

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

- a. Hold your child accountable for regular attendance and for following the attendance policy.
- b. Limit absences by scheduling appointments, vacations, college visits, etc. on non-school days.
- c. Notify the office, in writing, of an extended pre-excused absence before the absence.
- d. Send a note with your child to the Office within two (2) school days of any absences, even if you have previously called in your child's absence.
- e. Contact the Office, counselor, social worker and/or teacher if you have any concerns about your child's attendance.

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 and to distribute the District Rights and Responsibilities Manual to all students, parents and staff. 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 distribute the District Rights and Responsibilities Manual to all students, parents and staff, 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 the studies ordinarily required to graduate from high school, has withdrawn, or has a valid excuse for absence.

III. ATTENDANCE PROCEDURES

Outlined in the Student Rights and Responsibilities Manual

IV. DISSEMINATION OF POLICY

Copies of this policy shall be made available to all students and parents at the commencement of each school year through the Student Rights and Responsibilities Manual. This policy shall also be available upon request in each principal's office and on the school district website.

V. **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 school, 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 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.

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 if the child is in elementary school or for one or more class periods on seven school days 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 and who has not lawfully withdrawn from school.
2. A school district administrator 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.22 (Compulsory Instruction)
- Minn. Stat. § 120A.24 (Reporting)
- Minn. Stat. § 120A.26 (Enforcement and Prosecution)
- 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)
- *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)

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