

## ATTENDANCE POLICY

### ATTENDANCE

ALL COMPULSORY AGE STUDENTS ARE REQUIRED TO ATTEND SCHOOL EVERY DAY OF THE 180-DAY SCHOOL YEAR OR THE EQUIVALENT ON AN HOURLY BASIS PURSUANT TO THE STATE BOARD OF EDUCATION. PARENTS OF CHILDREN OF COMPULSORY SCHOOL AGE ARE RESPONSIBLE FOR THEIR CHILD'S DAILY SCHOOL ATTENDANCE. BECAUSE POOR ACADEMIC PERFORMANCE IS ASSOCIATED WITH NONATTENDANCE, SCHOOLS WILL RESPOND IN A TIMELY MANNER TO PREVENT THE DEVELOPMENT OF PATTERNS OF NON-ATTENDANCE WHICH MAY INDICATE EARLY SIGNS OF TRUANCY. SCHOOLS WILL COLLABORATE WITH APPROPRIATE LOCAL AND STATE AGENCIES THAT ARE INVOLVED IN TRUANCY PREVENTION, INTERVENTION, AND JUDICIAL ACTION. ADDITIONAL INFORMATION RELATED TO ATTENDANCE CAN ALSO BE FOUND IN THE CURRENT EDITION OF THE CODE OF STUDENT CONDUCT APPROVED, AS SCHOOL BOARD POLICY.

### RULES:

## DEFINITIONS

### I. COMPULSORY SCHOOL ATTENDANCE

A. All children who have attained the age of six years or who will have attained the age of six years by February 1 of any school year, or who are older than six years of age but who have not yet attained the age of 16 years or age specified by state statute, whichever is older, except as hereinafter provided, are required to attend school regularly during the entire 180-day or the equivalent on an hourly basis pursuant to the state Board of Education school term. (F.S.1003.21) (1) (a))

B. A student who attains the age of 16 years during the school year is not subject to compulsory school attendance beyond the date upon which he or she attains that age if the student files a formal declaration of intent to terminate school enrollment with the School Board. The declaration must acknowledge that terminating school enrollment is likely to reduce the student's earning potential and must be signed by the child and parent. A student who attains the age of 18 years during the school year is not subject to the legal sanctions for compulsory school attendance. (F.S.1003.21 (2) (c))

C. Students under 16 years of age may not be withdrawn from school for any reason unless expelled through Board action or covered by an exemption allowed by Florida Statute (F.S.1002.20 (2)(b)).

D. Compulsory school attendance requirements may be met by attendance

in a home education program (F.S.1002.01 (2) (b) 20 (2)(b)).

1. A "home education program" means the sequentially progressive instruction of a student directed by his or her parent in order to satisfy the attendance requirements of S.S. 1002.41, 1003.01(4) and 1003.21 (1).  
(F.S. 1002.01(1))

E. For students enrolled in Department of Juvenile Justice Programs, the compulsory school attendance requirement is governed by state law and regulations and includes a longer term (F.S. 1003.52).

## **II. PATTERNS OF NON-ATTENDANCE**

Non-attendance for instructional activities is established by tardiness, early-sign-outs, or absences for all or any part of the day. The District recommends that students attend school every day.

A. Unless acceptable documentation is presented/submitted, an accumulation of daily unexcused absences by tardiness, or early sign-outs that equals 5 days (30 hours) in a marking period or 10 days (60 hours) within two marking periods may establish a pattern of non-attendance.

B. If the student exhibits a pattern of nonattendance, principals may request documentation for subsequent absences. (F.S. 1003.24(4)) Non-attendance for instructional activities is established by tardiness, early-sign-outs, or absences for all or any part of the day.

C. "Habitual truant" means a student who has 15 unexcused absences within 90 calendar days with or without the knowledge or justifiable consent of the child's parent, is subject to compulsory school attendance under s. 1003.21 (1) and (2) (a), and is not exempt under F.S.1003.21 (3) or s. 1003.24, or by meeting the criteria for any other exemption specified by law or rules of the State Board of Education. (F.S.1003.01 (8)).

D. Home Education Program: For Home Education attendance requirements see Board Policy # 6000.1 (F.S. 1003.26(f)).

## **III. ABSENCES**

### **A. EXCUSED ABSENCES**

Students must be in school unless the absence has been permitted or excused for one of the reasons listed below (F.S. 1003.24(4), 1003.26)

1. Illness of student.

2. Illness of an immediate family member.
3. Death in the family.
4. Religious holidays of the student's own faith.
5. Required court appearance or subpoena.
6. Special event. Examples of special events include important public functions, educational enrichment activities, conferences, state/national competitions, college/university campus tour/visit as well as exceptional cases of family need.
7. Scheduled medical or dental appointment.
8. Students having, or suspected of having, a communicable disease or infestation which can be transmitted are to be excluded from school and are not allowed to return to school until they no longer present a health hazard (F.S. 1003.22). Examples of communicable diseases and infestations include, but are not limited to, fleas, head lice, ringworm, impetigo and scabies. Students are allowed a maximum of five excused days absence for each infestation of head lice.
9. Students on field trips, and students who attend alternative to suspension programs or in internal in-school suspensions are not considered absent.

## **B. UNEXCUSED ABSENCES**

Absences not excused as defined in the previous section, are considered unexcused.

1. Students without a completed Certificate of Immunization indicating compliance with the current required schedule of immunizations will not be allowed to attend classes until this document is provided or a waiver is obtained. Absences due to non-compliance with immunization requirements shall be considered unexcused. (F.S. 1003.22(1)
2. For students transferring into Broward County, including but not limited to foster care students, or homeless students, a temporary 30-day waiver of both health examination documents and certificates of immunization must be granted. (F.S. 1003.22(1) (5) (e))
3. Students who have been externally suspended may be offered an opportunity to participate in an alternative to suspension program. If they do not attend, the assigned days, the absences will be considered suspensions. For a student with a disability (SWD) if FAPE (Free and Appropriate Public Education) is provided and the student does not attend, the student will be marked absent based on this attendance policy. The SWD will be permitted to make up work whether they

attend the alternative to suspension program or not.

**NOTE: For make-up work, refer to Policy 6000.1: Student Progression**

### **C. TARDINESS**

Tardiness is defined as a student not being in the classroom when the class is scheduled to begin.

1. Parents must follow the same process to excuse a tardy as they do to excuse an absence.
2. Excessive tardiness will be addressed on a case-by-case basis to determine if there is a pattern of non-attendance. Non-attendance for instructional activities is established by tardiness, early-sign-outs, or absences for all or any part of the day.
3. Tardiness to any class without documentation may be considered unexcused.
4. Habitual tardiness is defined as being tardy 5 times within a marking period.
5. Principals have the discretion to excuse tardiness for extenuating circumstances.
6. Unless excused under the provisions of this policy, accumulated tardiness will be recorded as unexcused absences. (F.S. 1003.02 (1) (b))

### **D. EARLY SIGN-OUTS**

1. No students shall be released within the final 30 minutes of the school day unless the principal/designee determines it is an emergency.
2. All schools will establish procedures for early release that ensure that all students are treated consistently.
3. Excessive early sign-outs will be addressed on a case-by-case basis to determine if there is a pattern of non-attendance. Non-attendance for instructional activities is established by tardiness, early-sign-outs, or absences for all or any part of the day.
4. Unless excused under the provisions of this policy, accumulated early sign-outs will be recorded as unexcused absences. (F.S. 1003.02 (1) (b))

## **STUDENTS' RIGHTS AND RESPONSIBILITIES**

## 1. RULES

- a. Students when age-appropriate, have a responsibility to ask their parents to notify the school when they are absent.
- b. Students must maintain current classroom assignments while on internal suspension and turn in work daily.
- c. Students who are married, are parents, or are expectant parents have the right to remain in the regular school program or attend a special center program tailored to their specific needs.

Note: For additional information on students' rights and responsibilities, see the Code of Student Conduct as well as the Driving Privileges & Attendance section of this policy.

## PARENTS' RIGHTS AND RESPONSIBILITIES

1. Parents have a right to be informed of the attendance responsibilities and consequences for truancy for both parents and students as described in the Code of Student Conduct.
2. Each parent of a child of compulsory school attendance age is responsible for the child's school attendance as required by law. (F.S. 1003.24)
3. Parents must report their child's absence in accordance with the procedures in the Code of Student Conduct. The parent shall provide documentation of illness from a physician or public health unit, if requested.
4. Parents have the right to request a hearing if they refuse to participate in the interventions developed by the child study team because they believe that those interventions are unnecessary or inappropriate. (F.S.1003.26 (1) (b) (e))
5. The parents of a student expected to miss at least 15 consecutive school days due to illness, medical condition, or social/emotional reasons, or who would miss excessive days intermittently throughout the school year for the same reasons, and could benefit from instruction should notify the school and request a copy of the Hospital/Homebound referral packet.
6. Parents have a right to be notified if their child misses school and the parents have not reported the absence to the school (1003.26(1)).
7. It is the parents' responsibility to maintain current contact information including telephone numbers with the school's registrar. Failure to comply may include the school needing to contact the proper

authorities.

8. Florida law supports the active involvement of parents\* until the student graduates from school (F.S. 743.07, 1003.26; 1003.21). It is presumed that students are dependent students (as defined by FERPA 34 C.F.R. §99.31(a)(8) and by Internal Revenue Code § 152). Parents will be notified that when a student reaches the age of majority (18 years of age), the parent shall continue to perform the parental functions of a dependent student, including, but not limited to, provide excusal of absences and tardiness, permission slips for early release, field trips, other activities, as necessary, and to register or terminate (withdraw) school enrollment, until the student graduates, except under the following circumstances:
  - (1) The student has submitted specific and acceptable documentation (such as rental agreement, lease etc.) to establish that he or she is independent of his/her parents and that the presumption of a dependent student does not apply to him or her.
  - (2) The student has been emancipated in compliance with Florida laws (FS 1003.21(1)(c), F.S. 743.07).
  - (3) When the student has no parent and this fact is verified-by the school administration (e.g. by communications with relatives, the Homeless Education Program, or the Florida Department of Children and Families, as is appropriate).

\* The term parent is defined to include biological parents, any guardian, any person in a parental relationship or “any person exercising supervisory authority over a student in place of the parent.” 1000.21(5),F.S.

## **SCHOOL/DISTRICT RESPONSIBILITIES**

### **1. MAINTAINING RECORDS AND IMPLEMENTING INTERVENTIONS**

- a. Each principal must make the necessary provisions to ensure that all school attendance reports are accurate and timely and must provide the necessary training opportunities for staff to accurately report attendance (F.S.1003.23 (1)). Principals are required to maintain an attendance record which shows the absence or attendance of each child enrolled for each school day of the year. (F.S.1003.23 (2)).
- b. Upon each unexcused absence, the school shall contact the student’s parent in a timely manner (F.S.1003.26 (1) (a)
- c. If a student has accumulated five days (30 hours) of absences in a marking period or 10 days (60 hours) within two marking periods, the principal/ designee shall determine if there may be a pattern of

nonattendance. If there is no acceptable documentation, the principal/designee shall refer the student to the Collaborative Problem Solving Team to determine if early patterns of truancy are developing, and provide appropriate interventions. (F.S.1003.26(1)(b)).

- d. The principal/designee shall provide a Hospital/Homebound referral packet to the parent of a child who is expected to miss at least 15 or more consecutive school days due to illness, medical condition, or social/emotional reasons, or who would miss excessive days intermittently throughout the year for the same reasons.
- e. If the parent or guardian of a child who has been identified as exhibiting a pattern of non-attendance enrolls the child in a home education program, the Superintendent/designee shall refer the parent to a home education review committee composed of the district contact person for home education and at least two home educators selected by the parent from a district list of all home educators who have conducted a home education program for at least three years and have indicated a willingness to serve on the committee.

## **DRIVING PRIVILEGES AND ATTENDANCE**

Florida Statute 322.091 and 1003.27(2)(b) requires school districts to report to the Division of Highway Safety and Motor Vehicles (DHSMV) the names, dates of birth, sex and social security numbers of students ages 14–18 who accumulate 15 unexcused absences in any consecutive 90 calendar day period. Districts are also required to hold hardship hearings if requested by a student whose license has been suspended. The Board authorizes the Superintendent to develop administrative procedures to implement this legislation.

- a. The principal/designee will conduct the hardship hearing within 30 calendar days of receiving the request in accordance with the procedures established by the Superintendent.
- b. Students are eligible to have their driving privileges reinstated if they accumulate 30 consecutive days of attendance.

## **CONSEQUENCES RELATED TO TRUANCY**

- a. A child who is found to be truant may be taken to the Juvenile Assessment Center or other locations that are established by the school district to receive students who are absent from school. It is the responsibility of the Law Enforcement Officer to call the school to determine if the child is legitimately out of school.
- b. Students 14-18 years of age who have 15 unexcused absences within 90 calendar days and have a driver's license will have their driver's license suspended by the Division of Highway Safety and Motor Vehicles or

will not be issued a license if they apply for one.

- c. If a child subject to compulsory school attendance will not comply with attempts to enforce school attendance and the Superintendent elects not to file a truancy petition or if the child does not successfully complete the sanctions ordered by the Court, the child will be referred to the case staffing committee pursuant to Section 984.12. The staffing committee may file a child-in-need-of-services petition. (F.S. 1003.26)
- d. If the parent refuses to participate in the truancy interventions and exercises the right to appeal to the School Board because the parent believes the interventions are unnecessary or inappropriate, the school district will provide a hearing officer who shall make a recommendation for final action to the Board. If the Board determines that the interventions are appropriate and the parent still refuses to participate or cooperate, the Superintendent/designee will seek criminal prosecution for noncompliance with compulsory school attendance. (F.S.1003.26 (1) (e))
- e. Students who are habitually truant may lose their Temporary Assistance for Needy Families (TANF) grants through the Learnfare Program. The grant will be restored only when conditions as provided by law are met (30 days of attendance with no unexcused absences).
- f. When a student transfers to another school district in an attempt to circumvent the applicable remedial truancy procedures, copies of all records pertaining to said procedures shall be forwarded to the new school district free of charge. (F.S.1003.28)

Statutory Authority: 1001.41(1) &(2), 1001.42, 1001.51(24) Fla. Stat.

Laws Implemented: 1002.20(2), 1003.01(5), 1003.02(1)(g), 1003.21, 1003.22, 1003.23, 1003.24, 1003.25, 1003.26, 1003.27, 1003.28, 1003.29, 1003.31, 1003.32, 1003.4156, 1006.08 Fla. Stat.

History:

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