



## **902 STUDENT ATTENDANCE**

### **I. PURPOSE**

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.

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**

##### **i. 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 every day that school is in session and to be aware of and follow the correct procedures when absent from an assigned class. Finally, it is the student's responsibility to request any missed assignments due to an absence.

##### **ii. 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. If a student should have an extended period of absences due to therapeutic services or illness, documentation from the attending physician or therapist must be on file with the school's health services.

##### **iii. 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 the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is the teacher's

responsibility to provide any student who has been absent with any missed assignments upon request. It is also the teacher's responsibility to provide any student who has been absent for an extended period of time with make-up work, as defined by the Spero Academy attendance policy. 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.

iv. Administrator's Responsibility

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.

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, 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.

i. Excused Absences

The following reasons shall be sufficient to constitute excused absences:

1. Illness;
2. Serious illness in the student's immediate family;
3. A death in the student's immediate family or of a close friend or relative;
4. Medical appointments, dental/orthodontic treatment, or counseling sessions;
5. Ongoing treatment for a mental health diagnosis; documentation from a physician or licensed mental health professional must be on file with school health services;
6. Court appearances occasioned by family and personal action;

7. Religious instruction not to exceed three hours in any week;
8. Observance of religious holidays;
9. Physical emergency conditions such as fire, flood, storm, etc.
10. Impassable roads or weather making travel unsafe;
11. Official school field trip or other school-sponsored outing;
12. Removal of a student pursuant to a suspension;
  - a. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work. Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-12A.56. Days during which a student is suspended from school shall not be counted in a student's total accumulated unexcused absences.
13. Family vacations, provided pre-approval is obtained from the school at least 8 school days in advance. Absences for family vacations occurring during state and district testing will not be approved. It is the student and the family's responsibility to work with the student's teacher to plan make-up assignments prior to departure as well as a time frame for completion of make-up assignments. Students may not be absent from school for the purpose of family vacation for more than 4 days during the school year; and
14. Absences due to ongoing health concerns and/or issues related to a disability as documented in a student's IEP.
15. Other excused absences will be granted at the discretion of the school administration.

ii. Results of Excused Absences

Students whose absences are excused are required to make up assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.

Work missed because of student absence must be made up within three days from the date of the student's return to school. However, the school's director 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.

Students whose absence is related to an ongoing health concern or other issue related to a disability will have accommodations provided through collaboration among IEP team members to give the student access to make-up work and a plan to complete the work. The individual student's IEP team will determine an appropriate amount of time allowed for the student make-up work.

### iii. Unexcused Absences

The following are examples of absences that will not be excused:

1. Truancy;
  - a. 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. Personal trips to schools;
6. Absences resulting from accumulated unexcused tardies;
  - a. 10 tardies equals one unexcused absence
7. Students on extended vacations exceeding 4 days; and
8. Any other absence not included under the attendance procedures set out in this policy.

### iv. Results of Unexcused Absences

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.

### v. 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: Students tardy at the start of school must be signed in by a parent or guardian at the school office.
3. Excused Tardiness

Valid Excuses for tardiness include:

- 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 appointments, dental treatments, or counseling sessions;
- e. Court appearances occasioned by family or personal action.
- f. Physical emergency conditions such as fire, flood, storm, etc.;

- g. Tardiness due to ongoing health concerns and/or issues related to a disability as documented in a student's IEP; and
- h. Any tardiness for which an administrator or faculty member has excused the student in writing.

#### 4. Unexcused Tardiness

An unexcused tardiness is failing to be in an assigned area at the designated time the school day commences without a valid excuse.

### **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 Spero Academy Director'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 three days.

#### 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:

- i. That the child is truant;
- ii. That the parent or guardian should notify if there is a valid excuse for the child's absences;
- iii. That the parent or guardian is obligated to compel the attendance of the child at the school pursuant to Minn. Stat. § 120A.22 and parents of guardians who fail to meet this obligation may be subject to prosecution under Minn. Stat. §120A.34;
- iv. That this notification serves as the notification required by Minn. Stat. § 120A.34;
- v. That the parent or guardian has the right to meet appropriate school personnel to discuss solutions to the child's truancy;
- vi. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minn. Stat. Ch. 260;

- vii. 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;
- viii. 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

- i. A habitual truant is a child under the age of 16 years who is absent from attendance at school without lawful excuse for seven school days if the child is in elementary school and who has not lawfully withdrawn from school.
- ii. A school district attendance office shall refer to a habitual truant child and the child's parent or legal guardian to appropriate services and procedures under Minn. Stat. Ch. 260A.

#### **Legal References:**

*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. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)*  
*Minn. Stat. § 260C.007, Subd. 19 (Habitual Truant Defined)*  
*Minn. Stat. § 260A.02 (Definitions)*  
*Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is Continuing Truant)*  
*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)*

