

**PROPOSED POLICY 5.0901**

**4-C** I recommend the Board adopt the proposed new Policy 5.0901, to be entitled "Regular School Attendance."

[Contact: Dr. Joseph Orr, 649-8888.]

◆ **Adoption**

- At the June 17th first reading for development, the Board approved this proposed Policy for recommendation for adoption and second reading on July 22 (continued to August 5).
- This proposed Policy sets forth the statutory requirement of regular school attendance;
- defines "regular attendance" consistent with Florida law as attending school every school day, including every class period, for the entire class period, of each course or class in which a student is enrolled;
- reminds students that the only permissible exception to regular attendance is an "excused absence" under Policy 5.09;
- provides a reminder that discipline or other interventions may be imposed for lack of regular attendance; and
- distinguishes mandatory regular attendance from the level of attendance that may be needed to simply pass a course or grade academically under the Pupil Progression Plan.

CONSENT ITEM

**PROPOSED NEW POLICY 5.0901**

**REGULAR SCHOOL ATTENDANCE**

1 1. Regular Attendance Is Mandatory.-- Pursuant to Fla. Stat. §§ 232.01(1)(a),  
2 232.02, 232.022, and 232.09, all students who are subject to compulsory  
3 attendance shall be required to attend school regularly, as defined in paragraph  
4 (1)(a)(i).

5 a. Aside from any exemptions recognized under Chapter 232, Fla. Stat., the only  
6 permissible exception to mandatory regular attendance shall be an excused  
7 absence as defined in Policy 5.09.

8 b. Definitions.

9 i. "Regularly" or "regular attendance," pursuant to Fla. Stat. § 232.02,  
10 means attending school every school day, including every class period,  
11 for the entire class period, of each course or class in which a student is  
12 enrolled (or the equivalent of such class periods in schools with block  
13 scheduling).

14 ii. A "school day" for a given student, is that portion of the day in which  
15 school is actually in session for the group of pupils of which the student is  
16 a part, consistent with Fla. Stat. § 228.041(13). Students may not be  
17 counted in attendance while away from the school on a school day unless  
18 they are engaged in an educational activity which constitutes a part of the  
19 school-approved instructional program.

20 iii. "Subject to compulsory attendance" refers to minors who have attained at  
21 least the age of six years (or who will have attained the age of six by  
22 February 1 of that school year), who are required by law to attend school  
23 regularly unless an exemption or exception is applicable under Chapter  
24 232, Fla. Stat.

25 2. Academic Performance Does Not Excuse Absences.-- Attendance and  
26 academic performance shall be reported separately on student report cards, as  
27 required by Fla. Stat. § 232.24521.

28 a. Pursuant to Fla. Stat. § 232.24521(2), schools shall not allow students to be  
29 exempted from any academic performance requirements based on practices  
30 designed to encourage student attendance. A student's attendance record

31 may not be used in whole or in part to provide an exemption from any  
32 academic performance requirement.

33 b. Further, a student's academic performance shall not be used in whole or in  
34 part to provide an exemption from any attendance requirement. The Pupil  
35 Progression Plan under Policy 8.01 shall be interpreted consistent with this  
36 Policy.

37 **3. Discipline for Attendance Violations.--** Even if a student with certain absences  
38 is allowed to pass a course or pass to the next grade level under the Pupil  
39 Progression Plan, students must be aware that unexcused absences (as defined in  
40 Policy 5.09) are prohibited and may result in discipline and/or other interventions.

41 a. In accordance with Fla. Stat. § 232.26(1)(b), no student shall be *suspended* for  
42 unexcused tardiness, lateness, absence, or truancy.

43 b. However, other discipline and/or other interventions besides suspension may  
44 be imposed for attendance violations (such as habitual tardiness, failing to  
45 attend an assigned class while at school, being out of the assigned area, or  
46 leaving class or the school grounds without permission), as provided by  
47 School Board Policies 5.09, 5.187, 5.1812, 5.1813, or other relevant Policies,  
48 State Board of Education Rules, and Florida Statutes.

49 **4. Students with Disabilities.--** This Policy shall be construed in harmony with the  
50 IDEA and Section 504 of the Rehabilitation Act and their federal implementing  
51 regulations and parallel state laws and an IEP or 504 Plan implementing such laws.

52 STATUTORY AUTHORITY: §§ 230.22(2); 230.23(22); 230.23005(8), Fla. Stat.

53 LAWS IMPLEMENTED: §§ 228.041(13); 230.23005(8); 230.23(6)(b), (15)(b);  
54 232.01(1)(a); 232.02; 232.022; 232.09; 232.24521(2);  
55 232.26(1)(b), Fla. Stat.

56 HISTORY: / /2002

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Legal Signoff:

The Legal Department has reviewed proposed new Policy 5.0901 and finds it legally sufficient for development by the Board.

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Attorney

\_\_\_\_\_  
Date

Summary of Estimated Cost form (*if prepared*)

Publication of Development Notice

Publication of Adoption Notice