



POLICY 5.0901

4G I recommend that the Board adopt the proposed repeal of Policy 5.0901, entitled "Regular School Attendance."

[Contact: Cheryl Alligood, PX 46888 and Keith Oswald, PX 21113.]

Repeal-Development

CONSENT ITEM

- The Board approved development of this repeal of Policy at the repeal-development reading on June 19, 2013.
- This rule is being replaced by updated and modified Policy 5.09: Attendance, Absenteeism, and Truancy.

POLICY 5.0901

REGULAR SCHOOL ATTENDANCE

1
2
3 ~~1. Regular Attendance Is Mandatory. Pursuant to Fla. Stat. §§ 1003.01, 1003.21,~~
4 ~~1003.23, and 1003.24, all students who are subject to compulsory attendance shall~~
5 ~~be required to attend school regularly, as defined in paragraph (1)(b)(i) herein.~~

6 ~~a. Aside from any exemptions recognized under Fla. Stat. Chapter 1003, the only~~
7 ~~permissible exception to mandatory regular attendance shall be an excused~~
8 ~~absence as defined in School Board Policy 5.09.~~

9 ~~b. Definitions~~

10 ~~i. "Regularly" or "regular attendance" means attending school every~~
11 ~~school day, including every class period, for the entire class period, of~~
12 ~~each course or class in which a student is enrolled (or the equivalent of~~
13 ~~such class periods in schools with block 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. Students may not be counted in attendance while away from the~~
17 ~~school on a school day unless they are engaged in an educational activity~~
18 ~~which constitutes a part of the school approved instructional program.~~

19 ~~iii. "Subject to compulsory attendance" refers to minors who have attained~~
20 ~~at least the age of six years (or who will have attained the age of six by~~
21 ~~February 1 of that school year), who are required by law to attend school~~
22 ~~regularly unless an exemption or exception is applicable under Fla. Stat.~~
23 ~~Chapter 1003.~~

24 ~~2. Academic Performance Does Not Excuse Absences. Attendance and academic~~
25 ~~performance shall be reported separately on student report cards, as required by~~
26 ~~Fla. Stat. § 1003.33.~~

27 ~~a. Pursuant to Fla. Stat. § 1003.33(2), schools shall not allow students to be~~
28 ~~exempted from any academic performance requirements based on practices~~
29 ~~designed to encourage student attendance. A student's attendance record~~
30 ~~may not be used in whole or in part to provide an exemption from any~~
31 ~~academic performance requirement.~~

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

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

40 ~~a. In accordance with Fla. Stat. § 1006.09(1)(b), no student shall be suspended~~
 41 ~~for unexcused tardiness, lateness, absence, or truancy.~~

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

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

51

52

53 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41, 1001.42, 1001.43

54 LAWS IMPLEMENTED: Fla. Stat. §§ 1001.42, 1001.43, 1003.21, 1003.23,
 55 1003.24, 1003.33, 1003.41, 1006.07, 1006.09

56 HISTORY: 8/05/02; 11/5/2008

57 To Be Repealed: ___/___ 2013

Legal Signoff:

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



Attorney



Date