

**COMPULSORY EDUCATION/ATTENDANCE PROCEDURES**

(This policy replaces Policy 3130, School Attendance/Compulsory Education.)

The purpose of this policy is to stress the importance of students' regular attendance in school and to outline procedures for managing absences in accordance with sound educational practice and state law.

I. Mandatory Attendance.

Under Nebraska's compulsory education statutes, the mandatory ages of attendance are as follows: For the 2004-05 school year (ie., prior to July 1, 2005), the mandatory ages of attendance are Age 7 to Age 18. For the 2005-06 school year (ie., after July 1, 2005), the mandatory ages of attendance are Age 6 (as of January 1 of the then-current school year) to Age 18.

Attendance is not mandatory for a child who has reached the age of 6 years prior to January 1 of the then-current school year, but will not reach age 7 prior to January 1 of such school year, if the child's parent or guardian has signed and filed with the school district in which the child resides an affidavit (**See Appendix A**) stating either: (1) that the child is participating in an education program that the parent or guardian believes will prepare the child to enter Grade 1 for the following school year; or (2) that the parent or guardian intends for the child to participate in a school which has elected or will elect pursuant to law not to meet accreditation or approval requirements and the parent or guardian intends to provide the Commissioner of Education with a statement pursuant to Section 79-1601(3) on or before the child's seventh birthday.

Attendance is also not mandatory for a child who: (1) has obtained a high school diploma by meeting the district's graduation requirements; (2) has completed the program of instruction offered by a school which elects pursuant to law not to meet accreditation or approval requirements; (3) has reach the aged of 16 years and such child's parent or guardian has signed a notarized release discontinuing the enrollment of the child on a form provided by the school (**See Appendix B**); or (4) has reached the age of 16 as of July 16, 2004.

In addition, any personal with legal or actual charge or control of a child who is enrolled in the school district and who is younger than six years of age prior to January 1 of the then-current school year, may discontinue the enrollment of such child by submitting a written notification to the Superintendent or his/her designee of the intent to discontinue enrollment.

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## II. Attendance/Absence.

(1) Categories of Absence. The following types of student absence are recognized:

A. Directed absences which occur when a student is absent from a scheduled activity because he/she is participating in another instructional or non-instructional activity at the direction of school officials. Such activities would include, but not be limited to, field trips, co-curricular school activities, and other school-sponsored activities. This category can also include absences caused when students are reassigned for a period of time by the Principal. Whenever possible, students are to make up work missed for directed absences in advance of the absence; if advance make-up is not possible, the work must be completed within a reasonable time following the absence. The Principal shall determine what constitutes a reasonable time.

B. Excused Absences. These occur when a student is absent from instructional activities with the consent of both the student's parents and the school Administration. The most common reasons for excused absences are illness and family emergency. Other reasons for excused absences include, but are not limited to, family trips, college visitations, and medical appointments. Absence for school-sponsored activities are directed absences as defined above. If a student is aware in advance of the need for an excused absence, he or she is to make arrangements with the Principal or his designee to have work made up in advance. Specific procedures for make up work will be noted in the Student Handbook. Advance notice of an excused absence includes either a note from the student's parent or personal contact between parent and Principal or his/her designee. If a student is absent for a reason that could not have been anticipated in advance, he or she is to bring either a note from parents to the Principal following the absence or arrange to have parents make a personal contact with the Principal or his/her designee prior to returning to classes. Work missed is to be made up within a reasonable time period following the absence. The Principal shall determine what constitutes a reasonable time period for making up work.

C. Unexcused Absences. These are absences which occur without the joint permission of the school Administration and the student's parent or guardian. A student may be charged with an unexcused absence, despite parental permission, if the Administration determines that the reason for the absence is invalid. Students who have an unexcused absence shall be subject to such disciplinary actions as the Principal determines to be appropriate. These include, but are not limited to, requiring the student to attend detention periods and loss of credit for work missed.

(2) Excessive Absence and Loss of Credit. The annual school calendar is designed so that students with normal attendance will exceed the 1,080, 1,032, or 400 instructional hours required by law. Students whose absences -- whether excused or unexcused -- are deemed to be excessive may be subject to retention in grade, the loss of academic credit, or referral to the appropriate authorities for violation of the state's compulsory education statute.

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A. Excessive absence may be considered by the Administration in making determinations regarding promotion or retention in grade as described in Board Policy 3220. In the elementary school, unexcused absences in excess of 6 per semester or 12 per year may be considered grounds for grade retention.

B. Students in Grades 7-12 may be subject to the loss of academic credit for excessive absence, whether excused or unexcused. Junior and senior high students will be allowed six (6) absences per semester class for any reason other than directed absences as defined in Section 1 of this policy. This policy will also be applied for junior high quarter courses and will be calculated on a semester basis. The following procedures shall be followed in the implementation of the provisions of this section.

1. An Attendance Appeals Committee shall be formed in the Junior/Senior High School each year to approve or disapprove requests concerning extension of absences beyond the allowable number. This committee shall consist of the Junior/Senior High School Principal, three (3) faculty members elected by the faculty, two (2) parents, and a representative of the Student Council. At least four (4) members of this committee must be present at each meeting. Students requesting rulings by the committee and their parents or guardians may attend meetings of the committee but are not required to be present. Decisions will be determined by a majority vote of those committee members present at the meeting and a tie vote will result in the favor of the student. The student will be notified of the committee's decision as soon as possible by mail or in conference with the Principal or his/her designee. Any appeal of the committee's decisions shall be made in writing to the Superintendent and appeals of the Superintendent's decisions may then be to the Board of Education which shall consider the matter at a regular or special meeting. Administrative Regulation 3130-R provides guidelines and procedures for the Attendance Appeals Committee.

2. When a student is absent four (4) times (absences that would normally not be extended) from a semester course, an office phone call will be made or a letter will be mailed to the parent/guardian as a reminder of the absence status and a conference with the Attendance Appeals Committee may be requested. A student who is absent seven (7) times from a semester course will be denied credit for the course unless the Attendance Appeals Committee, following a hearing on the matter, grants an extension of the allowable absences. Extension of the number of allowable absences may be granted for reasons including, but not limited to, the following:

- (a) Personal illness documented with physician's statement.
  - (b) Serious illness or death in the family.
  - (c) Medical or dental care that cannot be taken care of on weekends or after school hours.
  - (d) Non-school qualifying competitions and conventions with prior approval and work made up in advance (3 days per semester).
  - (e) Family vacation with approval prior to going and all work made up in advance (2 days per semester).
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The following excused absences are generally not approved for extension beyond the allowable six days per semester:

- (a) Personal illness without physician's statement .
- (b) Senior college visits with prior approval and work made up in advance ( one allowed per semester).
- (c) Parental requests with prior approval and work made up in advance (two allowed per semester).
- (d) Attendance as a spectator at state or NSAA district tournaments or meets with prior approval and work made up in advance (one allowed per semester).

When a student anticipates that a particular absence may cause him/her to exceed the six absence limit and may require extension, he/she can request that the Appeals Committee issue a ruling in advance. The Appeals Committee may approve or disapprove the absence. The student and his/her parent or guardian should apply for a ruling at least one week prior to the absence.

(3) Compulsory Attendance Procedures. For students who are subject to the compulsory education statutes, the procedures required to compel attendance shall begin when a student's absences (excused or unexcused) reach five (5) in a school calendar quarter. Directed absences as described in Section 1 of this policy shall not be included in the five-absence limit.

The procedures to compel attendance include notification to the Superintendent of the student's excessive absence. The Superintendent or his/her designee shall conduct an investigation to determine if exceptional circumstances exist which would justify such absence and to determine what further steps are appropriate. Such steps may include, but are not limited to:

A. Meetings between appropriate school staff, the student, and the student's parent/guardian to attempt to solve the attendance problem.

B. Educational counseling to determine whether curriculum changes, including, but not limited to, enrolling the child in an alternative education program that meets the specific educational and behavioral needs of the child, would help solve the attendance problem;

C. Educational evaluation, which may include a psychological evaluation, to assist in determining the specific condition, if any, contributing to the attendance problem, supplemented by specific efforts by the school to help remedy any condition diagnosed; and

D. Investigation of the attendance problem by the school staff to identify conditions which may be contributing to the attendance problem. If services for the child and his/her family are determined to be needed, the designated staff member shall meet with the parent or guardian and the child to discuss any referral to appropriate community agencies for economic services, family or individual counseling, or other services required to remedy the conditions that are contributing to the attendance problem.

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If the student continues to be habitually absent, and it appears that the student's absences as defined above will exceed twenty (20) cumulative days within the school year, the Superintendent or his/her designee shall send written notice to the person violating the compulsory education statute warning him/her to comply with its provisions. If within one week after the time such notice is given such person is still violating the section, the Superintendent or his/her designee shall file a report with the County Attorney of the county in which such person resides. Once notice has been sent, complaints may be filed directly for subsequent violations without further notice being sent.

(4) Other Attendance Policies.

A. If a student is required to leave school early, permission will generally be granted if a note is presented in advance identifying the requested time of dismissal and signed by the parent/guardian, or a phone call is placed to the Principal giving the same information.

B. The completion of all assignments in a reasonable time period following absences is the responsibility of each student. The Principals of the elementary and secondary schools shall determine what constitutes a reasonable time period generally and include such information in the Student Handbooks. Different time periods may be determined by the Principals in specific cases. Assignments completed and turned in after the time period determined by the Principal will not necessarily be accepted nor graded. Unless so directed by their Principal, teachers will not be required to keep tests, assignments, course handouts, and other course materials related to the class periods missed beyond the time period determined by the Principal.

C. Tardiness is defined as failure of a student to be present in the assigned location at the time when an instructional activity begins. Penalties for tardiness will be determined by teachers with the concurrence of the Principal. Excessive tardiness may result in a referral to the Principal for further appropriate disciplinary action.

Legal Reference: Sec. 79-201-210, 79-526, RRS; LB 868 (Nebraska Legislature, 2004)

(Adopted June 10, 1985)  
(Revised September 9, 1985)  
(Revised August 24, 1987)  
(Revised July 10, 1989)  
(Revised December 11, 1995)  
(Revised July, 2000)  
(Revised July, 2004)

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