

BDOTE LEARNING CENTER

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| Effective Date: 7/24/18 | 503 DISTRICT ATTENDANCE POLICY |
| Date: 7/23/18 Revisions: | Approved by: Bdote Board of Directors: |

I. **Purpose of Policy:**

1. Regular school attendance is directly related to success in academic work, creates a safe learning environment, 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.
2. 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 on time.

II. **General Statement:**

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 every day, on time, and to be aware of and follow the correct procedures in this policy and outlined in parent/student handbooks 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, inform the school in the event of a student absence, follow the correct procedures outlined in this policy and in parent/student handbooks, and 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 outlined in this policy and in handbooks 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**

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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. 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 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. Definition of Absences

1. Excused Absences

- a. To be considered an excused absence, upon request, the student's parent or legal guardian will be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- b. The following reasons shall be sufficient to constitute excused absences:
 - (1) Illness.
 - (2) Serious illness in the student's immediate family.
 - (3) A death or funeral in the student's immediate family or of a close friend or relative.
 - (4) Medical, dental, or orthodontic treatment, or a counseling appointment.
 - (5) Court appearances occasioned by family or personal action.
 - (6) Religious instruction not to exceed three hours in any week.
 - (7) Physical emergency conditions such as fire, flood, storm, etc.
 - (8) Official school field trip or other school-sponsored outing.
 - (9) 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.
 - (10) Family emergencies.
 - (11) Active duty in any military branch of the United States.
 - (12) A student's condition that requires ongoing treatment for a mental health diagnosis.
 - (13) Cultural activities (ie. Sundance)
 - (14) Family trips limited to five days per school year provided that the school receives at least three days' notice.
- 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 5 school days from the date of the student's return to school. Any work not completed within this period shall

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result in “no credit” for the missed assignment. The building principal or designee 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 and/or the school district.
- (2) Any absence in which reporting requirements were not met.
- (3) Babysitting
- (4) Sleeping in
- (5) Family trips for which no prior arrangement has been made.
- (6) Absences resulting from cumulated unexcused tardies (4 tardies equal one unexcused absence).
- (7) Missing the school bus/school transportation
- (8) Malfunctioning alarm clock.
- (9) Any other absence not included under the excused absences 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., and will not be counted in a student’s total cumulated unexcused absences.
- (2) In cases of recurring unexcused absences, the administration will file with the county as is required.
- (3) Students with unexcused absences shall be subject to discipline in the following manner:
 - (a) After 3 accumulated unexcused absences a student’s parent or guardian will be notified by mail.
 - (b) After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student’s absences and the prescribed discipline. The notification will state that the school strongly urges the student’s parent or guardian to request such a conference.
 - (c) After 6 accumulated unexcused absences in a quarter the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative conference must be held among the principal, student, and parent.
 - (d) If the result of a grade reduction or loss of credit has the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

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.

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3. Excused Tardiness

Valid excuses for tardiness are:

- b. Illness.
- c. Serious illness in the student's immediate family.
- d. A death or funeral in the student's immediate family or of a close friend or relative.
- e. Medical, dental, orthodontic, or mental health treatment.
- f. Court appearances occasioned by family or personal action.
- g. Physical emergency conditions such as fire, flood, storm, etc.
- h. Any tardiness for which the student has been excused in writing by an administrator or faculty member.
- i. Family emergency

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.

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 online and in paper copy in the Director's office.

IV. **REQUIRED REPORTING**

A. Continuing Truant

Minn. Stat. provides that a continuing truant is a student who is subject to the compulsory instruction requirements of Minn. Stat. and is absent from instruction in a school, as defined in Minn. Stat., 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, junior high school, or high school.

B. Reporting Responsibility

When a student is initially classified as a continuing truant, Minn. Stat. 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;
3. That the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minn. Stat. and parents or guardians who fail to meet this obligation may be subject to prosecution under Minn. Stat.
4. That this notification serves as the notification required by Minn. Stat.
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;

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7. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minn. Stat.;
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.; 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 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 or for one or more class periods on seven school days if the child is in middle school, junior high school, or high school, 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 or other designated school official shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minn. Stat.

Legal References (the following are included for reference purposes only, may not reflect the most current relevant statutory citation, and should not be read to contravene or limit the school's obligations under any federal, state, or local law):

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.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)

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, 383 N.E.2d 231 (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)

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