

## 503 STUDENT ATTENDANCE

**[Note: The provisions of this policy substantially reflect statutory requirements.]**

### I. PURPOSE

- 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 students. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.

~~Likewise, poor school attendance can be a precursor to poor or failing grades, dropping out, chemical use, teen pregnancy, and criminal behavior. With the passing of recent federal legislation and districts being required to increase students attendance and to show that students are making Adequate Yearly Progress and graduating on time, it has become imperative that districts adopt and enforce strong attendance policies.~~

~~The purpose of this policy, which has been adopted throughout Crow Wing County, Minnesota, is to encourage regular school attendance. It is a goal of this School Board that every student has regular school attendance and that no student has more than five (5) absences from school per school year.~~

- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teachers and administrators. This policy will assist students in attending class.
- C. Exceptions to this policy may be made for students with disabilities who are on an individual education plans (IEP's) or 504 plans. Parents should consult with the building principal if an accommodation is necessary.

### II. GENERAL STATEMENT OF POLICY

#### A. Responsibilities

##### 1. Student's Responsibility

It is 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 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.

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 required to graduate from high school, has withdrawn, or has a valid excuse for absence. Defined below in B.1.1.

**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. 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) 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) 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 five (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 truancy intervention procedures will be put into place. Parents and students will be contacted and the procedure and interventions explained.

## 2. 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.
  - (3) Work at home.
  - (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 ( \_\_\_ tardies equal one excused absence).
  - (8) Any other absence not included under the attendance procedures set out in this policy.
- b. Consequences of Unexcused Absences:
  - (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) After the first unexcused absence, students will begin to receive truancy intervention procedures. Parents will be contacted and informed of the process.
  - (b) After three (3) cumulated unexcused absence in a school year, a student's parent or guardian will be notified 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 five (5) cumulative unexcused absences in a school year, 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 seven (7) cumulated unexcused absences during a school year, 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.

### C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness
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 five (5) unexcused tardies. In addition (five) 5 unexcused tardies are equivalent to one unexcused absence.

### 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. RELIGIOUS OBSERVANCE ACCOMMODATION**

Reasonable efforts will be made by the school district to accommodate any student who wishes to be excused from a curricular activity for a religious observance. Requests for accommodations should be directed to the building principal.

### **IV. DISSEMINATION OF POLICY**

- A. 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.
- B. The school district will provide annual notice to parents of the school district's policy relating to a student's absence from school for religious observance.

### **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 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 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.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 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)

**Note**: Sections of this policy remain unchanged to comply with the MDE Office of Civil Rights audit 11/10/2020.