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503 STUDENT ATTENDANCE

I. PURPOSE

A. Regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communication 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.

The student has the 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 excused 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 students with an excused absence 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, and 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, to work cooperatively with them and the student to solve attendance problems, and to uphold the state attendance laws.

b. In accordance with the Minnesota Compulsory Instruction Law, Minnesota Statutes, section 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 the 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.

c. 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.

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

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, or guardian, or other person 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 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 guardian will be asked to verify, perhaps in writing, the reason for the student's absence from school.

c. The school 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. Legitimate Exceptions

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) child illness, medical, dental, orthodontic, or counseling appointments with reasonable travel time; including appointments conducted through telehealth;
(b) family emergencies;
(c) serious illness in the student's immediate family;
(d) the death or funeral of an immediate family member or a close friend or relative;
(e) active duty in any military branch of the United States;
(f) the child has a condition that requires ongoing treatment for a mental health diagnosis or
(g) other exemptions included in this attendance policy.

(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 or guardian, 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. The following reasons shall be sufficient to constitute excused absences:

1. Court appearances occasioned by family or personal action.

2. Physical emergency conditions such as fire, flood, storm etc.

3. Official school field trip or other school-sponsored outing

4. Post-secondary visits (number determined by building policy) or other school-sponsored outing.

5. 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 within a reasonable amount of time according to school building procedure.

6. Driver Education Test

7. Vacations with family pre-approved by the principal.

8. other exemptions included in this attendance policy.

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 because of absence must be made up within 3 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.

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 or guardian and/or the school district.

(2) Any absence in which the student failed to comply with any reporting requirements of the school districts and school building's attendance procedures.

(3) Work at home.

(4) Work at a business, except under a school-sponsored work release program.

(5) Absences resulting from cumulated unexcused tardies (3 tardies equal one (1) unexcused absence).

(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, Minnesota Statutes sections 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 accordance with Middle School and High School building procedures.

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.

3. Excused Tardiness

Valid excuses for tardiness are:

a. child illness, medical, dental, orthodontic, or counseling appointments with reasonable travel time; including appointments conducted through telehealth;

b. family emergencies;

c. serious illness in the student's immediate family;

d. the death or funeral of an immediate family member or of a close friend or relative;

e. court appearances occasioned by family or personal action;

f. physical emergency conditions such as fire, flood, storm, etc.;

g. official school field trip or other school-sponsored outing;

h. postsecondary visits (number determined by building policy);

i. the child has a condition that requires ongoing treatment for a mental health diagnosis;

j. vacations with family pre-approved by principal; or

k. other exemptions included in this attendance policy.

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.Three (3) unexcused tardies are equivalent to one (1) 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 and/or work experience programs.
2. School-initiated absences will be accepted and participation permitted.
3. A student will not participate in any activity or program if they have an unexcused absence from any class during the day of the activity program.
4. If a student is suspended from school, they may not participate in any activity or program that day.
5. If a student is absent from school due to medical reasons, 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 attendance office before the student participates in the activity or program. It is the coach's/advisor's responsibility to check with the attendance office about a student's eligibility to participate.

III. RELIGIOUS AND CULTURAL OBSERVANCES 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 or American Indian cultural practice, observance, or ceremony. 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 or guardians 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 or guardians of the school district's policy relating to a student's absence from school for a religious or cultural observance.

V. REQUIRED REPORTING

A. 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.

B. Reporting Responsibility

When a student is initially classified as a continuing truant, Minnesota Statutes section 260A.03 provides that the school attendance officer or other designated school official shall notify the student's parent or 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 Minnesota Statutes section 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minnesota Statutes section 120A.34;
4. that this notification serves as the notification required by Minnesota Statutes section 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 or guardian and child may be subject to juvenile court proceedings under Minnesota Statutes Chapter 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 Minnesota Statutes section 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 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 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 Minnesota Statutes, section 120A.22, subdivision 8.

   Pursuant to 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.

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 Minnesota Statutes 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 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)
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., 348 N.E.2d 299 (1976)
Dorsey v. Bale, 521 S.W.2d 76 (Ky. 1975)

Cross References: CHPS Policy 506 (Student Discipline)