

## 503 STUDENT ATTENDANCE

### I. PUPOSE

- A. The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. ~~Likewise, poor school attendance can be a precursor to poor or failing grades, dropping out, chemical use, teen pregnancy, and criminal behavior. With the passage of recent federal legislation and districts being required to increase student attendance, show that students are making Adequate Yearly Progress and graduating on time, it has become imperative that districts adopt strong attendance policies and enforce them.~~ The purpose of this policy is to encourage regular school attendance. **It is intended to be positive and not punitive.** ~~It is a goal of this school board that every student has regular school attendance, and that no student has more than five absences from school a year.~~
- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher and administrators. This policy will assist students in attending classes.

### II. GENERAL STATEMENT OF POLICY

#### A. Responsibilities

##### 1. Student's Responsibility

It is ~~every~~ the student's right to be in school. It is the student's responsibility to attend all assigned classes and study halls every day that school is in session and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally, it is the student's responsibility to request any missed assignments or alternate assignments due to an absence.

##### 2. Parent or Guardian's Responsibility

It is the responsibility of the student's parent or guardian to ensure the student is attending school, to inform the school in the event of a student absence, and to work cooperatively with the school and the student to solve any attendance problems that may arise.

##### 3. Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. **It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these**

~~procedures uniformly.~~ It is also the teacher's responsibility to provide any student who has been absent with any missed assignments ~~or appropriate alternate assignments~~ upon request. Finally, it is the teacher's responsibility to work cooperatively with the ~~student's parent and the student to solve any attendance problems that may arise.~~ ~~student, their parent or guardian and document any attempts to contact parent/guardian regarding attendance.~~

#### 4. Administrator's Responsibility

- a) It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.
- b) In accordance with the Minnesota Compulsory Instruction Law, Minn. Stat. 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards ~~the studies~~ ~~ordinarily~~ required to graduate from high school, has withdrawn, or has a valid excuse for absence. Defined below in B.1.1.
  - ~~a. It is the responsibility of the district administration (and not the parent/guardian) to determine if a student's absence has a valid excuse or not, thus determining whether the student has an excused or unexcused absence.~~

#### B. Attendance Procedures

Attendance procedures shall be presented to the school board for review and approval. When approved by the school board, the attendance procedures will be included as an addendum to this policy. See Student Handbook.

~~1. Official school field trips or other school sponsored events which require a student to be absent from class are not considered absences and are not addressed in this policy.~~

##### 1. Excused Absences

- a. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- b. The following reasons shall be sufficient to constitute excused absences:
  - (1) Illness.
  - (2) Serious Illness in the student's immediate family.
  - (3) ~~Significant family events such as a~~ A death or funeral in the student's immediate family or of a close friend or relative, ~~or a wedding.~~

- (4) Medical ~~or~~ dental or orthodontic treatment, or a counseling appointment.
- (5) Court appearances occasioned by family or personal action.
- (6) Religious instruction not to exceed three hours in any week ~~or as agreed upon by the parent and school district.~~
- (7) Physical emergency conditions such as fire, flood, storm, etc.
- (8) Official school field trip or other school-sponsored outing.
- (9) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
- (10) Family Emergencies
- (11) Active duty in any military branch of the United States
- (12) A student's condition that requires ongoing treatment for a mental health diagnosis.

*[Note: State law provides that a school board may include other exemptions in the school district's attendance policy. See Minn. Stat. § 120A.22, Subd. 12. When considering whether to add other exemptions, school boards should consider the intent of the compulsory attendance law, which recognizes the educational value of regular attendance and class participation, and whether the proposed exemption is consistent with the intent of the law.]*

c. Consequences of Excused Absences

- (1) Students whose absences are excused (including school activities) are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
- (2) Work missed because of absence must be made up within 5 days from the date of the student's return to school. Any work not completed within this period shall result in "no credit" for the missed assignment. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.
- (3) Once a student reaches ten (10) full days of "excused" absence, a letter will be sent to the parents of the student from Crow Wing County and from the school. The letter from the County will inform parents that their child is missing too much school and warns them of what could happen if their child continues to miss school and the child is found to be truant. The letter from the school will inform parents that an "Attendance Contract" will be put in place for the student. The parent(s) and school staff will meet to create this contract. The child is also encouraged to attend this meeting.

~~e. Consequences of Absences for students in Elementary School~~

- ~~(1) Students with absences (occurring in one school year) shall be subject to the following interventions:~~
  - ~~(a) After the fifth cumulated absence, the student's parent/guardian will be informed, by direct contact or certified mail, of the student's absences.~~

- ~~(b) After the tenth cumulated absence, the student's parent/guardian will be informed, by direct contact or certified mail, of the student's absences. A meeting may be held with the student, their parent/guardians, the administrator, the family service worker, County Social Worker, and a note from a physician will be requested. At this meeting, solutions to the student's absences will be discussed and consequences for future absences if they continue.~~
- ~~(c) After the fifteenth cumulated absence, the student's parent/guardian will be informed, by direct contact or certified mail, of the student's absences. The school district administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statues 260C.007 sub. 6(3) &/or (14). Upon receiving such request, the county attorney will also forward the school district's request on to Crow Wing County Department of Child Protection.~~

## 2. Unexcused Absences

- ~~a. An unexcused absence is recorded for a child under the age of 16 years who is absent from attendance at school without lawful excuse an entire school day if the child is in elementary school or for one or more class periods if the child is in middle school, junior high school, or high school or a child who is 16 or 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods and who has not lawfully withdrawn from school.~~
- ~~b. Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minn. Stat. 121A.040-121A.56.~~
- ~~c. Days during which a student is suspended from school shall not be counted in student's total cumulated unexcused absences.~~

a. The following are examples of absences which will not be excused:

- (1) Truancy. An absence by a student which was not approved by the parent and the school district.
- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance **procedures** policy.
- (3) Work at home, ~~including babysitting a younger sibling.~~
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Vacations with family (unless approved ahead of time by building principal or designee).
- (6) Personal trips to schools or colleges (unless approved ahead of time by building principal or designee).
- (7) **Absences resulting from cumulated unexcused tardies (5 tardies in one class period equal one unexcused absence) for that class.** ~~Arriving to class late will be considered an absence (the number of minutes late will be determined by building policy).~~
- (8) Any other absence not included under the attendance procedures set out in this policy.

b. Consequences of Unexcused Absences for students in Middle School, Junior High, and High School

- (1) **Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.**

- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.
- (4) Students with unexcused absences shall be subject to discipline in the following manner:
  - (a) For all unexcused absences in a semester, the student will not be allowed to make up work missed due to such absences.
  - (b) After the 3 cumulated unexcused absence in a semester, a student's parent or guardian will be notified by certified mail that his or her child is nearing a total of 4 unexcused absences and that, after the 5 unexcused absence, the student's grade shall be reduced by one increment for each unexcused absence thereafter.
  - (c) After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences and the prescribed discipline. The notification will state that the school strongly urges the student's parent or guardian to request such a conference.
  - (d) After 5 cumulative unexcused absences in a semester the teacher will reduce the student's letter grade by one increment for each unexcused absence thereafter (i.e. A to A-). However, prior to reducing the student's grade, an administrative conference must be held among the principal, student, and parent.
  - (e) After 7 cumulated unexcused absences in a semester, the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative conference must be held among the principal, student, and parent.
  - (f) If the result of a grade reduction or loss of credit has the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

~~(1) Students with unexcused absences (occurring in one school year) shall be subject to discipline in the following manner:~~

- ~~(a) The first unexcused absence the school district administration will notify the student's parent/guardian, by mail or phone, of the student's unexcused absence. A copy of the district's attendance policy will be sent home. The student will be assigned 1 day of detention (either before school or after school).~~
- ~~(b) After the second cumulated unexcused absence or failure to complete assigned detention, the student's parent/guardian will be informed, by direct contact or~~

certified mail, of the unexcused absence or failure to complete detention, and the consequence. The student will be assigned 1 day of In-School Suspension.

- (e) After the third cumulated unexcused absence, the student's parent/guardian will be informed, by direct contact or certified mail, of the unexcused absence and the consequence. The student will be assigned 2 days of In-School Suspension and a meeting with their parents and the family service worker will occur. At this meeting an assessment will be completed, solutions to the student's unexcused absences will be identified, and consequences for further unexcused absences will be discussed.
- (d) After the fourth cumulated unexcused absence the student's parent/guardian will be informed, by direct contact or certified mail, of the unexcused absence and the consequence. A meeting with the student, their parents, school administrator or designee, the family service worker, and a County Social Worker will occur. At this meeting, solutions to the student's unexcused absences will be discussed further and a diversion plan will be identified and put into action. Examples of such diversion plans may include, but are not limited to; In-School Suspension, grade reduction, loss of credit, Families First, PORT Group Home, Mental Health Evaluation, Chemical Use Assessment, Family Conference, Mentoring, loss of drivers license.
- (e) After the fifth and sixth cumulated unexcused absences, the team will reconvene (the student, their parent/guardian, the administrator or designee, the family service worker, and a County Social Worker) to evaluate the diversion plan in place and decide if an alternate diversion plan needs to be implemented.
- (f) After the child has been absent without lawful excuse one or more class periods on seven school days, the school district administration will request the county attorney to file a petition with juvenile court, pursuant to Minnesota Statutes 260C.007 sub-6(14).

f. Consequences of Unexcused Absences for students in Elementary School

- (1) Students with unexcused absences (occurring in one school year) shall be subject to discipline in the following manner:
  - (a) The first and second unexcused absence the school district administration will notify the student's parent/guardian, by direct contact or certified mail, of the student's unexcused absence. A copy of the district's attendance policy will be sent home.
  - (b) After the third cumulated unexcused absence, the school district administration will notify the student's parent/guardian, by direct contact or certified mail, of the student's unexcused absence. A meeting will be held with the student, their parent/guardian, and the family service worker. At this meeting an assessment will be completed, solutions to the student's unexcused absences will be identified, and consequences for further unexcused absences will be discussed.
  - (c) After the fifth cumulated unexcused absence, the student's parent/guardian will be informed, by direct contact or certified mail, of the unexcused absence and the consequence. A meeting will be held with the student, their parent/guardians, the administrator or designee, the family service worker, and a County Social Worker. At this meeting, solutions to the student's unexcused absences will be discussed further and a diversion plan will be identified and put into action. Examples of such diversion plans may include, but are not limited to; In-School Suspension, Families First, PORT Group Home, Mental Health Evaluation, Chemical Use Assessment, Family Conference, Mentoring.
  - (d) After the sixth cumulated unexcused absence, the team will reconvene (the student, their parent/guardian, the administrator or designee, the family service worker, and a

~~County Social Worker) to review the diversion plan and evaluate its effectiveness. Further diversion plans may be identified and tried.~~

- ~~(e) After the child has been absent without lawful excuse for seven school days, the school district administration will request the county attorney to file a petition with juvenile court, pursuant to Minnesota Statutes 260C.007 sub. 6(3) &/or (14). Upon receiving such request, the county attorney will also forward the school district's request on to Crow Wing County Department of Child Protection.~~

### C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness. ~~It is the responsibility of school district staff to document the time of the student's arrival.~~
2. Procedures for Reporting Tardiness
  - a. Students tardy at the start of school must report to the school office for an admission slip.
  - b. Tardiness between periods will be handled by the teacher. **The teacher will inform the student that he/she will be marked as "unexcused tardy".**
3. Excused Tardiness

Valid excuses for tardiness are:

- a. Illness;
  - b. Serious illness in the students immediate family;
  - c. A death or funeral in the student's immediate family or of a close friend or relative;
  - d. Medical, dental **orthodontic, or mental health** treatment;
  - e. Court appearances occasioned by family or personal action;
  - f. Physical emergency conditions such as fire, flood, storm, etc.;
  - g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.
4. Unexcused Tardiness
    - a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
    - b. Consequence of tardiness may include detention after 5 unexcused tardies. In addition 5 unexcused tardies are equivalent to one unexcused absence.**
    - ~~c. Arriving to class late will be considered an absence (the number of minutes late will be determined by building policy).~~

### D. Participation in Extracurricular Activities and School-Sponsored On-the-Job Training Programs

1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.

2. School-initiated absences will be accepted and participation permitted.
3. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
4. If a student is suspended from any class, he or she may not participate in any activity or program that day.
5. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or Activities Director before the student participates in the activity or program.
6. A student needs to be in attendance for half of the school day in order to be eligible for competition, unless the absence is approved by the Principal or designee.

### III. DISSEMINATION OF POLICY

Copies of this policy shall be made available to all students and parents at the commencement of each school year. This policy shall also be available upon request in each principal's office.

### IV. REQUIRED REPORTING

#### A. Continuing Truant

Minn. Stat. § 260A.02 provides that a continuing truant is a student who is subject to the compulsory instruction requirements of Minn. Stat. §120A.22 and is absent from instruction in a school, as defined in Minn. Stat. § 120A.05, without valid excuse within a single school year for:

1. Three days if the child is in elementary school; or
2. Three or more class periods on three days if the child is in middle school, junior high, or high school.

#### B. Reporting Responsibility

When a student is initially classified as a continuing truant, Minn. Stat. § 260A.03 provides that the school attendance officer or other designated school official shall notify the student's parent or legal guardian, by first class mail or other reasonable means, of the following:

1. That the child is truant;
2. That the parent or guardian should notify the school if there is a valid excuse for the child's absences;
3. That the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minn. Stat. § 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minn. Stat. § 120A.34;
4. That this notification serves as the notification required by Minn. Stat. §120A.34;
5. That alternative educational programs and services may be available in the child's enrolling or resident district;
6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
7. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minn. Stat. Ch. 260;



8. That if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to Minn. Stat. § 260C.201; and
9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

*[Note: Where services and procedures under Minn. Stat. 260A are available within the school district, the following provisions should also be included in the policy.]*

### C. Habitual Truant

1. A habitual truant is a child under the age of ~~16~~ 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school or a child who is ~~16~~ ~~or~~ 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school.
2. A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minn. Stat. Ch. 260A.

#### *Legal References:*

Minn. Stat. § 120A.05 (Definitions)

Minn. Stat. § 120A.22 (Compulsory Instruction)

Minn. Stat. § 120A.24 (Reporting)

Minn. Stat. § 120A.26 (Enforcement and Prosecution)

~~Minn. Stat. § 120A.28 (School Boards and Teachers, Duties)~~

~~Minn. Stat. § 120A.30 (Attendance Officers)~~

Minn. Stat. § 120A.34 (Violations; Penalties)

Minn. Stat. § 121A.40 – 121A.56 (Pupil Fair Dismissal Act)

~~Minn. Stat. § 260C.007, Subd. 19 (Habitual Truant Defined)~~

Minn. Stat. § 260A.02 (Definitions)

Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is Continuing Truant)

Minn. Stat. § 260C.007, Subd. 19 (Habitual Truant Defined)

Minn. Stat. § 260C.201 (Dispositions; Children in Need of Protection or Services or Neglected and in Foster Care)

*Goss v. Lopez*, 419 U.S. 565, 95 S.Ct. 729 (1975)

*Slocum v. Holton Board of Education*, 429 N.W. 2d 607 (Mich. App. Ct. 1988)

*Campbell v. Board of Education of New Milford*, 475 A.2d 289 (Conn. 1984)

*Hamer v. Board of Education of Township High School District No. 113*, 66 Ill. App.3d 7 (1978)

*Gutierrez v. School District R-1*, 585 P.2d 935 (Co. Ct. App. 1978)

*Knight v. Board of Education*, 38 Ill. App.3d 603, 348 N.E. 2d 299 (1976)

*Dorsey v. Bale*, 521 S.W. 2d 76 (Ky. 1975)

*Cross References:* Policy 506 (Student Discipline)