

**Hamilton County Department of Education  
Attendance Law/HCDE Policy/Procedures**

**Attendance Law Explained**

According to the law (Tennessee Code Annotated 49-6-3001(c)) every parent, guardian, or other person residing in this State having control or charge of any child between the ages of six (6) and seventeen (17), both inclusive, shall cause such child or children to attend a public or non-public school, and in event of failure to do so, shall be subject to the penalties hereinafter provided.

Any child who is habitually and unlawfully absent from school must be reported to the appropriate judge having juvenile jurisdiction in that county, the child to be dealt with in such manner as the judge may determine to be in the best interest of the child. The judge may assess a fine of up to fifty dollars (50.00) or five (5) hours of community service against the parents or legal guardians of Kindergarten through grade twelve (K-12) children if the child is absent more than five (5) days during any school year. (Tennessee Code Annotated 49-6-3007(f)).

**Hamilton County Department of Education Board Policy (6.200)**

**The following are legal reasons for excusing a student from attending school:**

**Personal Illness-** Students are excused who are sick and whose attendance would be detrimental to their health and the health of other students. A physician's statement may be required.

**Death in Immediate Family-** Students may be excused for three days in the event of a death in their immediate families including mother, father, step-parent, brother, sister, or grandparent. Extenuating circumstances may require a longer period of excused absence.

**Family Illness-** Students having an illness in the family which requires them to give temporary help will be excused from attendance after receipt of a physician's statement concerning the necessity of the student's assistance.

**Religious Holiday-** Students shall be excused on special or recognized religious holidays regularly observed by that particular faith. Prior approval is required should these days occur while school is in session.

**Personal-** Students who are absent for a good cause (doctor or dental appointment which cannot be scheduled at times other than school hours, court appearances, etc.) may be excused upon proof of appointment. Prior approval by parent or guardian, and the principal or his designee is required.

**Approved School-Sponsored Activities-** Students shall be marked present when participating in a school-sponsored activity away from the school building.

**HCDE attendance procedures**

By law students must attend school daily. It is the parent's responsibility to report all absences to the school. HCDE will allow parent/guardian excuses to serve as documentation for three (3) personal illness days only. After three (3) parent/guardian excused personal illness days, parents must provide medical services documentation for the following: personal illness, family illness, or personal (as defined above). To avoid student absences being recorded as unexcused, a written statement signed and dated by the parent/guardian and any medical documentation should be presented to the appropriate school official within five (5) days of the student returning to school. HCDE will not begin legal actions until after a student is absent for more than five (5) days without adequate legal excuse (as defined above.)

**If the following conditions apply, a referral will be made to the school social worker:**

***After ten (10) or more unexcused absences:***

Parent/guardians will be notified via legal notice indicating that their child has become truant and a petition may be filed with Hamilton County Juvenile Court. If unexcused absences continue after the Informal Truancy Hearing at Juvenile Court, parent/guardians will be petitioned to attend a Formal Hearing before a Juvenile Court Judge at which time fines and community service may be assessed.