STUDENT ATTENDANCE POLICY

Preamble

Under Florida's compulsory school attendance law, each parent of a child within the compulsory attendance age is responsible for such child's school attendance. All children who have attained the age of six years, on, or before February 1st of the school year are required to attend school regularly during the entire school term. A student who attains the age of 16 years is not subject to compulsory school attendance if the student files a formal declaration of intent to terminate school enrollment and must be signed by the student and parent or legal guardian. Compulsory school requirements shall apply until the student turns eighteen, graduates or until the parent or legal guardian signs the declaration of intent to terminate school enrollment.

"Attendance" means being present at school or away from school on a school day and engaged in an educational activity which constitutes a part of the school-approved instructional program for the student. The parent has the responsibility to report any non-attendance and explain the cause of any school absence of a child. The superintendent has the responsibility to enforce the compulsory school attendance laws and has an obligation to notify the parent when no valid reason is found for a child's non-enrollment over a period of time.

The sole purpose of this policy is to set forth procedures as such are required under Florida's compulsory school attendance laws and the enforcement thereof.

The superintendent shall develop and distribute procedures that meet the school district's obligation regarding attendance under this policy, state statute and state rules and regulations, including the enforcement of school attendance requirements. The procedures must provide that schools track excused and unexcused absences and contact the home in the case of an unexcused absence from school, or absence for which the reason is unknown, to prevent the development of patterns of non-attendance.

I. Excused Absence

A. Illness or other legitimate causes will be excused with the permission of the parent/guardian and the school principal, up to 15 days within the school year. After 15 days of absence, excused or unexcused, a student must have a doctor's verification for subsequent absences due to illness. In addition, the school shall also have the discretion to require that subsequent absences or tardies be accompanied by a statement explaining the reason for such absences and tardies. The legitimacy of a cause for being absent shall be determined by the building principal or designee based on the following criteria: (a) whether the reason for absence is equivalent in importance to the student's need to be in attendance; (b) the needs of the student and the student's family; (c) the number of absences accumulated by the student; and (d) other justifiable rationale.

B. Principal (or designee) shall notify the school social worker (or designee) of any excessive, consecutive absences, to determine whether an IEP or related meeting is necessary to discuss additional resources needed by the family to ensure student success.

C. Schools must be notified of excused absences by either personal communication or written explanation from the parent/guardian in accordance with procedures established by the school. If the parent/guardian fails to provide notification, the absence will be recorded as unexcused.

D. For students with chronic illnesses that may require more than the allowed 15 days of absences, the parent must provide a letter from the student's doctor stating that the student suffers with a chronic illness that will likely require more than 15 days of absences each year. This letter must be provided to the school each year that the condition continues. The parent may then call in illnesses beyond the 15 days without providing additional medical documentation.

E. Medical and dental appointments should be made after school hours. When this is not possible, students may be excused to fill these appointments. An excuse from the doctor or parent/guardian is required.

F. Religious holidays or religious instruction: Students may be excused from school for observance of established religious holidays or for religious instruction in accordance with School Board Policy 207. Where a student is absent for the observance of an established holiday or for religious instruction and the school has been so notified in accordance with the terms of this policy, such absence shall not disqualify the student from qualifying for an attendance recognition given by the school.

G. Excused Absences for Treatment of Autism Spectrum Disorder

1. A student may receive an excused absence code when the student misses school time to receive private therapeutic services related to autism spectrum disorder in accordance with §1003.21(2)(b)(2), *Florida Statutes*, and Rule 6A-1.0515 of the Florida Administrative Code.

    a. The student's IEP shall include all supports and services required to provide the student with FAPE.

    b. The parent may choose to provide any other services (private services) in addition to those services provided by the district.

2. Therapeutic services which qualify for the excused absence exception must be conducted by specialists certified pursuant to the respective Florida Statute:

    a. Certified Behavior Analysts - §§393.17, *Florida Statutes*.

    b. Licensed Speech-Language Pathologists - §468.1185, *Florida Statutes*.

    c. Licensed Occupational Therapists - §468.201-§468.225, *Florida Statutes*.

    d. Licensed Psychologists - §490.001-§490.015, *Florida Statutes*.

e. Licensed Clinical Social Workers - §491.002-§491.016, *Florida Statutes.*

f. Other Licensed Health Care Practitioners - §456.001(4), *Florida Statutes*.

3. The parent(s)/guardian(s) is responsible for submitting to the school verification that the student's absence was for ASD treatment, and that the service provider holds the required certification and/or license.

   a. The absences will be marked unexcused until the parent provides verification that the missed school time was for the purpose of the student to receive ASD treatment by a certified/licensed practitioner.

4. If at any time, the parent(s)/guardian(s)'s choice to utilize private treatment services, begins to impact the academic, behavioral, or social emotional progress of the student due to missed class time, an IEP team meeting shall be convened.

   a. The school is not relieved from its obligation to provide FAPE and implement the student's IEP/BIP/504 plan, regardless of a parent(s)/guardian(s)'s decision to also provide the student with private ASD treatment services.

   b. At the IEP meeting it may be appropriate to discuss a schedule change for the private services, so they do not interfere with the school day hours.

   c. The IEP team may decide that future appointments will no longer be excused absences due to the schools' inability to provide FAPE and properly implement the student's IEP/BIP/504 plan as a result of the student's absences.

II. Unexcused Absence

A. The fact that the student's parent/guardian knew of the absence does not, in and of itself, require that the absence be recorded as an excused absence by school personnel.

B. Absence without notification of school officials by the parent/guardian is considered an unexcused absence.

C. Out-of-school suspensions are considered unexcused absences.

III. Tardies/Lates/Early Checkouts

A. A student shall be considered tardy when he or she arrives to school after the beginning of the official school day or is not in the assigned class at the official beginning of a class period. A parent/guardian shall notify the school as to the reason of the tardiness or early checkout.

B. Early checkouts occur when a parent/guardian removes a student from class prior to the official end of the day.

C. Tardies and/or early checkouts will be excused with the permission of the parent/guardian and the school principal. The legitimacy of a cause for being tardy or checked out early shall be determined by the building principal or designee based on the following criteria: (a) whether the reason for absence is equivalent in importance to the student's need to be in attendance; (b) the needs of the student and the student's family; (c) the number of absences accumulated by the student; and (d) other justifiable rationale.

D. Schools shall have the discretion to establish attendance guidelines providing that an excessive number of tardies may impact a student's conduct or effort grade.

E. In cases of truancy and habitual truancy that are referred to the Problem-Solving Team, tardies/early checkouts will be recognized and calculated in the truancy instances. For truancy purposes in the Problem-Solving Team (PST) documentation that may be used for court action, five unexcused tardies and/or five unexcused checkouts will equal one unexcused absence.

IV. Procedures for Addressing Absences

A. Upon each unexcused absence, or absence for which the reason is unknown, the school principal or their designee should contact the parent to determine the reason for the absence.

B. If a student has had at least five unexcused absences within a calendar month or 10 unexcused absences within a 90-calendar day period, excluding out-of-school suspensions, school personnel should evaluate the attendance to determine if a pattern of non-attendance is developing. Unless there is clear evidence that the absences are not a pattern of non-attendance, the principal or designee shall refer the case to the school's Problem-Solving Team. Teachers can consult with school social workers about attendance concerns at any point throughout the problem-solving process. The Problem-Solving Team chair, school representative, and school social worker will review the attendance reports to determine which students/cases are serious enough to forward to PST. Data determines whether the problem should be addressed through the PST or through a PST meeting designated for attendance concerns only. If the Problem-Solving Team determines that a pattern of non-attendance is developing, whether the absences are excused or not, a meeting with the parent must be scheduled to identify potential remedies. If the initial meeting does not resolve the problem, the Problem-Solving Team shall implement the following: (a) frequent attempts at communication between the teacher and the family; (b) evaluation for alternative education programs; or an (c) attendance contract.

C. A referral may be made to the school social worker if interventions implemented by the Problem-Solving Team are not successful in resolving the truancy problem.

D. a student has accumulated 15 unexcused absences, excluding out-of-school suspensions, within a 90-calendar day period they have met the state's legal definition of habitual truancy. After appropriate interventions by the Problem-Solving Team have been implemented, a referral may be forwarded to the agencies identified in F.S. 1003.27, if the truancy issue is not resolved.

E. When a student reaches the age of 16, in order not to be subject to compulsory school attendance, the student must file a formal declaration with the school district acknowledging his or her intent to terminate enrollment in the school district. The declaration must acknowledge that terminating school enrollment is likely to reduce the student's earning potential and must be signed by both the student and the parent/legal guardian. The guidance counselor or other school personnel must conduct an exit interview with the student to determine the reasons for their decision to terminate school enrollment and actions that could be taken to keep the student in school. The student must be informed of opportunities to continue their education in a different environment, including adult education and GED test preparation. Additionally, the student must complete a survey intended to provide data on the student's reason for terminating enrollment and the actions taken by the schools to keep students enrolled in school.

F. If the family notifies the school of their plans to leave for an extended amount of time, schools should encourage them to enroll their child in the school district where they are temporarily residing. If they agree, the student should be withdrawn with the appropriate code.

If it is learned that a family has left, but the parent/guardian has neglected to notify the school, the school should follow-up as with any attendance situation when a student is not attending. Attempt phone contact, send a letter, and if no response is received within a reasonable amount of time, follow-up with the school social work referral in attempts to obtain information on the status of the student.

If a student is not attending school even after proper procedures have been exhausted, schools should contact School Social Services for consultation. A student may not be withdrawn by the school until all avenues have been exhausted. Due to the fact that the district does not conduct the adult high school education program and therefore does not have access to confidential student information for students who are enrolled in that program, such students shall be coded as having been withdrawn from the district to enroll in the adult high school educational program. Such coding shall only be changed upon notice from the student or the student's parents.

G. A student who attains the age of 18 years during the school year is not subject to compulsory school attendance beyond the date upon which he or she attains that age.

H. When a student's accumulated unexcused tardies/unexcused checkouts, and/or unexcused absences (or a combination of both) reach 5 unexcused absences within a calendar month, the student's attendance history shall be reviewed to see if a pattern of non-attendance is occurring. The school can send the parent a 5-day letter as documentation to communicate this information. A student with fewer accumulated unexcused tardies/checkouts may be considered for further intervention if patterns of non-attendance are developing.

V. Habitual Truancy

Habitual truancy is defined as 15 unexcused absences within a 90-calendar day period. When a student is habitually truant, the principal must ensure that the following actions required by procedures developed by the superintendent in accordance with statutory

requirements have been followed, in order to determine the cause and attempt the remediation of the student's truancy. Parents who disagree with the remediation recommended shall have the right to meet with the Student Placement Committee to discuss the matter. If the parent is not satisfied with the action recommended by the Student Placement Committee, then the parent shall have the right to request a hearing before the school board.

VI. Parental Notification of Grades K-12 Student Absences

Parents/guardians are responsible for their child(ren)'s safe arrival either at school or onto the assigned bus. When a student is absent from school due to illness or other reasons, the parent/guardian is responsible for notifying the school, preferably the morning of the absence. If the school has not been notified about a student's absence, school staff will attempt to notify the parent by telephone.

VII. Grades 9-12

Schools providing services to students in grades 9-12 shall have the discretion, on a school-wide basis only, to implement a requirement that where a student is absent more than nine days in a semester and does not have an overall grade of "C" or higher in a course, including make-up work, such student shall not be awarded credit in that course until the student demonstrates proficiency (70% or higher). If the determination is made to exercise this discretion, the school shall establish the method for demonstrating proficiency, e.g., attaining a grade of 70 or higher on the end of semester exam.

VIII. Make-up Work

For an excused absence a reasonable time will be allowed for the student to complete make-up work requirements for credit as set forth in individual school policy. Make-up work for unexcused absences shall be governed by the terms established in each individual school's policy, which may include the assessment of a letter grade penalty. However, students who are suspended shall be provided with specific homework assignments to be completed.

IX. Educational Trips

School sponsored trips are part of the educational program and are not to be considered as unexcused absences. Written permission by the parent is required to participate.

X. Leaving School Grounds

No student may be permitted to leave school grounds prior to dismissal except by combined approval of parent(s) or legal guardian and the principal or designee. Exceptions to the requirement of approval by the parent/guardian shall be where a high school allows for an open lunch, and communicates that fact to the parents, or where the student is leaving campus to participate in an academic program with the approval of the parent/guardian. No student may leave the school grounds during the school hours without following duly authorized procedures.

XI. Driving Privileges

Students who, due to failure to comply with attendance requirements may lose their driving privileges, may seek a hardship waiver for a personal or family hardship to retain driving

privileges for employment or medical care. The student may request a hardship waiver from the building principal. If the request is denied, the student may appeal the denial to the Student Placement Committee. If the appeal is denied, the student may then pursue the matter through a hearing before the school board.

XII. Military Dependents

Florida Statutes Section 1000.36, Article V(E), Interstate Compact on Educational Opportunity for Military Children, states that a student whose parent or legal guardian is an active-duty member of the uniformed services, as defined by the Compact, and has been called to duty for, or is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the school superintendent. The additional excused absences are to allow the student to visit with his or her parent or legal guardian for the reasons specified.

Section 1003.05, Florida Statutes, provides additional information regarding the smooth transition to school districts for military dependents and gives first preference to special academic programs, including magnet programs.

XIII. Virtual Instruction

The district full-time virtual instruction program is required by state law to report attendance for every student enrolled. The nature of a virtual course allows students the flexibility of working in their course at any time from any place; therefore, attendance is based on weekly monitoring of student progress and pacing in each course. Students enrolled in Virtual Off-Campus-Instruction are required to login to every course, every day of the school week. This means attendance must be taken for full-time virtual students and these students have the same guidelines related to truancy as students in brick-and-mortal schools.

XIV. Classroom Removals

A. Definitions

1. Informal Removals – undocumented removals from classroom instruction and VCS services, and/or activities; includes permitting a student to roam from class, or otherwise isolating or removing the student from instruction.

2. This may also include instructing parent(s)/guardian(s) to pick-up the student or keep the student home for a behavioral issue without documentation of a corresponding suspension.

3. Informal Removals “DO NOT” include:

a. Short-term consequences or interventions, including, but not limited to, brief breaks, cooldown sessions, sensory breaks, or other timeouts that may remove the student from the learning environment for brief periods that are part of an Individualized Education Program (IEP), Section 504 Plan, or Behavioral Intervention Plan (BIP));

b. Evidence-based interventions used by teachers or classroom support personnel to address behavioral challenges, including through brief

time-outs or other interventions, while generally keeping the student in the classroom environment; or

c. Other consequences or interventions that do not remove students from learning in their regular classroom, such as contacting parents/guardians, after-school detention, Saturday school, or counseling.

4. Removal – any time a student is excluded or isolated away from instructional time due to a behavior issue.

B. Any time a student with a disability (known or should have known) is removed from the classroom based on a behavioral incident that may be the result of, or manifestation of, the student's disability, the removal shall be documented and entered into the VCS SIS, and the event reported to the school's principal/designee for further tracking.

1. The removal shall be documented in the SIS noting the reason for the removal, the destination where the student was sent, the minutes the student is out of the learning environment (calculated using the time of the removal and the time of the return), the attendance code (e.g. Present – Alternate Setting) and the resultant action (e.g. Alternate Setting). The student's attendance for that period of time will then be updated by the SIS to "H". This code will allow the school and district teams to monitor how often the manifestation of the student's disability is removing the student from the classroom setting, and to make adjustments as needed to better support the student's engagement and participation in the learning environment.

2. When documenting the removal, the following information shall be entered into the comment box:

a. How the behavior that caused the removal may have resulted from the student's disability.

b. The date and time the parent(s)/guardian(s) were notified of the removal.

3. In the rare circumstance that it should be necessary to remove the student from campus because student is at imminent risk of seriously harming self or others, involuntary removal code (H1 – check-out; H2 – absence) shall be used, and compensatory time shall be issued.

4. If the parent(s)/guardian(s) is notified of a concerning behavior that VCS knows (or should have known) may be the result of, or manifestation of the student's disability, and the parent(s)/guardian(s) elects to remove the student, the school shall obtain documentation (Parent Voluntary Student Removal Form) from the parent(s)/guardian(s) affirming the decision to remove the student from the classroom setting is voluntary. VCS may not require or coerce the parent(s)/guardian(s) into "voluntarily" removing the student from class.

5. The principal (or designee) shall monitor students with disabilities (consisting of students who are known to have a disability or are suspected of having a disability) approaching five (5) or more informal removals within a school year.

    a. For a student with an IEP/BIP/§504 plan, the principal (or designee) shall schedule a meeting within ten (10) days of the student's fifth informal removal, as set out above. The team shall determine whether a Functional Behavior Assessment (FBA) is needed to assess what additional behavioral supports or interventions may be necessary.

        i. If an FBA is found to be necessary, it shall be conducted within thirty (30) school days of the decision by the IEP Team.

        ii. If an FBA is not found to be necessary, the team shall determine whether the student's IEP/BIP/§504 should be modified with additional or alternative behavioral supports.

    b. If the student does not have an IEP, the principal/designee shall schedule a meeting with the parent(s)/guardian(s), teacher, and behavioral specialist to determine whether an FBA may be necessary.

        i. If an FBA is determined to be necessary, it shall be conducted within thirty (30) school days of that decision.

        ii. Even if an FBA is determined not to be necessary, the team shall determine whether an unidentified disability may be the cause of the behaviors and implement the child-find process.

Legal Authority:
Section 1001.41, Florida Statutes

Laws Implemented:
Sections 1001.42, 1002.20, 1003.02, 1003.04, 1003.21, 1003.231, 1003.23, 1003.24, 1003.26, Florida Statutes

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