

Book	Policy Manual
Section	430 - Students: Student Attendance
Title	Lawful Absences
Number	430.02
Status	Active
Legal	Annotated Code of Maryland, Education Article §4-108, §4-205, §7-301; COMAR 13A.08.01.02 & 13A.08.01.05
Adopted	June 11, 2009
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Last Reviewed	August 18, 2022

The following absences from school are deemed to be lawful. As such, work missed during absence for any of the reasons below may be made up and grades awarded accordingly. Signed parental notes or other appropriate documentation are required to determine lawful absences upon a student's immediate return to school. However, a limit of five (5) days will be given to produce acceptable documentation to the principal /designee. Documentation not received after five days will cause the undocumented absence(s) to be determined as unlawful.

A. Death in the Immediate Family - The immediate family shall include a parent/guardian, siblings, grandparents, a person who is the primary care provider, or anyone who lives regularly in the household of the student and others as determined by the school principal.

B. Illness of a Student - Student illness will only be considered as a lawful absence if a parent/guardian note or a physician note certifying the student's absence was due to illness is submitted as

prescribed above. Students who are absent for three (3) consecutive days or who have repeated absences due to illness will be required to provide medical verification to the school principal or his/her designee on request. The principal may require a physician's excuse after one or more days absence for those students identified from the previous term or semester as having poor attendance.

C. Behavioral/Mental Health Need- Student behavioral or mental health needs will only be considered as a lawful absence if a parent/guardian note, or a behavioral/mental health provider note certifying the student's absence was due to behavioral/mental health needs as prescribed above. Students who are absent for three (3) consecutive days or who have repeated absences due to behavioral/mental health needs will be required to provide behavioral or mental health care provider/medical verification to the school principal or his/her designee on request. The principal may require a behavioral or mental health care provider's excuse after one or more days absence for those students identified from the previous term or semester as having poor attendance. If a student or the student's parent or guardian notifies a public school that the student's absence was due to a behavioral health need, the school shall provide information to the student or the student's parent or guardian about school or community behavioral health resources that are available to the student.

D. Court Summons - Legal verification of a court summons is required if the absence is to be considered lawful.

E. Out of School Suspension - Suspension is the denial of a student's right to attend regular classes or school for a specified period of time for cause.

F. Other emergency or set of circumstances which, in the judgment of the Superintendent of Schools or a designee, constitutes a legitimate reason to be absent from school.

G. Students who are incarcerated while awaiting bond or sentencing will be automatically transferred from the attendance rolls of the school upon notification of the student's placement.

Students will be readmitted to the school when proof of their status to attend school is provided to the school principal.

H. School-Sanctioned Family Activities

Family activities that serve an educational benefit and for which prior arrangements have been made with the appropriate principal will be considered school-sanctioned activities. The family must petition the principal in writing and in advance with the nature of the family activity. Approval of absence as lawful due to family activities will be considered at the discretion of the principal.

When granting such a request, the principal shall take into consideration the student's past attendance record and/or his/her academic performance in school. If the principal deems the request not in the best interest of the student, the request may be denied in whole or part. Parents may appeal the decision to the Superintendent or his/her designee.

Students who participate in school-sanctioned family activities will be expected to complete appropriate academic assignments relating to the activity in order to receive school attendance credit.

Work missed during school-sanctioned activities or other absences may be made up in accordance with Board and school make-up work policies.

H. Health Exclusion

A student may be temporarily excluded from school at the discretion of the Superintendent or Designee for the following health-related reasons:

1. Failure of parents or guardians to abide by the health regulations regarding immunization schedules or failure to provide evidence of appropriate immunizations after 20 calendar days: COMAR 10.06.04.03; or
2. Conditions that present a clear and direct health risk to others: COMAR 10.06.01.06.