



# 10-day Rule Guidance

[R277-419](#)

This document is intended as a resource only. Information listed may change without notice. School leaders are encouraged to familiarize themselves with the regulations associated with schools.

"Membership" means the student is on the current roll as of a given date and the school is receiving funds for educating that student.

A student is your student from the date of entrance at the school until official removal from the school due to the student having left the school because:

- ✓ Parent or Guardian has unenrolling the student, recommended in writing with a signature
- ✓ Another LEA has requested records, in writing on a form signed by the parent of guardian
- ✓ The SSID is being claimed by another school

For a student who is primarily enrolled in a face-to-face learning program, the school may not receive funding for a student who has had 10 consecutive unexcused absences.

During the ten days of unexcused absences, the school should:

1. keep the student in membership, taking roll each day
2. document how they are trying to locate the student ([53G-6-206](#))

If after the ten days the student is still unaccounted for, the school must remove the student from membership using the "unknown" code.

However, the student is still your student, until he isn't. "Removal from the roll does not mean that an LEA should delete the student's record, only that the student should no longer be counted in membership."

- ✓ Keep the physical records.
- ✓ Keep the documentation.
- ✓ Periodically try to locate the student.

Yes, you may take the full ten days of membership.

Yes, you must reenroll them if they come back.

**What if the 10-days is the first 10-days of school?**

Follow the same process. You are entitled to ten days of funding to off set some of the administrative costs of enrollment. However, until you receive confirmation that another LEA is educating the student, the student is still your student.

What if the student leaves to homeschool?

[53G-6-204](#)

A charter school is not permitted to authorize homeschool. This is the district of residence's authority.

- In statute, the phrase "a local school board" is defined only as a school district.
- Although charter schools are LEAs, they are not school districts.

If a parent or guardian withdraws their student from your charter school citing, they wish to homeschool:

- Direct the parent or guardian to their local district.
- Send the records to the district with a note that the family wishes to homeschool.
- In your student information system, transfer the student to the local district. Do not withdraw to homeschool.

If the parent or guardian simply stops sending the student to school and does not communicate with the school:

- Follow the requirements found in R277-419.
- Try to determine the location of the student.

Other tips:

Document all decisions and keep all documentation.

Set aside a section of the students records file for the folders of students who are unknown.

Do not use the Withdrawal code unless you know there is no method for educating this student. This is used very rarely.

Do not use the Drop Out code unless you know the student has dropped out. Under the 10-day rule, the point is you do not know the educational location of the student.