hardship Hearing:

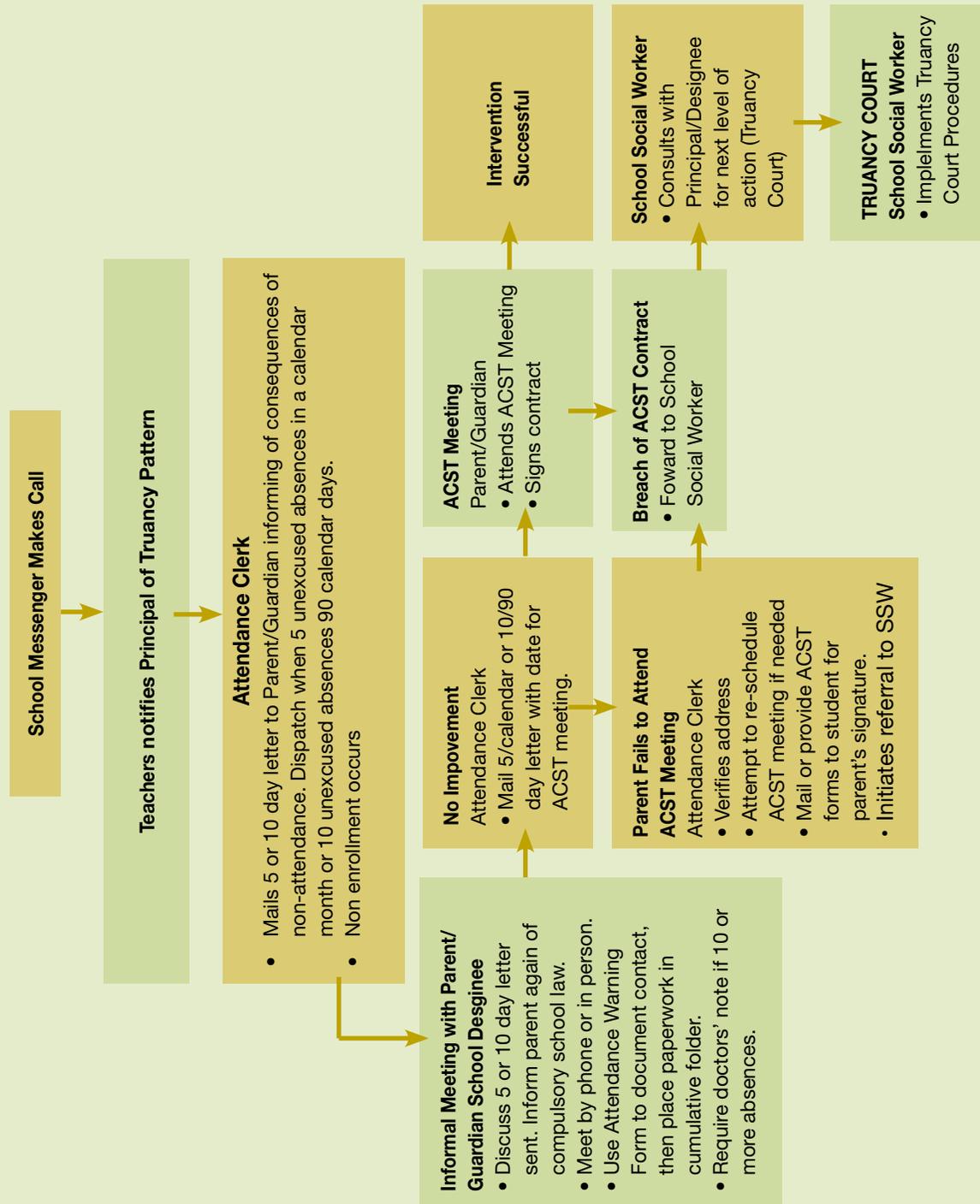
- A hardship for employment is based on verification of need. The factor to be considered is the extent to which a student provides a substantial financial contribution for his or her livelihood or for his or her family's needs, relevant to basic necessities of food and shelter, provided for the household in which he lives. Consideration should also be given to whether there are any other licensed drivers residing in the household.
- A hardship for medical care is based on the need for transportation, for the student or his or her immediate family members living in the same household, to access required treatment. Consideration should also be given to whether there are any other licensed drivers residing in the household.

Hardship waivers are effective for 90 days, and the circumstances of the waiver must be reviewed to see if the need still exists.

Only licensed drivers qualify for a Hardship Waiver. Students who have not yet obtained a license cannot apply for a Hardship Waiver.

The document that explains the functionality of the DMV screen in SMS is located online at <http://aelrwdis.ocps.k12.fl.us/gm/folder-1.11.16113?mode=EU> Please review this tutorial for instructions on how and when to document school-based actions concerning DMV issues. If you have questions concerning policy, please contact Richard Moore at 407.836.9502. Questions on using the SMS application should be directed to Student Systems Training and Support at [ssts@ocps.net](mailto:ssts@ocps.net) .

# School-based Truancy Interventions



## Connect Orange

“Connect Orange” is the generic name that our district uses for the parent notification system. While we use the name Connect Orange, the actual name of the system is School Messenger, and you’ll see both names in this section.

### Daily Responsibilities:

Your main responsibility regarding the Connect Orange attendance notification messages is to enter your school’s absentees into SMS on a daily basis as you normally do. **The district will schedule and launch the messages to only the students marked as having an unexcused absence.**

Absences must be entered into SMS by 3 p.m. daily for attendance notification messages to be sent home. If the absence is not entered into SMS by that time, no attendance notification message will be sent. Messages are delivered beginning at 6 p.m.

Attendance messages are sent in six languages: English, Spanish, Haitian-Creole, Vietnamese, Portuguese and French. The message that is delivered to the parent is dependent upon what they indicated as their preference for home communication when they completed the school registration form. If the parent indicated no preference, the default is English.

Although it’s possible to change the content of the attendance message, you are asked to leave the message as is so that our parents receive a standard message in all languages.

### How To View Bad Numbers:

The Connect Orange system is completely automated. You’ll receive a daily email from School Messenger with a report that includes the number of telephones contacted as well as a list of “unknown” or “disconnected” numbers. The School Messenger system considers a number “unknown” if there is a long lead-in before a message can be left on a machine. For example, some individuals have a minute’s worth of music before you can leave a voice message. In that case, School Messenger would not recognize whether or not this is a working number. The “disconnected” numbers are listed with the student and their ID whose phone numbers need to be corrected in SMS.

Student data is uploaded every evening from SMS to the School Messenger system, and that’s why information must be correct in SMS.

If you’re not receiving a daily attendance report, please notify the district’s Public Information Office so that the School Messenger attendance account for your school can be updated. Contact names are listed at the end of this section.

### Some Important Reminders:

1. Don’t attempt to change your school’s attendance message. It’s important that messages in all languages are consistent.
2. If you’re not receiving a daily attendance report, please notify the district’s Public Information Office so that the School Messenger attendance account for your school can be updated. Contact names are listed at the end of this section.
3. All student information must be updated in SMS, and that data is uploaded nightly into the School Messenger system.

## Message Content:

The Attendance Notification message states:

Hello. This is a message from the attendance office at <<School Name>>, calling to inform you that your student, <<First Name>>, was absent today. Please send a signed note to the attendance office when your student returns to school. If you would like to hear this message again, please press the star key. Thank you.

## How To Get Help:

If you need help with the Connect Orange system, there are three district contacts:

- **Pam Maisel** (pamela.maisel@ocps.net) – 407.317.3200, ext. 2122
- **Jason Smith** (Jason.Smith@ocps.net) – 407.317.3463
- **Carol Gay** (carol.gay@ocps.net) – 407.317.3368

## Truancy Court Procedures

### School Social Workers

School Social Workers employed by the Orange County Public Schools are professionals who hold a master's degree in Social Work and who have obtained professional certification from the state of Florida. Many also have membership in state and national professional organizations.

School Social Workers provide a variety of services to students, families, teachers and school staff. Their function within the school is to identify and meet the needs of students, needs which often extend past the academic arena. The School Social Worker is an integral team member at the school and an essential resource to provide:

- Crisis intervention
- Dropout prevention intervention
- Counseling
- ESE assessments and referrals
- Social/adaptive assessments
- Behavior assessments for students at risk
- Assistance to parents with parenting skills
- Clothing and food assistance
- Affordable health care referrals
- Emergency financial aid referrals
- Referral to community agencies
- Truancy interventions and court referrals

School Social Workers are a valuable source of professional expertise in serving a child's personal, social and academic needs. Utilizing the specialized skills of these dedicated professionals assures that students are provided with the maximum potential for success.

# Attendance/Truancy Procedures

## Truancy Committee

Following the truancy procedures established by OCPS, each school must have an Attendance Child Study Team (ACST) Committee consisting of a minimum of 3 staff members, which can include but not limited to: Principal, Assistant Principal, Dean, Attendance Clerk, Teacher, and/or any other interested party. A chairperson must be named to lead the ACST meetings. The School Social Worker (SSW) may participate in the ACST meeting if available.

## Truancy Procedures FS 1003.26 (1) (c)

1. For each unexcused absence, a parent or guardian shall be contacted. (Connect Orange)
2. Triggering of 5 or 10 day letter. Interventions may be put in place prior to five unexcused absences. OCPS may start truancy procedures at either 5 or 10 day benchmarks for unexcused absences.
  - a. Five unexcused absences within a calendar month, Attendance Clerk mails 5 day warning letter. If pattern of non-attendance continues, a meeting addressing such concerns must be held with the parent and documented on the Attendance Warning/ Parent Conference Meeting Form. This meeting can be held as part of an MTSS meeting, parent-teacher conference, or conducted by phone. A reasonable effort must be made to contact the parent.
  - b. Ten unexcused absences within a 90 calendar day period, Attendance Clerk mails Ten Day warning letter. If pattern of non-attendance continues, a meeting addressing such concerns must be held with the parent and documented on the Attendance Warning/Parent Conference Meeting Form. This meeting can be held as part of an MTSS meeting, parent-teacher conference, or conducted by phone. A reasonable effort must be made to contact the parent.
  - c. Attendance Clerk or designee prepares the ACST forms.
    - The parent or guardian is notified by mail and given a reasonable time to respond.
    - The Attendance Clerk notifies all ACST Committee members of meeting date and time.
    - The student's teacher completes a Teacher Input sheet documenting academic/behavioral concerns prior to the meeting, if unable to attend.
    - The ACST is held whether or not parent attends. If parent is not in attendance, record non-attendance on forms, mail or send home ACST paperwork with request for signature on Attendance Contract.
      1. Forms to be completed:
        - a. Attendance Child Study form
        - b. School Attendance Contract
        - c. Truancy Court/Parent ID Form

All original ACST forms completed at the meeting should be kept by the Attendance Clerk or designee. ACST forms are good only for the school year in which they are held.

3. If pattern of non-attendance continues after all preceding steps, forward information to School Social Worker for further investigation of case.
4. The warning letter, meetings, and truancy status must be inputted on the student's SMS attendance screen.

**Note: Schools will report the number of all ACST Meetings held on a monthly basis.**

## Withdrawal Procedures

1. When a parent requests in writing that his/her student be withdrawn, the student should be immediately withdrawn.
2. The Attendance Clerk should monitor the student's enrollment statutes and if not enrolled within five school days, non-enrollment procedures should be initiated.

### Non-Enrollment Procedures

1. A non-enrollment/Three Day Letter must be sent to the parent/guardian by return receipt mail or delivered in person with a signature obtained. *All follow-up regarding non-enrollment is the responsibility of the withdrawing school.*
2. If three days have passed and the notice of receipt from the certified letter or the signed delivered letter is in hand and the student is still not enrolled, the withdrawing school shall immediately send a second letter informing the parent that criminal prosecution is being sought against them for the nonattendance. This letter must be sent to the parent by return receipt mail or delivered in person.
3. If parent/guardian fails to enroll student please forward all cases to School Social Worker for further investigation.



## Attendance For Students Ages 16 and 17

1. Students ages 16 and 17 are required to attend school with the following exceptions:
  - A. Students 16 and older who have parental /guardian approval may withdraw from school legally, if they file the ***Intent to Terminate form*** and complete the ***DOE Exit Survey***.
  - B. Students age 16 and 17 can be referred to Truancy Court. However, Best Practice is to exhaust resources prior to a court referral, as these students can be legally withdrawn by the parent prior to the Court appearance. The Court process for students ages 16 and 17 is most effective when the parent is in agreement with the referral to Court. A Parent Affidavit is no longer required to file a Truancy Petition.

**Note: The OCPS forms and letters can be found on the OCPS Employee page under "Student Forms."**

## **No Contact Orders**

**No Contact Court Orders** exist to protect the victims of crimes from the perpetrators. Occasionally, **No Contact Orders** involving OCPS students are handled through the Legal Department. When it becomes necessary for a youth to be reassigned to a different school due to a “No Contact” order, Pupil Assignment decides the future placement for the offender.

In SMS, students involved in a No Contact Order will have a note in the Legal Indicator field, and the students will also have a No Contact District-level Behavior Incident. This does not indicate wrongful actions on the part of any student. It is merely the manner in which the No-Contact order must be maintained in SMS to prevent these students from becoming enrolled in the same school.

**\*By law, all reports of student involvement in the Juvenile Justice System are confidential.**

**This information may be retained in a file in the Administrator’s office; however, none of the reports may be placed in the student’s cumulative folder.**

# Student Attendance Policies



A. TITLE: **Compulsory Attendance Ages**  
FS 1003.21

**POLICY:**

- (1) All children who have attained the age of six years by February 1 of any school year or who are older than six years of age, but have not attained the age of 16 years, shall be required to attend school regularly during the school term.

A student shall attend all school sessions unless excused by proper school authority. This rule does not apply to students who have been granted a Certificate of Exemption.

- (2) Students age 16 and 17 are required to attend school regularly unless a formal declaration of intent to terminate school enrollment is filed and signed by the student and the student's parent(s). The declaration form must acknowledge the impact that terminating school enrollment is likely to have on the student's earning potential. The declaration must also inform the student that withdrawal will result in the loss of his or her driver's license. Upon receipt of the form, the school must notify the parents or guardian of the student's intent to withdraw from school.
- (3) In the above process (2), the student's guidance counselor or other school personnel must conduct an exit interview with the student to determine the reasons for the student's decision to terminate school enrollment and actions that could be taken to keep the student in school. The student must be informed of opportunities to continue his or her education in a different environment, including, but not limited to, adult education and GED test preparation. Additionally, the student must complete a survey in a format prescribed by the Florida Department of Education to provide data on student reasons for terminating enrollment and actions taken by schools to keep students enrolled.
- (4) Students who attain the age of 18 years during the school year will not be required to attend school beyond the date that they attain that age.
- (5) Each student in grade 12 shall be required to enroll in courses for a full school day. A student's parent(s) or legal guardian may request waiver of this requirement. The principal may grant the waiver after determining the student's attendance for less than a full school day would not prevent the student from achieving the minimum requirements for high school graduation.
- (6) Each parent and guardian of a child within compulsory attendance age of 6 to 15 is responsible for the child's school attendance.
- (7) The superintendent, working cooperatively with teachers, parents and principals, shall take appropriate action, if necessary, to enforce the state compulsory attendance law.

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## **STUDENT ATTENDANCE POLICIES** FILE: JE

### **B. TITLE: Student Attendance**

#### **POLICY:**

The superintendent is responsible for enforcing school attendance of all children and youth subject to the compulsory school age in the Orange County Public Schools (“OCPS”) district and supporting enforcement of school attendance by local law enforcement agencies. The responsibility includes recommending policies and procedures to The School Board of Orange County, Florida (“Board”) that require schools to respond in a timely manner to every unexcused absence, and every absence for which the reason is unknown, of students enrolled in the schools. The superintendent’s attendance procedures outline the responsibilities of the various personnel within the school system including the following:

- (1) School attendance is the responsibility of the student and parent.
- (2) Students shall begin each new school year with zero absences.
- (3) All school personnel shall encourage regular attendance.
- (4) Schools shall publish and distribute their attendance procedures to students and parents.
- (5) On a daily basis, student absences will be recorded as unexcused until an acceptable excuse has been provided by the parent or guardian indicating the reason for the student’s absence. The principal has the ultimate authority to decide whether an absence shall be excused.
- (6) Early departure of any student during the last hour of the school day is strongly discouraged.
- (7) If a student is repeatedly absent from school due to illness, the school is authorized to require the parent or guardian to provide a written physician’s statement for each subsequent absence to be considered excused.
- (8) Absences shall be excused for:
  - (a) illness, injury or other insurmountable condition;
  - (b) illness or death of a member of the student’s immediate family;
  - (c) recognized (or established) religious holidays and/or religious instruction;
  - (d) medical appointments;
  - (e) participation in an approved activity or class of instruction held at another site;
  - (f) prearranged absences of educational value with the principal’s prior approval;
  - (g) Pediculosis (head lice) infestation (up to four (4) days per school year); or
  - (h) Catastrophic disasters that significantly impact the life of the student (e.g. loss of residence from natural disaster).

- (9) Students shall be given a reasonable amount of time to make up any work assignments, which were missed during an excused absence. At least one day shall be allowed for each day of missed work.
- (10) A student who is not in his/her first assigned class at the beginning of each school day shall be considered tardy.
- (11) In cases of truancy and habitual truancy that are referred for child study team action, tardies may be recognized and calculated in the truancy instances. For truancy purposes in child study team documentation that may also be used for court action, five tardies to school or five early departures from school will equal one absence. The authority to apply accumulated tardies and early departure as unexcused absences is given to The School Board of Orange County, Florida ("Board") pursuant to Section 1003.02 (1) (b), Florida Statutes. Board policy states that the principal has the authority to determine whether an absence is excused.
- (12) Schools may not exempt students from examinations, papers, or other academic performance requirements to encourage student attendance.
- (13) Report cards shall reflect the academic status, attendance and number of daily tardies for each student. These will be hand-delivered to the parent or guardian by the student.
- (14) A student between the ages of 6 and under 18 who is absent from school without having an excused absence, with or without the knowledge and/or consent of the parent or guardian, will be considered truant.
- (15) A student between the ages of 6 and under 18 who has 15 or more unexcused absences within 90 calendar days, or an equivalent combination of unexcused absences and accumulated tardies as determined in the child study team action, will be considered a habitual truant. Days when a student is suspended from school are not included in the number of absences when determining habitual truancy. Students may make up work missed during a suspension within a time limit established by the school principal.
- (16) Each school shall implement the following steps to enforce regular school attendance of the students enrolled in their school:
  - (a) Upon each unexcused absence, or absence for which the reason is unknown, the school principal or his or her designee shall contact the parent or guardian to determine the reason for the absence. If the absence is excused, as defined in Board Policy File JF, entitled "The Superintendent's Document", the school shall provide opportunities for the student to make up assigned work and not receive an academic penalty unless the work is not made up within a reasonable time.
  - (b) If a student has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, within a 90-calendar-day period, or an equivalent combination of unexcused absences and accumulated tardies as determined in the child study team action, the student's primary teacher shall report to the school principal or his or her designee that the student may be exhibiting a pattern of nonattendance. The principal shall, unless there is clear evidence that the absences are not a pattern of nonattendance, refer the case to the school's child study team to determine

- if early patterns of truancy are developing. If the child study team finds that a pattern of nonattendance is developing, whether the absences are excused or not, a meeting with the parent must be scheduled to identify potential remedies.
- (c) If an initial meeting does not resolve the problem, the child study team shall implement the following:
- Frequent attempts at communication between the teacher and the family;
  - Evaluation for alternative education programs; and
  - Attendance contracts.
- (d) The child study team may, but is not required to, implement other interventions, including referral to other agencies for family services or recommendation for filing a truancy petition pursuant to Section 984.151, Florida Statutes.
- (e) The child study team shall be diligent in facilitating intervention services and shall report the case to the superintendent only when all reasonable efforts to resolve the nonattendance behavior are exhausted.
- (f) If the parent or guardian refuses to participate in the remedial strategies because he or she believes that those strategies are unnecessary or inappropriate, the parent or guardian may appeal to the school board. The school board may provide a hearing officer, and the hearing officer shall make a recommendation for final action to the board. If the board's final determination is that the strategies of the child study team are appropriate, and the parent or guardian still refuses to participate or cooperate, the superintendent may seek criminal prosecution for noncompliance with compulsory school attendance.
- (g) If a child subject to compulsory school attendance will not comply with attempts to enforce school attendance, the parent, guardian, or the superintendent or his or her designee shall refer the case to the case staffing committee and the superintendent or his or her designee may file a truancy petition pursuant to the procedures in Section 984.151, Florida Statutes.
- (h) If the superintendent chooses not to file a truancy petition, the procedures for filing a Child-in Need-of Services ("CINS") petition shall be commenced.
- (17) Orange County Public Schools ("OCPS") shall implement the following steps to enforce regular school attendance of students of compulsory school age who are not enrolled:
- (a) Under the direction of the superintendent, a designated school representative shall give written notice, in person or by return-receipt mail, to the parent or guardian, when no valid reason is found for a child's non-enrollment in school. The notice shall require enrollment or attendance within 3 days after the date of notice. If the notice and requirement are ignored, the designated school representative shall report the case to the superintendent, and may refer the case to the case staffing committee. The superintendent shall take such steps as are necessary to bring criminal prosecution against the parent, guardian, or other person having control.

- (b) Subsequent to the activities described above, (subsection 1) the superintendent or his or her designee shall give written notice in person or by return-receipt mail to the parent or guardian that criminal prosecution is being sought for nonattendance. The superintendent may file a truancy petition, as defined in Section 984.03, Florida Statutes, following the procedures outlined in Section 984.151, Florida Statutes.
- (18) A law enforcement officer may take a child into custody when the officer has reasonable grounds to believe that the child is absent from school without authorization or is suspended or expelled and is not in the presence of his or her parent or legal guardian. The officer may take the child into custody and deliver the child to the appropriate “school system site”, including but not limited to, a center approved by the superintendent of schools for the purpose of counseling students and referring them back to the school system or an approved alternative to a suspension or expulsion program. If a student is suspended or expelled from school without assignment to an alternative school placement, the child shall be delivered as follows:
- (a) to the parent or legal guardian; or
  - (b) to a location determined by the parent or guardian, or to the Alternative Center for Truancy until the parent or guardian can be located.

**SPECIFIC AUTHORITY:** Sections 984.03; 984.12; 984.151; 1001.41; 1003.02; 1003.21; 1003.24; 1003.26; and 1003.33, Florida Statutes

**ADOPTED: 01/23/07**

Revised: 2013

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## **STUDENT ATTENDANCE POLICIES** FILE: JE

### C. TITLE: **Habitual Truancy Case Procedures**

#### **POLICY:**

- (1) “Habitual truant” means that:
  - (a) The child has 15 unexcused absences within 90 calendar days, or an equivalent combination of unexcused absences and accumulated tardies as determined by the Orange County Public Schools (“OCPS”) child study team, with or without the knowledge or justifiable consent of the parent or guardian, is subject to compulsory school attendance and is not exempt.
  - (b) Activities to determine the cause and to attempt the remediation of the child’s truant behavior have been completed.
- (2) A “truancy petition” means a petition filed by the superintendent alleging that a student subject to compulsory school attendance has had at least five unexcused absences, or absences for which the reasons are unknown within a calendar month, or 10 unexcused absences or absences for which the reasons are unknown within a 90 day calendar period, or an equivalent combination of unexcused absences and accumulated tardies or early departures as determined by the OCPS child study team.

(3) Procedure for filing “truancy petition” by superintendent includes:

- (a) If the school determines that a student subject to compulsory school attendance has had at least five unexcused absences, or absences for which the reasons are unknown within a calendar month, or 10 unexcused absences or absences for which the reasons are unknown within a 90 day calendar period, or an equivalent combination of unexcused absences and accumulated tardies as determined in the OCPS child study team action, the superintendent may file a truancy petition.
- (b) The petition shall be filed in the Circuit Court of the OCPS district in which the student is enrolled in school.
- (c) Original jurisdiction to hear a truancy petition shall be in the Circuit Court; however, the Circuit Court may use a general or special master pursuant to Supreme Court rules.
- (d) The petition must contain the following: the name, age, and address of the student; the name and address of the student’s parent or guardian; the school where the student is enrolled; the efforts the school has made to get the student to attend school; the number of out-of-school contacts between the school system and student’s parent or guardian; and the number of days and dates of days the student has missed school. The petition shall be sworn to by the superintendent or his or her designee.
- (e) Once the petition is filed, the court shall hear the petition within 30 days.
- (f) The student and the student’s parent or guardian shall attend the hearing.
- (g) If the court determines that the student missed the alleged days, the court shall order the student to attend school and the parent to ensure that the student attends school, and may order any of the following: the student to participate in alternative sanctions to include mandatory attendance at alternative classes to be followed by mandatory community services hours for a period up to 6 months; the student and the student’s parent or guardian to participate in homemaker or parent aide services; the student or the student’s parent or guardian to participate in intensive crisis counseling; the student or the student’s parent or guardian to participate in community mental health services if available and applicable; the student and the student’s parent or guardian to participate in service provided by voluntary or community agencies as available; and the student or the student’s parent or guardian to participate in vocational, job training, or employment services.
- (h) If the student does not successfully complete the sanctions ordered in subsection (g) above, the case shall be referred to the OCPS case staffing committee with a recommendation to file a child-in-need-of-services petition.

**SPECIFIC AUTHORITY:** Sections 984.03; 984.151; 1000.21; 1001.41; 1003.02; 1003.24; and 1003.26 Florida Statutes.

**ADOPTED: 01/23/07**

Revised: 2013

## STUDENT ATTENDANCE POLICIES FILE JE

### D. TITLE: **Home Education Portfolio Review**

#### **POLICY:**

- (1) If the parent or guardian of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program (“Home Education Program”), the superintendent shall provide the parent a copy of Section 1002.41, Florida Statutes; together with the accountability requirements of this paragraph. The superintendent shall also refer the parent to a home education review committee (“Committee”) composed of the Orange County Public Schools (“OCPS”) contact for Home Education Program and at least two home educators selected by the parent from an OCPS list of all home educators who have conducted a Home Education Program for at least 3 years and who have indicated a willingness to serve on the Committee. The Committee shall review the portfolio of the student every 30 days during the OCPS’ regular school term until the Committee is satisfied that the home education program is in compliance. The first portfolio review must occur within the first 30 calendar days of the establishment of the program.
- (2) If the parent fails to provide the portfolio to the Committee, the Committee shall notify the superintendent. The superintendent shall then terminate the Home Education Program and require the parent to enroll the child in a public school supported by public funds; a parochial, religious, or denominational school; or a private school supported in whole or in part by tuition charges or by endowments or gifts within 3 days. Upon termination of the Home Education Program, the parent or guardian shall not be eligible to reenroll the child in the Home Education Program for 180 calendar days. Failure of the parent or guardian to enroll the child in one of the attendance options previously listed after termination of the Home Education Program shall constitute noncompliance with the compulsory attendance requirements and may result in criminal prosecution.

**SPECIFIC AUTHORITY:** Sections 1001.41; 1001.42; 1002.01; 1003.02; and 1003.26, Florida Statutes

**ADOPTED:**01/23/07

Revised: 2013

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## STUDENT ATTENDANCE POLICIES FILE: JE

### E. TITLE: **Recording Student Attendance**

#### **POLICY:**

Recording of student attendance for the purpose of administering the full-time equivalent program and other State programs shall be pursuant to State Board of Education Rule 6A-1.044. The principal shall be responsible for the administration of all Florida Statutes; State Board of Education Rules, The School Board of Orange County, Florida (“Board”) policies and the Orange County Public Schools (“OCPS”) attendance procedures pertaining to student attendance. The principal shall assure that all teachers and clerks are instructed in the proper recording of attendance and may periodically determine whether instructions are being followed.

**SPECIFIC AUTHORITY:** Sections 1001.41; 1001.42; 1001.54; 1003.02; 1003.23; 1003.25, and 1012.28, Florida Statutes.

Statutes **ADOPTED:** 04/27/04

Revised: 2013

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## **STUDENT ATTENDANCE POLICIES** FILE: JE

### F. TITLE: **Attendance Requirement for Recording Daily Presence/Absence for Grades K-12**

**POLICY:**

- (1) A student shall be deemed to be in attendance if actually present at school, or away from school on a school day engaged in an educational activity which constitutes a part of the school-approved instructional program, for at least one-half of the student's instructional day.
- (2) In grades 6-12, a school shall record period-by-period attendance.

**SPECIFIC AUTHORITY:** Sections 1001.41; 1001.42; 1001.53; 1003.01; 1003.21; and 1003.23; Florida Statutes.

**ADOPTED:** 04/27/04

Revised: 2013

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## **STUDENT ATTENDANCE POLICIES** FILE: JE

### G. TITLE: **Attendance for Academic Credit for Grades 9-12**

**POLICY:**

- (1) No student shall be awarded a credit unless the student has been in attendance for instruction for a minimum of 135 hours. The 135 hours required for attendance for instruction corresponds to twenty (20) absences in a school year or ten (10) absences for each semester. The principal may provide a student who has been in attendance less than 135 hours an opportunity to receive credit by demonstrating mastery of the student performance standards in that course of study.
- (2) Excused absences shall be considered, on an hour per hour basis, as a part of the 135 minimum hours of classroom instruction. The principal is authorized to accept the following reasons for absence(s) of a student:
  - (a) illness, injury or other insurmountable condition;
  - (b) illness or death of a member of the student's immediate family;
  - (c) recognized (or established) religious holidays and religious instruction;
  - (d) medical appointments;
  - (e) participation in an approved activity or class of instruction held at another school site;

- (f) prearranged absences of educational value with the principal's prior approval;
  - (g) head lice infestation (up to four (4) days per school year); or
  - (h) Catastrophic disasters that significantly impact the life of the student (loss of residence from natural disaster).
- (3) Academic instruction missed by the student shall be made up in an acceptable manner in accordance with the Orange County Public Schools ("OCPS") pupil progression plan.
  - (4) Suspended students are allowed to make up missed school work according to guidelines provided under Paragraph 2 of this policy for excused absences.

**SPECIFIC AUTHORITY:** Sections 1001.41; 1001.42; 1003.21; 1003.24; and 1003.436, Florida Statutes

**ADOPTED: 01/23/07**

Revised: 2013

## **STUDENT ATTENDANCE POLICIES** FILE: JE

### H. TITLE: **Suspension of Driver's License for Nonattendance** **POLICY:**

- (1) Orientation of Students
  - (a) The principal or designee shall assure that all students are informed of the possible effects of truancy upon their driver's licenses.
  - (b) This information shall be included in student handbooks and announced at school assemblies.
- (2) Verification of Attendance
  - (a) The school superintendent shall submit to the Department of Highway Safety and Motor Vehicles ("DHSMV") the names of students, attaining ages 14-17 within the current school fiscal year (July 1-June 30), who have accumulated 15 unexcused absences in a period of 90 calendar days. The date of birth, sex, and social security number of each student shall be included in the report.
  - (b) Students who are not enrolled in Orange County Public Schools ("OCPS") shall be referred to the administrator of the program in which they are enrolled for attendance verification.
- (3) Hardship Waiver
  - (a) Within 15 calendar days of receipt of notice of intent to suspend, a student may request, in writing, that the principal waive the attendance requirement based on a personal or family hardship.
  - (b) The principal or designee is authorized to grant a 90-day hardship waiver to a 16-or 17-year-old student if the evidence satisfies the principal/designee that the student meets criteria suggested by the Florida Department of Education and that the waiver would be reasonable under the circumstances. The Florida Department of Education suggests that consideration be given any minor under the school's jurisdiction for whom a personal or family hardship requires that the

minor have a driver's license for his or her own, or his or her family's employment or medical care. The 90-day hardship waiver should be reviewed every 90 days to determine the feasibility of continuance. Further, the principal or designee shall take into consideration the recommendations of teachers, other school officials, and guidance counselors.

- (c) A hardship waiver shall not be available to 15-year-old students. Unlicensed students are not eligible for a hardship waiver.
  - (d) The principal or designee shall notify the DHSMV via electronic transmission of a student's request for waiver within 24 hours of receiving the request. The hearing must be conducted by the principal/designee within 30 days of the request. The principal's decision must be conveyed electronically to DHSMV within 24 hours after conducting the hearing. The principal or designee shall also notify The School Board of Orange County, Florida ("Board") of his/her decision.
  - (e) Any student denied a hardship waiver may appeal that decision to the Board. The Board shall notify the DHSMV if the hardship waiver is subsequently granted.
- (4) Notification of Intent to Suspend the Driver's License for Nonattendance.
- (a) The DHSMV shall notify each minor for whom the department has received notification of noncompliance upon the occurrence of 15 unexcused absences in a 90 calendar day period, and the minor's parents or guardian, of the department's intent to suspend driving privileges.
  - (b) The minor, or the parent or guardian, has 15 calendar days after written parent and student notification of intent to suspend, to provide proof of compliance with the attendance requirements or to request a hardship waiver.
  - (c) Twenty days after the date of issuance of this notice, the department shall suspend the minor's operator's license or learner's license or record the legal name, sex, date of birth and social security number of each minor who does not possess a driver's license or learner's license, unless the minor has provided the department verification of compliance with the attendance requirement or the appropriate school official has provided the department with verification of a request for a waiver hearing.
- (5) Verification of Compliance and Reinstatement
- (a) Reinstatement shall be initiated by the student by submission of written verification that he or she has been in compliance for 30 days prior to the request for verification of compliance. Compliance starts on the first day after the student's last unexcused absence. The student must attend, without any unexcused absences for 30 consecutive days. If the student has any excused absence during that time, an extra day is added to the end of the 30 day compliance period to adjust for each absence.
  - (b) A compliance form, the HSMV 72870, shall be signed by the designated administrator and executed either by a notary seal or embossed school seal attesting that the student has met the requirements of Section 322.091, Florida Statutes. (This form shall be provided to the student no more than five school days after the request has been made.)
  - (c) When a student has previously had a license suspended and cannot meet the 30

school days attendance period required for reinstatement within the current attendance year, the balance of the days required shall be carried forward for completion in the next ensuring attendance year or summer session.

**SPECIFIC AUTHORITY:** Sections 322.091; 322.1615; 1001.41; 1001.53; and 1003.25, Florida Statutes

**ADOPTED:** 01/23/07

Revised: 2013

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## **STUDENT ATTENDANCE POLICIES** FILE: JE

### I. TITLE: **Disclosure at Time of Initial Registration**

#### **POLICY:**

At the time of initial registration for a school in the Orange County Public Schools (“OCPS”) district, each student must note previous school expulsions, arrests resulting in a charge, and juvenile justice actions taken against the student.

**SPECIFIC AUTHORITY:** Sections 1001.41 and 1006.07, Florida Statutes

**ADOPTED:** 04/27/04

Revised: 2013

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## **STUDENT ATTENDANCE POLICIES** FILE: JE

### J. TITLE: **Learnfare**

#### **POLICY:**

Children of cash assistance recipients (formerly Aid to Families with Dependent Children/ AFDC) are required to attend school regularly.

- (1) If excessive unexcused absenteeism is determined to sufficiently jeopardize academic progress, the school shall report the student to the Department of Children and Families (“DCF”) for non-compliance.
- (2) Each parent /guardian with children ages six to eighteen (18) years who is a recipient of cash assistance is required to have a school conference during each semester.
  - (a) The conference must address acceptable attendance, grades and behavior.
  - (b) The conference must be documented and reported to DCF.
  - (c) Verification of the conference is the responsibility of the parent/guardian or DCF. Verification may be by telephone contact with a school official or by a written statement from a school official.
  - (d) The conference may be held at the school or by telephone. The parent/guardian is responsible for initiating and scheduling the conference.

**SPECIFIC AUTHORITY:** Section 414.1251, Florida Statutes

**ADOPTED:** 01/23/07

Revised: **2013**

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## **STUDENT ATTENDANCE POLICIES** FILE: JE

### **K. TITLE: Child Labor Laws**

**POLICY:**

- (1) Orange County Public Schools (“OCPS”) shall implement the following steps when necessary in compliance with applicable State child labor laws:
  - (a) A designated school representative shall report to the Division of Jobs and Benefits of the Department of Labor and Employment Security or to any person acting in similar capacity who may be designated by law to receive such notices, all violations of the child labor laws that may come to his or her knowledge.
  - (b) A designated school representative shall have the same right of access to, and inspection of, establishments where minors may be employed or detained as is given by law to the Division of Jobs and Benefits only for the purpose of ascertaining whether children of compulsory school age are actually employed there and are actually working there regularly. The designated school representative shall, if he or she finds unsatisfactory working conditions or violations of the child labor law, report his or her findings to the Division of Jobs and Benefits or its agents.

**SPECIFIC AUTHORITY:** Sections 450.132 and 1003.26, Florida Statutes

**ADOPTED** 01/23/07

Revised: **2013**

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## **STUDENT ATTENDANCE POLICIES** FILE: JE

### **L. TITLE: Attendance Training Requirement**

**POLICY:**

Orange County Public Schools (“OCPS”) will provide a minimum of four (4) training opportunities per school year for OCPS attendance clerks and/or other school personnel responsible for maintaining school attendance records. In addition, appropriate online training, as determined by OCPS, will be provided by OCPS for those attendance clerks and/or other school personnel unable to attend the provided face-to-face training. The training shall include requirements for attendance reporting by substitute teachers.

**SPECIFIC AUTHORITY:** Sections 1001.42, 1001.54, and 1003.02, Florida Statutes

**ADOPTED:** 01/23/07

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