

PROPOSED POLICY 5.0901

5-D I recommend the Board approve the proposed new Policy 5.0901, to be entitled "Regular School Attendance."

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

◆ Development

- 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 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), 232.02,
2 232.022, and 232.09, all students who are subject to compulsory attendance shall be
3 required to attend school regularly, as defined in paragraph (1)(a)(i).

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

7 **b. Definitions.**

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

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

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

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

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

29 not be used in whole or in part to provide an exemption from any academic
30 performance requirement.

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

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

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

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

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

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

51 LAWS IMPLEMENTED: §§ 228.041(13); 230.23005(8); 230.23(6)(b), (15)(b);
52 232.01(1)(a); 232.02; 232.022; 232.09; 232.24521(2);
53 232.26(1)(b), Fla. Stat.

54 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.

Attorney

Date