



POLICY 5.0901

5-B I recommend that the Board approve development of the proposed revised Policy 5.0901, entitled "Regular School Attendance."

[Contact: Ira Margulies, PX 45857.]

Development

CONSENT ITEM

- This revision updates statutory citations to reflect the Florida Legislature 2003 School Code revisions.

POLICY 5.0901

REGULAR SCHOOL ATTENDANCE

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3 1. Regular Attendance Is Mandatory.-- Pursuant to Fla. Stat. §§ 1003.01, 1003.21,
4 1003.23, and 1003.24, 232.01(1)(a), 232.02, 232.022, and 232.09, all students who
5 are subject to compulsory attendance shall be required to attend school regularly,
6 as defined in paragraph (1)(b)(i) herein.
- 7 a. Aside from any exemptions recognized under Fla. Stat. Chapter 1003 232, the
8 only permissible exception to mandatory regular attendance shall be an
9 excused absence as defined in School Board Policy 5.09.
- 10 b. Definitions
- 11 i. "Regularly" or "regular attendance," ~~pursuant to Fla. Stat. § 232.02,~~
12 means attending school *every school day*, including *every class period*,
13 for the *entire class period*, of *each course or class* in which a student is
14 enrolled (or the equivalent of such class periods in schools with block
15 scheduling).
- 16 ii. A "school day" for a given student, is that portion of the day in which
17 school is actually in session for the group of pupils of which the student is
18 a part, ~~consistent with Fla. Stat. § 228.041(13).~~ Students may not be
19 counted in attendance while away from the school on a school day unless
20 they are engaged in an educational activity which constitutes a part of the
21 school-approved instructional program.
- 22 iii. "Subject to compulsory attendance" refers to minors who have attained at
23 least the age of six years (or who will have attained the age of six by
24 February 1 of that school year), who are required by law to attend school
25 regularly unless an exemption or exception is applicable under Fla. Stat.
26 Chapter 1003 232.
- 27 2. Academic Performance Does Not Excuse Absences.-- Attendance and academic
28 performance shall be reported separately on student report cards, as required by
29 Fla. Stat. § 1003.33 232.24524.
- 30 a. Pursuant to Fla. Stat. § 1003.33(2) 232.24521(2), schools shall not allow
31 students to be exempted from any academic performance requirements based
32 on practices designed to encourage student attendance. A student's
33 attendance record may not be used in whole or in part to provide an
34 exemption from any academic performance requirement.

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

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

43 a. In accordance with Fla. Stat. § 1006.09 (1)(b) ~~232.26(1)(b)~~, no student shall be
44 *suspended* for unexcused tardiness, lateness, absence, or truancy.

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

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

54 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41, 1001.42, 1001.43, 230.22(2);
55 230.23(22); 230.23005(8),

56 LAWS IMPLEMENTED: Fla. Stat. §§ 1001.42, 1001.43, 1003.21, 1003.23, 1003.24,
57 1003.33, 1003.41, 1006.07, 1006.09 228.041(13); 230.23005(8); 230.23(6)(b), (15)(b);
58 232.01(1)(a); 232.02; 232.022; 232.09; 232.24521(2); 232.26(1)(b),

59 STATE BOARD OF EDUCATION RULE: 6A-1.044, FAC

60 HISTORY: 8/05/02; __/__/2008

Legal Signoff:

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

Attorney

Date