

RSU #63

- a. **NEPN/NSBA Code:** JEA
- b. **Title:** Student Attendance, Absences, Home Instruction, and Truancy
Superintendent/Board of Directors
- c. **Author:**
- d. **Replaces Policy:**
- e. **Date Approved:** 12/02/2019
- f. **Previously Approved:** 09/25/2017
- g. **Policy Expiration:** Review as Needed
- h. **Responsible for Review:** Policy Committee/Superintendent
- i. **Date Reviewed:** 11/05/2019 Policy Committee
11/05/2019 Superintendent
- j. **References:** JFC-Student Withdrawal from School/Dropout Prevention
JEA-R - Student Attendance, Absences, and Truancy-Administrative Procedures
20-A MRSA Sections 5001-A, 5104-A; 5051-A
- k. **Narrative:**

This policy outlines acceptable and unacceptable attendance for students who fall under the jurisdiction of the designated school district, and administrative actions to be taken when needed.

- I. Public schools should ensure the rights of access for all school age persons to an appropriate educational opportunity and, when necessary, should develop alternatives to regular school curricula for those children and youth at risk of becoming dropouts and those who may have left school. Attendance is strongly encouraged and expected as it contributes to the learning environment of all and benefits the individual student.
 - A. **Attendance at school will be required of persons in the State as follows:**
 - 1. Students six (6) years or older and under 17 will attend a public day school during the time it is in regular session.
 - 2. It is RSU #63's (the District's) policy to encourage all children by age four (4) to be enrolled in school in order to increase lifelong academic success.
 - 3. Students who are at least five (5) years of age who are enrolled in school are required to attend during the time school is in session.
 - B. **Attendance at school will not be required of the following:**
 - 1. A person who graduates from high school before their 17th birthday.
 - 2. A person who has:
 - a. Reached the age of 15 years or completed 9th grade;
 - b. Permission to leave school from the student's parent/guardian;
 - c. Been approved by the principal for a suitable program of work and study or training;
 - d. Permission to leave school from the RSU #63 Board of Directors (the Board) or its designee;
 - e. Agreed in writing with the student's parent/guardian and the Board or its designee to meet annually until that student's 17th birthday to

review that student's educational needs.

3. When the request to be excused from school has been denied pursuant to this paragraph, the student's parent/legal guardian may appeal to the Commissioner of Education.

- C. To be an excused absence, the parent/guardian must contact the school on the morning of the absence to explain the reason the student will not be in school. The parent/guardian may provide documentation before the absence explaining the reason the student will not be in school and the timeframe for the anticipated absence.

Excusable absences are as follows:

1. Personal illness;
2. An appointment with a health professional that must be made during the regular school day;
3. Observance of a recognized religious holiday when the observance is required during the regular school day;
4. A family emergency;
5. A planned absence for an educational purpose that has been approved by a school administrator;
6. Education disruption resulting from homelessness, unplanned hospital admittance, foster care placement, youth development center placement, or some other out-of-district placement that is not authorized by either an Individualized Education Plan (IEP) or a Superintendent's Agreement developed in accordance with MRSA section 5205 subsection 2;
7. Section six (6) above does not apply to a student who is out of school for 10 or more consecutive school days because of a planned absence for a reason such as a family event or a medical absence for planned hospitalization or recovery;
8. A student who has matriculated and is attending an accredited, post-secondary, degree-granting institution as a full-time student. An exception to the attendance in public school must be approved by the Commissioner of Education;
9. A student enrolled in an approved on-line program or course.

D. Equivalent instruction alternatives:

1. A student will be excused from a public day school if the student obtains equivalent instruction in:
 - a. A private school approved for attendance purposes pursuant to MRSA section 2901;
 - b. A private school recognized by the Maine DOE as providing equivalent instruction;
 - c. A home instruction program that complies with the requirements of 20-A MRSA Ch 5001-A (3)(A)(4);
 - d. Any other manner arranged for by the District and approved by the Commissioner of Education.
2. A student will be credited with attendance at a private school only if a certificate showing the name, residence, and attendance of the student at the school and signed by the person or persons in charge of the school has

been filed with the school officials of the school district in which the student resides.

E. The following provisions govern a home instruction program:

1. The student's parent/guardian will provide a written notice of intent to provide home instruction simultaneously to the RSU #63 Superintendent and to the Commissioner of Education within 10 calendar days of the beginning of home instruction. The notice must contain the following information:
 - a. The name, signature, and address of the student's parent/guardian;
 - b. The name and age of the student;
 - c. The date the home instruction program will begin;
 - d. A statement of assurance that indicates the home instruction program will provide at least 175 days annually of instruction and will provide instruction in the following subject areas: English and language arts, math, science, social studies, physical education, health education, library skills, fine arts, and, in at least one grade from grades 5 to 12, Maine studies. At least one grade level from grade 7 to 12, the student will demonstrate proficiency in the use of computers; and
 - e. A statement of assurance that indicates that the home instruction program will include an annual assessment of the student's academic progress that includes at least one of the forms of assessment described in section E. 2. below.
2. On or before September 1st of each subsequent year of home instruction, the student's parent/guardian will file a letter with the RSU #63 Superintendent and the Commissioner of Education stating the intention to continue providing home instruction and enclose a copy of one of the following forms of annual assessment of the student's academic progress:
 - a. A standardized achievement test administered through the district in which the student resides or through other arrangements by the Commissioner of Education.
 - b. A test developed by the school officials of the district in which the student resides appropriate to the student's home instruction program, which must be agreed to by the school officials of the district prior to submission of the written notice of intent to provide home instruction;
 - c. A review and acceptance of the student's progress by an identified individual who holds a current Maine teacher's certificate;
 - d. A review and acceptance of the student's progress based on, but not limited to, a presentation of an educational portfolio of the student to a local area homeschooling support group whose membership for this purpose includes a currently certified Maine teacher or administrator; or
 - e. A review and acceptance of the student's progress by a local advisory board selected by the Superintendent of the district in which the student resides that includes one district employee and two (2) home instruction tutors. For the purpose of this subdivision, a "home instruction tutor" means the parent/guardian, or other person who acts or will act as a primary teacher of the student in the home instruction

program. This provision must be agreed to by the school officials of the district in which the student resides prior to submission of the written notice of intent to provide home instruction.

3. Dissemination of any information filed under this subparagraph is governed by the provisions of section 6001; the federal Family Education Rights and Privacy Act of 1974, 20 United States Code, Section 1232g (2002); and the federal Education for All Handicapped Children Act of 1975, 20 United States Code, Section 1401 to 1487 (2002), except that “directory information” as defined by the federal Family Educational Rights and Privacy Act of 1974, is confidential and is not subject to public disclosure unless the parent or guardian specifically permits disclosure in writing or a judge orders otherwise. Copies of the information filed under subparagraph must be maintained by the student’s parent or guardian until the home instruction program concludes. The records must be made available to the commissioner upon request.
4. If the home instruction program is discontinued, students of compulsory school age must be enrolled in a public school or an equivalent instruction alternative as provided for in this paragraph. The receiving school will determine the placement of the student. At the secondary level, the principal of the receiving school will determine the value of the prior educational experience toward meeting the standards of the system of learning results as established in section 6209.