

Book	Policy Manual
Section	Special Update - June 2024 - Legislative Changes
Title	Revised Policy - Special Update - June 2024 - Legislative Changes - ATTENDANCE
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Legal	I.C. 9-24-2-1 I.C. 9-24-2-4 I.C. 20-18-2-6.5 I.C. 20-26-16 I.C. 20-33-2-11 I.C. 20-33-2-14 I.C. 20-33-2-15 I.C. 20-33-2-17 I.C. 20-33-2-17.5 I.C. 20-33-2-17.7 I.C. 20-33-2-25 I.C. 20-33-2-26 I.C. 20-33-2-28.5 I.C. 31-9-2-46.7 I.C. 31-37-2-3 I.C. 36-8-3-7 511 IAC 1-3-1 511 IAC 6-7.1-8 511 IAC 6-7.1-9
Cross References	po2370 - EDUCATIONAL OPTIONS po5111.01 - HOMELESS STUDENTS po5111.03 - CHILDREN AND YOUTH IN FOSTER CARE po5223 - RELEASED TIME FOR RELIGIOUS INSTRUCTION
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**Revised Policy - Special Update - June 2024 - Legislative Changes**

**5200 - ATTENDANCE**

The School Board, as an agency of the State, is required to enforce regular attendance of students. The Board recognizes that ~~the presence~~ being present in the classroom enables ~~the student~~ students to participate in instruction, class discussions, and other related activities. As such, regular attendance and classroom participation are integral to instilling incentives for the student to excel.

**Attendance** shall mean ~~to be~~ being physically present in a school or at another location where the school's educational program is being conducted during regular school hours on a day ~~in~~ on which the educational program in which the student is enrolled is being offered.

Attendance shall be required of all School Corporation students, except those exempted under other provisions of Federal or State law, during the days and hours that ~~the~~ school is in session. **(X )** or during the ~~attendance~~ sessions to which ~~s/he~~ the student has been assigned.

**[DRAFTING NOTE: The Board may select one, both, or none of the following options]**

**[ ]** Attendance need not always be within Corporation facilities, and a student will be considered to be in attendance if present at any place where school is in session by authority of the Board.

**X ]** The Board shall consider each student assigned to a program of other guided learning experiences, authorized under Policy 2370, to be in regular attendance for the program provided that s/he reports **(X )** daily **( )** weekly **[END OF OPTION]** to such staff member s/he is assigned for guidance at the place in which s/he is conducting study, and regularly demonstrates progress toward the objectives of the course of study.

**[END OF OPTIONS]**

**Exceptions to Compulsory Attendance/Excused Absences**

Exceptions to compulsory attendance that shall be recognized by the ~~School~~ Corporation as provided by State statute are:

- A. service as a page or honoree of the general assembly (I.C. 20-33-2-14);
- B. service on a precinct election board or helper to a political candidate or a political party on the date of an election (I.C. 20-33-2-15);
- C. subpoena to appear in court as a witness in a judicial proceeding (I.C. 20- 33-2-16);
- D. service in active duty with the National Guard for not more than ten (10) days (I.C. ~~20-33-2-17~~ 20-33-2-16);
- E. participating as a member of the Indiana wing of the ~~civil air patrol~~ Civil Air Patrol for not more than five (5) days (I.C. 20-33-2-17.2);
- F. exhibiting or participating in the Indiana State Fair for educational purposes by a student or member of the student's household for not more than five (5) school days provided that the student is in good academic standing as determined by the Corporation, the student's parent has requested the absence in writing, and the school principal has provided written approval for the absence (I.C. ~~20-33-2-17.7~~ 20-33-2-17.7);  
  
~~The student must be in good academic standing as determined by the Corporation. Parents must request the absence in writing, it must be approved in writing by the principal, and it may not exceed five (5) days.~~
- G. participating in an educationally related non-classroom activity ~~which~~ that is consistent with and promotes the educational philosophy and goals of the ~~School~~ Corporation and the State Board of Education, facilitates the attainment of specific educational objectives, is part of the goals and objectives of an approved course or curriculum, represents a unique educational opportunity, cannot reasonably occur without interrupting the school day, and is approved in ~~advance~~ writing by the school principal (I.C. 20-33-2-17.5).

For any of these exceptions a student shall not be recorded as absent from school.

Additionally, the Board shall allow a student to attend a school for religious instruction that is conducted by a church, an association of churches, or an association that is organized for religious instruction and incorporation under Indiana law for not more than 120 minutes per week for the student to receive religious instruction if the student's parent makes a written request for such absence to the school principal **(X )** and the school principal approves that request **[end of option]**, as provided in Board Policy 5223 - Released Time for Religious Instruction. A student who is receiving religious instruction as indicated herein shall not be recorded as absent from school.

The Superintendent shall require, from the parent of each student or from an adult or emancipated student who has been absent for any reason, a **(X )** verbal statement **(X )** written statement **[end of option]** of the cause for such absence. The Board reserves the right to verify such statements and to investigate the cause of each:

- A. **(X )** single absence;
- B. ~~(-)~~ prolonged absence;
- C. **(X )** absence of more than five \_\_\_\_\_ (\_\_) days duration;

D.  repeated unexplained absence and tardiness.

E.  \_\_\_\_\_.

The Board considers the following as reasons for excused absences:

A.  illness verified by a note from the parent

B.  illness verified by a note from a physician

C.  recovery from accident verified by a note from a physician or documented by medical records

D.  required court attendance by subpoena or court order

E.  professional appointments – Parents are encouraged to schedule medical, dental, legal, and other necessary appointments other than during school hours. When appointments are necessary during the school day, the student shall report back to school immediately after the appointment with a signed statement from the doctor, dentist, lawyer, counselor, etc., as applicable

F.  death  in the immediate family  or of a relative **[end of option]**

G.  observation or celebration of a bona fide religious holiday ~~in accordance with Policy 5223~~ verified by a note from the parent

H.  maternity leave for \_\_\_\_\_ (\_\_\_\_) weeks following the birth of the student's child or pregnancy complications verified by a note from a physician or documented by medical records

I.  military-connected families' absences related to deployment and return

J.  vacation during the school year requested by the student's parent and approved by the Principal

K.  such other good cause as may be acceptable to the Superintendent or permitted by law

L.  \_\_\_\_\_

### Unexcused Absences

~~An unexcused absence is~~ **Unexcused Absence** shall mean any absence not covered under the definition of excused absence or an exception to compulsory attendance as stated above. An out-of-school suspension shall not be considered an unexcused absence.

Repeated instances of unexcused absences may result in disciplinary action up to suspension or expulsion of a student.

### Truancy and Habitual Truants

~~Truancy is defined as~~ shall mean an absence from school ~~without permission of the parent~~ that is not an excused absence as stated above or that is not an absence under a parent request that has been filed with the school.

**Habitual Truant** shall mean a student who has been absent ten (10) days or more from school within a school year without being excused or without being absent under a parental request that has been filed with the school.

~~The Superintendent or an attendance officer having jurisdiction shall report a child who is habitually absent from school to an intake officer of the juvenile court or the Department of Child Services.~~ The Superintendent, Corporation attendance officer, a security police officer appointed under I.C. 36-8-3-7, or a Corporation police officer appointed under I.C. 20-26-16 shall report a child who is a habitual truant to the prosecuting attorney in the county in which the student resides by filing an affidavit as provided in I.C. 20-33-2-26. Each of the aforementioned individuals has an independent duty to file such an affidavit under State law. The Superintendent or Corporation attendance officer also shall report a student who is habitually absent from school in violation of the compulsory school attendance law to an intake officer of the juvenile court of the Indiana Department of Child Services (DCS).

~~Attendance need not always be within the school facilities, but a student will be considered to be in attendance if present at any place where school is in session by authority of the Board.~~

~~The Board shall consider each student assigned to a program of other guided learning experiences, authorized under Policy 2370, to be in regular attendance for the program provided that s/he reports  daily  weekly **[END OF OPTION]** to such staff member s/he is assigned for guidance at the place in which s/he is conducting study, and regularly demonstrates progress toward the objectives of the course of study.~~

### Truancy Prevention

**Truancy Prevention Measures** shall mean actions designed to address truancy before a student becomes a habitual truant and to minimize the need for referrals to a voluntary truancy prevention program or reports to a juvenile court.

For purposes of the Corporation's truancy prevention measures, **absent student** shall mean a student in Kindergarten through Grade 6 who is absent from school five (5) days within a ten (10) week period without being excused or absent in conformity with a note on file from the student's doctor, therapist, or other authorized professional requesting frequent absences be excused under the student's individualized education program (IEP), service plan developed under 511 IAC 7-34, choice scholarship education plan developed under 51 IAC 7-49, or Section 504 plan. When a student is identified as an absent student under this policy, the school that the student attends shall:

A. Immediately provide written notification to the student's parent that:

1. The student has been identified as an absent student based on the student's school attendance.
2. The parent is responsible for monitoring the student's school attendance and ensuring the student attends school, in accordance with compulsory attendance laws.
3. The school will be initiating truancy prevention measures for the student.
4. The parent is required to attend an attendance conference regarding the truancy prevention measures that the school will be implementing for the student.
5. If the student meets the definition of a habitual truant:
  - a. the Superintendent or Corporation attendance officer is required to report the student to an intake officer of the juvenile court or DCS in accordance with I.C. 20-33-2-25
  - b. the juvenile court may determine that the student is committing a delinquent act as provided under I.C. 31-37-2-3; and
  - c. the student's parent may be subject to prosecution under I.C. 35-46-1-4.

B. Hold an attendance conference with at least the following individuals to discuss the student's absences and establish a plan for the student to prevent future absences:

1. A representative of the school.
2. A teacher of the student.
3. The student's parent.
4. A representative chosen by the student's parent who may provide insight into the student's absenteeism if the student's parent makes a request to the school that the representative attend and provides notice to the school regarding the identification of the representative at least forty-eight (48) hours before the attendance conference.

The attendance conference shall be held not more than five (5) instructional days after the student's fifth absence in a ten (10) week period regardless of whether the parent or the parent's chosen representative is able to attend the conference. The school shall make all reasonable efforts to hold the attendance conference on a date and at a time that works with the schedule of the student's parent.

C. At the attendance conference, establish a plan for the student to prevent future absences that may include the following:

1. Any wraparound services that are able to be provided to the absent student to ensure the absent student attends school.
2. A specific description of the behavior that is required or prohibited for the absent student.
3. The period for which the plan will be effective, not to exceed forty-five (45) instructional days after the date it is established.
4. Any additional disciplinary action the school will take if the absent student does not comply with the plan.
5. If applicable, a referral to counseling, mentoring, or other services for the student.
6. If applicable, whether a parent is expected to attend the counseling, mentoring, or other services with the student.

The school representative shall ask the absent student's parent to sign the plan indicating the parent's agreement to comply with its terms.

D. Offer additional counseling services to an absent student if the school determines that the student's absences are related to any of the following:

1. The student's pregnancy.
2. The student is in foster care (as defined in I.C. 31-9-2-46.7).
3. The student is homeless.
4. The student has a severe or life-threatening illness or related treatment.

The Superintendent shall develop administrative guidelines for the attendance of students which:

- A. ~~(X ) ensure~~ provide a school session ~~which~~ that is in conformity with the requirements of the law;
- B. ~~(X ) ensure that~~ permit students absent for any excusable reason to have an opportunity to make up work they missed;
- C. ~~(X ) govern the keeping~~ maintenance of attendance records in accordance with the rules of the State Board;
- D. ~~(X ) ensure that any student who, due to a specifically identifiable physical or mental impairment, exceeds or may exceed the Corporation'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,~~ provide that any student who, due to a physical or mental impairment, exceeds or may exceed the Corporation's limit on excused absences is to be referred for an evaluation to determine eligibility under either the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 (Section 504).

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

~~[X ] Such guidelines also shall provide for the reporting to the Bureau of Motor Vehicles those students who have been suspended for the second time during a school year, are expelled, or excluded for misconduct are considered dropouts under I.C. 20-33-2-28.5.~~

~~[OPTIONAL— The Board must choose whether to include a definition of habitual truant in the Corporation's discipline rules and whether it will require a report to the Bureau of Motor Vehicles when a student is a habitual truant]~~

~~[ X The Superintendent shall ensure that the~~ develop administrative guidelines on attendance that properly address the matter of truancy by including a process which:

- A. identifies the habitual truant, that is, a student who ~~is chronically absent by having unexcused absences from school for more than ten (10) school days in one (1) school year~~ has been absent ten (10) days or more from school within a school year without being excused or without being absent under a parental request that has been filed with the school;
- B. investigates the cause(s) of his/her the student's truant behavior;
- C. considers, when appropriate, modification of his/her the student's educational program to meet particular needs ~~which~~ that may be causing the truancy;
- D. ~~ensures that truant students are disciplined~~ provides for the discipline of truant students in accordance with the Corporation's policies and administrative guidelines on student discipline;
- E. ~~(X ) provides for reporting to the Bureau of Motor Vehicles those students who are habitual truants.~~ habitual truants as provided in I.C. 20-33-2-11. **[DRAFTING NOTE: The Board must choose whether it will require a report to the Bureau of Motor Vehicles when a student is a habitual truant. See I.C. 20-33-2-11]**
- F. (X ) provides for determining whether a habitual truant may participate in extracurricular activities. **[DRAFTING NOTE: choose this option if the Corporation chose OPTION 3 under Truancy and Habitual Truants above.]**

~~[END OF OPTION]~~

~~The Superintendent also shall ensure that the Board's policy on attendance and the Corporation's administrative guidelines are made available to all parents and adult students.~~ The Superintendent shall make available to all parents and adult or emancipated students the Board's policy and the Corporation's administration guidelines on attendance.

#### Legal References:

- I.C. 9-24-2-1, ~~4~~
- I.C. 9-24-2-4
- I.C. 20-18-2-6.5
- I.C. 20-26-16

I.C. 20-33-2-11  
~~I.C. 20-33-2~~  
I.C. 20-33-2-14  
I.C. 20-33-2-15  
I.C. 20-33-2-17  
I.C. 20-33-2-17.2  
I.C. 20-33-2-17.5  
I.C. 20-33-2-17.7  
I.C. 20-33-2-25  
I.C. 20-33-2-26  
I.C. 20-33-2-28.5  
I.C. 31-9-2-46.7  
I.C. 31-37-2-3  
I.C. 35-46-1-4  
I.C. 36-8-3-7  
511 IAC 1-3-1  
511 IAC 6-7.1-8  
511 IAC 6-7.1-9

**Cross References**

po2370  
po5111.01  
po5111.03  
po5223

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