Ministry of Education
Cayman Islands Government

Policy Name: National Attendance Policy	
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Cross References:
This policy should be cross-referenced with the following:
Children Act (2012 Revision)
Education Act, 2016
Education Regulations, 2017
National Home School Policy and Guidance

Strategic Broad Outcome 1: Improving education to promote lifelong learning and greater economic mobility (Strategic Policy Statement 2022-2024).

Introduction:

Education in the Cayman Islands is compulsory for all children aged 5 to 17 years old. According to the *Education Act, 2016*, Part 4, this education must be full-time and suitable to the child's requirements. These requirements include a child's age, ability and aptitude and any special education needs they may have (s.38, *Children Act (2012 Revision)*. Regular attendance at school or consistent full-time access to education in a setting offering educational services is important to maximise children's potential and secure their safety.

Research shows that attending school regularly (at least 95%) leads to improved academic success and general well-being of children (Taylor, 2012). Poor attendance has significant negative implications for children. The National Center for Education Statistics identifies learning loss, school dropouts and worsening negative behaviour as consequences of poor attendance. There is also a strong correlation between regular attendance and keeping children safe. "Knowing who is absent, and why, is fundamental to effective safeguarding" (Steward, 2020), as unexplained absences can be a sign of a potential safeguarding issue with a child. It is also important to ensure that all stakeholders involved in educating children, including those providing home schooling, are in full compliance with the relevant laws and regulations.

Definitions:

Compulsory School Age – A child is of compulsory school age from the date next following that upon which a child attains the age of five years before 1st September and ending on the date on which the child attains the age of seventeen years, or has met the requirements to obtain a secondary school diploma or its equivalent, whichever is earlier.

Early Childhood Care and Education (ECCE) – means education provided to children under the compulsory age in early childhood care and education centres and in reception classes (or equivalent) in educational institutions, and includes the care, stimulation and socialization necessary to support development and learning.

Full-time education – means a minimum of five hours of curriculum instruction per day, excluding lunch and break times, for a total of at least one hundred and eighty-five days per year, or equivalent hours per year, or any other duration of greater length as may be specified in regulations.

Government school – means a school principally funded, and managed by the Government.

Home School – means education for a child of compulsory age delivered in a home setting.

Private school – Refers to assisted and independent schools where an assisted school is one that is partly funded, but not managed, by the Government and an independent school is one which is wholly funded and managed from resources other than those of the Government.

Parent – refers to the student's parent(s) or guardian(s) or any person or agency in a parental or custodial relationship to the student.

Regularly absent – absence from school for more than 5 days per term, including authorised absences.

School – an institution for providing compulsory education including a unit for that purpose but established in an institution that caters to other categories of education; and government, assisted and independent schools.

School Attendance Officer – a person appointed under the Public Service Management Act (2013 Revision) to assist in the enforcement of the compulsory attendance provisions of the Education Regulations (2017).

Truancy – absence, for five (5) or more school days in any one term without a lawful excuse or authorization.

Aims:

This policy aims to set the parameters, requirements and obligations; as well as outline the legislation under which:

- children in the Cayman Islands must regularly attend school or consistently access full-time education suitable to the child's requirements;
- school administrators and other stakeholders must fully comply with relevant laws and regulations when addressing issues of attendance;
- parents and legal guardians are required to exercise their legal obligations and responsibilities with regards to compulsory attendance.

Policy Statement:

The Education Act, 2016, Part 4, states that students of compulsory school age, 5 to 17 years, must receive full-time education suitable to the child's requirements. This can be done in a school or at home. Absences may be authorized if the school is notified in writing and if they fall in one of the six categories allowed by the Education Act, 2016, s.12 (3) and s.14, as shown in Figure 1 below.

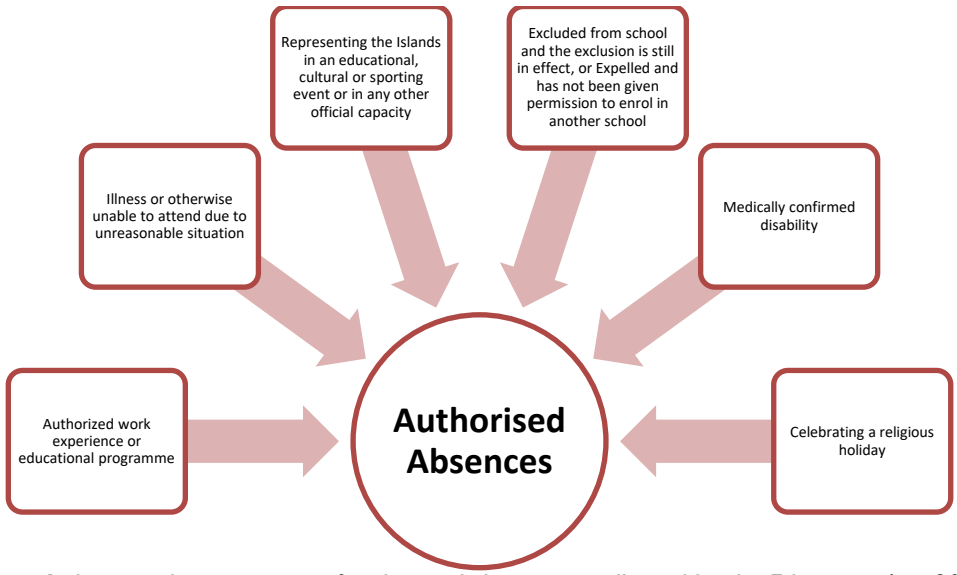


Figure 1 showing the categories of authorized absences as allowed by the Education Act, 2016.

Primary responsibility for a child's attendance rests with their parents or legal guardians and if a child of compulsory age is not receiving the education they need, the Director of the Department of Education Services or his or her designate and/or the Ministry of Education shall intervene to initiate appropriate actions as per legislation (s.12, *Education Act, 2016*, r.16, *Education Regulations, 2017* and s. 38 of the *Children Act, 2012*). These actions include inquiries, warnings, applications for education supervision orders and prosecution.

The *Education Regulations, 2017*, require schools to keep an official record of attendance, which should be made available for inspection (r.19 and r.27). They are also required to report instances of irregular or non-attendance by children of compulsory age to the school leader or their designate. Teachers or those administering educational programmes in non-school settings must ensure that attendance is recorded as this is an important part of the child safeguarding process.

School leaders or those in charge of the educational programmes in non-school settings are then required to report instances of truancy and regular absences to the School Attendance Officers in the Department of Education Services. School Attendance Officers are responsible for the enforcement of compulsory attendance at school for **all** children of compulsory age and; can inquire into suspected cases of unlawful failure to attend school, and take further action as necessary (r.16 of the *Education Regulations, 2017*). Schools may formulate their own compatible policy guidelines with regard to attendance and punctuality and parents and legal guardians are required to adhere to these policies.

Administrative Procedures:

Children of compulsory school age are required to receive full-time instruction for at least five (5) hours per day for a total of one hundred and eighty-five (185) days per year or nine hundred and twenty-five (925) hours per year (s.2 *Education Act, 2016*). A student, who attains the age of seventeen (17) years during the school year and remains registered at his/her school, must attend regularly until he/she is either withdrawn by the parent, self-exiting, graduates or is expelled. Section 12 of the *Education Act, 2016* states that parents and legal guardians have a legal duty to ensure that children access this full-time instruction by attending school or accessing the curriculum, even if not in a school setting. Children of compulsory age who are accessing the curriculum in a home-school setting are expected to receive full-time education.

Students may be excused from attendance, during compulsory education, in accordance with the Education Act, 2016, s.12 (3) and s.14, if their absence fall in one of the categories as shown in Figure 1 above.

Parents and legal guardians must provide lawful excuses to authorise a child's absence from school in writing, beforehand, where possible. If a child has to be absent for any reason other than those stated above then they can apply to the school leader/owner for the absence to be considered for authorization. This must be done in writing by the parent of the child and must be submitted,

ideally before the intended date of absence. The school leader/owner will be required to respond in a reasonable time. If the parent is unable to seek authorisation prior to the student's absence, they must do so within **five (5)** school days of the child's absence or it will be considered to be an unauthorised absence.

If a child is truant or regularly absent, the following actions are permitted according to *The Education Act, 2016*, the *Education Regulations, 2017* and the *Children Act 2012*:

- inquiry into every suspected case of unlawful failure to attend school (*Education Regulations (2017)*, r.16 (2) (c));
- written warnings of the consequences of failure to attend school to the parents or legal guardians of the child and giving notice to them to immediately remedy the situation (*Education Regulations, 2017* r.16 (2) (d));
- reporting the matter to a constable who may enter the premises a child is known or suspected to be frequenting, visiting, residing or employed, or stop and question the child for the purposes of inquiring into their failure to attend school (*Education Regulations, 2017* r.16);
- applying to the court for an education supervision order (*Children Act (2012 Revision*) s.38);
- prosecution and a fine, if found guilty of not securing attendance at school (*Education Act, 2016*, s.12 (1) and (2)).

Schools must also establish procedure and put provisions in place to contact the parents or legal guardians of a child who has been absent from school for **two** consecutive days, without authorization. This contact must be made no more than **three** school days after the child's last day of attendance. A child absent from school without authorisation for **five** days in any term must be reported to the responsible School Attendance Officer at the Department of Education Services.

The school has the right to support such a child and their parent or legal guardian to improve attendance; but, according to the Children Act (2012 Revision) s.38, the Director of Department of Education Services or their designate have the right to apply to the courts for a supervision order for such a child. The emphasis- however will be to do what is best for the child. The Ministry of Education, Department of Education Services and the school will partner with parents/legal guardians and other stakeholders to identify issues preventing a child's regular attendance; and work with them to overcome these obstacles. The support, which will be provided where possible, can include:

- facilitating school transfers
- identifying transportation solutions
- providing counselling and other support services

The *Education Regulations, 2017* also state that School Attendance Officers shall be responsible for the enforcement of compulsory attendance at schools of all children of compulsory school age (r. 16 (1)). Regulation 16 (2) goes on to state that to enforce compulsory attendance, School

Attendance Officers shall inquire into every suspected case of unlawful failure to attend school, give written warnings of the consequences of failure to attend school and written notices to cause children to attend school to parents and legal guardians. Regulation 19 of this same law also requires that school leaders/owners report students' attendance record, which must include the names, ages and home addresses of students who have not attended school as required and the number of sessions missed to the school attendance officer. This information is to be reported each school term to the Chief Officer or his/her designate (r.16 (2) (a) The Education Regulations, 2017).

School leaders/owners are required to keep adequate records of a child's attendance and make them available for inspection by School Attendance Officers or the Director of the Department of Education Services as needed (r.19 and r. 27 of the *Education Regulations, 2017*). Cases of suspensions and exclusions must also be reported to the Director of the Department of Education Services (r.19 (c) *Education Regulations, 2017*).

Roles and Responsibilities:

Ministry of Education

The Ministry of Education will:

- Support the effective implementation of this policy in collaboration with the Department of Education Services.
- Set target percentage for school attendance.
- Foster awareness of this policy and related procedures among all Ministry staff, schools and other relevant stakeholders by publishing on the Ministry's website.
- Require termly reporting on attendance in schools.
- Evaluate the reports on attendance received from the Department of Education Services and non-government schools and recommend and/or implement strategies as necessary.

Department of Education Services

a) The Director of the Department of Education Services will:

- Support the effective implementation of this policy in government schools and provide further guidance as needed.
- Support SSIOs and School Attendance Officers as required.
- Require monthly reporting on attendance in **all** schools.
- Monitor school register completion and attendance data and provide necessary feedback to school leaders.
- Evaluate government school attendance data, by class, year and school to identify trends and issues to be addressed.

b) School Attendance Officers will:

- Take deliberate action to promote awareness of this policy and related procedures
- Collect data on student attendance from the schools and investigate instances of irregular or poor attendance.
- Report each school term to the Chief Officer or the Chief Officer's designate, instances of irregular or poor attendance and unlawful failure to attend school (r.16 (2) (a) of The Education Regulations).
- Inquire into every suspected case of unlawful failure to attend school within the Officer's knowledge or when requested to do so by the Chief Officer, the Chief Officer's designate or the school leader of a school (r.16 (2) (c) The Education Regulations).
- Give written warning of the consequences of failure to attend school to the parent or legal guardian of the child who is not attending school and written notice to the parent of legal guardian of the child to have them attend immediately (r.16 (2) (d) of The Education Regulations).
- Make recommendations to the Director of the Department of Education Services regarding applying to the court for an education supervision order (s. 38 Children Act (2012 Revision)).
- Provide feedback to schools regarding outcomes/investigations of referred students in a timely manner for review by the School Leader/Designee in order to determine that outreach and investigation efforts have addressed the need.
- Support the schools in implementation of this policy.

Principals/School Leaders (all schools)

Principals/School Leaders will:

- Effectively implement the ministry's policy on attendance.
- Develop a sound attendance strategy and a written attendance and punctuality policy which is compliant with the Ministry's National Attendance Policy.
- Maintain attendance records in an approved format and ensure that they are an accurate record of the attendance of students.
- Provide staff with information on attendance requirements and their obligation to monitor and promote regular attendance at school.
- Provide clear information to students and parents regarding attendance requirements and the consequences of unsatisfactory attendance.
- Identify a member of staff who will be responsible for monitoring children's attendance and punctuality.
- Implement effective measures to monitor and follow up student absences.
- Put procedures in place to contact parents promptly - within **three** school days of an absence being unexplained.
- Put provisions in place to support the learning needs of students with attendance concerns, in consultation with parents.
- Use effective intervention strategies to improve school attendance.
- Report incidences of unlawful failure to attend school to the School Attendance Officers in the Department of Education Services (r.16 The Education Regulations, 2017).
- Authorize absences based on written excuses received from parents or legal guardians.
- Report instances of student exclusion and expulsion to the Department of Education Services (r.19 (c) The Education Regulations, 2017).

School Governing Bodies/Owners

School Governing Bodies/Owners will:

- Support the effective implementation of this policy by schools.
- Require termly reporting on attendance in schools and analysis of attendance data to identify issues and student support needs.

School staff

School Staff will:

- Take attendance of their students twice daily for AM and PM sessions.
- Enter all attendance data into the school's information management system or manual registers by the end of each session.
- Report incidences of unauthorized absences or other attendance concerns to the Principal/School Leader or Attendance Officer.

Parents

Parents will:

- Ensure that their child or ward of compulsory school-age, is enrolled in a registered school providing full-time education or is receiving this education at home and attend regularly (s. 12 *Education Act, 2016*).
- Apply for authorisation of a child's absence.
- Partner with the school with regard to the educational provision in cases where frequent absences are due to illness so that the appropriate learning support can be provided where possible.

Appendix

Appendix I: Sample School Attendance Policy Checklist

All schools are required to have an attendance policy which must include the following:

- ✓ Rationale for the policy and review dates
- ✓ The importance of regular attendance and punctuality
- ✓ Reference to the National Attendance Policy, related guidelines and any other statutory guidelines
- ✓ Roles and responsibilities of school governing body/owner, school leader, staff, students and parents
- ✓ Information for contact persons at the school
- ✓ Definitions for authorised and unauthorised absences, truancy and regularly absent
- ✓ Procedure to report authorized absences
- ✓ Process for grant of study leave
- ✓ How unauthorised absences will be dealt with
- ✓ How attendance is recorded and reported
- ✓ Definition of good and poor attendance
- ✓ Rewards and incentives for good attendance and punctuality
- ✓ Support available to students, parents and legal guardians where attendance and punctuality are an issue
- ✓ Sanctions for poor attendance
- ✓ Definition of key terms

References

National Centre for Education Statistics. 2009. Why Does Attendance Matter? Every school day counts in a child's academic life... https://nces.ed.gov/pubs2009/attendancedata/chapter1a.asp

Steward, R. 2020. Attendance and safeguarding. Attendance Matters Magazine. https://attendancemattersmagonline.co.uk/attendance-and-safeguarding/

Taylor, C. 2012. Improving attendance at school. Department of Education (UK).