

1 **Education and Workforce Development Cabinet**

2 **Kentucky Board of Education**

3 **Department of Education**

4 **(Amendment)**

5 **702 KAR 7:125. Pupil attendance.**

6 RELATES TO: KRS 157.320, 157.350, 157.360, 158.030, 158.070, 158.100, 158.240, 159.010,  
7 159.030, 159.035, 159.140, 159.170, 161.200

8 STATUTORY AUTHORITY: KRS 156.070, 156.160, 157.320, 158.070

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 157.320 defines average daily  
10 attendance of pupils for funding purposes under the Support Education Excellence in Kentucky  
11 (SEEK) Program. KRS 157.360 bases SEEK funding upon average daily attendance. KRS  
12 158.030, 158.100, and 159.010 [~~159.030~~] establish the age for compulsory school attendance.  
13 KRS 158.070 defines the school term. KRS 158.240 and 159.035 define attendance credit for  
14 moral instruction and 4-H activities. KRS 161.200 requires attendance records to be kept by  
15 teachers. This administrative regulation establishes a uniform method of recording pupil  
16 attendance.

17 Section 1. Daily attendance. (1) Daily attendance of pupils in elementary schools shall be  
18 determined by taking attendance one (1) time each day prior to the start of instruction and  
19 maintaining a pupil [~~student~~] entry and exit log at each school.

20 (2) Daily attendance of pupils in middle and high schools shall be determined by taking  
21 attendance by class period and maintaining a pupil [~~student~~] entry and exit log at each school.

22 (3) The pupil [~~student~~] entry and exit log shall include the date, pupil [~~student~~] name, grade or  
23 homeroom, time of late arrival, time of early departure (with the reason for both listed), and

1 other information required by the local board of education. For elementary pupils [~~students~~] who  
2 are signed out, the pupil [~~student~~] entry and exit log shall also include a signature of:

3 (a) A parent;

4 (b) A legal guardian; or

5 (c) An adult with proof of identification and for whom the school has received a written  
6 authorization from the parent or legal guardian.

7 (4) Pupils shall be physically present in the school to be counted in attendance except under the  
8 following conditions:

9 (a) The pupil is a participant in a co-curricular instructional activity that has been authorized by  
10 the local board of education and is a definite part of the instructional program of the school;

11 (b) The pupil is a participant in an activity as provided in either KRS 158.240 or 159.035;

12 (c) The pupil is participating in an off-site virtual high school class or block. A pupil [~~student~~]  
13 may be counted in attendance for a virtual high school class or block for the year or semester in  
14 which the pupil [~~student~~] initially enrolled in the class or block if the pupil [~~student~~]  
15 demonstrates proficiency in accordance with local policies required by 704 KAR 3:305, Section  
16 4(2)(b) or (3) [~~5(2)(b) or (3)~~];

17 (d) The pupil's mental or physical condition prevents or renders inadvisable attendance in a  
18 school setting, and the pupil meets the requirements of KRS 159.030(2). A pupil being served in  
19 the home/hospital program shall receive a minimum of one (1) hour of instruction two (2) times  
20 per five (5) instructional days;

21 (e) The pupil [~~student~~] has been court ordered to receive educational services in a setting other  
22 than the classroom. A pupil being served through a court order shall receive a minimum of one  
23 (1) hour of instruction two (2) times per five (5) instructional days;

1 (f) The pupil [~~student~~] has an individual education plan (IEP) that requires less than full-time  
2 instructional services;

3 (g) The pupil is participating in standards-based, performance-based credit that is awarded in  
4 accordance with 704 KAR 3:305, Section 4(2)(b) [~~5(2)(b)~~] and that falls within one (1) or more  
5 of the categories of standards-based course work outlined in 704 KAR 3:305, Section 1 [~~2~~]. A  
6 pupil [~~student~~] may be counted in attendance for performance-based credit for a class or block  
7 for the year or semester in which the pupil [~~student~~] initially enrolled in the class or block if the  
8 pupil [~~student~~] demonstrates proficiency in accordance with local policies required by 704 KAR  
9 3:305, Section 4(3) [~~5(3)~~]; or

10 (h) The pupil participates in a school that is authorized by the Commissioner [~~of Education~~] to  
11 design and deliver an educational program so that all graduation requirements are based on pupil  
12 [~~student~~] proficiency of standards and performance, rather than time and Carnegie units, as  
13 authorized in 704 KAR 3:305, Section 4 [~~5~~].

14 (5) Even if a pupil's absence or tardy is due to factors beyond the pupil's control, including  
15 inclement weather or failure of the transportation system to operate, the pupil shall be counted  
16 absent or tardy.

17 (6) The local board of education shall determine by local board policy what constitutes an  
18 excused and an unexcused absence.

19 (7) A pupil shall not be allowed to make up absences for the purpose of including make-up  
20 activities in the calculation of average daily attendance.

21 [~~Section 2. The guidelines in this section shall be used to calculate student attendance for state~~  
22 ~~funding purposes through June 30, 2010.~~]

1 ~~(1) A full day of attendance shall be recorded for a pupil who is in attendance 100 percent of the~~  
2 ~~regularly scheduled school day for the pupil's grade level.~~

3 ~~(2) A tardy shall be recorded for a pupil who is absent sixty (60) minutes or less of the regularly~~  
4 ~~scheduled school day for the pupil's grade level.~~

5 ~~(3) The actual percentage of the school day shall be recorded for attendance of a pupil absent for~~  
6 ~~more than sixty (60) minutes of the regularly scheduled school day for the pupil's grade level.~~

7 ~~(4) A full day absence shall be recorded for a pupil who is absent 100 percent of the regularly~~  
8 ~~scheduled school day for the pupil's grade level.~~

9 ~~(5) The percentages described in this section shall apply to the regularly scheduled school day~~  
10 ~~approved by the local board of education and shall be applicable to entry level through grade~~  
11 ~~level twelve (12).]~~

12 Section 2. Calculation of attendance. [3-] The guidelines in this section shall be used to calculate  
13 pupil [student] attendance for state funding purposes [after June 30, 2010].

14 (1) A full day of attendance shall be recorded for a pupil who is in attendance at least sixty-five  
15 (65) percent of the regularly-scheduled school day for the pupil's grade level.

16 (2) A tardy shall be recorded for a pupil who is absent thirty-five (35) percent or less of the  
17 regularly-scheduled school day for the pupil's grade level.

18 (3) A half day absence shall be recorded for a pupil who is absent thirty-six (36) percent to  
19 eighty-four (84) percent of the regularly-scheduled school day for the pupil's grade level.

20 (4) A full day absence shall be recorded for a pupil who is absent more than eighty-four (84)  
21 percent of the regularly-scheduled school day for the pupil's grade level.

22 Section 3. Shortened school day. [4-] A local board of education may permit an arrangement  
23 whereby a pupil has a shortened school day in accordance with KRS 158.060, or local board of

1 education policy. The time a pupil [~~student~~] is in attendance shall be included in calculating the  
 2 district's average daily attendance.

3 Section 4. Dual enrollment. [~~5.~~] A local board of education may permit an arrangement in which  
 4 a pupil pursues part of the pupil's [~~student's~~] education under the direction and control of one (1)  
 5 public school and part of the pupil's [~~student's~~] education under the direction and control of  
 6 another public or nonpublic school. The time a pupil [~~student~~] is served by each public school  
 7 shall be included when calculating the district's average daily attendance.

8 Section 5. Private school placement. [~~6.~~] If a local school district, under the provisions of KRS  
 9 157.360(7) [~~157.360(6)~~], enrolls a child with a disability in a private school or agency, the  
 10 private school or agency shall certify the attendance of the child to the local school district at the  
 11 close of each school month.

12 Section 6. Age of pupil. [~~7.~~] (1) Prior to the 2017-18 school year, if [~~H~~] a local school district  
 13 enrolls in the entry level program a pupil [~~in the entry level program~~] who will not be five (5)  
 14 years of age on or before October 1 of the year of enrollment, the total aggregate days attendance  
 15 for the pupil shall not be included in calculating the district's average daily attendance.  
 16 Beginning with the 2017-18 school year, if a local school district enrolls in the entry level  
 17 program a pupil who will not be five (5) years of age on or before August 1 of the year of  
 18 enrollment, the total aggregate days attendance for the pupil shall not be included in calculating  
 19 the district's average daily attendance.

20 (2) Prior to the 2017-18 school year, if [~~H~~] a local school district enrolls in the second level of  
 21 the primary program a pupil [~~in the second level of the primary program~~] who will not be six (6)  
 22 years of age on or before October 1 of the year of enrollment, the total aggregate days attendance  
 23 for the pupil shall not be included in calculating the district's average daily attendance except

1 under the conditions established in this subsection. Beginning with the 2017-18 school year, if a  
2 local school district enrolls in the second level of the primary program a pupil who will not be  
3 six (6) years of age on or before August 1 of the year of enrollment, the total aggregate days  
4 attendance for the pupil shall not be included in calculating the district's average daily  
5 attendance except under the conditions established in this subsection.

6 (a) The local board of education shall have determined that the pupil [~~student~~] is eligible for  
7 enrollment in [~~into~~] the second level of the primary program after academic, social, and  
8 developmental progress records from multiple data sources are reviewed by a team and  
9 determined to support accelerated placement. These sources shall include:

- 10 1. Anecdotal records;
- 11 2. A variety of pupil [~~student~~] work samples, including evidence of pupil [~~student~~] self-  
12 reflection; and
- 13 3. Standardized test results.

14 (b) The team shall be comprised of three (3) members who have knowledge of the pupil's  
15 [~~student's~~] developmental skills and abilities. Team members shall be chosen from these  
16 categories:

- 17 1. Teachers;
- 18 2. Parents;
- 19 3. Psychologists;
- 20 4. Principals; or
- 21 5. District specialists.

22 (c) At least one (1) team member shall represent the district office and have an understanding of  
23 early childhood development and knowledge of developmentally-appropriate practices.

1 (d) If a pupil [~~student~~] is recommended by the local board of education for accelerated placement  
 2 into the second level of the primary program, the district shall forward that recommendation to  
 3 the department for approval with:

- 4 1. A list of data sources used in making the decision;
- 5 2. A list of all individuals who submitted the data sources;
- 6 3. A list of team members; and
- 7 4. The data needed to create a pupil attendance record.

8 (3) A local school district shall enroll any resident pupil, not holding a high school diploma,  
 9 under the age of twenty-one (21) years of age who wishes to enroll. The days attended after the  
 10 pupil's [~~student's~~] twenty-first (21<sup>st</sup>) birthday shall not be included in the calculation of the  
 11 district's average daily attendance.

12 Section 7. Due Dates for Certain Reports. [~~8-~~] (1) The Growth Factor Report for the first two (2)  
 13 school months of the school year created pursuant to KRS 157.360(9) [~~157.360(8)~~] shall be  
 14 submitted to the department [~~Department of Education~~] within ten (10) business days following  
 15 the last day of the second school month or by November 1 of each year, whichever occurs first.

16 (2) Pursuant to KRS 157.360(2), the Superintendents Annual Attendance Report (SAAR) for the  
 17 school year shall be submitted to the department within ten (10) business days following the last  
 18 day of the last school month or by June 30 of each year, whichever occurs first.

19 Section 8. Nonresident pupils. [~~9-~~] (1)(a) A written agreement executed by local boards of  
 20 education [~~execute~~] for enrollment of nonresident pupils as provided by KRS 157.350(4)(a) shall  
 21 be filed in both the attending district and the resident district no later than February 1 of the year  
 22 prior to the school year to which it will apply.

23 (b) The written agreement shall include the specific terms to which the districts have agreed.

1 (c) A list of the names of all nonresident pupils enrolled in the attending district covered by the  
 2 agreement shall be filed in both the attending district and the resident district not later than  
 3 November 1 of the school year covered by the agreement.

4 (d) [(2)] A change may be made to the original nonresident pupil agreement up to the close of the  
 5 school year to include the nonresident pupils enrolling after the close of the second school  
 6 month. The amendment shall be filed in both the attending district and the resident district no  
 7 later than June 30 of each year.

8 (2) A list of the names of all nonresident pupils whose parent is an employee of the district as  
 9 provided by KRS 157.350(4)(b) and who are not covered by the nonresident agreement shall be  
 10 filed in both the attending district and the resident district not later than November 1 of the  
 11 school year.

12 Section 9. Weather-related low attendance days. [10.] The ~~[Superintendent's Annual Attendance~~  
 13 ~~Report (SAAR)]~~ shall be considered the request to substitute prior year's average daily  
 14 attendance for up to ten (10) designated weather-related low attendance days, and certification  
 15 that the low attendance was due to inclement weather in accordance with KRS 157.320(17).  
 16 Documentation that the low attendance was due to inclement weather shall be retained at the  
 17 central office.

18 Section 10. Health and safety closings. [11.] The SAAR shall be considered the request to  
 19 substitute prior year's average daily attendance for up to ten (10) designated instructional days  
 20 for school districts that have missed an average of twenty (20) or more days in the previous three  
 21 (3) years on days a school district is closed for health and safety reasons, and certification that  
 22 the low attendance was due to health and safety reasons in accordance with KRS 158.070(10).  
 23 Documentation that the low attendance was due to health and safety reasons shall be retained at



1 the central office. Days granted in this section shall be in addition to any days granted under  
2 Section 9 of this administrative regulation.

3 Section 11. Original source of attendance data. (1) The school's records of daily attendance and  
4 teacher's monthly attendance reports, daily and class period absentee lists, pupil [~~student~~] entry  
5 and exit logs, and the Home/Hospital Program Form, shall be the original source of attendance  
6 data for all pupils enrolled in the public common schools and shall be verified at the end of each  
7 school month.

8 (2) The school's records of daily attendance and teachers' monthly attendance reports shall be  
9 signed by a designated certified person within the elementary or secondary school who shall be  
10 responsible for verifying and certifying the state attendance documents for accuracy.

11 (3) The school's records of daily attendance and tenth month teacher's monthly attendance  
12 reports shall be retained at least twenty (20) years. The daily and class period absentee lists, and  
13 pupil [~~student~~] entry and exit logs shall be retained at least two (2) full school years after the  
14 current school year.

15 Section 12. Enrollment codes. The following entry, reentry and withdrawal codes shall be used to  
16 indicate the enrollment status of pupils:

17 (1) E01 - A pupil enrolled for the first time during the current year in either a public or nonpublic  
18 school in the United States;

19 (2) E02 - A pupil previously enrolled during the current school year in either a public or  
20 nonpublic school in another state who has not previously enrolled in Kentucky during the current  
21 school year;

- 1 (3) E03 - A pupil enrolling for the first time during the current school year in either a public or  
2 nonpublic school, who withdrew as a W06, W07, W13, W16, or W18 during the 2004-2005  
3 school year or as a W24 or W25 for previous school years;
- 4 (4) R01 - A pupil received from another grade or grade level in the same school year, or having a  
5 change in schedule structure or enrollment service type.
- 6 (5) R02 - A pupil received from another public school in the same public school district;
- 7 (6) R06 - A pupil reentering the school after dropping out, discharge or expulsion from a school  
8 district in Kentucky during the current school year, who has not entered any other school during  
9 the intervening period;
- 10 (7) R20 - A pupil previously enrolled in a home school in Kentucky during the current school  
11 year;
- 12 (8) R21 - A pupil previously enrolled in any public or nonpublic school (excluding home  
13 schools) in Kentucky during the current school year;
- 14 (9) W01 - A pupil transferred to another grade in the same school or with grade level changes in  
15 the same school mid-year, or with a change in schedule structure or enrollment service type. The  
16 reentry code to use with W01 shall be R01;
- 17 (10) W02 - A pupil transferred to another public school in the same public school district. The  
18 reentry code to use with W02 shall be R02;
- 19 (11) W07 - A pupil withdrawn due to those communicable medical conditions that pose a threat  
20 in school environments listed in 902 KAR 2:020, Section 2(1) [~~1(1)~~], accompanied by a doctor's  
21 statement certifying the condition, or any other health-related condition for which the pupil  
22 [~~student~~] is too ill to participate in regular school attendance or local homebound instructional

- 1 services, or if the pupil [~~student~~] has obtained a doctor's statement certifying the condition. The
- 2 reentry code to use with W07 shall be R06;
- 3 (12) W08 - A pupil withdrawn due to death;
- 4 (13) W12 - A pupil under the jurisdiction of the court. For purposes of the W12 code, a pupil
- 5 may be considered under the jurisdiction of the court on the day the petition is filed with the
- 6 court. The reentry code to use with W12 shall be R06. For accountability purposes, a W12 shall
- 7 be considered a dropout if the district cannot substantiate enrollment in the proper educational
- 8 setting as designated by the court;
- 9 (14) W17 - An entry level pupil [~~student~~] in the primary program, withdrawn during the first two
- 10 (2) months enrolled due to immaturity or mutual agreement by the parent, guardian or other
- 11 custodian and the school in accordance with 704 KAR 5:060;
- 12 (15) W20 - A pupil transferred to a home school. The reentry code to use with W20 shall be R20;
- 13 (16) W21 - A pupil transferred to a nonpublic school (excluding home school). The reentry code
- 14 to use with W21 shall be R21;
- 15 (17) W22 - A pupil who has transferred to another Kentucky public school district and for whom
- 16 a request for pupil [~~student~~] records has been received or enrollment has been substantiated; [~~or~~
- 17 ~~a pupil who is known to have moved out of the United States;]~~
- 18 (18) W23 - A pupil withdrawn for a second or subsequent time who initially withdrew as a W24
- 19 or W25 during the current school year;
- 20 (19) W24 - A pupil who has moved out of this public school district for whom enrollment
- 21 elsewhere has not been substantiated;
- 22 (20) W25 – Prior to the 2017-18 school year, a [A] pupil who is at least the local board policy's
- 23 minimum age for withdrawal and [sixteen (16) years of age] has withdrawn from public school;

- 1 beginning with the 2017-18 school year, a pupil who is at least eighteen (18) years of age and  
 2 has withdrawn from [~~dropped-out-of~~] public school;
- 3 (21) W26 - A pupil who has withdrawn from school after completing a secondary GED program  
 4 and receiving a GED certificate;
- 5 (22) W27 - A [a] pupil who has withdrawn from school and subsequently received a GED;
- 6 (23) W28 - A [a] pupil who has reached the maximum age for education services without  
 7 receiving a diploma or an alternative high school diploma [~~certificate of attainment~~];
- 8 (24) W29 - A pupil who has moved out of state or out of the United States;
- 9 (25) W30- A pupil with an IEP enrolled in Grade 14 who has previously received an alternative  
 10 high school diploma, re-enrolled and withdrew in the middle of the reporting school year;
- 11 (26) [~~(24)~~] C01 - A [a] pupil who completes the school year in the school of the most current  
 12 enrollment;
- 13 (27) [~~(25)~~] G01 - A [a] pupil who graduates in less than four (4) years;
- 14 (28) [~~(26)~~] G02 - A [a] pupil who graduates in four (4) years;
- 15 (29) [~~(27)~~] G03 - A [a] pupil who graduates in five (5) or more years;
- 16 (30) [~~(28)~~] G04 - A [a] pupil who graduates in six (6) or more years; and
- 17 (31) [~~(29)~~] NS - A [a] pupil who completed the prior year with a C01 and was expected to enroll  
 18 in the district but did not enroll by October 1 of the current year whose enrollment elsewhere  
 19 cannot be substantiated.
- 20 Section 13. Suspension. (1) For a pupil [~~student~~] who has been suspended, a code of S shall be  
 21 used to indicate the days suspended.
- 22 (2) Suspension shall be considered an unexcused absence.

1 Section 14. Ethnicity. The ethnicity of each pupil [~~student~~] shall be designated as either  
2 Hispanic/Latino or not Hispanic/Latino. The designation shall be “Hispanic/Latino” if the person  
3 is of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture of  
4 origin regardless of race. The term “Spanish origin” may be used in addition to  
5 “Hispanic/Latino”.

6 Section 15. Racial category codes. One (1) or more of the following racial codes shall be used to  
7 indicate the racial category of pupils:

8 (1) White - A person having origins in any of the original peoples of Europe, North Africa,<sup>1</sup> or the  
9 Middle East;

10 (2) Black or African American - A person having origins in any of the black racial groups of  
11 Africa;

12 (3) Asian - A person having origins in any of the original peoples of the Far East, Southeast Asia,  
13 or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea,  
14 Malaysia, Pakistan, the Philippine Islands, Thailand, or Vietnam;

15 (4) American Indian or Alaskan Native - A person,<sup>2</sup> having origins in any of the original peoples  
16 of North America and South America (including Central America), [~~and~~] who maintains cultural  
17 identification through tribal affiliation or community attachment; and

18 (5) Native Hawaiian or other Pacific Islander - A person having origins in any of the original  
19 peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

20 Section 16. Withdrawal and transfer records. (1) The Student Dropout Questionnaire shall be  
21 completed during the one (1) hour counseling session mandated in accordance with KRS  
22 159.010. [~~Dropout data shall be reported to the Department of Education on the Nonacademic~~  
23 ~~Report that is submitted to the Department each year~~].

1 (2) The request for records and other information involving the withdrawal and transfer of pupils  
 2 shall be processed by the local superintendent or his or her designee pursuant to KRS 159.170,  
 3 and shall be maintained in the pupil's [~~student's~~] permanent file.

4 Section 17. Incorporation by Reference. (1) The following material is incorporated by reference:

5 (a) "Home/Hospital Program Form", June 2013; [~~2008-2009~~];

6 (b) "Student Dropout Questionnaire", June 2013; [~~December 2000~~];

7 (c) "Growth Factor Report", November 2009; and

8 (d) "Superintendent's Annual Attendance Report (SAAR)", November 2009. [~~and~~]

9 [~~(e) "Nonacademic Report", October 2008.~~]

10 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at  
 11 the Department of Education, [~~Division of Finance~~], 15th Floor, Capital Plaza Tower, 500 Mero  
 12 Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (23 Ky.R. 2352;  
 13 Am. 2722; eff. 1-9-1997; 25 Ky.R. 1137; 1597; eff. 1-19-1999; 27 Ky.R. 1871; 2439; eff. 3-19-  
 14 2001; 29 Ky.R. 2349; 29 Ky.R. 2349; 2685; eff. 4-15-2003; 30 Ky.R. 2380; 31 Ky.R. 76; eff. 8-  
 15 6-2004; 32 Ky.R. 1771; 2009; eff. 6-2-2006; 36 Ky.R. 466; 1212; eff. 1-4-2010; 37 Ky.R. 2291;  
 16 2572; eff. 6-3-2011.)