

**DEPARTMENT OF EDUCATION**  
**OFFICE OF THE SECRETARY**  
**600 School Climate and Discipline**

**615 School Attendance**

**1.0 Required Attendance Policy**

Each school district and charter school shall have an attendance policy that complies with 14 **Del.C.** Ch. 27 and which defines and describes the district's or charter school's rules concerning attendance for students K to 12.

**2 DE Reg. 685 (10/01/98)**

**7 DE Reg. 619 (11/01/03)**

**12 DE Reg. 221 (08/01/08)**

**23 DE Reg. 1017 (06/01/20)**

**2.0 Elements of Attendance Policy**

- 2.1 The attendance policy shall include information on how families and students may access supports and resources for student absences due to social, emotional and behavioral wellness.
- 2.2 The attendance policy shall permit one excused absence per school year for students in grades 6 through 12 to attend civic engagements, such as visits to the United States Capitol, Delaware Legislative Hall, political or cultural significance sites, to advocate or testify on behalf of legislation, or to participate in a rally, march, or protest. The student's parent, guardian, or relative caregiver must submit a signed, written excuse which is received by the district or charter school at least three (3) days before the student's absence.
- 2.3 The attendance policy shall include how school districts and charter schools will handle absences due to religious observances, including, but not limited to, the following:
  - 2.3.1 A student shall be excused for any of the following religious holidays when the school district or charter school receives a student's parent, guardian, or relative caregiver's signed, written excuse:
    - Rosh Hashanah (Jewish)
    - Yom Kippur (Jewish)
    - Dussehra (Hindu)
    - Sukkot (Jewish)
    - Diwali (Hindu)
    - Birth of Bahá'u'lláh (Baha'i)
    - Sangha Day (Buddhist)
    - Maha Shivaratri (Hindu)
    - Naw- Rúz (Baha'i)
    - Holi (Hindu)
    - Ram Navami (Hindu)
    - Beginning of Ramadan (Islamic)
    - Theravada (Buddhist)
    - Lailat Ul Qadr (Islamic)
    - Eid al-Fitr (end of Ramadan) (Islamic)
    - Vesak (Buddhist)
    - Shavuot (Jewish)
  - 2.3.2 Each school district and charter school may excuse student absences on any other day not included on this list for religious or cultural observances.
  - 2.3.3 A student of any school district or charter school who is absent due to a religious holiday observance shall not be deprived of any award or eligibility to compete for any award.
  - 2.3.4 The attendance policy must discourage teachers from scheduling major grading events, such as tests, examinations, presentations, or project due dates on religious holidays.
  - 2.3.5 A student who misses a grading event due to excused absence for observance of a religious holiday must be allowed the opportunity to take the test on an alternate day or take an alternate test or be given some other means to recover credit.

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- 2.3.6 The Department of Education shall annually release a list of upcoming religious holidays for the upcoming school year and shall also keep an updated list on the Department of Education website.
- 2.3.7 The list in this regulation includes the name of the holiday to be observed. For an annual school year calendar with dates for the school year, visit the Department of Education's website. The annual calendar will be sent to all school districts and charter schools in time for school calendars creation.
- 2.3.8 Religious holidays occurring outside the standard school year are not included on this list. Holidays already included as public holidays on the State of Delaware calendar are not included on this list. All Jewish and Islamic holidays begin at sundown on the evening before the holiday. For holidays more than a day long, the date listed on the annual calendar is considered to be the time a student would be out of school. Additionally, some holidays, including those not listed here, involve fasting; so while a student may be in school, their parent/guardian may consider letting the school know the student is fasting.

**25 DE Reg. 699 (01/01/22)**

#### **3.0 Distribution of Attendance Policy**

- 3.1 Each district or charter school shall distribute and explain these policies to every student at the beginning of each school year.
- 3.2 Each district or charter school shall distribute and explain these policies to each student enrolling or re-enrolling during the school year.
- 3.3 Each district or charter school shall post the attendance policy on its website and notify a parent, guardian, or relative caregiver of each student in writing where this policy can be accessed. A hard copy shall be provided to a parent, guardian, or relative caregiver upon request or when absences have exceeded ten (10) unexcused absences. This hard copy will include phone numbers to area supports and a school contact number.
- 3.4 Each district or charter school shall distribute the school's attendance policy to their educators and support staff at the beginning of each school year.

**12 DE Reg. 221 (08/01/08)**

**23 DE Reg. 1017 (06/01/20)**

**25 DE Reg. 699 (01/01/22)**

#### **4.0 Reporting Requirements and Timelines**

- 4.1 Each school district or charter school shall have an electronic copy of its current attendance policy on file with the Department of Education.
- 4.2 Each school district or charter school shall provide an electronic copy of any revised attendance policy within ninety (90) days of such revisions regardless of whether said revisions were made as a result of changes to federal, state or local law, regulations, guidance or policies.

**12 DE Reg. 221 (08/01/08)**

**23 DE Reg. 1017 (06/01/20)**

**25 DE Reg. 699 (01/01/22)**