



Regulation of the Chancellor

Category: STUDENTS

Number: **A-240**

Subject: REASONS FOR DISCHARGING STUDENTS

Issued: 09/05/00

SUMMARY OF CHANGES

This regulation updates and supersedes A-240 - dated 12/05/90.

The regulation provides the legally acceptable reasons for discharging students.

New Provisions:

- Requirements for the discharge of students who are under compulsory school age have been expanded to ensure that outreach services are provided and parents have been officially notified prior to implementation of discharge.
- A terminology change was made: the "Not Found" discharge was changed to an "Address Unknown" discharge.
- For clarity, language was streamlined and the format was revised.



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ABSTRACT

Students may only be discharged from a school register during the course of the school year for legally acceptable reasons, as described in this regulation. Students who leave the New York City public school system without a high school diploma have the right to return until the age of 21, and the right to remain in school until the end of the school year in which they turn 21.

1. REASONS FOR DISCHARGE

A student enrolled in a public school may be discharged only for one of the following reasons:

- 1.1** Students may be discharged if they transfer to another New York City public school or program, including a Board of Education hospital school and Board of Education home instruction.
- 1.2** Students who move from New York City may be discharged. The school is responsible for obtaining a new street address, city and state, if the student is moving within the United States and Puerto Rico. If the new location is to another country, the city and country is required. If the student's residence outside of New York City is not confirmed within 10 days, an attendance investigation must be initiated to ensure that the student has moved.
- 1.3** Students may be discharged upon verified admission to an approved non-Board of Education school or program, such as parochial or private school, college prior to high school graduation or, after reaching the age of 17, an approved non-Board of Education high school equivalency program (GED).
- 1.4** A student who has received a high school diploma may be discharged because that student is no longer eligible for free public schooling. A student who has received a high school equivalency diploma has the right to stay in school or return until age 21 to seek a regular high school diploma.
- 1.5** Special education students may voluntarily leave school with an annotated (IEP) diploma or a local certificate. These students must be notified that they have the right to return to school until the end of the year in which their 21st birthday occurs.



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- 1.6** Students may be discharged for home schooling by non-Board of Education personnel, in accordance with State law and with the approval of the appropriate community school district, high school or District 75 superintendent.
- 1.7** Students who are 3 to 5 years old by December 31st may be voluntarily withdrawn from school by a parent or guardian. Documentation of the parent's request for withdrawal is required. Every effort should be made to obtain the parent's signature verifying the withdrawal request. The child and parent must be seen by a school staff member prior to the discharge. If there are concerns regarding the status of the child, an attendance teacher's investigation should be initiated. If there are questions concerning the child's safety and welfare, the Administration for Children's Services (ACS) must be contacted immediately.
- 1.8** Students who are under six years of age and not required to attend school according to compulsory education law, who are absent from school for 20 consecutive days without explanation, may be discharged under the following circumstances:
- an investigation conducted by an attendance teacher, including an interview with the parent and child, has confirmed the safety and well-being of the child. During the course of the interview every effort has been made to encourage the child's continued education.
 - the parent is informed that the child will be discharged because of the failure to attend school.
 - the parent is informed of the responsibility to register the child in school at age six.
 - a registered letter (in the parent's home language) informing the parent of the discharge has been sent to the home.
- 1.9** Students over age 17 in general education who are not in attendance for 20 consecutive days may be discharged without parental consent after the school follows appropriate notification and/or exit interview procedures, including notification of the right to return until the age of 21. Students may not be discharged as "Over 17" until the end of the school year in which their 17th birthday occurs.
- 1.10** Special Education students 17 through 21 years of age may not be discharged from the register as "Over 17" without parental consent, unless the student is 18 years of age, does not have a legally appointed guardian and voluntarily withdraws. Appropriate exit interview procedures must be followed.



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- 1.11 An “Address Unknown” discharge can be authorized only by an attendance teacher following an extensive investigation that has been documented on Form 407. The District Attendance Supervisor must review and sign Form 407 in order to authorize the “Address Unknown” discharge. A follow-up Form 407 automatically generates after 30 days in order to ensure a re-investigation of the discharge.
- 1.12 Students who are 16 or 17 years old may be discharged for full-time employment upon parental consent, an exit interview and an employment certificate.
- 1.13 Students may be discharged upon verified admission to a residential institution outside New York City, which is not staffed by Board of Education personnel, such as an Office of Children and Family Services facility, hospital, or foster care institution. Special circumstances where students are institutionalized within New York City require written approval from the District Supervisor of Attendance. This approval must be filed in the cumulative record folder.
- 1.14 High school general education students over 17 years of age may be discharged on an indefinite suspension after a superintendent’s hearing, and after the school has been informed that the charges have been upheld.
- 1.15 Students over 21 years of age must be discharged at the end of the school year in which their 21st birthday occurs.
- 1.16 Students may be discharged upon enrollment in a New York City Evening High School to obtain a high school diploma.
- 1.17 Students over 17 years of age may be discharged upon entry into military service or verified admission to a business or trade school.
- 1.18 Deceased students may be discharged upon verification.

2. VERIFICATION OF REASON FOR DISCHARGE

- 2.1 The school must verify the reason for all discharges. Verification may be obtained by information from other schools, an interview of the parent/guardian, a review of pertinent records, or authorization from an attendance teacher.
- 2.2 The school must document the discharge information on the student’s Cumulative Record Card and on the Student Office Card. File the appropriate documentation in the Cumulative Record Folder. The discharge transaction is then entered on the ATS system.



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3. INQUIRIES

Inquiries pertaining to this regulation should be addressed to:

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Brooklyn, New York 11201

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