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Cass Lake-Bena 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, 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, 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 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. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. Excused absences will be limited to five (5) days per trimester. Additional days beyond five (5) requires approval by building administrator or designee.
- b. The following reasons shall be sufficient to constitute excused absences:
 - (1) Illness (three consecutive absences will require a doctor's statement upon return to school)
 - (2) Lice (the day the nurse sends the student home and the next day except on Fridays)

- (3) Serious illness in the student's immediate family.
- (4) A death in the student's immediate family or of a close friend or relative.
- (5) Medical, dental or orthodontic treatment, or counseling appointment (appointment slip required upon return).
- (6) Religious Holidays
- (7) Court appearances occasioned by family or personal action.
- (8) Physical emergency conditions such as fire, flood, storm, etc.
- (9) Impassible roads
- (10) Official school field trip or other school-sponsored outing.
- (11) 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.
- (12) Traditional gathers (pre-approved with home work completed upon return).
- (13) Family trips (pre-approved with home work completed upon return).

c. 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 three 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. Examples of unexcused absences include the following but are not limited to:

- (1) Truancy. An absence by a student which was not approved by the parent and/or the school district.
- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Missing the bus
- (6) Babysitting
- (7) Shopping
- (8) Oversleeping
- (9) Failure to follow the proper procedure when leaving the school building
- (10) Walking out of class or skipping class
- (11) Arriving to class more than five (5) minutes late
- (12) 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 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 the following manner:

(a) Refer to the student handbook

C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness. The building principal or designee will have the final decision and the right to ask for proof of reason for the tardy. Students are allowed two tardies per trimester with a verbal reminder only.

2. Procedures for Reporting Tardiness

a. Students who report to class more than five (5) minutes late are considered absent-unexcused for that class period. A call will be made to parent/guardian.

b. A student is considered tardy any time the student is not in their assigned area when class starts. Students must attain a tardy pass before attending the class.

c. Excused Tardiness: any tardiness for which the student is excused in writing by the administrator or teacher.

d. After the second tardy, the building principal or designee will assign consequences according to the policy.

3. Excused Tardiness

Valid excuses for tardiness are:

a. Illness.

b. Serious illness in the student's immediate family.

c. A death in the student's immediate family or of a close friend or relative.

d. Medical or dental treatment (with appointment slip).

e. Court appearances occasioned by family or personal action.

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

- g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.

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. Consequences of tardiness. Refer to the student handbook.

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; funeral, court appearance or medical appointment he or she must present documentation from the court or physician 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.

III. 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.

IV. 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:

First Step

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, high school, or area learning center,
3. the school will begin an intervention process. School personnel will send a letter to the parent or guardian.

Second Step

1. Five or more days if the child is in elementary school;
2. five or more class periods if the child is in middle school, high school or area learning center;
3. school personnel will hand deliver a letter from the superintendent of schools explaining the consequences if the unexcused absences continue. The parent/guardian and student will be invited to participate in an intervention plan. An early intervention plan aimed at improving school attendance among truant youth by identifying and addressing the reasons for the truancy. Through involvement in the intervention plan, families are assisted in identifying the reason for the truancy and if need be, seeking assistance for their child. The case is reviewed by a District Attendance Team. Members of this team include school officials, and social service agency representatives both county and tribal.

Students who have participated in the intervention plan and were unsuccessful will be referred to the appropriate social service agencies immediately.

Third Step

1. Seven or more days if the child is in elementary school;
2. seven or more class periods if the child is in middle school, high school or area learning center;
3. school personnel will file educational neglect charges against the parent/guardian for a student that is at the age of seven (7) to twelve (12). School personnel will file truancy charges against the student that is at the age of thirteen (13) to seventeen (17).

According to Minnesota State Law a student students with fifteen (15) consecutive absences, excused or unexcused during the school year will be dropped from enrollment. The student must re-enroll in order to return to class.

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 within two days;
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 between the age of 13-17 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, high school or area learning center, or a child who is 16 or 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 attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minn. Stat. Ch. 260A.

D. Educational Neglect

1. Educational neglect is a child between the ages of 7-12 years who is absent from attendance at school without lawful excuse for seven schools days if the child is in elementary school or for one or more class periods on seven school days if a child is in middle school..

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. §§ 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: MSBA/MASA Model Policy 506 (Student Discipline)