

# REGULATION

## MONTGOMERY COUNTY PUBLIC SCHOOLS

---

**Related Entries:** IJA, IJA-RA, IKA, IKA-RA, IKB-RA, IKC-RA, IOE-RA, IOE-RB, JFA, JFA-RA, JGA-RB, KLA, KLA-RA

**Responsible Divisions:** Division of School Leadership and Improvement and Division of Specialized Support Services

### Student Attendance

#### I. PURPOSE

To establish responsibility for recording and excusing absences

To outline procedures for promoting, monitoring, and improving attendance and for follow-up with students and parents/guardians, in accordance with requirements set forth in the *Code of Maryland Regulations* (COMAR).

#### II. DEFINITIONS

*Lawful absence* means a condition specified in COMAR 13A.08.01.03 under which a student may be absent from school.

#### III. PROCEDURES

##### A. MCPS Theory of Action

The Division of School Leadership and Improvement (DSLII) in collaboration with the Division of Specialized Support Services (DSSS), will –

1. promote the importance of regular attendance to students, caregivers, and community members,
2. regularly report and analyze attendance data, and
3. develop and implement a continuum of interventions designed to support regular school attendance.

##### B. All Schools

1. Each school will establish structured protocols to promote student attendance by –

- a) regularly reviewing disaggregated attendance data,
- b) conducting parent/guardian outreach and providing incentives as appropriate,
- c) conducting root cause analyses of irregular attendance, and
- d) implementing targeted attendance interventions through a Multi-Tiered System of Supports (MTSS).

2. Attendance Record-keeping and Reporting

- a) The *Maryland Student Records System Manual* is hereby incorporated by reference.
- b) Each classroom teacher is responsible for recording the attendance of students in class. Teachers record attendance directly in the online attendance system. The system maintains a record of the date, time, and person entering the data.
- c) In the event that the electronic system cannot be used, a paper roster will be used. These documents will be retained in the school for the current school year. At the end of the current school year, the documents retained in hard copy form will be sent to Central Records, where they will be retained for an additional three years, for auditing purposes.
- d) The daily attendance records of each student are maintained electronically by Student Data Systems.
- e) The DSLI will conduct checks of attendance accuracy using reports available in the student information system.
- f) Students scheduled for enrollment, who do not report for school during September, should be investigated and appropriate action taken.
  - (1) By September 30th, all students who have not attended school in September must be withdrawn, unless documentation of sustained effort to return the student to school is available.

- (2) Documentation requirements are included as part of the *Maryland Student Records System Manual*.
  - g) Students with 10 school days of consecutive unlawful absences must be exited following procedures outlined under the *Maryland Student Record Systems Manual*.
  - h) Shared Accountability will examine historical patterns of attendance to identify schools in need of additional support with accuracy and fidelity in the attendance-taking process. Shared Accountability will –
    - (1) continuously refine and update the recordkeeping requirements in the *MCPS Student Record Keeper Manual* and provide to all recordkeepers annually, and
    - (2) identify revisions to the *MCPS Student Record Keeper Manual* during trainings of staff, including procedures to follow regarding no-show students.
  - i) The total number of student absences (including lawful and unlawful absences) is reported on the report card.
3. Interventions
- a) The principal/designee, in cooperation with the school staff, establishes the school's procedures for follow-up on absences, annually submits the procedures to the appropriate associate superintendent(s) for approval by July 1, and distributes approved procedures to parents/guardians and students at the beginning of each school year.
  - b) When individual student absence data indicates chronic absenteeism, the most persistent attendance cases are to be –
    - (1) referred to the Student Well-being Team (SWBT) for root cause analysis and intensive collaborative problem solving, and
    - (2) structured attendance interventions will be documented and monitored according to established procedures.
  - c) When school absence data indicates chronic absenteeism, the school shall conduct root cause analyses and include attendance as part of

their School Improvement Plan. Schools shall consider how their school culture and climate promotes or discourages attendance for all their students.

- d) Students who reach an unlawful absence rate of twenty (20) percent are considered truant and may be referred to the Truancy Review Board (TRB).

C. Elementary Schools (Including Kindergarten)

- 1. At the beginning of the school year, elementary school principals/designees will request that parents/guardians notify the school when their child is to be absent for any reason on any given day.
- 2. Whenever possible, parents/guardians of elementary-school-age children will be contacted by 12 noon of each first day of absence, if the parents/guardians have not previously notified the school of the absence.
- 3. Elementary school students with excessive absences and/or tardies, both lawful and unlawful, may be referred for appropriate intervention. At the discretion of the principal/designee, students who demonstrate a pattern of absences may be referred to appropriate staff and/or outside agencies for intensive interventions, designed to increase regular attendance.

D. Middle Schools

- 1. Middle school students with excessive absences and/or tardies, both lawful and unlawful, may be referred for appropriate intervention.
- 2. At the discretion of the principal/designee, students who demonstrate a pattern of absences may be referred to appropriate staff and/or outside agencies for intensive interventions, designed to increase regular attendance.
- 3. Students who accumulate five or more unlawful absences may receive an attendance letter from the school.

E. High Schools

- 1. High school students with excessive absences, both lawful and unlawful, may be referred for appropriate intervention. The school counselor will consult with the student and the parents/guardians, verify reasons for the absences, and determine the appropriate interventions.

2. At the discretion of the principal/designee, students who demonstrate a pattern of absences may be referred to appropriate staff and/or outside agencies for intensive interventions, designed to increase regular attendance.
3. School counselors/administrative teams may use an Attendance Intervention Plan (AIP) as a form of intervention to improve student attendance.
  - a) An AIP is developed for each of the student's courses that has been identified for intervention, using MCPS Form 560-26B, *Attendance Intervention Plan, High School Students Only*. The form sets forth steps and strategies for students and/or staff to use to improve the student's attendance and/or academic performance.
  - b) The principal will review and sign off on the AIP.
  - c) While an AIP is being implemented, the principal leads a review of the student's attendance throughout the semester to determine the impact of the AIP.

#### **IV. EXCUSED ABSENCES**

A. MCPS shall excuse "lawful absences" specified in COMAR as follows:

1. Death in the immediate family
2. Student illness and well-being concerns

MCPS recognizes that students require physical, emotional, and psychological well-being in order to participate effectively in instruction. Schools will excuse student absences due to illness or absences needed for the student to engage in activities that support their physical or psychological well-being.

- a) Well-being activities that constitute lawful absences under this regulation are defined as programs or techniques that support positive physical and/or mental health so that a student may return to and access instruction.
- b) If a student has chronic or extended absences, the principal may require the student's parent/guardian or the eligible student to provide documentation from a student's authorized health-care provider in order to excuse the absences. Community partner

agencies assisting a family, or school staff who are familiar with a student's absences, may be able to assist in documenting an extended psychological well-being absence, if such documentation from a health-care provider is not available.

- c) MCPS shall provide information to students and families about school and community behavioral health resources. This information also will be shared with students and/or parents/guardians who notify their school that a student's absence was due to a behavioral health need.

3. Pregnancy- or parenting-related conditions

- a) Schools will excuse all student absences due to pregnancy- or parenting-related conditions, including for labor, delivery, recovery, and prenatal and postnatal medical appointments, including –
  - (1) at least 10 days' absences for the parenting student after the birth of the student's child;
  - (2) parenting-related absences due to an illness or medical appointment of the student's child, including up to four days of absences per school year for which the school may not require documentation from the child's authorized health-care provider; and
  - (3) any absence due to a legal appointment involving the pregnant or parenting student that is related to family law proceedings, including adoption, custody, and visitation.
- b) Schools may require documentation from a student's authorized health-care provider after a student has been hospitalized for pregnancy or childbirth, only if they require such documentation from all students who have been hospitalized for other conditions.

4. Court summons

5. Hazardous weather conditions, which shall be interpreted to mean weather conditions that would endanger the health or safety of the student when in transit to and from school

6. Work approved or sponsored by the school, the local school system, or the Maryland State Department of Education, accepted by the local superintendent of schools or the school principal/designee as reason for

excusing students. A number of activities or work situations that the principal/designee should excuse when approval for the absence has been requested five school days in advance in writing from the parent/guardian/eligible student are included below:

- a) Visits to college campuses and participation in college orientation programs (see local student handbook for limitations)
  - b) Scheduled interviews with prospective employers
  - c) Short-term full-time work assignments for students not enrolled in a cooperative education program
- 7. Observance of a religious holiday
  - 8. State emergency
  - 9. Suspension
  - 10. Conditions or circumstances that prevent MCPS from providing transportation to students authorized to receive transportation services. This does not include students denied MCPS authorized transportation for disciplinary reasons.
  - 11. Other emergency or set of circumstances which, in the judgment of the superintendent of schools or designee, constitutes a good and sufficient cause for absence from school.

**B. Determining Whether an Absence Is Lawful or Unlawful**

- 1. Discretionary Approval
  - a) Principal discretion is permitted in excusing absences as lawful for reasons other than those above.
  - b) Generally, requests for family travel are not lawful absences (see also section III.A.5.e).
  - c) Civic Engagement Activities - Principal discretion is permitted for student participation in civic engagement activities. Civic Engagement Activities include the following:
    - (1) Testifying virtually or in person at a hearing of a legislative body; or

- (2) Contributing to the consideration, development or implementation of state or federal policy issues; or
  - (3) Participating in the Maryland General Assembly Page Program.
- 2. A student's absence may be deemed lawful at the discretion of the principal/designee, based on the following considerations:
  - a) Recommendations from the student's teacher(s), concerning the possible effect of the anticipated absence on the student's academic progress and the options available for make-up work, before making a decision to approve the absence.
  - b) Number of lawful and unlawful absences that the student has accumulated to date.
  - c) Purpose or special significance of the absence.
  - d) Duration of the absence.
- 3. For consideration of discretionary absences, notice and request must be provided prior to the absence.
- 4. If a school chooses to issue awards for perfect attendance, it may not withhold such awards from students whose only absences have been excused for reasons of religion.
- 5. Determining What Constitutes an Absence
  - a) For reporting purposes, MCPS defines an absence in accordance with the definition of "Days Absent" in the *Maryland Student Records System Manual*.
  - b) When a student is not physically in the classroom but remains under the direct supervision of MCPS, students are considered present for state and local reporting purposes; however, students are marked absent by the teacher to record that they are not in the classroom. The attendance secretary will assign an applicable reason code to ensure proper reporting on state and local reports. Examples of such absences include, but are not limited to the following:
    - (1) Service as a volunteer student aide in MCPS outdoor education programs



- (2) MCPS interscholastic athletics participation
  - (3) Student government
  - (4) Field trip
  - (5) Health room visit
  - (6) Interim Instructional Services
  - (7) In-school suspension
- c) Students who are removed from school by their parent/guardian for more than 10 consecutive school days for extended travel must be withdrawn, and the parent/guardian must be informed that the student will be withdrawn and that MCPS assumes that they will fulfill their responsibility to continue the student's education at the destination.
- d) A written explanation of each absence is required from the parent/guardian/eligible student within three days of the student's return to school.
- e) Requests for late arrivals or early dismissals must be authorized by the parent/guardian.
- f) "Eligible student" is defined in MCPS Regulation JEA-RB, *Enrollment of Students*. An eligible student may assume the responsibility for absence notes and requests for late arrivals and early dismissals. The principal/designee is responsible for informing the parent/guardian of an eligible student in writing of the following:
- (1) Eligible students may submit their own written explanations of absences.
  - (2) Any administrative follow-up on unlawful absences is conducted with the eligible student. When that student is residing as a dependent child with their parent/guardian, additional notification of unlawful absences may be sent to the parent/guardian.
- C. Missed Assignments - It is important for students to make up missed work regardless of the legal status of their absence. As set forth in Regulation IKA-RA,

*Grading and Reporting*, teachers may assign an equivalent, but different, task or assessment to students when they return from any absence. For unexcused absences, teachers may deny credit for missed assignments or assessments, in accordance with the process approved by the principal and the leadership team.

## **V. APPEALS**

MCPS Regulation KLA-RA, *Responding to Inquiries and Complaints from the Public*, sets forth procedures for appealing the decision of the principal/designee.

**Related Sources:** Annotated Code of Maryland, Education Article, §7-301.1 and §7-301.3; *Code of Maryland Regulations* §13A.03.02.08B(4) and §13A.08.01.01–07; MCPS *Guidelines for Respecting Religious Diversity*; *A Student's Guide to Rights and Responsibilities*; *Student Code of Conduct in Montgomery County Public Schools*

**Regulation History:** Formerly Regulation No. 515-1, September 12, 1980 (directory information updated), revised December 1986; revised October 28, 1993; revised August 19, 1997; revised November 3, 2005; revised May 12, 2010; revised October 7, 2013; revised February 4, 2014; revised September 11, 2014; revised August 6, 2015; revised February 9, 2018; revised October 8, 2019; revised April 28, 2022; revised August 5, 2022; revised October 17, 2023; revised August 28, 2026.

# MCPS NONDISCRIMINATION STATEMENT

Montgomery County Public Schools (MCPS) prohibits illegal discrimination based on race, ethnicity, color, ancestry, national origin, nationality, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family structure/parental status, marital status, age, ability (cognitive, social/emotional, and physical), poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations. Discrimination undermines our community's long-standing efforts to create, foster, and promote equity, inclusion, and acceptance for all. The Board prohibits the use of language and/or the display of images and symbols that promote hate and can be reasonably expected to cause substantial disruption to school or district operations or activities. For more information, please review Montgomery County Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*. This Policy affirms the Board's belief that each and every student matters, and in particular, that educational outcomes should never be predictable by any individual's actual or perceived personal characteristics. The Policy also recognizes that equity requires proactive steps to identify and redress implicit biases, practices that have an unjustified disparate impact, and structural and institutional barriers that impede equality of educational or employment opportunities. MCPS also provides equal access to the Boy/Girl Scouts and other designated youth groups.\*

It is the policy of the state of Maryland that all public and publicly funded schools and school programs operate in compliance with:

- (1) Title VI of the federal *Civil Rights Act of 1964*; and
- (2) Title 26, Subtitle 7 of the Education Article of the Maryland Code, which states that public and publicly funded schools and programs may not
  - (a) discriminate against a current student, a prospective student, or the parent or guardian of a current or prospective student on the basis of race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability;
  - (b) refuse enrollment of a prospective student, expel a current student, or withhold privileges from a current student, a prospective student, or the parent or guardian of a current or prospective student because of an individual's race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability; or
  - (c) discipline, invoke a penalty against, or take any other retaliatory action against a student or parent or guardian of a student who files a complaint alleging that the program or school discriminated against the student, regardless of the outcome of the complaint.\*\*

Please note that contact information and federal, state, or local content requirements may change between editions of this document and shall supersede the statements and references contained in this version. Please see the online version for the most up-to-date information at [www.montgomeryschoolsmd.org/info/nondiscrimination](http://www.montgomeryschoolsmd.org/info/nondiscrimination).

| For inquiries or complaints about discrimination against MCPS students***                                                                                                                                                                                 | For inquiries or complaints about discrimination against MCPS staff***                                                                                                                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Director of Student Conduct and Appeals<br>Division of Equity and Organizational Development<br>850 Hungerford Drive, Suite 200, Rockville, MD 20850<br>240-740-3215   <a href="mailto:SWC@mcpsmd.org">SWC@mcpsmd.org</a>                                 | Human Resource Compliance Officer<br>Division of Human Resources and Talent Management<br>Department of Compliance and Investigations<br>15 West Gude Drive, Suite B400, Rockville, MD 20850<br>240-740-2888   <a href="mailto:DCI@mcpsmd.org">DCI@mcpsmd.org</a> |
| For student requests for accommodations under Section 504 of the Rehabilitation Act of 1973                                                                                                                                                               | For staff requests for accommodations under the Americans with Disabilities Act                                                                                                                                                                                   |
| Section 504 Coordinator<br>Division of Specialized Support Services,<br>Department of School Counseling<br>850 Hungerford Drive, Room 170, Rockville, MD 20850<br>240-987-8031   <a href="mailto:504@mcpsmd.org">504@mcpsmd.org</a>                       | ADA Compliance Coordinator<br>Division of Human Resources and Talent Management<br>Department of Compliance and Investigations<br>15 West Gude Drive, Suite B400, Rockville, MD 20850<br>240-740-2888   <a href="mailto:DCI@mcpsmd.org">DCI@mcpsmd.org</a>        |
| For inquiries or complaints about sex discrimination under Title IX, including sexual harassment, against students or staff***                                                                                                                            |                                                                                                                                                                                                                                                                   |
| Title IX Coordinator<br>Division of Equity and Organizational Development, Department of Student Conduct and Appeals<br>850 Hungerford Drive, Suite 200, Rockville, MD 20850<br>240-740-3215   <a href="mailto:TitleIX@mcpsmd.org">TitleIX@mcpsmd.org</a> |                                                                                                                                                                                                                                                                   |

\*This notification complies with the federal *Elementary and Secondary Education Act*, as amended.

\*\*This notification complies with the *Code of Maryland Regulations Section 13A.01.07*.

\*\*\*Discrimination complaints may be filed with other agencies, such as the following: U.S. Equal Employment Opportunity Commission (EEOC), Baltimore Field Office, GH Fallon Federal Building, 31 Hopkins Plaza, Suite 1432, Baltimore, MD 21201, 1-800-669-4000, 1-800-669-6820 (TTY); Maryland Commission on Civil Rights (MCCR), William Donald Schaefer Tower, 6 Saint Paul Street, Suite 900, Baltimore, MD 21202, 410-767-8600, 1-800-637-6247, [mccr@maryland.gov](mailto:mccr@maryland.gov); Agency Equity Officer, Office of Equity Assurance and Compliance, Office of the Deputy State Superintendent of Operations, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201-2595, [oeac.msde@maryland.gov](mailto:oeac.msde@maryland.gov); or U.S. Department of Education, Office for Civil Rights (OCR), 61 Forsyth St. S.W., Suite 19T10, Atlanta, GA 30303, 404-974-9406 and TDD: 800-877-8339, [OCR.Atlanta@ed.gov](mailto:OCR.Atlanta@ed.gov), 1-800-421-3481, 1-800-877-8339 (TDD), [OCR@ed.gov](mailto:OCR@ed.gov), or [www2.ed.gov/about/offices/list/ocr/complaintintro.html](http://www2.ed.gov/about/offices/list/ocr/complaintintro.html).

This document is available, upon request, in languages other than English and in an alternate format under the *Americans with Disabilities Act*, by contacting the MCPS Office of Communications at 240-740-2837, 1-800-735-2258 (Maryland Relay), or [PIO@mcpsmd.org](mailto:PIO@mcpsmd.org). Individuals who need sign language interpretation or cued speech transliteration may contact the MCPS Office of Interpreting Services at 240-740-1800, 301-637-2958 (VP) [mcpainterpretingservices@mcpsmd.org](mailto:mcpainterpretingservices@mcpsmd.org), or [MCPSInterpretingServices@mcpsmd.org](mailto:MCPSInterpretingServices@mcpsmd.org).