



Memorandum

To: PCSD Teachers and Administrators

From: Poughkeepsie Board of Education

Date: January 3, 2018

Re: District Attendance Policy 5100

Due to facts uncovered during Special Counsel Todd Aldinger's ongoing investigation into graduations, the approaching end of the marking period, and the recent transition to block scheduling, this memorandum on Attendance Policy 5100 is highly urgent and of critical importance.

District Policy 5100 states:

Students must not exceed 28 absences in a full year course or 14 absences in a half-year course or 7 absences in a 10-week course. (Physical Education is included in the 14 absences category). Any student who exceeds the maximum number of absences AND does not make up assigned class work, pursuant to section III c., will not be eligible to receive credit for that course.

Therefore, any student who exceeds 14 absences in a half-year course should receive NO CREDIT for that course unless they make up assigned class work pursuant to section III(c) of Policy 5100. Instead that student will receive a NE (Not Eligible) grade for the course and IS NOT eligible to take any local or state final exam for the course.

Section III(c), in the pertinent part, reads: “The teacher shall inform the student of the missed work. If the absence is excused, the student must make up missed work in accordance with the deadline established by the subject area teacher.” “Upon satisfactory and timely completion of the make-up assignment, any earned points will be included when calculating the student's final grade.” Also, please note that Policy 5100 only provides that:

Reasonable make-up opportunities will be given to students with excused absences due to: a. Personal illness; b. Illness or death in the family; c. Disability; d. Religious observance; e. Required court appearance; f. Approved college visits; g. Military obligations; or h. Such other reasons as may be approved by the Commissioner of Education.

Section III(c) limits the ability of students to make up assignments and receive full credit when the absence is excused, not when the absence is unexcused. Therefore, any student with more than a total of 14 (a) unexcused absences, (b) excused absences for which they did not make up missed work, or (c) a combination of (a) and (b) in a half year course should receive a NE grade in the course, receive no course credit, and will not be eligible to take any local or state final exam for the course.

There is a narrow exception to the attendance policy, pursuant to Commissioner Decisions (See Commissioner Decision No. 13,727). The District may not deny course credit to a student who has exceeded the District attendance policy if that student “makes up and receives grades for all missed class work.” (Id.) This requires that the student takes and completes all tests, quizzes, and other graded assignments given in the course and completes all missed work for each absence. Aside from this narrow exception, it is expected that Attendance Policy 5100 will be consistently and neutrally applied to all students.

Unfortunately, this does not appear to have happened in the past. Special Counsel Aldinger has reported to the Board that numerous students graduated in 2017 by virtue of receiving credits in classes in which they greatly exceeded the attendance policy. In fact, it appears that some students graduated while exceeding the attendance policy for ALL of their senior year classes and being absent from yearlong courses more than 100 times.

In light of these findings, the Board anticipates directing Special Counsel Aldinger to audit the attendance records after the conclusion of the semester of high school students. Individuals, either teachers or administrators, found to have failed to enforce the attendance policy after receiving this notice may be subject to 3020(a) disciplinary procedures.

Attendance is a legal requirement under Education Law § 3205(1). All school districts are required to have an attendance policy and to enforce this policy with appropriate record keeping and intervention strategies pursuant to 8 NYCRR § 104.1(i). Due to the fact that Special Counsel Aldinger will be conducting an audit to ensure compliance with the attendance policy, teachers and school administrators are advised to maintain accurate records of classroom attendance and records of work that is made up after an excused absence, including written proof that the absence was excused and proof that make up assignments were made up in accordance with the deadline established by the subject area teacher for each day the student was absent.

Teachers and administrators should promptly communicate the outline of this attendance policy to students, specifically students at risk for receiving no credit for a course they are currently enrolled in. Such prompt communication may allow students with excused absences to take advantage of Section III(c) and may

allow students with excessive unexcused absences to complete all tests, quizzes, and other graded assignments and make up all missed work for each absence.

If students do not take advantage of these opportunities to complete missed work and have more than 14 absences, teachers and administrators should give these students no credit. Again, any PCSD employee who knowingly violates District Attendance Policy 5100 after receiving this memorandum may be subject to disciplinary actions, including termination.

Further it is necessary to ensure that the District and all employees are following Section VII of Policy 5100, which requires that specific incremental intervention actions be taken to alleviate attendance problems, including:

- Teacher meetings with the frequently absent student to review the attendance policy;
- Guidance Counselor meetings with the student to review the attendance policy;
- Notification of the parent or guardian of the student's absence by telephone;
- Notification of the parent or guardian of the student's absence by mail;
- Detention;
- School official conferencing with the student;
- Extra curricular suspension;
- Athletic suspension;
- Suspension; and
- Principal conferences with the parents or guardians of the student.

Please ensure that Section VII of Policy 5100 is being fully and properly enforced.

Thank you for your prompt attention to this matter. Attendance is critical for learning to occur and required by New York State law, Commissioner regulations, and PCSD policy. The Board encourages every employee to read the following article on Ballou High School as a cautionary tale of what the Board wants to avoid happening in the Poughkeepsie City School District:

<https://www.npr.org/sections/ed/2017/11/28/564054556/what-really-happened-at-the-school-where-every-senior-got-into-college>. We must work to ensure that PCSD

does not proceed down the same path as Ballou High School, where actual education was sacrificed for cosmetic results. Our goal is a legitimate, high quality education for each of our students.