



COMMISSIONER'S GUIDANCE ON ATTENDANCE

A handwritten signature in white ink, reading "Matthew L. Blomstedt".

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Commissioner of Education

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Topic Summary: Attendance Flexibilities

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As the 2021-22 school year begins, the Nebraska Department of Education (NDE) again anticipates disruptions to regular learning as a result of the COVID-19 pandemic. Local health departments are advising districts on the proper times for students and staff to quarantine or isolate given exposure both in and out of school. The NDE has been asked several questions that highlight uncertainty about proper protocols and best practices for quarantine and the resulting proper protocols for counting students in attendance during these anticipated quarantines. As such, the NDE is providing this guidance to schools regarding the appropriate considerations surrounding attendance taking for students.

Attendance Rules and Regulations

Nebraska Revised Statutes (NRS) 79-201(2), 79-208, and 79-209(2) address the compulsory attendance requirements for children in the state, and the district's responsibility in tracking, reporting, and attending to absences. The State Board promulgated NDE [Rule 2](#) in an effort to create uniform accounting in each district. Section 006 details student membership and attendance.

Recommendations for Attendance during Student Quarantine

A student shall be counted in attendance when they are present on days when school is in session. However, districts have certain flexibilities within their authority, specifically related to "school sponsored activities."

These flexibilities include:

- Authorized independent study
- Instruction for homebound student; and,
- Any instructional or engagement activities authorized under policies of the local school board.

Districts should work to create flexibility to accommodate students and parents/ caregivers regarding quarantine and self-monitoring including but not limited to policies to provide support and virtual/remote instruction to students who are quarantined or isolating due to an exposure. School districts should NOT count the student absent if he/she is participating in the school-sponsored instruction. School district officials are encouraged to err on the side of permitting such absences in light of the facts of each case and the input of health experts and consistent with parent/ caregiver efforts to meet best practices in self-monitoring due to close contact, quarantine, and/or isolation offered by local public health officials.

Disclaimer: The information provided in this and related documents does not, and is not intended to, constitute legal advice. This is intended to be a guidance document to support and inform local school districts and school systems and all information included is for reference only. Because local school board policy and unique facts make dramatic differences in analyzing any situation, the Nebraska Department of Education and the Nebraska Department of Health and Human Services advise each school district or school system to consult with the local school district or system attorney for specific legal advice regarding the impact of the COVID-19 pandemic on school operations. Additionally, the Nebraska Department of Education and the Nebraska Department of Health and Human Services encourage districts to consult their local health departments to ensure that the health and safety of all students and staff are prioritized while working to provide a high-quality education to all students.