

SCHOOL DISTRICT OF LEON COUNTY

ELEMENTARY AND MIDDLE SCHOOL ATTENDANCE POLICY

Superintendent
Rocky Hanna

2019



2020

Board Members
Rosanne Wood, Chair
Dee Dee Rasmussen, Vice-Chair
Georgia "Joy" Bowen
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Compulsory School Attendance

Florida law requires all children from six (6) to sixteen (16) years of age to attend school regularly during the entire school term. Public school students who have attained the age of sixteen (16) years and who have not graduated are subject to compulsory school attendance until the student, or parent of a student who is less than eighteen (18) years of age, files with the School Board a formal declaration of intent to terminate school enrollment.

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 that constitutes part of the approved school program for that student.

Non-enrollment

After the opening of the school year, the Principal, 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.

- A. **Step 1** Once it has been determined that a student resides in the District and is not attending school as required by State law, the school will attempt to cause the child to be enrolled through efforts of the school staff, District staff, and District-approved provider. If these attempts do not result in compliance, then Step 2 is required.
- B. **Step 2**
The Superintendent will initiate a registered letter pursuant to State law requiring the parent 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 that will be taken.
- C. **Step 3**
 1. If the parent/legal guardian complies, the Principal shall monitor the student's attendance.
 2. If the parent/legal guardian does not comply, the Principal shall report the case to the Superintendent, who may refer the case to the staff and District-approved provider. Pursuant to State law, the Superintendent shall take such steps as are necessary to obtain the student's compliance with the compulsory school attendance, including filing a truancy petition, or bringing a criminal prosecution against the parent or legal guardian, or other person in control of the child.

Parent Responsibility

State law 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 District to hold parents responsible for their child's attendance to the extent provided by law. 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.

- A. If, during the course of the school year, a student has unauthorized absences sufficient enough to jeopardize academic progress the Principal shall comply with the procedures detailed in State law, prior to assigning an academic failure.
- B. 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 Families.

Home Education

- A. Home education is a program whereby parents may teach their children at home in lieu of public school attendance. Parents wishing to enroll their children in a Home Education Program shall do so through the District's Department of Teaching and Learning. Home education may not be used as an option to avoid student or parent consequences for nonattendance or truancy.
- B. Students entering or re-entering the District from a Home Education Program will follow the same enrollment procedures as students entering from a non-accredited school.

Virtual Instruction Program

- A. Students are expected to show attendance in the course based on completion of weekly assignments due unless they have an excused absence.
 1. Requests for an excused absence must be emailed to school administrator, otherwise the absence is unexcused.
 2. Ten (10) or more unexcused absences will require an Attendance Intervention Team (AIT) meeting to implement an academic success plan and/or possible withdrawal to neighborhood school.
 3. Failure to attend an AIT meeting will result referral to Intervention Services, possible withdrawal to neighborhood school, and possible reporting to the State Attorney's Office.
- B. Students shall be responsible for making up all assignments missed during excused absence. Two (2) days are allowed for each day of absence.
 1. Missed work shall be made up for all absences including suspension.
 2. Students shall receive appropriate grades for the make-up work to replace the zero (0).

Excused and Unexcused Absences

It is the responsibility of the parent 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.

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The law allows absences for illness or medical care (medical evidence may be required by the Principal for absences exceeding five (5) consecutive days), death in the family, religious holidays, prearranged absences for educational purposes approved by an administrator, financial and certain other special circumstances or insurmountable conditions. Under these circumstances Board policy regards these absences as excused absences. A student with an excused absence is not subject to any disciplinary or academic penalties.

Additionally, the Board considers the following 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 the supervision of the Department of Children and Families.
- I. significant community events with prior permission of the Principal.
- J. Religious instruction or religious holiday.
- K. Death in the immediate family.

Any student who, due to a specifically identifiable physical or mental impairment, exceeds or may exceed the District's limit on excused absence shall be 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.

Absences not allowed by law or included in excused absences listed above shall be unexcused.

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 ninety (90) calendar-day period.

Determination of whether an absence is excused or unexcused is the responsibility of the Principal.

Unexcused absences shall not be grounds for suspension from school but may result in detention.

Whenever any student has a total of fifteen (15) days of unexcused absences from school during any semester, s/he will be considered habitually absent. 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 Motor Vehicles, if appropriate.

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.

Tardiness/Partial-Day Attendance

- A. For the purposes of this policy, the 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 dismissal unless a valid reason exists for leaving early.
- B. Tardiness and leaving early without an acceptable excuse, for the purpose of this policy, are seen as a violation of State law. Tardiness is defined as any arrival at school without an approved excuse after the tardy signal has sounded. Unless the reason for leaving early or late arrival is covered under State law or the list of approved absences 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 ninety (90) calendar-day period will be subjected to action as dictated by State law.

- 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 F.S. 1003.27(2) shall be used to gain compliance.

Truancy

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 shall contact the parent/guardian to determine the reason for each absence for which the reason is unknown. After two (2) documented attempts to contact the parent/guardian and the failure of the parent/guardian to respond or justify the absence, the absence shall be considered unexcused.

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 who has an unapproved absence.

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 if the student is exhibiting a pattern of nonattendance and is a potential habitual truant because of 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.

Upon each unexcused absence, or absence for which the reason is unknown, the Principal shall attempt to contact the student's parent/guardian to determine the reason for the absence. If the absence is an excused absence, as defined by 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.

If a student has had 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) day calendar-day period, the student's primary teacher shall report to the Principal. Unless there is clear evidence that the absences are not a pattern of nonattendance, the Principal 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 that the referred student is exhibiting a pattern of nonattendance.

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

- A. frequent attempts at communication between the teacher and the family;
- B. evaluation for alternative education programs;
- C. 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 F.S. 984.151.

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.

If the parent/guardian, or other person in charge of the child refuses to participate in the remedial strategies because s/he believes that those strategies are unnecessary or inappropriate, the parent/guardian, or other person in charge of the child may appeal to the Board. The 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.

If the parent/guardian 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. 1002.41. The Superintendent shall provide the parent a copy of F.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 (2) home educators selected by the parent from a District list of all home educators 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 the statute, 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 the statute. The first portfolio review must occur within the first thirty (30) calendar days of the establishment of the program.

If the parent fails to provide a portfolio to the committee, the committee shall notify the Superintendent. The Superintendent shall then terminate the home education program and require the parent to enroll the child in an attendance option provided under F.S. 1003.01(13)(a), (b), (d), or (e) within three (3) days. Upon termination of a home education program pursuant to this subparagraph, the parent or guardian shall not be eligible to re-enroll the child in a home education program for 180 calendar days. Failure of a parent/guardian to enroll the child in an attendance option provided under F.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 F.S. 1003.21 and may result in a truancy proceeding under F.S. 984.151 or criminal prosecution under F.S. 1003.27(2). Nothing contained herein shall restrict the ability of the Superintendent to review the portfolio pursuant to F.S. 1002.41.

If a child subject to compulsory school attendance will not comply with attempts to enforce school attendance, the parent/guardian, or the Superintendent shall refer the case to the District staff and District-approved provider committee pursuant to F.S. 984.12. If the child has had more than fifteen (15) unexcused absences in a ninety (90) calendar-day period, the Superintendent 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/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/guardian; and the number of days and dates of days the student has missed school. The petition shall be sworn to by the Superintendent.

Leaving School Grounds Before the End of the School Day

- A. All students leaving school prior to the end of the school day must sign out through the Attendance Office.
- B. 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.
- C. 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/guardian unless that person has the verified authorization (written or verbal) of one of the parents/guardians.
- D. Subject to the above restrictions, the Superintendent shall establish administrative procedures that 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 Principal's approval for the granting of off-campus privileges.

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.

Prolonged Absence

Parents/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.

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 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 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:

- C. A scheduled conference with the student, the parent or parent's designee, the Principal, and other appropriate school personnel.
 1. 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.
 2. 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.
- D. Academic failure may be imposed only 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.
- E. 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.
- F. Parents/Guardians may appeal the assessment of academic failure under Policy 5710 - Student/Parent/Guardian Grievance and Complaint Procedure if there are circumstances that were not considered by school officials when unexcused absences occurred.

Parent Contact

Every attempt shall be made by the school to notify parents/guardians on a daily basis after each unexcused absence to request an explanation for the absence. For each absence it is the responsibility of the parent/guardian to provide written documentation for all excused absences by the next school day or upon the student's return.

- A. On the third absence, the school shall send a letter to the last known address of the parent/guardian to inform him/her of the absences.
- B. It is the parent's/guardian's responsibility to notify the school of any change of telephone number and/or address.
- C. Parents/Guardians shall contact the attendance office either prior to or immediately following any absence. If a fourth and/or subsequent absence(s) occurs in a class for the nine (9) week grading period, an attendance conference may be held for all absences to be designated as excused for that grading period.
- D. Unexcused absences are absences that are not used for the legitimate purposes as described in Excused and Unexcused Absences above. For each class in which the student has four (4) or more unexcused absence(s) a grade of "F" shall be assigned for that nine (9) week grading period.
- E. Students who arrive more than ten (10) minutes after the start of a class without a valid excuse shall be recorded as late and given an "F" for the class for the purpose of the daily grade.

Attendance Conference

An attendance committee shall be established at each school to review reason(s) for absence(s) beyond three in a nine-week grading period. The attendance committee shall include an administrator or administrative designee and two (2) teachers. Both the parent and the student must attend the conference. Written documentation may be accepted in lieu of an attendance conference provided all absences are included and are excusable. Guidelines for the conference are:

- A. Only absences beyond three (3) in a nine (9) week grading period may require an attendance conference

- B. Parents/guardians may request an attendance conference for an anticipated absence beyond the three (3) absences in a grading period.
- C. A parent/guardian must request an attendance conference within ten (10) school days of the day the student returns to school. A conference must be scheduled no later than the day the student returns to school if the absence occurs on the last day of the semester.
- D. All absences in excess of three (3) per nine (9) weeks shall be unexcused unless appropriately documented or will require an attendance conference in order for the absence(s) to be designated excused. If the attendance committee determines that all absences will be classified excused, the student shall receive the earned grade. The attendance committee shall evaluate the following criteria:
 - 1. reasons for the first three (3) absences..
 - 2. reasons for the absence(s) beyond the first three (3); and
 - 3. the student's attitude and conduct
- E. The school shall document attempts to contact the parents when unexcused absences occur. However, failure to successfully notify parents **shall not** negate the attendance policy.
- F. The current attendance reporting system and the teacher's grade book shall be the final authority in determining the number of absences for each student. However, it is the right of the Principal to excuse any student from any consequence arising from recorded absences, tardies or late arrivals.

Other Considerations

Students between the ages of fourteen (14) and eighteen (18) may become ineligible for driving privileges if they fail to satisfy attendance requirements. The School District shall notify the Department of Highway Safety and Motor Vehicles pursuant to State law.

Failure to satisfy attendance requirements occurs when a student:

- A. accumulates fifteen (15) or more unexcused absences in a single class within ninety (90) school days; or
- B. has fifteen (15) or more unexcused absences within ninety (90) school days. For purposes of this section an absence constitutes four (4) or more periods missed in a single school day.

Students attending a curriculum-related educational field trip sponsored by the home school and chaperoned by school personnel, or a function as an administratively recognized representative of the school, shall be considered in legal school attendance.

Students who are absent for an "educationally valuable experience" other than a field trip or school-sponsored function or activity may receive an excused absence if the following criteria are met:

- A. A written request, identifying the educational benefits, must be submitted by the parent/guardian.
- B. The absence must be pre-approved at least one (1) week in advance by the principal or attendance administrator.
- C. Students are responsible for work missed during this absence. See Makeup Work above.

Students who are suspended or prohibited from attending school due to failure to meet immunization requirements shall be considered administratively absent and not subject to fail as a result of their absences due to the suspension or prohibition. Students who are absent due to recognized religious holidays shall obtain administrative pre-approval prior to the absences occurring. A religious holiday(s)/observance(s) exemption form (Form 5225 F1) should be completed by the parent/guardian and filed with the school at the beginning of each year or upon registration.

College recruitment trips are to be scheduled when school is not in session. Administrative exception may be granted for a planned program scheduled for a specific day or if the student has a pre-planned appointment, with a specific college administrator, verified in writing.

Any student with fifteen (15) or more absences due to a physical or mental condition that confines the student to a home or a hospital may be placed on Hospital Homebound or Intermittent Hospital-Homebound status. If placed in the Hospital-Homebound program, attendance records shall become the responsibility of the Hospital-Homebound program.

Any student sixteen (16) years of age or older who accumulates ten (10) unexcused absences in any one (1) semester for any course may fail such course for the semester and may receive a recommendation to withdraw from class or school for the remainder of the semester.

At or after the date a student attains the age of sixteen (16), s/he may file a formal declaration of intent to terminate school enrollment (Form 5130 F4). The declaration shall be on a form that requires the student and parent to acknowledge that terminating school enrollment is likely to reduce his/her potential earning power.

F.S. 1001.41, 1001.53, 1002.20, 1003.21, 1003.23, 1003.24, 1003.26, 1003.27
F.S. 1003.31
LCS Policy 5200



Nondiscrimination Notification and Contact Information

“No person shall on the basis of sex (including transgender, gender nonconforming and gender identity), marital status, sexual orientation, race, religion, ethnicity, national origin, age, color, pregnancy, disability or genetic information be denied employment, receipt of services, access to or participation in school activities or programs if qualified to receive such services, or otherwise be discriminated against or placed in a hostile environment in any educational program or activity including those receiving federal financial assistance, except as provided by law.” No person shall deny equal access or a fair opportunity to meet to, or discriminate against, any group officially affiliated with the Boy Scouts of America, or any other youth group listed in Title 36 of the United States Code as a patriotic society.

An employee, student, parent or applicant alleging discrimination with respect to employment, or any educational program or activity may contact:

Dr. Kathleen L. Rodgers
Equity Coordinator (Students) and
Title IX Compliance Officer
Leon County School District
2757 West Pensacola Street
Tallahassee, Florida 32304
(850) 487-7306
rodgersk@leonschools.net

Deana McAllister, Labor and Relations
Equity Coordinator (Employees)
(850) 487-7207
mcallisterd@leonschools.net

A student or parent alleging discrimination as it relates to Section 504 of the Rehabilitation Act may contact:

Karin Gerold, 504 Specialist
(850) 487-7160

geroldk@leonschools.net