

## 5200 - ATTENDANCE

The educational program offered by this District is predicated upon the presence of the student and requires continuity of instruction and classroom participation. Attendance shall be required of all students enrolled in the schools during the days and hours that the school is in session. School attendance is the responsibility of parents and students. Absences shall be reported to the school attendance office by the parent or adult student as soon as practicable.

In accordance with statute, the Superintendent shall require, from the parent of each student of compulsory school age or from an adult student who has been absent from school or from class for any reason, a statement of the cause for such absence. The School Board reserves the right to verify such statements and to investigate the cause of each single absence.

In addition, educators have the responsibility to encourage regular attendance of students, maintain accurate attendance records, and follow reporting procedures prescribed by the Superintendent. Schools will record absent and tardy students in the automated student attendance recordkeeping system.

Provision shall be made for promoting school attendance through adjustment of personal problems, education of parents, and enforcement of the compulsory attendance laws and related child-welfare legislation. Accordingly:

- A. absences must be reported to the school by the parent or adult student as soon as practicable;

Failure to report and explain the absence(s) shall result in unexcused absence(s). The final authority for determining acceptability of the reason for the absence(s) shall rest with the principal.

- B. upon each unexcused absence, or absence for which the reason is unknown, the school shall contact the student's parent to determine the reason for the absence;
- C. teachers shall record absentees each period of the school day and report absences, excused and unexcused, as required by the school;
- D. insofar as possible, parents should be contacted, to prevent the development of patterns of nonattendance;
- E. when a student has at least five (5) unexcused absences or absences for which the reasons are unknown, within a calendar month, or ten (10) unexcused absences, or absences for which the reasons are unknown, within a ninety (90) calendar day period, the teacher shall report to the Principal that the child may be exhibiting a pattern of nonattendance. Unless there is clear evidence that the absences are not a pattern of nonattendance, the Principal ~~will~~ **must** refer to the case to the school's child study team to determine if early patterns of truancy are developing. If the child study team finds that a pattern of nonattendance is developing, a meeting with the parent must be scheduled to identify potential remedies. **The child study team may allow the parent to attend the meeting virtually or by telephone if the parent is unable to attend the meeting in person. If the parent or child fails to attend the child study team meeting, the meeting shall be held in their absence, and the child study team shall make written recommendations to remediate the truancy based upon the information available to the school. The recommendations shall be provided to the parent within seven (7) days after the child study team meeting.**

**If the initial meeting does not resolve the problem, ~~problem is not resolved~~, the child study team shall implement the following: will implement interventions set forth in, and act in accordance with, the requirements in F.S. 1003.26.**

- 1. ~~If a parent refuses to participate in the remedial strategies determined by the multi-tier system of support team because s/he believes that the strategies are unnecessary or inappropriate, the parent may appeal to the Board.~~**
- 2. ~~The appeal will be heard by an attendance committee who will make recommendations for final action to the Board.~~**

3. ~~If the Board's final determination is that the strategies of the child study team are appropriate, and the parent still refuses to participate or cooperate, the superintendent may seek criminal prosecution for noncompliance with compulsory school attendance.~~
1. Frequent attempts at communication between the teacher and the family.
2. Attempt to determine the reasons the child is truant from school and provide remedies if available or refer the family to services, including referring the family for available scholarship options if the learning environment is an issue of concern.
3. Evaluation for alternative education programs.
4. Attendance contracts.

The child study team may, but is not required to, implement other interventions, including referral to the Department of Juvenile Justice's designated provider for voluntary family services or to other agencies for family services, or to recommend filing a truancy petition seeking early truancy intervention pursuant to F.S. 984.151.

- A. F. If a parent refuses to participate in the remedial strategies determined by the child study team because s/he believes that the strategies are unnecessary or inappropriate, the parent may appeal to the Board.

The appeal will be head by a hearing officer who will make recommendations for final action to the Board.

If the Board's final determination is that the strategies of the child study team are appropriate, and the parent still refuses to participate or cooperate, the superintendent may seek criminal prosecution for noncompliance with compulsory school attendance.

#### **Unexcused Absences/Truancy**

If the parent of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program pursuant to F.S. Chapter 1002, the superintendent shall provide the parent a copy of F.S. 1002.41 and the accountability requirements set forth in F.S. 1003.26. The superintendent shall also refer the parent to a home education review committee composed of the District contact for home education programs and at least two (2) 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 (3) years and who have indicated a willingness to serve on the committee. The home education review committee shall review the portfolio of the student, as defined by F.S. 1002.41, every thirty (30) days during the District's regular school terms until the committee is satisfied that the home education program is in compliance with F.S. 1002.41(1)(d). The first portfolio review must occur within the first thirty (30) calendar days of the establishment of the program. The following provisions shall also occur if the committee does not determine that the home education program is in compliance with F.S. 1002.41(1)(d):

- A. If the parent fails to provide a portfolio to the committee, the committee shall notify the superintendent.
- B. The superintendent shall then terminate the home education program and require the parent to enroll the child in an attendance option that meets the definition of "regular school attendance" under F.S. 1003.01 within three (3) days.
- C. Upon termination of a home education program pursuant to this subparagraph, the parent shall not be eligible to reenroll the child in a home education program for 180 calendar days.
- D. Failure of a parent to enroll the child in an attendance option as required by this subparagraph after termination of the home education program pursuant to this subparagraph shall constitute noncompliance with the compulsory attendance requirements of F.S. 1003.21 and may result in criminal prosecution under F.S. 1003.27(2).
- E. Nothing contained herein shall restrict the ability of the superintendent to review the portfolio pursuant to F.S. 1002.41(1)(e).

If a student subject to compulsory school attendance will not comply with attempts to enforce school attendance, the parent or the superintendent shall refer the case to the Department of Juvenile Justice's authorized agent which shall offer voluntary family services and schedule a meeting of the case staffing committee pursuant to F.S. 984.12. If the services do not remediate the child's truancy, the superintendent may file a truancy petition pursuant to the procedures in F.S. 984.151. If a student is responsive to these interventions and completes the necessary requirements to pass the current grade as indicated in the Student Progression Plan, the student may not be determined to be a habitual truant and shall be promoted.

Under the direction of the superintendent, the \_\_\_\_\_ desinee \_\_\_\_\_ shall give ~~must~~ provide written notice in person or by return-receipt mail to the parent, requiring the child's that requires enrollment or attendance within three (3) days after the date of notice, in person or by return-receipt mail, to the parent when no valid reason is found for a student's nonenrollment in school if the child is under compulsory education requirements and is not exempt..

- A. If the child is not enrolled or in attendance in school within three (3) days after the notice being provided and requirement are ignored, the \_principal\_\_\_\_\_ shall~~must~~ report the case to the superintendent, who may ~~must~~ refer the case to the child study team at the school the student would be assigned according to attendance area policies or to the case staffing committee, established pursuant to F.S. 984.12. In addition, the \_\_\_\_\_superintendent\_\_\_\_\_ may refer the case to the Department of Juvenile Justice's authorized agent for families in need of services.
- B. The child study team shall diligently facilitate intervention services and shall report the case back to the superintendent within fifteen (15) days after referral of the case if only when all reasonable efforts to resolve the nonenrollment behavior have been made and the child is still not attending school are exhausted.
- C. If the parent still refuses to cooperate or enroll the child in school within fifteen (15) days after referral of the case to the child study, the superintendent must make a report to law enforcement and refer the case to the Office of the State Attorneyshall take such steps as are necessary to bring criminal prosecution against the parent. After referring the case to the Office of the State Attorney, Subsequently, the superintendent shall ~~must~~ give written notice in person or by return-receipt mail to the parent that criminal prosecution is being sought for nonattendance. The superintendent may file a truancy petition, as defined in F.S. 984.03, following the procedures outlined in F.S. 984.151.

A designated school representative may visit the home or place of residence of a student and any other place in which they are likely to find any student who is required to attend school when the student is not enrolled or is absent from school during school hours without an excuse. [X] The designated school representative must be accompanied on any visit to the home or place of residence of a student by [X] a law enforcement officer ~~or \_\_\_\_\_~~. As permitted in F.S. 984.13 and 1003.26, a child may be taken into custody by a designated school representative. **[DRAFTING NOTE: If the designated school representative is accompanied by a law enforcement officer, F.S. 984.13 authorizes a law enforcement officer to take a student into custody for specified reasons. This policy only addresses the requirements for when a designated school representative takes a student into custody.]** The designated school representative must adhere to the following:

- A. If the student is found by the designated school representative, the student shall be returned to their parent or to the principal or teacher in charge of the school, or to the private tutor from whom absent.
- B. If the parent cannot be located or is unavailable to take custody of the child, and the child is not to be presented to the child's school or tutor, the child shall be referred to the Department of Juvenile Justice's shelter, another facility, ~~or \_\_\_\_\_~~. Upon receipt of the student, the parent shall be immediately notified. **DRAFTING NOTE: F.S. 1003.26(3) provides that the student may be referred to DJJ's shelter, another facility, or other location established by the Board to receive students who are absent from school. The Board should designate any such location(s) in the preceding sentence.]**

- C. If the student has not been assigned to an alternative school placement, the designated school representative shall deliver the child to the parent, legal guardian, or custodian, to a location determined by the parent, legal guardian, or custodian, or to a designated truancy interdiction site until the parent or guardian can be located.

The designated school representative shall report to the appropriate authority designated by law to receive such notices, all violations of the Child Labor Law that may come to their knowledge.

The designated school representative shall have the right of access to, and inspection of, establishments where minors may be employed or detained only for the purpose of ascertaining whether students of compulsory school age are actually employed there and are actually working there regularly. The designated school representative shall, if they find unsatisfactory working conditions or violations of the Child Labor Law, report those findings to the appropriate authority.

Each school should also establish procedures to ensure good attendance consistent with this policy.

### **Truancy Reports**

Each Principal must notify the Board of each minor student under its jurisdiction who accumulates fifteen (15) unexcused absences in a period of ninety (90) calendar days. Reports shall be made to the Board at the end of each school quarter. The calculation of fifteen (15) absences within ninety (90) days is determined based on calendar days and not limited to the span of one (1) school quarter during which the nonattendance begins or ends. The Board shall verify that those schools reporting fifteen (15) or more unexcused absences within a ninety (90)-day period have complied with the requirements of remediating truancy at the school level or pursuing appropriate court intervention as provided in this policy and Florida law. Any school not meeting these requirements shall provide a remedial action plan to the Board within thirty (30) days, and follow up within ninety (90) days to confirm all truancy cases have been addressed either through the child's enrollment and regular attendance or referral of the case to the appropriate court or agency to pursue court intervention.

### **Habitual Truancy**

Whenever any student has a total of fifteen (15) unexcused absences from school within ninety (90) calendar days, with or without the knowledge or consent of the parent, s/he the student will be considered habitually truant. The Board authorizes the Superintendent to shall inform the student and his/her parents of the record of excessive absences as well as the District's intent to notify the Department of Highway Safety and Motor Vehicles, if appropriate. The Superintendent is authorized to may also file a truancy petition seeking early truancy intervention under F.S. 984.151 if a student has accrued at least five (5) unexcused absences, or absences for which the reasons are unknown, within a calendar month or ten (10) unexcused absences, or absences for which the reasons are unknown within a ninety (90) calendar day period or has had more than fifteen (15) unexcused absences in a ninety (90) calendar day period. If the Superintendent chooses not to file a truancy petition, the case must be referred to the Department of Juvenile Justice's authorized agent for families in need of services.

### **ATTENDANCE WITHDRAW TO HOMESCHOOL**

If the parent of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program pursuant to F.S. Chapter 1002, the superintendent shall provide the parent a copy of F.S. 1002.41 and the accountability requirements set forth in F.S. 1003.26. The superintendent shall also refer the parent to a home education review committee composed of the District contact for home education programs and at least two (2) 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 (3) years and who have indicated a willingness to serve on the committee. The home education review committee shall review the portfolio of the student, as defined by F.S. 1002.41, every thirty (30) days during the District's regular school terms until the committee is satisfied that the home education program is in compliance with F.S. 1002.41(1)(d). The first portfolio review must occur within the first thirty (30) calendar days of the establishment of the program. The following provisions shall also occur if the committee does not determine that the home education program is in compliance with F.S. 1002.41(1)(d):

- A. If the parent fails to provide a portfolio to the committee, the committee shall notify the superintendent.
- B. The superintendent shall then terminate the home education program and require the parent to enroll the child in an attendance option that meets the definition of "regular school attendance"

under F.S. 1003.01 within three (3) days.

- C. Upon termination of a home education program pursuant to this subparagraph, the parent shall not be eligible to reenroll the child in a home education program for 180 calendar days.
- D. Failure of a parent to enroll the child in an attendance option as required by this subparagraph after termination of the home education program pursuant to this subparagraph shall constitute noncompliance with the compulsory attendance requirements of F.S. 1003.21 and may result in criminal prosecution under F.S. 1003.27(2).
- E. Nothing contained herein shall restrict the ability of the superintendent to review the portfolio pursuant to F.S. 1002.41(1)(e).

### **Make-Up for Absences**

For excused absences, the student shall have a reasonable amount of time, up to ten (10) school days, to complete make-up work. Principals may grant extensions to the make-up time limit for extenuating circumstances.

For unexcused absences, each principal shall establish site-specific policies that encourage both regular attendance and high academic achievement, and shall review and modify these policies from time-to-time as required to maintain and improve their effectiveness.

### **Excused Absences**

The Board considers the following factors to be reasonable excuses for time missed at school:

- A. Personal illness of the student (medical evidence may be required by the principal or designee for absences exceeding five (5) consecutive days).
- B. Court appearance of the student.
- C. Medical appointment of the student.
- D. Pregnancy related issues (see also Policy 5751).
- E. Approved school activity.
- F. Insurmountable conditions. Insurmountable conditions are extreme weather conditions, communicable disease outbreaks, and local conditions determined by the School District which, after taking into account the material circumstances, would render impracticable a student's attendance at school. (F.A.C. 6A-1.09513)
- G. Other absences with prior approval of the principal.
- H. Attendance at a center under Children and Families Services supervision.
- I. Religious instruction or religious holiday.
- J. Death in the immediate family.
- K. Appointments for a therapy service provided by a licensed health care practitioner or behavior analyst certified pursuant to Florida law for the treatment of autism spectrum disorder including, but not limited to, applied behavioral analysis, speech therapy, and occupational therapy.

Absences not included in excused absences listed above shall be unexcused.

Students may not be given excused absences to remain out of school for the purpose of working unless the job is an integral part of the student's instructional program.

### **Discipline**

No student will be suspended for unexcused tardiness, lateness, absence, or truancy but the student may be assigned to detention or placed in existing alternative programs.

Any student who fails to attend any regularly scheduled class and has no excuse for absence should be referred to the appropriate administrator. Disciplinary action should include notification to parents or guardians.

### **Grades**

A student's grade in any course is based on his/her performance in the instructional setting and shall not be reduced for reasons of conduct. If a student violates the attendance or other rules of the school, s/he should be disciplined appropriately for the misconduct, but his/her grades should be based upon what the student can demonstrate s/he has learned.

### **Administrative Procedures**

The Superintendent shall develop administrative procedures that:

- A. provide the student and his/her parents the opportunity to challenge the attendance record prior to notification and that such notification complies with applicable Board rules;
- B. require a school session that is in conformity with the rules of the State Board;
- C. govern the keeping of attendance records in accordance with the rules of the State Board;
- D. identify the habitual truant, investigate the cause(s) of his/her behavior, and consider modification of his/her educational program to meet particular needs and interests;
- E. require that students whose absence has been excused have an opportunity to make up work they missed and receive credit for the work if completed;
- F. require that any student who, due to a specifically identifiable physical or mental impairment, exceeds or may exceed the District's limit on excused absence is referred for evaluation for eligibility either under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 or other appropriate accommodation.

### **Habitual Truancy**

Whenever any student has a total of fifteen (15) unexcused absences from school within ninety (90) calendar days, with or without the knowledge or consent of the parent, s/he will be considered habitually truant. The Board authorizes the Superintendent to inform the student and his/her parents of the record of excessive absences as well as the District's intent to notify the Department of Highway Safety and Motor Vehicles, if appropriate. The Superintendent is authorized to file a truancy petition under F.S. 984.151 if a student has accrued at least five (5) unexcused absences, or absences for which the reasons are unknown, within a calendar month or ten (10) unexcused absences, or absences for which the reasons are unknown within a ninety (90) calendar day period or has had more than fifteen (15) unexcused absences in a ninety (90) calendar day period.