

remove the information, then the parents or legal guardians may include, as part of the student record, a statement of their position regarding the contested information. *COMAR 13A.08.02.14-17.*

4. **Additional Rights of Parents of Children with Disabilities**

Under federal law, students with disabilities and their parents have rights with respect to the collection of information for school records, and access to and disclosure of such information, which are generally broader than the protections afforded to students under *FERPA*. Those rights are identified and explained in *the Individuals with Disabilities Education Improvement Act, 34 CFR Part 300.*

IV. **WHAT ARE SOME OF THE LAWS, POLICIES, AND PROCEDURES THAT GOVERN MY BEHAVIOR?**

A. **Student Attendance**

Policy 3005

The student attendance policy of Calvert County Public Schools is based on the premise that regular attendance is necessary if a student is to achieve success in school. No child who is excessively absent during the year can fully profit from educational programs and activities offered at school. There is little chance of continuity of instruction or maintenance of interest when a student does not attend classes regularly. Students with good attendance have greater opportunities to utilize their talents, increase their self-esteem, and acquire self-discipline.

The school cannot educate students or provide them with support and assistance if they are absent. Therefore, the school system will require students to attend school regularly in order to receive the full benefits of an education.

All Maryland residents 5 years old or older and under 21 years old are entitled to free public education. Maryland law requires that all children between the ages of 5 and 18 years attend a public school unless the child regularly receives, in some other setting, instruction similar to that which is provided in the State's public schools. § 7-301 of the *Education Article of the Annotated Code of Maryland.*

Under Maryland's Age of Compulsory School Attendance law (Maryland Code, Education §7-301), the age for compulsory school attendance is now 18. Students may not withdraw from school prior to turning 18 or successfully graduating, unless they meet one of the exceptions listed in COMAR.

1. **Rules, Regulations and Procedures Governing Attendance**

Each child who resides in the State of Maryland and is 5 years old on or before September 1 of the current school year, and under 18 years of age, shall attend a public school regularly during the entire school year unless the child is otherwise receiving regular, thorough instruction during the school year in the studies usually taught in the public schools to children of the same age, or the child is exempted under Maryland State Board of Education regulations which allow parents/guardians to:

- Apply for a home instruction (parental teaching) program as an alternative;
- Exempt a child who is 5 years old from mandatory school attendance for one year if the child's parent or guardian believes that a delay in school attendance is in the best interest of the child and the parent or guardian files a written request with the Director of Student Services asking that the child's attendance be delayed due to the child's level of maturity; or
- Exempt a child from attending kindergarten if the parent or guardian of the child files in writing their intent to place the child in an alternative setting and verifies that the child is enrolled full time in a

licensed child care center; full-time in a registered family day care home; or part-time in a Head Start 5-year-old program.

- The local school system shall approve the request for delay or withdrawal in writing within 5 working days from date of receipt.

Pre-kindergarten students must be 4 years old on or before September 1 of the current school year for admission to school.

a. Lawful Causes of Absences as Defined by COMAR 13A.08.01.03

Absence from school, including absence for any portion of the day, of students who are presently enrolled in public schools shall be considered lawful only under the following conditions:

COMAR Code	Description
01	Death in the immediate family. The local school system shall determine what relationships constitute the immediate family.
02	Illness of the student. The principal shall require a physician's certificate from the parent or guardian of a student reported continuously absent for illness.
04	Court summons.
07	Hazardous weather conditions. This shall be interpreted to mean weather conditions which would endanger the health or safety of the student when in transit to and from school.
08	Work approved or sponsored by the school, the local school system or the State Department of Education, accepted by the local superintendent of schools or the school principal, or their designees, as reason for excusing students.
09	Observance of a religious holiday.
10	State emergency.
13	Other emergency or set of circumstances which, in the judgment of the superintendent or designee, constitutes a good and sufficient cause for absence from school.
17	Health exclusion.
18	Suspension.
19	Lack of authorized transportation. This shall not include a student denied authorized transportation for disciplinary reasons.

b. Unlawful Causes of Absence as Defined by COMAR 13A.08.01.04

An absence, including absence for any portion of the day, for any reason other than those cited as lawful, is presumed unlawful and may constitute truancy. Local school systems may add specified criteria for unlawful absences to local board-approved attendance policies.

COMAR Code	Description
20	Truancy. A truant is a student (age 5 to 18) who is absent without lawful cause as defined in COMAR 13A.08.01.03 from attendance for a school day or portion thereof.
21	Other unlawful absence.

c. **Habitual Truant**

A student is a habitual truant if the student is unlawfully absent from school for

- 8 days in any quarter
- 15 days in any semester
- 20 days in a school year

d. **Present/Absent/Partial Days**

Attendance is taken every day a school is in session. A student is “present” or “attending” if the student is attending an instructional program approved by the State, local school system, and/or school. This means a student is physically on school grounds or is participating in instruction or instruction-related activities at an approved off-grounds location. It does not include “making up” schoolwork at home, or activities supervised or sponsored by private groups or individuals. Lawful and unlawful absences are both counted as absences.

A student is reported for a full day of attendance if the student is attending an instructional program approved by the State, local school system, and/or school for greater than half of the school day.

Partial Day of Attendance

A student is “present” or “attending” for a partial day of attendance if the student is attending an instructional program approved by the State, local school system, and/or school for 10% to 50% of the school day.

Reporting Absences

A student is “absent” or “not attending” if the student is not physically present on school grounds and not participating in instruction or instruction-related activities at an approved off-grounds location for less than 10% of the school day.

e. **Tardiness/Early Dismissal**

Students arriving to school after the start of the student’s school day will be considered tardy. Students leaving early before the end of the school day will be counted as having an early dismissal.

f. **Family Vacations**

Vacations are not recognized as legal absences in *COMAR 13A.08.01.03*. If a family anticipates that their child may miss school for a reason that is not listed as a lawful absence under “a.” above, the family should petition the principal, in writing, in advance of the absences, with the following information: student’s name, grade, parent/guardian name, the reason for the absence, and a phone number where a parent/guardian can be reached. The principal has the authority to approve or deny the request for a legal absence.

2. **Standards for Regular Attendance and Penalties for Unmet Standards**

The standard for regular attendance is the minimum requirement for student attendance. The actions taken when the standard, as defined by Policy #3005 governing student attendance, is not met should reflect a continuum of consequences. School officials may waive these actions when they are aware of

circumstances beyond the student's control, such as a chronic illness documented by a healthcare provider.

For all schools, elementary, middle and high, the following will apply:

- Each school staff will encourage a positive attitude on the part of the students for regular and prompt attendance.
- Report cards will be considered appropriate notification of the number of student absences.
- School officials will notify parents when students are found to be truant from school or are found to have cut classes.
- Students with excessive absences will be referred to the Department of Student Services.

a. Elementary School (grades K – 5)

Elementary school students who miss 20 or more days within the school year, whether they are lawful or unlawful absences, will be considered for retention. Students who are absent 14 or more days will be considered having chronic absenteeism and may be required to provide doctor's notes for any absences thereafter.

Parents will be notified after students have accumulated 14 or more absences. Additionally, the principal may consider the following penalties or actions:

- Verbal and/or written contract with parent/guardian
- Removal of school privileges
- Restriction of school extracurricular activities

b. Middle School (grades 6 – 8)

Students who miss 18 or more days within the school year, whether they are lawful or unlawful absences, will be considered for retention. Students who are absent 12 or more days will be considered having chronic absenteeism and may be required to provide notes from a physician for any absence thereafter.

Parents will be notified after students have accumulated 12 or more absences. Additionally, the principal may consider the following penalties or actions:

- Verbal and/or written contract with parent/guardian;
- After-school detention;
- Removal of school privileges;
- Restriction of extracurricular activities;
- In-school suspension; and/or
- Summer School attendance.

c. High School (grades 9 – 12)

Students who miss 16 or more days within the school year, whether they are lawful or unlawful absences, may receive no credit for courses taken. Students who are absent 10 or more days will be considered having chronic absenteeism and may be required to provide a note from a physician

thereafter. Additionally, students missing 16 or more days from any individual class may not receive credit for the year in that class.

Students and parents will be notified after students have accumulated 10 or more absences from school and/or individual classes. The principal may also consider the following penalties or actions:

- Verbal and/or written contract with parent/guardian;
- Denial of parking privileges;
- After-school detention;
- Removal of school privileges;
- In-school suspension;
- Restriction of extracurricular activities; and/or
- Summer School attendance.

3. **Procedures to Monitor and Verify Absences/Tardiness**

a. **Reporting Absences**

It is the responsibility of administrators and teachers to develop and maintain a system of recording and reporting student absences (lawful and unlawful). The following procedures are to be considered the minimum for each school (elementary, middle, and high):

- A daily attendance record will be maintained by teachers of each student's tardiness or absence from school or class.
- A student's tardiness or absence from school will be reported to the school office daily.
- A student's unlawful absence from an individual class will be recorded by the teacher and reported to the school office as appropriate.
- Attendance information recorded on Report Cards will be considered appropriate notification to parents/guardians and students of the student's absences.

b. **Confirming/Verifying Absences**

It is the responsibility of the parents/guardians to provide school authorities with verification of the reason for each student absence. Any absence not certified by the parent, guardian, physician, court or other appropriate person/agency will be considered unlawful.

- Students returning from absences without notes with appropriate signatures certifying lawful absences will be given three school days to provide such certification. Absences not certified at the end of three days will be considered unlawful.
- Absences Due to Acute or Life-Threatening Medical Conditions. To ensure optimum safety of a student, medical documentation is required when a student returns to school after experiencing acute distress or a life-threatening condition. The documentation should include any safety precautions or measures that the school should take to ensure the welfare of the child. Parents/guardians will be required to meet with the school nurse to discuss the student's health issues.
- The school principal or designee may require a doctor's note for any student who is chronically absent from school.

- Parents/guardians will be contacted when students are found to be truant from school or found to have cut class.
- School officials will make referrals to the Pupil Personnel Worker when students develop patterns of poor attendance or excessive absences.
- A student 18 years of age or older and living independent of his/her parents/guardians may be considered emancipated and responsible for confirming and verifying absences. However, verification of emancipation must first be established by the Department of Student Services.

c. Waivers

Any student with a chronic health condition or other serious problem may petition the school principal for a waiver to the attendance policy. This petition must be in writing and must state the reason(s) for the request. The student and parent/guardian must provide medical documentation or other evidence to support the request. A subsequent appeal may be filed with the Director of Student Services or his/her designee within five days of the principal's decision.

d. Make-Up Work Requirements

It is the responsibility of all students, whether the absence is lawful or unlawful, to obtain and to complete the work provided by each teacher. All make-up work will be graded in accordance with the regular classroom grading policy as long as it is completed within the established timeline. Generally, students will have one day to make up work for each day of absence.

e. Reward Process

Each school will develop an incentive program to reward and encourage regular school attendance. The required awards and certificates for all schools are:

i. Perfect Attendance

- All students, kindergarten through grade 12, having perfect attendance for a given school year, shall be awarded a certificate of perfect attendance.
- All students who have attained three consecutive years of perfect attendance shall:
 - Receive a certificate of perfect attendance denoting the three consecutive years of perfect attendance; and
 - All students who have attained perfect attendance in grades 9-12 for 4 years shall receive a certificate of perfect attendance denoting the attainment of the four years of perfect attendance.

ii. Exemplary Attendance

All school principals are encouraged to recognize exemplary attendance. Reward and incentive programs in all schools are encouraged. Exemplary attendance is defined as five or fewer absences during the school year.

f. Information and Dissemination

The principal of each school will take the necessary steps to ensure that parents, students, and staff members are aware of the Student Attendance Policies and Procedures. The process for disseminating this information might include:

- Explaining it to staff members at a meeting;
- Publishing a summary for all parents/guardians;
- Encouraging teachers to discuss it with students;
- Discussing it with parents at PTA meetings;
- Publishing a summary in school newsletters or student newspapers; and/or
- Having a copy of the complete policies and procedures available in the school library and other similar public places.

The complete policy #3005 and accompanying procedures are posted on the Calvert County Public Schools website at www.calvertnet.k12.md.us.

B. Electronic and Communication Devices

In reviewing the current guidelines and practices, Calvert County Public Schools believe there are positive and negative aspects of allowing students to have electronic and communication devices on school property. While they can enhance instructional practices in our buildings, they have the potential to disrupt classroom instruction and the overall school climate. In addition, the safety of students and staff could be compromised by inappropriate use of these devices. The following guidelines have been developed to address the possession of these devices on school property.

Students may bring electronic and communication devices, including cellular phones, laptops, tablets, etc. to school. These are high risk items for theft, loss, and/or damage. Calvert County Public Schools will not be responsible for the theft, loss, and/or damage of electronic and communication devices.

Students must adhere to individual school and classroom procedures. Devices used in a manner disruptive or distracting to the individual learning, classroom, or school environment may be confiscated, require parent pick-up, restricted from school property, and/or lead to consequences as outlined in the Students' Rights, Responsibilities and Code of Conduct.

- Devices should be registered at the school by completing the Electronic and Communication Device Registration form.
- The camera/audio/video function of any device must not be used on school property unless used for instructional and/or academic purposes and with the approval of administration and/or teacher.
- Students may use electronic communication devices on school property up to 15 minutes prior to the first bell.
- **Electronic communication devices may not be used in Alternative Education, In-School Intervention (ISI), or In-School Suspension (ISS).**