



POLICY 5.09

4C I recommend the Board approve adoption of the proposed revised Policy 5.09, entitled “Attendance, Absenteeism, and Truancy.”

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Development

CONSENT ITEM

- The Board approved development of this revised Policy at the development reading on June 19, 2013.
- This document is revised to provide for changes requested by the U.S. Department of Justice on June 14, 2013. The changes are noted in red.
- This revised policy is prepared in accordance with Florida laws and State Board of Education rules authorizing the School Board to adopt policies and procedures governing attendance monitoring and checks, truancy, and the enforcement of attendance laws and rules.
- The revised policy provides for:
 - A renaming of the policy from “Enforcement of School Attendance” to Attendance, Absenteeism and Truancy”.
 - A complete re-writing of the policy to include relevant portions of Policies 5.0901 (Regular School Attendance) and 5.093 (Attendance – Checking, Recording and Reporting). Policies 5.0901 and 5.093 are proposed for repeal.
- This policy is also being revised to comply with the Agreement between the United States Department of Justice and the School District entered on February 26, 2013. The agreement resolved the Justice Department’s investigation into complaints regarding the District’s policies and practices for registering and enrolling students and administering student discipline.
- Specifically, the revised policy:
 - Establishes definitions for absence, class attendance, school attendance, early dismissal, excuses absence, habitual truant, regular attendance, school day, tardy, unexcused absence, etc.
 - Provides for the required number of days that a student must be in attendance (180 days).
 - Provides for parents/guardians to give written notification to schools of the child’s absence and related reason within 24 hours. Otherwise, the student should present as written explanation upon return to school.

- Requires school centers to track student attendance and absence through use of computers; and to report attendance, absences and tardiness on report cards.
- Provides that a student is absent when the student misses fifty percent or more of the instructional day or the instructional class period, due to tardiness or early dismissal.
- Provides that tardies and early dismissals will result in unexcused absences on the 5th, 10th, 15th, etc., of such instances.
- Prohibits a student from being sent home or refused school admission due to tardiness.
- Provides for school intervention and enforcement of attendance; requiring schools to timely respond to student absences by contacting the parent/guardian; school based intervention teams to address patterns of non-attendance and implement interventions with parents/guardians; truancy interventions with area truancy liaison for unsuccessful school based interventions; and District-level intervention.
- Provides a means by which a parent/guardian may challenge intervention strategies.
- Requires students be afforded an opportunity to make up work, without academic penalty, for excused and unexcused absences, including suspensions. The student will be granted the same number of days as absent to make up such work.
- Requires principals to be responsible for the administration and implementation of laws and rules related to attendance checking, report and recordings; ensure attendance reports are accurate, timely and maintained in accordance with laws; ensure school staff are trained on the proper recordings of attendance; annually certify the completeness and accuracy of attendance records, etc.
- Provides responsibilities for teachers related to the checking, recording and reporting of attendance.
- Outlines the responsibilities of parents/guardians and students for attendance.
- Provides for the superintendent to notify the Department of Highway Safety and Motor Vehicles upon a student (14 to 18 years of age) accumulation of 15 unexcused absences in a consecutive 90 calendar day period.

POLICY 5.09

ATTENDANCE, ABSENTEEISM, AND TRUANCY¹ ENFORCEMENT OF SCHOOL ATTENDANCE

1. Purpose

This policy is to encourage regular school attendance and punctuality by establishing requirements for student attendance, outlining guidelines or procedures for attendance monitoring and reporting, and establishing procedures supporting chronically absent and habitually truant students as required by Florida laws, rules, and regulation.

Research indicates that students miss school for many reasons, which can be divided into three broad categories (*The Importance of Being in School: A Report on Absenteeism in the Nation's Public Schools*. Robert Balfanz & Vaughn Byrnes, John Hopkins University Center for Social Organization of Schools, May 2012):

- Students who *cannot attend* school due to illness, family responsibilities, housing instability, the need to work or involvement with the juvenile justice system.
- Students who *will not attend* school due to bullying, unsafe conditions, harassment, and embarrassment.
- Students who *do not attend* school because they or their parents do not see the value in being there, they have something else they would rather do, or nothing stops them from skipping school.

2. Scope

This policy applies to District students enrolled in grades Pre-K to 12.

3. Definitions

For the purposes of this policy, the following definitions shall apply:

- Absence* means not being actually present when attendance is checked, unless the student arrives within time to be marked "tardy" instead of absent. Students may not be counted in attendance while away from the school on a school day unless they are engaged in an educational activity which constitutes part of the school-approved instructional program.

¹ Esta norma está disponible en español.
Règleman sa a disponib an Kreyòl.
ESTE REGULAMENTO ESTÁ DISPONÍVEL EM PORTUGUÊS.

- 32 b. Class Attendance is the physical presence of a student in class for at least half
33 of the period, or a student who has been excused by the teacher on a class-
34 related assignment, or a student who has been requested by a member of the
35 support staff for an approved school activity.
- 36 c. School Attendance is the presence of student on days school is in session.
37 The student must be actually at the school to which he or she has been
38 assigned or present at an education activity which constitutes part of the
39 approved school program for that student.
- 40 d. Early dismissal means leaving school/class before the day/period ends.
- 41 e. Excused Absence is an allowable absence in accordance with this and other
42 Board policies. Students must be in school unless the absence has been
43 permitted or excused for one of the reasons listed below.
- 44 i. Student illness. If a student is continually sick and repeatedly absent from
45 school, he or she must be under the supervision of physician in order to
46 receive an excuse from attendance.
- 47 ii. Medical appointment.
- 48 iii. Death in the family.
- 49 iv. Observance of a religious holiday or service that is recognized as such by
50 all members of the faith.
- 51 v. Subpoena by law enforcement agency or mandatory court appearance.
- 52 vi. Extreme weather conditions such as, but not limited to, floods, hurricanes,
53 tornadoes, or other acts of God which make it impractical or inadvisable
54 for the safety of the student to attend school.
- 55 vii. Suspension. Suspension, in-school and out-of-school, is the temporary
56 removal of the student from his or her regular school program or all
57 classes of instruction on public school grounds and all other school-
58 sponsored activities, except as authorized by the Principal or designee,
59 as defined by Fla. Stat. § 1003.01(5)(a),(b), and provided for in the
60 Student Conduct Codes, Policies 5.1812 and 5.1813.
- 61 viii. Students on field trips which are authorized by the principal are not
62 considered absent. The school related trips should be those which
63 related to the curriculum.
- 64 ix. Other individual student absences beyond the control of the parent or
65 student, as determined and approved by the principal or the principal's
66 designee.
- 67 f. Habitual Truant means a student who has fifteen (15) unexcused absences
68 with ninety (90) calendar days with or without the knowledge or consent of the
69 student's parent/guardian, is subject to compulsory school attendance, and is
70 not exempted from compulsory attendance under state laws and regulations.
71 Such a student must have been the subject of the activities specified in Fla.

72 Stat. §§ 1003.26 and 1003.27(3), without resultant successful remediation of
73 the truancy problem before being dealt with as a child in need of services
74 according to the provisions of Chapter 984, Fla. Stat.

- 75 g. Regularly or regular attendance means attending school every school day,
76 including every school period, for the entire class period, of each course or
77 class in which a student is enrolled (or the equivalent of such class periods in
78 schools with block scheduling).
- 79 h. School day for a given student is that portion of the day in which school is
80 actually in session for the group of students of which the student is a part.
81 Students may not be counted in attendance while away from the school on a
82 school day unless they are engaged in an educational activity which
83 constitutes a part of the school-approved instructional program.
- 84 i. Subject to compulsory attendance refers to minors who have attained at least
85 the age of six years (or who will have attained the age of six by February 1 of
86 that school year), who are required by law to attend school regularly unless an
87 exemption or exception is applicable under Chapter 1003, Fla. Stat.
- 88 j. Tardy is a student reporting late to school or class after the school day or class
89 has begun, consistent with the provisions of section 4(B)(1) of this policy.
90 There is no grace period after a bell rings commencing the school day or a
91 class period. Tardies may be excused or unexcused according to this policy
92 and the definitions for excused and unexcused absences.
- 93 k. Unexcused absence is an absence which is not in accord with this policy and
94 other Board policy. An unexcused absence is any absence that does not fall
95 into one of the designated excused absence categories, as provided in
96 subparagraph 2(e) herein. Each school in the District must determine if an
97 absence or tardiness is excused or unexcused in accordance with this policy.

98
99 **4. Policy Statement**

100 The Board believes that regular and punctual school attendance play important
101 roles in a student's achievement, as there is a strong correlation among regular
102 school attendance, academic achievement, and the completion of school.
103 Although school attendance is the responsibility of the parents or guardians and
104 students, the District is dedicated to increasing the meaningful involvement of
105 parents and guardians in all aspects of their students' lives, including the reduction
106 of chronic absences and truancy.

107
108 To combat unexcused absences and truancy, all District schools are dedicated to
109 providing culturally, linguistically, fair and age-appropriate interventions. District
110 students shall not be treated differently with regard to attendance, absence or
111 truancy on the basis of their race, color, ethnicity, national origin, sex, sexual

112 orientation, marital status, age, religion, disability, genetic information, gender
113 identity or expression.

114
115 In accordance with Fla. Stat. § 1003.26, the superintendent is responsible for
116 enforcing school attendance of all children and youth subject to the compulsory
117 school age in the District's schools, ~~and supporting enforcement of school~~
118 ~~attendance by local law enforcement agencies.~~

119
120 5. **Attendance and Absences**

121 a. **Attendance, Absence, and Excuse Requirements**

122 i. *In General.* Except as provided in Fla. Stat. § 1003.24 and State Board
123 of Education Rule 6A-1.09513, all students are expected to attend school
124 regularly and to be on time for classes in order to benefit from the
125 instructional program and to develop habits of punctuality, self-discipline,
126 and responsibility. Each student is required to attend classes one
127 hundred and eighty (180) days each school year. To be in compliance
128 with these attendance requirements, students must not accumulate fifteen
129 (15) unexcused absences in a period of ninety (90) calendar days.

130 ii. *Parental Notification of Absence to School.* Parents and guardians are
131 responsible for notifying the school when a child will be absent and for
132 informing the school of the reason for the absence. Thus, parent and
133 guardians are expected to notify the school when their child is absent and
134 inform the school of the reason for the absence within twenty-four (24)
135 hours by a written note. Otherwise, students returning from an absence
136 shall be required to present a written explanatory excuse from their
137 parents or guardians stating the cause for the absence.

138 iii. *Tracking of Absences.* The school centers shall track the students'
139 excused and unexcused absences and attendance in the District's
140 computer system.

141 iv. *Makeup of Assignments.* For excused and unexcused absences,
142 including suspensions, the student will be afforded the opportunity to
143 make up work without academic penalty. ~~For in-school suspensions,~~
144 ~~students will receive assignments daily. For out-of-school suspensions,~~
145 ~~students will receive assignments in a timely manner.~~

146 (a) *Excused or Unexcused Absences.* The number of days allowed to
147 make up the work shall be the same as the number of days the
148 students was absent. It is the student's responsibility to contact his
149 or her teacher(s) about the makeup assignments and to complete all
150 makeup work timely.

- 151 (b) Suspensions. For in-school and out-of-school suspensions, all
152 work is due on the day of return from the suspension.
- 153 v. Reporting on Student Report Cards. Attendance, including absences
154 and tardiness, shall be reported on student report cards, as required by
155 Fla. Stat. § 1003.33(1)(c) and (2).
- 156 b. **Late Arrival and Early Dismissal**
- 157 The Board recognizes that from time-to-time compelling circumstances require
158 that a student be late to school or dismissed before the end of the school day.
159 Parents or guardians must follow the same process to obtain an excuse for
160 tardiness or to obtain permission for early dismissal, as they do to obtain an
161 excuse for an absence. A pattern of non-attendance for instructional activities
162 is established by tardiness, early sign-outs, or absences for all or any part of
163 the day.
- 164 i. Late Arrivals or Tardiness. Students reporting late to school/class when
165 the day/class period begins are considered tardy. Excessive tardiness
166 shall be addressed on a case-by-case basis to determine if there is a
167 pattern of non-attendance. Unless excused under the provisions of this
168 policy, accumulated tardiness will be recorded as unexcused absences
169 consistent with Fla. Stat. § 1003.02(1)(b) and this policy. When an
170 elementary or secondary student misses fifty (50) percent or more of the
171 instructional day or of the identified instructional class period, due to late
172 arrival or tardiness, the student shall be considered absent.
- 173 ii. Early Dismissal. Excessive early sign-outs will be addressed on a case-
174 by-case basis to determine if there is a pattern of non-attendance.
175 Unless excused under the provisions of this policy, accumulated early
176 dismissals will be recorded as unexcused absences consistent with Fla.
177 Stat. § 1003.02(1)(b) and this policy. When an elementary or secondary
178 student misses fifty (50) percent or more of the instructional day or of the
179 identified instructional period, due to early dismissals, the student shall be
180 considered absent. Schools shall establish procedures for early
181 checkouts that ensure students are treated consistently.
- 182 iii. Accumulated Tardiness and Accumulated Early Dismissals will result in a
183 documented unexcused absence on the 5th (10th, 15th, etc.) instance of
184 being tardy or early dismissal.
- 185 iv. Academic Time. Students are not to be sent home or refused
186 admission to school due to tardiness. Students who arrive late for any
187 class period must be allowed to proceed to their classes after obtaining
188 proper documentation of their tardiness.
- 189 v. School Rule or Policy. Any school creating a late arrival and/or early
190 dismissal rule or policy shall submit the proposed school rule or policy to

191 the Area Superintendent for review and approval prior to the
192 implementation of the rule/policy.

193 c. **School Level Interventions and Enforcement**

194 Each school shall implement the following steps to enforce regular school
195 attendance of the students enrolled in their schools.

196 i. *Timely Actions Required for Absences.* To prevent the development of
197 patterns of non-attendance, the principal or designee at each school
198 center shall respond in a timely manner to unexcused absences, or every
199 absence for which the reason is unknown, by contacting the student's
200 parents/guardians to determine the reason for the absence as ~~required~~
201 authorized by Fla. Stat. § 1003.26(1)(a). Every effort must be made to
202 ~~telephone~~ contact the parent/guardian on the first day of a student's
203 absence.

204 ii. *Implementing Interventions/School-Based Teams.* If a student has
205 accumulated five (5) days of unexcused absences, or absences for which
206 the reasons are unknown, within a calendar month or ten (10) unexcused
207 absences within a ninety (90) calendar day period, or an equivalent
208 combination of unexcused absences and accumulated tardies, the
209 student's primary teacher shall report such information to the principal or
210 designee. If there is a pattern of non-attendance, the principal or
211 designee shall refer the student to the school-based team. If the school-
212 based team finds a pattern of non-attendance, a letter is sent to the
213 parents/guardians requesting a meeting in accordance with Fla. Stat. §
214 1003.26.

215
216 The school-based team, after meeting with the parents/guardians,
217 shall implement interventions, including but not limited to:

- 218 • frequent communications with the teacher and family;
- 219 • attendance contracts for students;
- 220 • changes in the learning environment;
- 221 • mentoring, counseling, and tutoring, including peer tutoring;
- 222 • placement into different classes;
- 223 • referral to other agencies for family services; and
- 224 • information about alternative methods of education, such as
225 virtual, home, or hospital homebound, ~~charter schooling.~~

226 iii. *Area Interventions.* If the student interventions are working
227 successfully, the school center need not take any further actions. If _____
228 unexcused attendance concerns continue and the student has
229 accumulated up to fifteen (15) absences, the school-based team will

230 complete [PBSD Form 1462](#) (Student Truancy Referral) and refer the
 231 matter to the appropriate area truancy liaison. Interventions to be
 232 undertaken by an area truancy liaison shall include, but not be limited to:

- 233 • conference with referring principal or designee;
- 234 • conference with student, and parent/guardian;
- 235 • agency referral, if appropriate;
- 236 • notice of non-attendance letter from the District office sent to
 237 parent/guardian;
- 238 • monitoring attendance and parent's/guardian's compliance with
 239 recommendations and/or interventions; and
- 240 • recommend an educational alternative [providing information](#)
 241 [about alternate methods of education such as virtual, home, or](#)
 242 [hospital homebound.](#)

243 iv. *District Interventions.* After the school has complied with the
 244 intervention requirements of Fla. Stat. § 1003.26(1)(b) and the student
 245 continues to not comply with attempts to enforce school attendance, the
 246 superintendent/designee shall take one of the following actions in all
 247 cases of habitual truancy, in accordance with Fla. Stat. § 1003.27(3).

- 248 (a) File a truancy petition using the procedures outlined in Fla. Stat. §
 249 984.151; or
- 250 (b) File a child-in-need-of-services petition using the procedures outlined
 251 in Chapter 984, Fla. Stat., and refer the habitually truant student and
 252 the student's family to the children-in-need-of-services and families-
 253 in-need-of-services provider or case staffing committee as _____
 254 determined by a cooperative agreement between the School Board,
 255 the Department of Juvenile Justice, and the Department of Children
 256 and Families, as provided in Fla. Stat. § 1003.27(4).

257 v. *Parental Challenge to Intervention.* If the parent/guardian refuses to
 258 participate in the intervention strategies because he/she believes that
 259 those strategies are unnecessary or inappropriate, the parent/guardian
 260 may appeal to the Board. The Board may provide a hearing officer to
 261 make recommendations for its final action. If the Board's final
 262 determination is that the strategies are appropriate, and the
 263 parent/guardian still refuses to participate or cooperate, the
 264 superintendent may seek criminal prosecution for noncompliance with the
 265 compulsory school attendance laws as provided in Fla. Stat. § 1003.26.

266 d. **Discipline and Attendance Violations.**

267 In accordance with Fla. Stat. § 1006.09(1)(b) [and the Student Codes of](#)
 268 [Conduct \(Board Policies 5.1812 and 5.1813\), no student is to be suspended](#)

269 for having unexcused tardiness, lateness, absences, or truancy. However,
270 other discipline and/or other interventions besides suspension may be
271 imposed for unauthorized attendance related actions of students such as:

- 272 • being out of the assigned area;
- 273 • leaving the class or school grounds without authorization;
- 274 • being temporarily absent from class without appropriate permission;
275 or
- 276 • failing to attend assigned classes.

277 e. **Responsibility of School Centers and School Employees**

278 i. Attendance Records and Reporting. Accurate attendance records shall
279 be kept at each District school in accordance with state law, School
280 Board of Education rules, and Board policies and procedures.

281 (a) Principal's Responsibility. The Principal shall:

- 282 (i) Be responsible for the administration and implementation of all
283 Florida laws, State Board of Education Rules, and Board
284 policies pertaining to the checking, recording, and reporting of
285 student attendance. Each principal must make the necessary
286 provisions to ensure that all school attendance reports are
287 accurate, timely, and maintained so as to show the absence or
288 attendance of each student enrolled for each school day of the
289 year, in accordance with Fla. Stat. § 1003.23 and State Board of
290 Education Rule 6A-01.044, F.A.C.
- 291 (ii) Ensure that all classroom teachers and other necessary school
292 employees are trained and instructed in the proper recording of
293 attendance and may periodically determine whether instructions
294 are being followed.
- 295 (iii) Inspect and determine the completeness, accuracy, and
296 timeliness of all school attendance records contained in the
297 recordkeeping system for students.
- 298 (iv) At the end of each year, certify the completeness and
299 accuracy of attendance records indicating such records have
300 been kept in accordance with state laws and rules, as
301 required by Rule 6A-1.044, F.A.C.
- 302 (v) Determine, or cause his or her designee to determine,
303 whether an absence or tardiness is excused or unexcused
304 according to the provisions of this policy.
- 305 (vi) Be familiar with state laws and Board policies and procedures
306 governing attendance and apply them uniformly to all students.

- 307 (vii) Implement the steps enumerated in Fla. State. § 1003.26 to
 308 promote and enforce regular school attendance of its students.
- 309 (viii) Notify the Board, through the superintendent, of each minor
 310 students who accumulates fifteen (15) or more unexcused
 311 absences within a period of ninety (90) calendar days.
- 312 (b) Teacher's Responsibility and Certification. Each classroom teacher
 313 shall:
- 314 (i) Implement the school's plan for checking, recording, and
 315 reporting student attendance as prescribed by law, State rules,
 316 and Board policies.
- 317 (ii) On a daily basis, perform the official attendance check and
 318 recording for each classroom and/or for each class period at the
 319 designated time in the school's plan, and shall report such
 320 attendance findings by the prescribed method to the school
 321 office. The records shall include a register of enrollment and
 322 attendance, showing the absence or attendance of each child
 323 enrolled for each school day or class in a manner as prescribed
 324 by the State Board of Education. A teacher's submission of
 325 daily attendance records to the principal is a certification by the
 326 teacher that the daily attendance records are complete and
 327 accurate, and have been kept as prescribed by state laws and
 328 rules, and policies of the Board.
- 329 (iii) Be familiar with all procedures governing attendance and apply
 330 the procedures uniformly in classroom assignments for all
 331 assigned students.
- 332 ii. Interventions or Enforcement of Attendance. Each school shall
 333 implement intervention and enforcement measures consistent with Fla.
 334 Stat. § 1003.26 and this policy.
- 335 iii. Academic Performance Does Not Excuse Absences. Pursuant to Fla.
 336 Stat. § 1003.33(2), schools shall not:
- 337 (a) exempt students from any examinations, papers, or other academic
 338 performance requirements based on practices or policies designed
 339 to encourage student attendance; or
- 340 (b) use a student's attendance record, in whole or in part, to provide an
 341 exemption from any academic performance requirement. The
 342 Student Progression Plan under Policy 8.01 shall be interpreted
 343 consistent with this Policy.
- 344 f. **Parent/Guardian Responsibilities or Rights**
 345 It is the responsibility or right of the student's parent/guardian (or student of
 346 legal age as defined by Policy 5.072) to:

- 347 i. Ensure the student is attending school.
- 348 ii. Report absences to the school as soon as practical or to explain the
- 349 student's absence upon return to school by providing a statement of the
- 350 cause of such absence. A justification for absence by a parent/guardian
- 351 or student of legal age shall be evaluated consistent with this policy's
- 352 definition of excused and unexcused absences.
- 353 iii. Notify the principal or designee as to the reason for any tardiness or
- 354 request for early dismissal. Justifiable reasons shall be determined by
- 355 the Principal or designee consistent with this policy.
- 356 iv. Be notified if their child misses school and the parents/guardians have not
- 357 reported the absence to the school, consistent with Fla. Stat. §
- 358 1003.26(1);
- 359 v. Work cooperatively with the school and the student to resolve any
- 360 attendance issues that may arise.
- 361 vi. Request a hearing if they refuse to participate in the interventions
- 362 developed by the school-based team because they believe that those
- 363 interventions are unnecessary or inappropriate.
- 364 vii. Continue to perform the parental functions of a dependent student when a
- 365 student reaches the age of majority, including but not limited to, providing
- 366 excuses for absences and tardiness, permission slips for early release,
- 367 field trips, other activities, as necessary, and to register or terminate
- 368 school enrollment until the student graduates, except under the following
- 369 circumstances.
- 370 (a) The student has become a student of legal age as provided in Policy
- 371 5.072.
- 372 (b). The student has no parent and this fact is verified by school
- 373 administration.
- 374 g. **Responsibility of Students**
- 375 It is the student's responsibility to:
- 376 i. Attend all assigned classes and other instructional activities on time every
- 377 day that the school is in session.
- 378 ii. Be aware of and follow the correct procedures when absent from an
- 379 assigned class or other instructional activity.
- 380 iii. Request any missed assignments due to an absence.
- 381 iv. Complete assigned work in a timely manner.
- 382
- 383 6. **Driving Privileges and Attendance: Report to Department of Highway Safety**
- 384 **and Motor Vehicles**
- 385 Pursuant to Fla. Stat. §§ 322.091 and 1003.27, the District is required to report to
- 386 the Florida Department of Highway Safety and Motor Vehicles (DHSMV) the

387 names, dates of birth, sex and social security numbers of students ages 14- 18 who
388 accumulates fifteen (15) unexcused absences in any consecutive 90-calendar-day
389 period. Whenever any student has a total of fifteen (15) days of unexcused
390 absence from school during any semester, the student will be considered habitually
391 absent. The Board authorizes the superintendent to inform the student and
392 parents/guardians of the record of excessive absences as well as the District's
393 intent to notify the DHSMV of the student's excessive absences.
394

395 In accordance with law, the District shall hold a hardship hearing upon the request
396 of any student whose license has been suspended pursuant to this section. The
397 board hereby authorizes the superintendent to develop administrative procedures
398 to implement administrative procedures for such hearing, consistent with state laws
399 and technical assistance from Florida Department of Education. The principal or
400 designee will conduct the hardship hearing within thirty (40) calendar days of
401 receiving the request in accordance with the procedures established by the
402 superintendent.
403

404 7. **Delegation of Authority**

405 The superintendent is authorized to develop appropriate procedures for the
406 implementation of this policy.
407

408 8. **Students with Disabilities**

409 This Policy shall be construed in harmony with the IDEA and Section 504 of the
410 Rehabilitation Act and their federal implementing regulations and parallel state laws
411 and an IEP or 504 Plan implementing such laws.
412

413 9. **Publication of Policies**

414 This policy shall be made available in English, Spanish, Creole, Portuguese, and
415 any other language as determined by the superintendent as necessary to facilitate
416 the policy's understanding by parents/guardians and students whose primary
417 language is not English.
418

419 10. **Availability of Interpretation and Translation Services**

- 420 a. **Definitions.** For the purposes of this section, the following meanings are
421 applicable:
422 i. Interpretation means the act of contemporaneous communication
423 between a speaker of English and a speaker with Limited English
424 Proficiency (LEP) wherein the words of one person are communicated to
425 others orally in a different language.

426 ii. Translation means the written communication between a speaker of
427 English and a speaker with Limited English Proficiency (LEP) wherein the
428 written words of one person are communicated to others in writing in a
429 different language.

430 iii. Primary language means the primary language spoken by a student's
431 parent/guardian, as determined by the District.

432 **b. Determination of Primary Language.**

433 i. Schools will determine the primary language spoken by the
434 parent/guardian of each student upon the annual registration of students,
435 based upon information provided on PBSD Form 0636 (New and
436 Returning Student Registration).

437 ii. Such information shall be maintained in TERMS relative to the student.

438 **c. Provision of Language Assistance Services.**

439 Schools must meet the language assistance needs of parents and students.
440 For this purpose, school will use: school-based bilingual personnel;
441 centralized translation and interpretation services in Spanish, Haitian, Creole,
442 Portuguese, and Q'anjob'al, and Mam; and/or telephone interpretation
443 services for less frequently spoken languages.

444
445 Parents may choose to rely on an adult friend/companion or relative for
446 language and interpretation services. Students and other children (under the
447 age of 18) may not serve as interpreters for school staff and parents during
448 any formal or informal meeting where student attendance, achievement or
449 conduct is discussed.

450 d. **Administrative Procedures.** Consistent with Federal laws, the
451 Superintendent or designee may develop additional procedures which will
452 include regulations for identifying parent and guardians who are unable to
453 communicate in English or who have LEP, and utilization of a variety of
454 methods to ensure adequate communication with parents and guardians
455 who have LEP.

456
457

458 ~~1. School attendance is the direct responsibility of parent(s)/guardian(s) and students.~~
459 ~~— Except as provided in Section 1003.24, Fla. Stat. and State Board of Education Rule~~
460 ~~6A-1.09513, all students are expected to attend school regularly and to be on time for~~
461 ~~— classes in order to benefit from the instructional program and to develop habits of~~
462 ~~— punctuality, self-discipline, and responsibility.~~

463 ~~2. It is the policy of the School Board that schools respond in a timely manner to~~
464 ~~— unexcused absences through a letter mailed to the home and/or telephone calls.~~

- 465 ~~3. It is the responsibility of the parent(s)/guardian(s) of each student to justify the~~
 466 ~~absence of the student. The justification will be evaluated based on the adopted School~~
 467 ~~Board definition that defines "excused" and "unexcused" absences.~~
 468 ~~a. An "excused" absence is~~
 469 ~~i. Student illness-- If a student is continually sick and repeatedly absent~~
 470 ~~from school, he or she must be under the supervision of a physician in~~
 471 ~~order to receive an excuse from attendance.~~
 472 ~~ii. Medical appointment~~
 473 ~~iii. Death in the family~~
 474 ~~iv. Observance of a religious holiday or service that is recognized as such by~~
 475 ~~all members of the faith.~~
 476 ~~v. Subpoena by law enforcement agency or mandatory court appearance.~~
 477 ~~vi. Other individual student absences beyond the control of the parent or~~
 478 ~~student, as determined and approved by the Principal or the Principal's~~
 479 ~~designee.~~
 480 ~~b. An "unexcused" absence is any absence that does not fall into one of the above~~
 481 ~~excused absence categories. Each school in the District must determine if an~~
 482 ~~absence or tardiness is excused or unexcused according to the criteria established~~
 483 ~~by the Board, within this Policy.~~
 484 ~~4. The school centers shall track the excused and unexcused absences in the District's~~
 485 ~~computer system.~~
 486 ~~5. In the case of an unexcused absence from school or an absence for which the reason~~
 487 ~~is unknown, the Principal (or designee) must contact the home in a timely manner to~~
 488 ~~prevent the development of a pattern of non-attendance.~~
 489 ~~6. Each school Principal shall implement the steps enumerated in Section 1003.23(1),~~
 490 ~~Fla. Stat. to ensure regular school attendance. If the child does not comply with efforts~~
 491 ~~to enforce school attendance, the Superintendent may file a truancy petition pursuant to~~
 492 ~~Section 984.151., Fla. Stat.~~
 493 ~~7. Each student will be required to attend classes one hundred and eighty (180) days~~
 494 ~~each school year.~~
 495 ~~8. All school related trips which are authorized by the principal are not considered~~
 496 ~~absences under this Policy. The school related trips should be those which relate to~~
 497 ~~the curriculum.~~

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499

500 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.32(2); 1001.41(2); 1001.42(8),(26);

501 1001.43(8); 1003.02 (1)(b); 1003.24, 1003.26;

502 LAWS IMPLEMENTED: Fla. Stat. §§ 1003.02; 1003.21; 1003.23; 1003.24; 1003.26;

503 1003.27; 322.091; 984.151

504 STATE BOARD OF

505 EDUCATION RULES: 6A-1.09513, 6A-1.044, FAC

506 HISTORY: 6/18/97; 11/3/99; 10/22/08; __/__/13

Legal Signoff:

The Legal Department has reviewed proposed Policy 5.09 and finds it legally sufficient for development by the Board.

Elizabeth J. McBride
Attorney

07/22/2013
Date