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BBE Policy 503

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503 STUDENT ATTENDANCE

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

II. GENERAL STATEMENT OF POLICY

A. Responsibilities

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 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 ***by calling or emailing the school office***, 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.

- 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, Minnesota Statutes, section 102A.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.

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.

1. Excused Absences

- a. A parent, guardian, or other person having control of a child may apply to a school district to have the child excused from attendance for the whole or any part of the time school is in session during any school year. Application may be made to any member of the board, a truant officer, a principal, or the superintendent. A note from a physician or a licensed mental health professional stating that the child cannot attend school is a valid excuse.

- b. To be considered an excused absence, the student's parent or legal guardian will need to verify the reason for the student's absence from school by calling or emailing the school office. Student absence from school should be limited to those instances in which an absence is genuinely unavoidable.
- c. The board of the district in which the child resides may approve the application under subparagraph (a) above upon a legitimate exception being demonstrated to the satisfaction of that board.
- d. Excused Absences

The following reasons shall be sufficient to constitute excused absences:

- (1) that the child's physical or mental health is such as to prevent attendance at school or application to study for the period required, which includes:
 - (a) Illness as excused by a parent. Not to exceed **(5)** days per semester. Days exceeding **(5)** days not accompanied by a physician statement will be considered unexcused. Illness/appointment as excused by a physician, (dental, orthodontic treatment, counseling appointment with a licensed mental health professional, etc) stating that the student cannot attend school.
 - (b) Court appearances occasioned by family or personal action.
 - (c) Official school field trip or other school-sponsored outing.
 - (d) 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.
 - (e) School or college visits for admission purposes with school and parent approval.

- (f) Active duty in any military branch of the United States.
 - (g) A student's condition that requires ongoing treatment for a mental health diagnosis.
 - (h) Death in the student's immediate family (father, mother, sister, brother or grandparent).
 - (i) Religious instruction not to exceed (3) hours in any week.
 - (j) Serious illness in the student's immediate family.
 - (k) Physical emergency conditions such as fire, flood, storm, etc.
 - (l) Vacation with family for a period not to exceed (4) days,-when request are made in advance by parents and combined with a plan to provide for the student's educational needs during their absence.
 - (m) Work at home when requested by a parent, with prior notice provided to the school, and necessitated by extenuating circumstances.
- (2) that the child has already completed state and district standards required for graduation from high school; or
- (3) that it is the wish of the parent, guardian, or other person having control of the child, that the child attend for a Period or periods not exceeding in the aggregate three hours in any week, instruction conducted by a Tribal spiritual or cultural advisor, or a school for religious instruction conducted and maintained by a church, or association of churches, or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof. This instruction must be conducted and maintained in a place other than a public school building, and it must not, in whole or in part, be conducted and maintained at public expense. A child may be absent from school on days that the child attends upon instruction according to this clause.

e. Consequences of Excused Absences

- (1) 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.
- (2) Work missed must be made up in a timely manner by the end of the semester with a plan made with the teacher. Failure to make progress in classes will result in support time/ seat time as determined by administration and until evidence of progress in the class demonstrated.

2. Unexcused Absences

- a. Truancy. An absence by a student which was not approved by the parent and/or the school district.

The following are examples of absences which possibly meet mandated reporting requirements for referral to the appropriate county agency for truancy filing.

- (1) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (2) Work at home not approved in advance.
- (3) Work at a business, except under a school-sponsored work release program.
- (4) Leaving school grounds without prior approval.
- (5) Failure to attend class/skipping.
- (6) 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 accumulated 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.) ISD # 2364 reserves the right to use all disciplinary measures available to assist students with regular school attendance.
- (5) Students with unexcused absences will be expected to make up work through Monday School or StudyCenter options laid out in a meeting with school administration.

Truant/Unexcused Absences

- a.) Truancy. An absence by a student which was not approved by the parent and/or the school district. This includes all absences not school authorized and not verified by parents are considered trancies.
- b.) These absences are counted in the Maximum Absence Rule. Make-up hours will be assigned (seat time, detentions, etc), participation credit will not be granted, and make-up assignments are at the discretion of the instructor. The administration has the sole right to determine if an absence is excused or unexcused.

C. Tardiness

1. Definition

Students are expected to be in their assigned area at designated times with appropriate classroom materials. Failure to do so constitutes tardiness. A student is considered absent 11 minutes into the class period.

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.

Tardies are tabulated by semester. Tardies will start over at the beginning of a new semester.

3. Unexcused Tardiness

- a.) An unexcused tardiness is failing to be in an assigned area at the designated time with appropriate class materials without a valid excuse.
- b.) Students are expected to be on time for class. (4) unexcused tardies will result in detention being assigned.
- c.) If (4) unexcused tardies are accumulated for the same class period, they will be counted as (1) unexcused absence towards the maximum absence rule.
- d.) ISD # 2364 reserves the right to use all disciplinary measures available to assist students with regular attendance.

Perfect or Exemplary Attendance Incentive 6-12th

Perfect attendance shall be defined as a student being in attendance at school for the entire school day for the entire school year. Exemplary attendance is defined as no more than three days missed during the school year. School business, such as field trips, contests, or counselor approved college visitations will not affect perfect or exemplary attendance.

A student with perfect or exemplary attendance for the school year will be eligible for various incentives at the discretion of school administration.

A student must be in attendance for 40 minutes out of 50 minutes in a class period in order to be considered in attendance for any period. Any unexcused absence and/or suspension will nullify perfect or exemplary attendance incentives regardless of the amount of time absent.

Note: special consideration will be given for absences due to a funeral or for church sponsored trips or retreats. Church trips and events will be considered under the attendance incentive, only if the event cannot be planned on a non-school day. The event must be approved in advance, through an email or letter (include list of students involved) by the school administration in order to qualify for perfect/exemplary attendance consideration. Discretionary powers will be given to the building administration to deal with special situations.

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 advisor before the student participates in the activity or program.
6. A student must be in attendance at school by 11:00 a.m. in order to practice or participate that day. Prior arrangements must be made with school administration for any exceptions.

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, not to exceed 3 hours a week. Requests for accommodations should be directed to the building principal.

IV. 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. 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.

"That it is the wish of the parent, guardian, or other person having control of the child, that the child attend for a period or periods not exceeding in the aggregate three hours in any week, a school for religious instruction conducted and maintained by some church,"

IV. REQUIRED REPORTING

A. Continuing Truant

MS260A.03 provides that a continuing truant is a student who is subject to the compulsory instruction requirements of MS120A.22 and is absent from instruction in a school, as defined in MS120.05, 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 school, or high school.

B. Reporting Responsibility

When a student is initially classified as a continuing truant, MS 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 MS120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under MS120A.34;
4. that this notification serves as the notification required by MS120A.34;

5. that alternative educational programs and services may be available in the 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 MS Ch. 260C;
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 MS260C.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.

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 MS chapter 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 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)
Campbell v. Bd. of Educ. of New Milford, 475 A.2d 289 (Conn. 1984)
Hamer v. Bd. of Educ. of Twp. High Sch. Dist. No. 113, 66 Ill. App.3d 7, 383 N.E.2d 231 (1978)
Gutierrez v. Sch. Dist. R-1, 585 P.2d 935 (Co. Ct. App. 1978)
Knight v. Bd. of Educ., 38 Ill. App. 3d 603, 348 N.E.2d 299 (1976)
Dorsey v. Bale, 521 S.W.2d 76 (Ky. 1975)

Cross References: MSBA/MASA Model Policy 506 (Student Discipline)