

Policy 503 STUDENT ATTENDANCE

I. PURPOSE

The purpose of this policy is to encourage regular school attendance to meet the district's vision of preparing every student for lifelong success. This policy recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher and administrators in the Northfield School District.

The district 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.

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 or access 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 access to missed assignments. 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. This could include collaborating with members of the school's attendance committee, problem solving team, or other designated attendance support personnel.
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, 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 an excused absence, has withdrawn, or 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.

B. Attendance Procedures

Attendance procedures shall be presented to the board for review and approval. Following approval by the board, the attendance procedures shall be included in student handbooks developed for the elementary, middle school and high school buildings and have the force of policy. Absences and tardiness may be excused or unexcused. Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minnesota Statutes, Sections 121A.40-121A.56.

1. Excused Absences

- a. 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 any member of the board, 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 legal guardian may be asked to verify, in writing, the reason for the student's absence from school.
- c. The 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) 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 including appointments conducted through telehealth.

- (b) Family emergencies.
 - (c) The death or serious illness or funeral of an immediate family member.
 - (d) Active duty in any military branch of the United States.
 - (e) The child has a condition that requires ongoing treatment for a mental health diagnosis.
 - (f) Other exemptions included in this attendance policy.
- (2) The child has already completed state and district standards required for graduation from high school.
 - (3) 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.

C. Religious Observance Accommodation

Reasonable efforts will be made by the district to accommodate any student who wishes to be excused from a curricular activity for a religious observance. Requests for accommodations should be directed to the building principal/administrator.

III. OPEN ENROLLED STUDENTS

The district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minnesota Statutes, Section 124D.03) or Enrollment in Nonresident District (Minnesota Statutes, Section 124D.08) at the end of a school year if all three of these condition are met:

1. The student meets the definition of a habitual truant.
2. The student has been provided appropriate services for truancy (Minnesota Statute Ch.260A).
3. The student's case has been referred to juvenile court.

The district may also terminate the enrollment of a nonresident student over the age of sixteen (16) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

IV. DISSEMINATION OF POLICY

1. Copies of the attendance procedures established under this policy shall be made

available to all students and parents at the beginning of each school year. This policy shall also be available upon request in each principal's office and on the district's website.

2. The district will provide annual notice to parents of the district's policy relating to a student's absence from school for religious 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 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 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 legal guardian, by first class mail or other reasonable means, all 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 and child may be subject to juvenile court proceedings under Minnesota Statute 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.

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 under the age of 17 who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year 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 Minnesota Statutes Chapter 260A.

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Board of Education

INDEPENDENT SCHOOL DISTRICT NO. 659

Northfield, Minnesota

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 Observance)
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, 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)