

Attendance for Success Act

2020–2021 IMPLEMENTATION



Reporting Requirements

The [Attendance for Success Act](#) requires that school attendance data be reported to the New Mexico Public Education Department (NMPED). Students are expected to attend in-person or remote instructional programs, as provided by their school, each day.

Hybrid Learning Models

The Attendance for Success Act requires that accurate class attendance be taken for every instructional class or school program (Section 6.A.5.), and as such, schools must take attendance when students are participating in in-person educational activities at school and during periods of remote only instruction. For hybrid learning models in which students attend in-person classes on some days of the week and participate in remote learning on other days of the week, accurate attendance data for both must be documented. These district instructional programs or charter schools will develop attendance policies such that attendance is regularly taken and reported for program participants, and students are supported with appropriate interventions in accordance with the Attendance for Success Act.

Remote Learning Models

For schools that enter remote-only instructional models as a result of an emergency such as the COVID-19 pandemic, the school's attendance policies, along with the Attendance for Success Act, shall provide the basis for how attendance is taken. Attendance during periods of remote-only instruction must continue to be taken and reported to the NMPED.

Student ability to participate in remote learning opportunities is inherently inequitable. While some students will have time, space, equipment, and support to participate in instructional activities remotely, others will not. School policies on attendance must account for those inequities when providing for how student attendance in remote learning is determined. For instance, if attendance is taken during a synchronous online learning activity, students should have the opportunity to call in, participate in an asynchronous learning activity, or otherwise provide evidence of their engagement with the curriculum.

Attendance policies should be updated to include how attendance will be taken during periods of remote learning and the revised policies should be adopted by school boards or governing councils by September 30, 2020. Pursuant to the Attendance for Success Act (Section 6.D) schools will provide a copy of the attendance policy to all parents of students enrolled in the school, and the schools will publish the policy on the schools' website.

Online Schools and Optional Online Instructional Programs

Attendance for optional, fully online charter schools and instructional programs are required to report attendance to NMPED. These district schools/instructional programs or charter schools will develop attendance policies such that attendance is regularly taken and reported for program participants, and students are supported with appropriate interventions in accordance with the Attendance for Success Act.

VERSION 2 07/29/20 – Attendance for Success Act guidance is revised from the earlier version such that:

- The definition of attendance is removed
- Reporting attendance for remote-only learning and for remote-learning days of hybrid models is required
- Recording attendance for remote learning is to be based on school board/governing council policy
- Remote-learning attendance policies should consider equity
- Remote-learning attendance policies should be adopted by school boards/governing councils by September 30, 2020



Reentry Support Guidance **Public Education Department**

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Medical Absences

Absences due to medical conditions may be excused absences if the status of the student is disclosed to appropriate school personnel and if relevant documentation is provided. School district attendance policies shall provide time for students to make up schoolwork missed due to excused medical absences. Attendance policies shall allow for at least 10 days of excused medical absences for the birth of a child, and at least four days for pregnancy or parenting. Excused medical absences, including medical absences for students on 504 plans and students who are expectant or parenting, are included when determining students' attendance intervention tiers. However, for students who are excessively absent (students missing 20 percent or more of class periods or school days), additional excused medical absences need not be considered when determining whether a student must be referred to the probation services office.



Tiers of Support

The Attendance for Success Act requires school districts and charter schools to classify each student into one of four attendance intervention tiers, based on the percentage of class period and school day absences. The Act provides required interventions for students in each of the tiers. The Act also requires school districts to report, at each reporting period and the end of the year, for each student with an absence, the attendance intervention tier to which the student was assigned during the reporting period.

The four attendance intervention tiers are described below:

TIER 1: The Whole School Prevention Tier

is for students who have missed less than five percent of classes or school days for any reason. Whole school prevention strategies are universal attendance supports and may include activities such as whole school attendance campaigns, class attendance competitions, parental notification of student absences through robocalls or electronic communication, Positive Behavioral Supports and Interventions (PBIS) to create welcoming school/classroom climates, education nights, social contracts, extra-curricular activities, and attendance incentives, among others.

TIER 2: The Individualized Prevention Tier is for students who have missed five percent or more, but less than 10 percent of classes or school days for any reason. In addition to whole-school prevention strategies and other supportive interventions, for Tier 2 elementary students, the attendance team shall talk to the parent/family and inform the parent/family of the student's attendance history, the impact of student absences on student academic outcomes, the interventions or services available to the student or family, and the consequences of further absences. For Tier 2 middle or high school students, the attendance team provides the same interventions as for elementary students, and involves the student in their conversations with parent/family.

TIER 3: The Early Intervention Tier is for students who have missed 10 percent or more, but less than 20 percent of classes or school days for any reason. In addition to whole-school prevention strategies and other supportive interventions, for Tier 3 students, the attendance team shall notify the parent/family in writing of the student’s absenteeism. The notice shall include a date, time, and place for the parent/family to meet with school officials/staff to develop intervention strategies that focus on keeping the student in an educational setting. The attendance team shall be convened to establish a specific intervention plan for the student that includes establishing weekly progress monitoring and a contract for attendance. To the extent appropriate, given the student’s age, the student should be actively involved in the formulation of the attendance contract, the provisions of which should include a focus on both academic and extracurricular activities appropriate for and of interest to the student.

TIER 4: The Intensive Supports Tier is for students who have missed 20 percent or more of classes or school days for any reason. In addition to whole-school prevention strategies and other supportive interventions, for Tier 4 students, the attendance team shall give written notice to the parent/family, including a date, time, and place for the parent/family to meet with the school principal and the attendance team, and establish non-punitive consequences at the school level, identify appropriate specialized supports that may be needed to help the student address the underlying causes of excessive absenteeism, and apprise the student and the parent/family of the consequences of further absences.

Student Referral to CYFD

Students who continue to have unexcused absences after written notification of excessive absenteeism, shall be reported to the judicial district in which the student resides (Attendance for Success Act, Section 12.B.), and schools are required to report for each reporting date and at the end of the year the students who were referred to the Children, Youth, and Families Department (CYFD) because of excessive absences (Section 13.A.2).

To report students who have been referred to the CYFD for excessive absences in STARS, schools should provide the student with a discipline infraction code of: Referred to CYFD for Excessive Absenteeism (No Response Code Required). No response code will be required for the infraction.

