

Cassia County Joint School District No. 151 is committed to fostering the academic and personal growth of its students; therefore, every child in the district between the ages of seven (7) and sixteen (16) years of age on the first day of school is required to attend school regularly in order to make a successful transition to the next grade level and to graduate with a high school diploma.

The board authorizes the superintendent or designee to enforce this policy, including the authority to identify a student who is habitually truant, complete and file the necessary supporting documentation, and give notice to the prosecuting attorney of trancies.

DEFINITIONS

“Designee” means:

- a. The person(s) responsible for enforcing this policy on behalf of this district’s board of trustees and includes the superintendent and each school principal.

“Excused absences” means:

- a. Any absences from school with the knowledge and approval of a student’s parent/guardian which is communicated with the school.
- b. Excused absences may include, but are not limited to, verified illness or medical treatment, death in the family or death of close friends, and medical or dental professional appointments.
- c. Excused absences do not, however, include “opting-out” of the academic standards and testing established by the district or Idaho State Board of Education. Such absences will be considered unexcused.
- d. For an absence to be excused, oral or written communication from the student’s parent/guardian must be received within forty-eight (48) hours of the last day of the absence.

“Activity Absence” means:

- a. Absences for a school approved program or activity in which classes will be missed are considered an excused absence. School approved activity absences will not be counted toward the allowed absences.

“Unexcused absences” means:

- a. Unexcused absences are those absences from school without the knowledge and approval of a student’s parent/guardian or where no communication is made between the school and the parent/guardian within forty-eight (48) hours. Unexcused absences include departure from school or class during the school day without the permission of a district official, and “opting-out” of the academic standards and testing established by the district or Idaho State Board of Education.

- b. Such absences will be counted toward the maximum allowed per credit term and will be considered by the board or designee when making denial of promotion or credit and habitual truancy determinations.

All absences, excused or unexcused will be counted.

“Tardy” means:

- a. A student is tardy if they are not in the assigned classroom when the bell rings.
- b. Junior high and high school students who miss more than 20% of a class period will be counted as absent.
- c. Elementary students who miss more than 20% of the day will be counted as absent.
- d. A tardy due to a late district bus will not be counted on the student’s record.
- e. The principal may also excuse a tardy due to inclement weather or other extenuating circumstances.

“Habitual Truant” means:

- a. Any public-school pupil who, in the judgment of the board of trustees, or the board’s designee, has violated the attendance regulations established by the board or individual school handbooks or
- b. Repeatedly truant (truant is an absence not excused by a parent or guardian or without the parent/guardian’s knowledge), upon a fourth (4th) unexcused absence, a student is considered habitually truant; or
- c. Any child whose parent/guardian has failed or refused to cause such child to be instructed as provided in Idaho Code Section 33-202.

ATTENDANCE REQUIREMENTS FOR PROMOTION OR CREDIT (GRADUATION)

Students are required to be in attendance at school at least ninety percent (90%) of the time that school is in session during each school term. In enforcing the attendance requirements, the board may deny a promotion to the next grade or deny credit to any student who is not in school at least ninety percent (90%) of the days that school is in session. If a student is determined to be a habitual truant, the board may expel or disenroll the student. Absence from class excused or unexcused, will be considered when making denial of promotion or credit determinations.

a. DENIAL OF PROMOTION OR CREDIT

Students not meeting the ninety percent (90%) attendance requirements may not receive credit or be promoted even though they may have passing grades. A parent/guardian who has valid reasons to believe that all or part of the absences are the result of extraordinary circumstances may file a written request for review by the attendance committee. Such request must be made within five (5) days of receiving notice of the denial. The attendance committee, designated by the principal, will review the records and the circumstances and determine whether or not the student will receive credit or be promoted.

The decision of the attendance committee may be appealed to the superintendent. This appeal must be submitted to the superintendent within ten (10) days after the attendance

committee submits its decision. The superintendent will render a decision on the appeal within ten (10) days after receiving the appeal.

The decision of the superintendent may be appealed to the board for a final decision. The appeal must be filed with the superintendent's office within ten (10) days after the superintendent notifies the parent/guardian of his or her decision. The board will address the appeal in executive session. The parent/guardian will have an opportunity to appear before the board for an informal hearing. The parent/guardian will be given an opportunity to present written or oral information as to why the student should not be denied credit or promotion. The parent/guardian does not have the right to be represented by an attorney, present evidence, or cross-examine witnesses. Upon reviewing the decision of the attendance committee and superintendent, and the basis for the appeal by the parent/guardian, the board will uphold or overturn the superintendent's decision, issuing a written decision within ten (10) days. The board's decision will be final.

The student will be allowed to continue to attend classes pending the board's determination in this matter.

b. EXPULSION

Pursuant to Idaho Code Section 33-205, the board may expel a student because he or she is a habitual truant, as defined in this policy. The procedure for expulsion is set forth in Policy No. 544, Student Expulsion/Denial of Enrollment. The student will be allowed to continue to attend classes pending the board's determination in this matter.

c. DISENROLLMENT

The board may disenroll a student who is determined to be a habitual truant pursuant to the following process:

1. The building administrator will submit a written notice of recommendation for a finding of habitual truancy to the superintendent or his/her designee.
2. The student will be allowed to continue to attend classes pending the board's determination in this matter.
3. A copy of the notice of recommendation, and notice of the opportunity for an informal hearing before the board, will be provided to the student's parent/guardian.
4. The parent/guardian will have an opportunity to appear before the board for an informal hearing. The parent/guardian will be given an opportunity to present written or oral information as to why the student should not be disenrolled for habitual truancy. The parent/guardian does not have the right to be represented by an attorney, present evidence, or cross-examine witnesses.
5. The board will determine whether the student is a habitual truant and should be disenrolled and issue a written decision within ten (10) days. The board's decision is final. If the board determines that the student should be disenrolled, the notice will

specify that the student will be disenrolled from school effective the date of the board's determination.

6. The parent/guardian may re-enroll the student at any time and forms for re-enrolling the student will accompany the notice sent to the parent/guardian.

ATTENDANCE REQUIREMENTS TO AVOID PROVENTIONAL CRIMINAL CHARGES

Students are required to meet attendance guidelines for the time that school is in session during each school term.

- a) The attendance policy is violated at the following rate:
 - i. 7 period day in the high school schedule and at the elementary level on the 8th absence in a semester
 - ii. or the 4th absence in a quarter/block (A/B schedule or Cassia High School Block Schedule)

Where any student is not in school for the required time that school is in session, or where any parent/guardian fails or refuses to educate their child pursuant to this policy and Idaho Law, the Designee may give notice to the prosecuting attorney¹ and request that criminal charges be considered. If a student is determined to be a habitual truant, the board may expel or disenroll the student. Absence from class, excused or unexcused, will be considered when making habitual truancy determinations.



LEGAL REFERENCE:

Idaho Code Section

20-510 – Information – Investigation - Petition

33-202 – School Attendance Compulsory

33-206 – Habitual Truant Defined

33-207 – Proceedings Against Parents or Guardians

33-506(1)

Idaho Opinion of the Attorney General No. 83-12

ADOPTED: May 8, 2000
AMENDED: July 12, 2001
AMENDED: November 9, 2004
AMENDED: April 24, 2007
AMENDED: October 27, 2009
AMENDED: February 21, 2019
AMENDED: July 15, 2021
AMENDED: June 19, 2023

¹ Notice to the Prosecuting Attorney: Any child between the ages of seven (7) and sixteen (16) whose parent/guardian fails, neglects, or refuses to place the child in school or have the child instructed will be considered habitually truant. Additionally, those students who do not conform to the attendance policies established by the board in this district will be considered habitually truant. If the board or its designee determines that a student is a habitual truant, whether the student is expelled or disenrolled, the board or its designee will notify, in writing, the prosecuting attorney in the student's county of residence pursuant to Idaho Code Section 33-207.