

Vallivue School District 139

Vallivue School District No. 139 is committed to fostering the academic and personal growth of its students; therefore, every child in the district is required to attend school regularly in order to make a successful transition to the next grade level and to graduate with a high school diploma.

The board authorizes the superintendent or designee to enforce this policy, including the authority to identify a student who is habitually truant, complete and file the necessary supporting documentation, and give notice to the prosecuting attorney of trancies.

DEFINITIONS

“Designee” means the person(s) responsible for enforcing this policy on behalf of this district’s board of trustees and includes the superintendent and each school principal.

“Habitual truant” means:

- a. Any public school pupil who, in the judgment of the board of trustees, or the board's designee, repeatedly has violated the attendance regulations established by the board; or
- b. Any child whose parent/guardian has failed or refused to cause such child to be instructed as provided in Idaho Code Section 33-202.

ATTENDANCE REQUIREMENT

Students are required to be in attendance at school with no more than six (6) absences per semester. In enforcing the attendance requirements, the board may deny a promotion to the next grade or deny credit to any student who is not in school for this required time. If a student is determined to be a habitual truant, the board may expel or disenroll the student. Absence from class for any reason, excused or unexcused, will be considered when making denial of promotion or credit and habitual truancy determinations.

CALCULATING ATTENDANCE

Absence from class for any reason, including family convenience and school-approved activities, will be counted when the percentage of attendance and consequent eligibility for promotion or credit is being considered. Except in limited circumstances, students are expected to be present at school and in their assigned grade or subject at all times while school is in session. See school handbooks and attendance procedures for specified exempt absences.

EXCUSED ABSENCES

Excused absences are those absences from school with the knowledge and approval of a student’s parent/guardian. Such absences will be counted toward the maximum of six (6) absences allowed per semester. Excused absences may include, but are not limited to, verified illness or medical treatment, death in the family or death of close friends, and medical or dental professional appointments.

Activity Absences

Absences for a school approved program or activity in which classes will be missed are considered a activity absence. No more than six (6) activity absence per semester will be allowed unless exceptions are made by the school principal. School approved activity absences will not be counted toward the maximum of six (6) absences.

UNEXCUSED ABSENCES

Unexcused absences are those absences from school without the knowledge and approval of a student's parent/guardian. Students are truant if their absence from school is unexcused.

Unexcused absences include departure from school or class during the school day without the permission of a district official. Such absences will be counted toward the maximum of six (6) absences allowed per semester and will be considered by the board when making denial of promotion or credit and habitual truancy determinations.

DENIAL OF PROMOTION OR CREDIT

Students not meeting the ninety three percent (93%) attendance requirements will not receive credit or be promoted even though they may have passing grades. A parent/guardian who has valid reasons to believe that all or part of the absences are the result of extraordinary circumstances may file a written request for review by the building attendance committee. Such request must be made within five (5) days of receiving notice of the denial. The building attendance committee will review the records and the circumstances and determine whether or not the student will receive credit or be promoted. The attendance committee will be appointed by the building principal.

Attendance for current and previous year or semester

- Grades for current and previous year or semester
- Make up of work missed, including whether the work was made up prior to the absence or after the absence.
- Make up of time missed in supervised attendance during the school year or during the period immediately following the completion of the school year.

The decision of the attendance committee may be appealed to the superintendent. This appeal must be submitted to the superintendent within ten (10) days after the attendance committee submits its decision. The superintendent will render a decision on the appeal within ten (10) days after receiving the appeal.

The decision of the superintendent may be appealed to the board for a final decision. The appeal must be filed with the superintendent's office within ten (10) days after the superintendent notifies the parent/guardian of his or her decision. The board will address the appeal in executive session. The parent/guardian will have an opportunity to appear before the board for an informal hearing. The parent/guardian will be given an opportunity to present written or oral information as to why the student should not be denied credit or promotion. The parent/guardian does not have the right to be represented by an attorney, present evidence, or cross-examine witnesses. Upon reviewing the decision of the attendance committee and superintendent, and the basis for the appeal by the parent/guardian, the board will uphold or overturn the

superintendent's decision, issuing a written decision within ten (10) days. The board's decision will be final.

The student will be allowed to continue to attend classes pending the board's determination in this matter.

HABITUAL TRUANCY DEFINED

A habitual truant means any student who, in the judgment of the board, repeatedly has violated this attendance policy, or any child whose parent or guardian has failed or refused to cause the pupil to be instructed as provided by Idaho Code Section 33-202.

A student is a habitual truant if he or she does not meet the ninety percent (90%) attendance requirements of this policy and one-half (1/2) or more of all such absences are unexcused.

EXPULSION FOR HABITUAL TRUANCY

Pursuant to Idaho Code Section 33-205, the board may expel a student because he or she is a habitual truant, as defined in this policy. The procedure for expulsion is set forth in Policy No. 544, Student Expulsion/Denial of Enrollment. The student will be allowed to continue to attend classes pending the board's determination in this matter.

Disenrollment

The board may disenroll a student who is determined to be a habitual truant pursuant to the following process:

1. The building administrator will submit a written notice of recommendation for a finding of habitual truancy to the superintendent or his/her designee.
2. The student will be allowed to continue to attend classes pending the board's determination in this matter.
3. A copy of the notice of recommendation, and notice of the opportunity for an informal hearing before the board, will be provided to the student's parent/guardian.
4. The parent/guardian will have an opportunity to appear before the board for an informal hearing. The parent/guardian will be given an opportunity to present written or oral information as to why the student should not be disenrolled for habitual truancy. The parent/guardian does not have the right to be represented by an attorney, present evidence, or cross-examine witnesses.
5. The board will determine whether the student is a habitual truant and should be disenrolled and issue a written decision within ten (10) days. The board's decision is final. If the board determines that the student should be disenrolled, the notice will specify that the student will be disenrolled from school effective the date of the board's determination.

Notice to Prosecuting Attorney

Any child between the ages of seven (7) and sixteen (16) whose parent/guardian fails, neglects, or refuses to place the child in school or have the child instructed will be considered habitually truant. Additionally, those students who do not conform to the attendance policies established by the board in this district will be considered habitually truant.

If the board or its designee determines that a student is a habitual truant, whether or not the student is expelled or disenrolled, the board or its designee will notify, in writing, the prosecuting attorney in the student's county of residence pursuant to Idaho Code Section 33-207.

AMENDMENT TO VALLIVUE SCHOOL DISTRICT POLICY NO. 522 SCHOOL ATTENDANCE AND HABITUAL TRUANCY

NEED FOR A TARDY POLICY: Key reasons for punctual attendance are educational benefits, safety of students, success that builds self-esteem and employability. Students who are constantly tardy disrupt the educational process for other students

TARDY DEFINED: A student is tardy if he or she is not in the assigned classroom when the bell rings. Tardies which are caused by a late bus shall not be counted on the student's record. The principal or designee may also excuse student tardies due to inclement weather or other extenuating circumstances. Corrective action for student tardiness is within the scope of student discipline. Students in grades 6-12 who are more than ten minutes late will be considered absent instead of tardy. In grades K-5, students who arrive late after 10:30 a.m. will be counted as 1/2 day absent, and will also be counted as 1/2 day absent if they leave before 12:00 p.m. When students accumulate more than 3 hours of missed class time due to tardiness, they will be given an absence.

KINDERGARTEN-5th GRADE: Tardiness at the elementary level (K-5) will be dealt with on an individual basis by the teacher when a student is tardy two to five times. The teacher is responsible for contacting the parent/guardian and informing them of expectations and consequences.

When an elementary student is tardy six times, the building administrator or designee should notify the parents/legal guardians in writing of the student's tardiness and address a plan to correct the tardiness with identified consequences for each additional tardy.

When an elementary student is tardy ten times or more the building administrator or designee may notify the parents/legal guardians in writing that the tardiness is now considered a major disciplinary violation and the student may be referred to the Truancy Officer. A hearing may be held and the student may be referred to the prosecutor's office as habitually truant.

GRADES 6-12: Tardiness at the secondary level (6-12) will be dealt with on an individual basis.

When a secondary student is tardy six to nine times in a class, the building administrator or designee should notify the parents/legal guardians of the student's tardiness and address a plan to correct the tardiness with identified consequences for each additional tardy. Detention or similar consequences will be assigned.

When a secondary student is tardy ten times or more in a class the building administrator or designee will notify the parents/legal guardians that the tardiness is now considered a major disciplinary violation and more serious consequences apply. The student may be given a full day of in-school suspension or similar consequences. The student may be referred to the Truancy Officer. A hearing may be held and the student may be referred to the prosecutor’s office as habitually truant.



LEGAL REFERENCE:

Idaho Code Sections

20-510 – Information – Investigation - Petition

33-202 – School Attendance Compulsory

33-206 – Habitual Truant Defined

33-207 – Proceedings Against Parents or Guardians

33-506(1) – Organization and Government of Board of Trustees

Idaho Opinion of the Attorney General No. 83-12

ADOPTED: 4/23/84 (replaces existing policy 501.2)

AMENDED: 2/9/87, 12/12/88, 8/11/98, 7/13/99, 2/12/02, 4/13/04, 11/14/06, 5/12/09, 8/11/15