503 STUDENT ATTENDANCE

ATTENDANCE POLICY

A. Philosophy

Learning is enhanced by regular attendance. The entire process of education requires continuity of instruction, classroom participation, learning experiences and study in order to reach the goal of maximum educational benefits for each individual student. The regular contact of students with one another in the classroom and their participation enhances learning and enriches study in order to reach the goal of maximum educational benefits for each individual student. The regular contact of students with one another in the classroom and their participation in developed instructional activities under the leadership of a competent teacher are vital to this purpose. This is a well-established principle of education which underlines and gives purpose to the requirements of compulsory education in Minnesota and every other state in the nation.

Absence from school can never really be made up. Success at school requires, like success at any job, promptness and dependability. Regular attendance at school is one of the most important items that will be recorded in your permanent record here at Lakeview School. It is checked by prospective employers and by schools to which you may be applying for admission. Attendance may be a deciding factor in securing a job you want, or in getting accepted at a school you want to attend.

B. Perfect Attendance

Students who attend school or school chaperoned activities (ex. field trips, school competitions, etc) from 8:15 to 3:15 every day school is in session will qualify for perfect attendance awards. Students who have excused or unexcused tardies or absences do not qualify for perfect attendance. If a student misses school for college visits, appointments, funerals, family work, or any other reasons, even if beyond the student's control he/she *will not* qualify for perfect attendance.

Superior Attendance

Students who miss two (2) or less days of attendance at school will qualify for superior attendance. Students who have unexcused tardies or absences will not qualify for attendance awards.

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 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. Students should request work at the end of the class period, before school, or after school. The teacher's priority is the students who are present, student absences or request for work should not interfere with classroom instruction.

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 at the end of the class period, before, or after school. 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 and study halls. It is 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.

5. 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.

6. The district must count a student as in attendance on each day the student receives supervision, instruction, or services from school staff during scheduled school hours. Minnesota Statutes, section 120A.22 does not remove the school district's responsibility to continue to comply with reporting requirements in Minnesota Statutes, section 126C.05 for the purposes of funding.

7. The principal must issue and keep a record of attendance, under rules established by the school board.

B. Definitions

1. Absence: A student is "absent" if he or she misses more than ***fifteen minutes*** of any scheduled class.

2. Unexcused Absence: An absence is unexcused unless a written note stating a ***valid reason*** is provided to the building principal/building principal's secretary within two days of returning to school. For a list of approved absences, see page 9.

3. Tardy: A student is "tardy" if he or she enters class after the period was scheduled to begin and does not have a valid excuse or pass. See, also, Section VII, C, D below.

C. Consequences for unexcused absences and tardies

Presence and participation are directly related to academic performance and are essential components of a sound education. Tardiness and unexcused absence reflect, among other things, a lack of responsibility and a lack of academic effort on a student's behalf. Learning is inevitably lost when a student fails to fully attend class. Additionally, the learning environment for all students may be disrupted. Regular attendance not only provides the foundation for achieving success as a high school student, but also for achieving success as an adult in the working world. **The primary responsibility for assuring that each student fully attends classes and acquires the knowledge and skills necessary for effective citizenship rests with the individual student and his or her parent/guardian.**

1. Unexcused tardies will be considered a Level I offense and be subject to the disciplinary action outlined on page 13 of this hand book. Work is expected to be turned in by the deadline established for the students in attendance.

2. Unexcused absences will be considered a Level II offense and be subject to the disciplinary action on page 13 of this hand book. Work is expected to be turned in by the deadline established for the students in attendance.

3. Extra-curricular participation may be impacted by poor attendance. Repeated attendance violations will be discussed with coaches/advisors and may result in inability to participate in activities.

4. Minnesota Compulsory Attendance Law requires that truancy be reported to law enforcement authorities. (Minn. Stat. 8120.103, subd. 5)

> Subd. 19. Habitual Truant. "Habitual truant" means 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 or 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 section 120A.22, subdivision 8. Referral to county attorney will be made if habitual.

Pursuant to Minnesota Statutes, section 260C.163, subdivision 11, 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.

Continuing Truant

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

1. Three (3) days if the child is in elementary school; or

2. Three (3) or more class periods on three (3) days if the child is in middle school, junior high school, or high school.

MAKE-UP POLICY

A. Excused Absences (unexpected) Students who miss class work (including assignments, labs, and exams) as a result of an unexpected excused absence will have an opportunity to make up the work. Students will receive credit for any work they make up. Failure to make up work will result in no credit being given for that work. Make up work is due to the instructor no later than two school days after the date of the absence. If the absence covers more than three consecutive days, the make up work is due to the instructor no later than five school days after the student returns to class. Exceptions to this rule may be granted if a student has missed more than ten consecutive school days because of an injury or illness or other condition beyond the student's control. Exceptions must be cleared by the teacher and/or Principal.

B. Excused Absences (expected) Students who miss class work (including assignments, labs, and exams) as a result of an expected excused absence are expected to collect work *prior* to being gone and make appropriate arrangements with instructors for deadlines. In the case of extracurricular activities, family trips, etc. it is reasonable to expect work to be turned in prior to the absence.

C. Unexcused Absences Students who miss class work (including class assignments, labs, and exams) will be expected to complete the work and submit it by the class deadline.

ATTENDANCE RECORDS

Every classroom teacher will maintain attendance records in which all classroom absences and unexcused tardies are recorded. Teachers will submit these attendance records to the principal's office on a daily basis.

CLASSIFICATION OF ABSENCES AND TARDIES

A. Excused Absences: With the exception of students who are emancipated from their parents, all students must provide the building principal with a note which is signed by the student's parent/guardian and which states a valid reason for the absence. An emancipated student is one who does not live with and also is not economically dependent upon his or her parent, a guardian, a family member or other adult. An emancipated student must also provide the building principal with a note stating a valid reason for the absence but may sign the note himself or herself. **If a student fails to provide the principal with such a note before or upon the student's return to school or within the next two school days, the absence will be counted as unexcused.** An absence will be excused if the student provides a timely note which is signed by a parent/guardian and states that the absence is/was the result of one of the following conditions:

1. 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 the 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.

2. Illness, injury, or hospitalization of the student.

3. Disability of the student. If a student suffers from a permanent or temporary disability which prevents the student from regular attendance, verification from the student's physician specifying the nature of the disability and the anticipated duration of the disabling condition will be required once per school year. For each absence, the student's parent must provide the building principal with a signed note verifying the reason for the absence.

4. Medical, dental, counseling (includes telehealth) and other professional appointments (not haircuts) which cannot be scheduled outside of school hours.

5. Family emergency, serious illness of family member, or death in the family.

6. Work at home. A student may be excused to work at home only when the student's assistance is essential to the family's welfare. **No more than two class periods in the same course will be allowed as excused absences for work during a quarter unless the building principal has a conference with the parent/guardian and determines that extra days are justified.**

7. Religious holidays. 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 or American Indian cultural practice, observance, or ceremony. Requests for accommodation should be directed to the building principal.

8. Attendance at a course of religious instruction for up to three hours each week as provided by Minn. Stat. 120.101, subd. 9(3). Before attending such a program, the parent/guardian must obtain permission from the School Board.

9. Mandatory court appearances.

10. Family trips taken with a parent if the principal, or principal's designee, has approved the trip or visit in advance. A maximum of five days in one quarter, not to exceed a total of ten days per school year, will be excused to permit a student to travel with a parent on a family trip. Parents are strongly encouraged to schedule such trips during school breaks and vacations. At the building principal's discretion, an absence for a family trip which exceeds five days may be counted as excused.

11. Compliance with any provision of a disabled student's Individual Education Program Plan or Section 504 Accommodation Plan.

12. Special education assessment performed by or at the direction of School District personnel.

13. Pre-approved testing, including college testing and military testing. Approval must be sought from the building principal at least twenty-four hours prior to the absence.

14. Any pre-approved absence which, in the principal's opinion, will provide educational value to the student including state fair trips, 4-H events, etc. Approval must be obtained from the building principal at least twenty-four hours prior to the absence.

15. Participation in a school-sponsored activity. Examples include, but are not limited to, absence from class in order to participate in a school-sponsored field trip, foreign exchange program, student council, Knowledge Bowl, athletic contest, or school-sponsored music performance. **The student must have been in attendance for the three class periods preceding the school-sponsored event in order for participation to be considered to be excused.**

16. Work on an educational assignment or exam with another teacher in the building which spills over into another class period. In this instance, a note from the teacher rather than from the parent is required.

17. Visits to the principal's or assistant principal's office and scheduled visits to the office of the counselor or school social worker.

18. Suspensions. Absence from class as a result of an in-school or out-of-school suspension is counted as excused.

19. College visits must be approved in advance by the Guidance Counselor. Two college visits will be excused.

Additional college visits will need Principal approval.

20. Active duty in any military branch of the United States.

21. 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.

B. Unexcused Absences. Any absence which is not excused under this policy will be counted as unexcused. Oversleeping, a malfunctioning alarm clock, missing the bus, shopping, visiting friends, appointment at a tanning booth, haircuts, slow restaurant service, work, prom related activities, etc. are not a basis for an excused absence.

C. Excused Tardies. If a student is tardy to class but has a written note from a teacher, counselor, nurse, school psychologist, or school administrator, the tardy will be excused. If a student arrives to school late and has a valid excuse signed by a parent, a school administrator will provide the student with a written note excusing the tardy. An excuse signed by a parent will be deemed valid if it states that the student's tardiness was caused by one or more of the conditions, listed above, which give rise to an excused absence.

D. Unexcused Tardies. Any tardy which is not excused under this policy will be considered unexcused.

E. False Excuses. Any student who submits a false excuse or forges the signature of a parent/guardian or school personnel will be subject to disciplinary action.

F. Excessive Absences. Students who have been absent on a total of 10 days (example: missing 3rd period 10 times) will receive a letter concerning attendance. After missing a class(es) on 14 days, students will be required to present a physician's note; no other absences will be excused. All other absences will be unexcused and count towards habitual truancy. School activities do not count in absence total.

G. Returning to Class. Upon entering the building after being tardy or absent, students must sign in and pick up a pass or admit slip from the Secondary Office before reporting to class.

H. Leaving the Building. Students must have prior permission to leave school. That permission is granted by the Principal, his/her secretary, or the Principal's designated representative. Students are not allowed to come to the office and just "sign out". Notes from home must be brought to the Principal's office before class in the morning or a phone conversation must take place with a parent/guardian before a student is allowed to leave the building. Leaving the building without permission will result in disciplinary action.

THE APPEAL PROCESS

A. Appeal to Building Principal

Within five school days after being informed that an absence or tardy will be counted as unexcused, or within five days after receiving notice of an unexcused absence or unexcused tardies pursuant to section IV of this policy, the student or the student's parent/guardian may make a written request to the building principal, or designee, to schedule a conference to contest, or appeal, the classification of the absence or tardies. The student and the parent/guardian may examine the student's attendance record prior to attending the conference. Individuals who may attend the conference include, but are not limited to, the student, the parent/guardian, the building principal or administrative designee, and the teacher for the class in which the student was counted as having an unexcused absence or unexcused tardies. At the conference, the student and parent/guardian will have the opportunity to present any information relevant to the absences or tardies in question, including any extenuating circumstances. The building principal or administrative designee will provide the student and parent/guardian with written notice of the appeal decision within five school days of the conference. In the event that written notice is not sent within this time period, the appeal to have the absence and/or tardies counted as excused will be deemed denied. If the

principal has investigated the matter, this appeal process may be waived and appeal to the Superintendent may begin.

B. Appeal to Superintendent

A student or parent/guardian who is dissatisfied with the decision of the building principal or administrative designee may appeal the principal's decision to the Superintendent. The appeal must be made in writing within five school days of the principal's decision or, if the principal or administrative designee did not make a written decision, within ten school days of the conference with the principal or administrative designee. The written appeal to the Superintendent must state all facts upon which the appeal is based.

The Superintendent will make a final decision on whether the absence(s) and/or tardies will be counted as unexcused and, consequently, whether consequences will be enforced. The Superintendent's decision may be based upon all relevant evidence, including any written records pertaining to the student; any documents submitted by the student or the parent/guardian; discussions with the building principal or administrative designee, teachers, counselors, the parent/guardian, the student, and others. The Superintendent is not required to hold a conference with the student or the parent/guardian before issuing a decision on the appeal.

The Superintendent will make a decision in writing within five school days of receipt of the written appeal from the student or parent/guardian. In the event that the Superintendent fails to issue a written decision within this period, the appeal to have the absence(s) and/or tardies counted as excused will be deemed denied.

Legal References:

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. § 120A.35 (Absence from School for Religious and Cultural Observances)
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)
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:

Lakeview School District Policy 506 (Student Discipline)