

Compulsory School Attendance

(1) Attendance. Florida law requires all children from six to sixteen years of age to attend school regularly during the entire school term. Public school students who have attained the age of 16 years and who have not graduated are subject to compulsory school attendance until the formal declaration of intent to terminate school enrollment is filed with the district school board by the student or parent/legal guardian of a student who is less than 18 years of age.

One of the strongest foundations for school success is regular school attendance. Without regular and consistent attendance, the student misses vital instruction in regard to subject matter introduction, concept formation and sequential learning which can cause many students to fall behind in their understanding and comprehension. This, in turn, can cause their grades to be lower and lessens the prospect of school being a positive place. The habitual absence of a child from school is considered sufficient to show that this law has been violated. The student must be physically present at the school to which he or she has been assigned or physically present at an educational activity which constitutes part of the approved school program for that student.

(2) Nonenrollment. After the opening of the school year, the principal or designee, with the assistance of appropriate support staff, will compile a list of all students who are scheduled to attend the school and who are not in attendance.

Step 1. Once it has been determined that a pupil resides in Leon District and is not complying with Florida Statute 1003.21-29, the school will attempt to cause the child to be enrolled through efforts of the school staff, district staff and CINS/FINS provider. If these attempts do not bring compliance then step 2 is requested.

Step 2. The court liaison will initiate a registered letter pursuant to Section 1003.26, Florida Statutes requiring the parent or legal guardian to comply with Florida law within three (3) days from the date of notice. The letter will advise the parent or legal guardian of the next steps which will be taken.

Step 3.

(a) If the parent/legal guardian complies, the school principal shall monitor the students attendance.

(b) If the parent/legal guardian does not comply, the school representative shall report the case to the Superintendent who may refer the case to the staff and CINS/FINS provider committee. The Superintendent shall take such steps as are necessary to obtain the student's compliance with the compulsory school attendance laws of the state, including filing a truancy petition pursuant to

s. 984.151, F.S., or bringing a criminal prosecution against the parent or legal guardian, or other person in control of the child, pursuant to s. 1003.27(7)(a), F.S.

(3) Parent Responsibility.

(a) Florida Statutes, 1003.24 clearly defines the responsibility of parents for the attendance of their child at school and requires them to provide an explanation for any absence from school. It is the intent of the school district to hold parents responsible for their child's attendance to the extent provided by law.

(b) If, during the course of the school year, a student has unauthorized absences sufficient enough to jeopardize academic progress, in accordance with F.S. 1003.24, the procedures under Florida Statutes 984.151, 1003.26 and 1003.27 shall be followed by the appropriate school personnel.

(c) Learn Fare recipients with school age children shall be required to attend a documented school conference during each semester to assure parent involvement. The conference shall address acceptable student attendance, grades and behavior and shall be documented by the school and reported to the Department of Children and Family Services.

(5) Excused and Unexcused Absences. It is the parent/guardian responsibility to notify the school regarding the reason for a student's absence in a timely fashion. Absence is defined as nonattendance of a student at school or in an approved educational activity/field trip or program on days school is in session. A student who is not physically present at school or not participating in an approved school activity shall be counted absent and shall not be recorded as in attendance on that day.

(a) The law allows absences for illness or medical care, death in the family, religious holidays, prearranged absences for educational purposes approved by an administrator (see section (14)(c) for criteria), financial and certain other special circumstances or insurmountable conditions. Under these circumstances school policy regards these absences as excused absences. A student with an excused absence is not subject to any disciplinary or academic penalties.

(b) An unexcused absence takes place any time a child is out of school for reasons not recognized in the law. In these cases, the child may be subject to academic penalties. Unexcused absenteeism sufficient enough to jeopardize academic progress at the elementary and middle school levels is defined as a student being absent without an acceptable reason five (5) times in a calendar month or ten (10) times in a 90-calendar day period.

***Determination of whether an absence is excused or unexcused is the responsibility of the local school principal or designee.

(6) Tardiness

(a) For the purposes of this policy, the school board annually sets the length of the school day with the student year being set at 180 days. All students are expected to be in school on time each day school is in session and remain until the dismissal bell unless a valid reason exists for leaving early.

(b) Tardiness is defined as any arrival at school after the tardy bell has sounded without an approved excuse. Likewise, students who leave school before the end of the school day have their learning interrupted. Tardiness and leaving early without an acceptable excuse, for the purpose of this policy, are seen as a violation of 1003.21, F.S. (compulsory attendance statutes.) **Unless the reason for leaving or late arrival is covered under (5)(a) above, elementary and middle school students who are chronically tardy or leave early without an acceptable excuse more than five (5) times in a calendar month or ten (10) times in a 90 calendar day period will be subjected to action as dictated by 1003.27, F.S.**

(c) If it is determined that the parent is responsible for the cause of the chronic tardiness or leaving early without an acceptable excuse, then 1003.27(2), F.S. shall be used to gain compliance.

(7) Truancy.

(a) In Leon County schools, it is the responsibility of the student's parents to notify the school when their child will not be in attendance. While a student is enrolled in elementary school, the school shall be notified the day the student returns to school from an absence of one (1), two (2) or three (3) days. If an absence extends beyond three (3) days, the school shall be notified by the third day. In all cases of absences the school should be notified as soon as the absence occurs. While a student is enrolled in middle or high school, the school shall be notified of an absence the morning the student is absent, or within twenty-four (24) hours. The principal or designee shall contact the parent or guardian to determine the reason for each absence for which the reason is unknown. After two (2) documented attempts to contact the parent or guardian and the failure of the parent or guardian to respond or justify the absence, the absence shall be considered unexcused.

(b) For the purpose of these regulations, a "truant" is one who is not in attendance, with or without approval of the parent or other person having charge of the student, and whose absence has not been excused under 5(a) above.

(c) A habitual truant is a student who has fifteen (15) unexcused absences within ninety (90) calendar days with or without the knowledge or consent of the student's parent or legal guardian. A student's primary teacher shall report to the principal or his/her designee if the student is exhibiting a pattern of non-attendance and is a potential habitual truant because of at least five unexcused absences, or absences

for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period.

(d) Upon each unexcused absence, or absence for which the reason is unknown, the school principal or designee shall attempt to contact the student's parent or guardian to determine the reason for the absence. If the absence is an excused absence, as defined by school board policy, the school shall provide opportunities for the student to make up assigned work and not receive an academic penalty unless the work is not made up within a reasonable time.

(e) If a student has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-day calendar-day period, the student's primary teacher shall report to the principal or designee. Unless there is clear evidence that the absences are not a pattern of nonattendance, the principal or designee shall refer 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, whether the absences are excused or unexcused, a meeting with the parent or guardian shall be scheduled to identify remedies or attempts documented if the parent or guardian fails to respond. The principal shall notify the Superintendent of Schools and the school district contact for home education programs that the referred student is exhibiting a pattern of nonattendance.

(f) If an initial meeting does not resolve the problem, the child study team shall implement the following:

1. Frequent attempts at communication between the teacher and the family.
2. Evaluation for alternative education programs;
3. Attendance contracts;

The child study team may, but is not required to, implement other interventions, including referral to other agencies for family services or recommend for filing a truancy petition pursuant to s. 984.151 (F.S.).

(g) The child study team shall be diligent in facilitating intervention services and shall report the case to the Superintendent only when all reasonable efforts to resolve the nonattendance behavior are exhausted.

(h) If the parent, guardian, or other person in charge of the child refuses to participate in the remedial strategies because he or she believes that those strategies are unnecessary or inappropriate, the parent, guardian, or other person in charge of the child may appeal to the School Board. The School Board may provide a hearing officer and the hearing officer shall make a recommendation 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, guardian, or other person in charge of the child still refuses to participate or cooperate, the Superintendent may file a truancy petition or seek criminal prosecution for noncompliance with compulsory school attendance.

(i) If the parent or guardian of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program pursuant to s. 1002.41, Florida Statutes. The Superintendent shall provide the parent a copy of s. 1002.41 and the accountability requirements of this paragraph. 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 home educators selected by the parent from a district list of all home educators who have conducted a home education program for at least 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 s. 1002.41, every 30 days during the district's regular school terms until the committee is satisfied that the home education program is in compliance with s. 1002.41. The first portfolio review must occur within the first 30 calendar days of the establishment of the program. The provisions of subparagraph 2. do not apply once the committee determines the home education program is in compliance with s. 1002.41.

If the parent fails to provide a portfolio to the committee, the committee shall notify the Superintendent. The superintendent of schools shall then terminate the home education program and require the parent to enroll the child in an attendance option provided under s., 1003.01(13)(a), (b), (d), or (e), Florida Statutes, within 3 days. Upon termination of a home education program pursuant to this subparagraph, the parent or guardian shall not be eligible to reenroll the child in a home education program for 180 calendar days. Failure of a parent or guardian to enroll the child in an attendance option provided under s. 1003.01(13)(a),(b),(d), or (e), after termination of the home education program pursuant to this subparagraph shall constitute noncompliance with the compulsory attendance requirements of s. 1003.21, Florida Statutes and may result in a truancy proceeding under 984.151, F.S., or criminal prosecution under s. 1003.27(2), Florida Statutes (2002). Nothing contained herein shall restrict the ability of the Superintendent, or the ability of his or her designee, to review the portfolio pursuant to s. 1002.41.

(j) If a child subject to compulsory school attendance will not comply with attempts to enforce school attendance, the parent, the guardian, the Superintendent or his/her designee shall refer the case to the district staff and CINS/FINS provider

committee pursuant to F.S. 984.12. If the child has had more than 15 unexcused absences on a 90 calendar day period the Superintendent or his/her designee may file a truancy petition pursuant to the procedures in F.S. 984.151. The petition must contain the following: the name, age, and address of the student; the name and address of the student's parent or guardian; the school where the student is enrolled; the efforts the school has made to get the student to attend school; the number of out-of-school contacts between the school system and student's parent or guardian; and the number of days and dates of days the student has missed school. The petition shall be sworn to by the Superintendent or his or her designee.

(8) Leaving School Grounds Before the End of the School Day.

(a) No student shall be sent from the campus during school hours to perform errands or act as a messenger except with the knowledge and approval of the principal, and then only for necessary and urgent school business.

(b) No student shall be permitted to leave school, for the remainder of the day prior to dismissal, in the custody of a person other than the student's parents or guardian unless that person has the verified authorization (written or verbal) of one of the parents or guardian.

(c) Subject to the above restrictions, the Superintendent shall establish administrative guidelines which set forth the criteria and provisions by which any eleventh or twelfth grade student may earn, or have revoked, off-campus privileges during the student's lunch period. Such criteria and provisions shall contain, at a minimum, the requirements of parental consent and school principal's approval for the granting of off-campus privileges.

(9) Makeup Work. Students who have been absent and are excused are given the privilege of making up work. The length of time within which work may be made up shall be determined by the extent and nature of the absence. It is the student's responsibility to obtain and complete all makeup work.

(10) Prolonged Absence. Parents or guardians shall notify the school administration as soon as they become aware of the possibility of excessive absenteeism due to illness (more than fifteen (15) school days) in order to provide homebound services. A physician's statement is necessary for homebound services.

(11) Unexcused Elementary and Middle School Absences: Penalties

(a) There are no "free" unexcused absences. For any unexcused absence, tardy or leaving early or "skipped" class without an excuse, the student shall receive an "F" in that class for that day. Detention shall be served or other appropriate consequence applied for middle school students.

(b) The principal or designee shall contact the parent/guardian after an unexcused absence to determine the cause for the absence and to explore remedial action, if needed. However, by the occurrence of a fourth unexcused absence, tardy or leaving early or "skipped" class, the principal (or designee) shall meet with the student and parent/guardian to develop a mutually agreeable educational program designed to eliminate future unexcused absences or missed classes. The educational program shall include, at a minimum, the following:

1. A scheduled conference between the student, the parent or parent's designee, the principal or designee, and other appropriate school personnel,

2. A listing of those reasons or circumstances asserted by the student as contributing to or causing the unexcused absences, tardy or leaving early or "skipped " classes, and a statement outlining procedures to overcome these reasons or circumstances including curriculum or other changes in the educational placement.

3. A written statement of what steps will be taken should other unexcused absences, tardy or leaving early or "skipped " class, occur or the student not live up to the agreed upon educational program. These steps may include a failing grade for the grading period in the course or courses or subjects involved should an additional unexcused absence, tardy or leaving early or "skipped " class, occur,

(c) Academic failure may only be imposed when the student fails to comply with the previously agreed to educational program or a refusal to participate in a meeting to design such an educational program.

(d) If agreement is not reached following a conference a fifth unexcused absence, tardy or leaving early or "skipped " classes, shall result in the student failing for the grading period the subject, course or courses involved.

(e) Parents or guardians may appeal the assessment of academic failure under the procedures set out in Board Policy 7.10 if there are circumstances that were not considered by school level officials when unexcused absences occurred.