

POLICY 503 – ATTENDANCES AND ABSENCES

I. PURPOSE

The purpose of this policy is to encourage regular school attendance.

II. GENERAL STATEMENT OF POLICY

- A. 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.
- B. In accordance with the Minnesota law, students in the school district are required to attend all assigned classes 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the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence as reflected in the procedures for this policy.
- C. 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 class.
 - 1. Student's Responsibility. It is the student's Right to be in school. It is also 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 or tardy from an assigned class or study hall. Finally, it is the student's responsibility to request any missed 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 upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.
 - 4. Administrator's Responsibility. It is the administrator's responsibility to require students to attend all assigned classes. 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.

III. CONSEQUENCES FOR UNEXCUSED ABSENCES

- A. Students with unexcused absences may be subject to the following consequences:
 - 1. In cases of recurring unexcused full or partial day absences where a student is habitually truant, the administration may refer family to Hennepin County be@school, make a report to Child Protection (for children under 12), and/or request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statute.

2. The district may terminate the enrollment of an open enrolled student if at the end of the school year the student is determined to be habitually truant. A habitual truant is a child who is at least twelve (12) years old and less than eighteen (18) years old who is absent from attendance at school without lawful excuse for one or more class periods on seven (7) school days per school year if the child is in middle school, junior high school, or high school, or a child who is seventeen (17) years of age who is absent from attendance at school without lawful excuse for one (1) or more class periods on seven (7) school days per school year and who has not lawfully withdrawn from school under Minnesota Statutes, section 120A.22, subdivision 8. A habitual truant also means a child under age twelve (12) who has been absent from school for seven (7) school days without lawful excuse, based on a showing by clear and convincing evidence that the child's absence is not due to the failure of the child's parent, guardian, or custodian to comply with compulsory instruction laws.

3. 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 Minnesota Statutes, chapter 260A.

~~may terminate the enrollment of an open enrolled student (i.e. enrolled in the district pursuant to Minnesota Stat. 124D.03 & 124D.08) at the end of a school year if the student is determined to be habitually truant, their truancy has been reported and processed under state and county truancy processes, and their case has been referred to juvenile court.~~

~~2. The district may terminate the enrollment of a nonresident student over the age of 17 enrolled under this section if the student is absent without lawful excuse for one or more periods on 15 school days and has not properly withdrawn from school under compulsory attendance laws.~~

3.4. If the student is a resident of the district and they are attending a district school other than the district school assigned to the attendance area of their residence area, the district may terminate the student's enrollment at that school outside their attendance area if the student is habitually truant. Resident students whose school enrollment is terminated under this paragraph would continue to be eligible for enrollment at the district school serving their residence area.

4.5. A student may not participate in any extracurricular activity if they have an unexcused absence from any class during the day.

IV. LEGITIMATE EXEMPTIONS TO COMPULSORY ATTENDANCE

~~A. Excused Absences. The following reasons shall be sufficient to constitute excused absences:~~

~~1. Illness.~~

~~2. Serious illness in the student's immediate family.~~

~~3. A death or funeral in the student's immediate family or of a close friend or relative.~~

~~4. Medical, 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.~~

~~7. Physical emergency conditions such as fire, flood, storm, etc.~~

~~8. School administration decision to remove/dismiss a student from school~~

~~9. Family emergencies.~~

~~10. Situations related to parent(s)/guardian(s)/student's active duty in any military branch of the United States.~~

~~11. A student's condition that requires ongoing treatment for a mental health diagnosis.~~

~~12. Students who temporarily lack digital access during remote learning days.~~

~~13. Family safety concerns when authorized by school administration.~~

~~14. Extreme weather condition concerns of family when authorized by school administration~~

~~15. A student's religious or cultural observances.~~

- ~~16.—A student's college and/or post-secondary program visit when authorized by school administration.~~
- ~~17.—Transportation barriers or interruptions communicated by the district transportation department, parent/guardian or student to school staff or administrator~~
- ~~18.—Family activities, for up to five school days within one school year which are subject to approval by school administration and where the parent(s)/guardian(s) and student have agreed that student will complete school work assigned during the absence.~~

~~B.—Verification of Excused Absence. 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. In the case of a health-related excused absence, a note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.~~

~~C.—Expectations for Excused Absences. Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.~~

~~D.—Participation in Extracurricular Activities. School-initiated absences will be accepted and participation permitted. If a student is absent from school due to medical reasons, they 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 advisor before the student participates in the activity or program.~~

~~V.—TARDIES~~

~~A.—Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness and may result in disciplinary or other corrective action at the discretion of school administration.~~

~~B.—District administration will develop uniform tardy reporting procedures that will be applied consistently across elementary and secondary schools.~~

~~VI.~~ IV. REQUIRED REPORTING

After a student has three unexcused absences of a student in a school year, school administration will notify the student's parent(s)/guardian(s) that their student is potentially truant. After seven unexcused absences, the student will be considered habitually truant and school administration will file a report with Hennepin County or with the county where the child resides. School administration will follow the reporting, diversion and due process procedures established by Hennepin County.

V. The school board directs the superintendent to establish rules and procedures regarding student absences consistent with this policy. These procedures should seek to provide consistency for how absences are handled. These may be designed for grade levels, or similar criteria.

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.34 (Violations; Penalties)
- Minn. Stat. § 120A.35 (Absence from School for Religious Observance)

Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 260A.02 (Definitions)
Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is a 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 (1975)
Slocum v. Holton Bd. of Educ., 429 N.W.2d 607 (Mich. App. Ct. 1988)

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