

MINIMUM SCHOOL DAY, SCHOOL ATTENDANCE, TARDINESS AND EXCUSES

SECTION I: MINIMUM SCHOOL DAY

House Bill 1530 amends Miss. Code Ann. § 37-13-91, known as the Mississippi Compulsory School Attendance Law, to provide that a compulsory-school-age child who is absent more than 37% of the instructional day must be considered absent the entire day. Therefore, for the purposes of determining and reporting attendance, a student must be present for at least sixty-three percent (63%) of the instructional day to be considered present the entire school day.

The instructional day is therefore defined as a school day in which both teachers and students are in regular attendance for scheduled classroom instruction for not less than sixty-three percent (63%) of the required instructional time, as fixed by the local school board for each school in the school district. The school board will review and approve the instructional time for each school in the school district annually prior to the beginning of the school year.

SECTION II: SCHOOL ATTENDANCE

Good school attendance and promptness to classes are extremely important matters to the Jackson Public School District. Time on task is essential if students are to succeed in their educational efforts. The right to attend the public schools places accompanying responsibility on students and their parents to strive for perfect attendance. Tardiness, absences, dismissals and suspensions are all problems that require action by school officials because each of these results in a loss of time on task.

A parent, guardian or custodian of a compulsory-school-age child in this state shall cause the child to enroll in and attend a public school or legitimate nonpublic school for the period of time that the child is of compulsory school age, except under the following circumstances:

- When a compulsory-school-age child is physically, mentally or emotionally incapable of attending school as determined by the appropriate school official based upon sufficient medical documentation.
- When a compulsory-school-age child is enrolled in and pursuing a course of special education, remedial education or education for handicapped or physically or mentally disadvantaged children.
- When a compulsory-school-age child is being educated in a legitimate home instruction program.

The parent, guardian or custodian of a compulsory-school-age child described in this subsection, or the parent, guardian or custodian of a compulsory-school-age child attending any nonpublic school, or the appropriate school official for any or all children attending a nonpublic school shall complete a "certificate of enrollment" in order to facilitate the administration of this section. The form of the certificate of enrollment shall be prepared by the Office of Compulsory School Attendance Enforcement of the State Department of Education.

SECTION III: EXCUSED ABSENCES

- Excused absences shall include
 - Personal illness
 - Death in the family or serious illness in the family
 - Observance of religious holidays of the student's own faith
 - School-related field trips or educational activities approved by the district and/or building administrations
 - Special circumstances, such as a court summons, family emergencies, educational experiences, weather extremes, etc., which require immediate action and that the school principal deems acceptable

In order for any absence, with the exception of school field trips, to be excused, students must submit written documentation explaining the nature of the absence. The student must present the written documentation to proper school official on the day he/she returns to school. If no written documentation is presented, the absence shall be considered unexcused.

Elementary and Middle School Students (K-8)

- Seven (7) absences may be excused by the parent/guardian using the district's *Excused Absence Form*.
- **Any** additional absence after the seven (7) excused absences by a parent/guardian note **must** be excused by a note from a doctor or other documentation excusing said absence.
- Any documentation given for excuse of absence(s) **must** be submitted to the principal or his/her designee on the **first day** the student returns to school.
- When a student has exceeded five (5) unexcused absences, the school shall follow guidelines pursuant to the Miss. Code Ann. § 37-13-91.

High School Students (9-12)

Five (5) absences may be excused by the parent/guardian using the district's *Excused Absence Form*.

- **Any** additional absence after the five (5) excused by a parent/guardian note **must** be excused by a note from a doctor or other documentation excusing said absence.
- Any documentation being given for excuse of absence(s) **must** be submitted to the principal or his/her designee on the **first day** the student returns to school.
- When a student has exceeded five (5) unexcused absences, the school shall follow guidelines pursuant to the Mississippi Compulsory School Attendance Statute (Section 37-13-91).

Section IV: TARDIES

Tardies due to late district transportation, or other school-related actions will not be recorded against the calculation of the student's instructional day. Students who are tardy due to late district transportation must still be served breakfast.

SECTION V: STUDENTS LEAVING SCHOOL GROUNDS (DISMISSAL)

- A student is not permitted to leave the school grounds during the regular school day without a written note from the parent/guardian to the principal or the designee stating the reason. The note shall be kept on file in the school. The parent must also physically dismiss his or her child and present a picture identification. A violator shall be subject to disciplinary action. A student excused from school shall be in the custody of a parent or legal guardian or excused pursuant to specific written instructions from the parent or guardian.
- Acceptable dismissals shall include:
 - Personal illness
 - Medical appointments that cannot be arranged after school hours
 - Special family emergencies as approved by the principal
- All dismissals from school shall count against the student's attendance record.

SECTION VI: UNEXCUSED ABSENCES, TARDIES OR DISMISSALS

Any absences, tardies, or dismissals which do not meet the requirements listed in this policy shall be considered unexcused.

If a compulsory-school-age child has not enrolled within fifteen (15) calendar days after the first day of the school year at the school which the child is eligible to attend or has accumulated five (5) unlawful absences during the school year, the superintendent or his designee shall report the absences to the school attendance officer within two (2) school days or five (5) calendar days, whichever is less.

During the course of the school year, after a child has been unlawfully absent from school for eighteen (18) consecutive days, or has accumulated twelve (12) unlawful absences during the school year, the child will be dropped from the school roll unless the parent or legal guardian notifies the school of the cause of the absences and the school determines that they are excused absences.

In an effort to prevent drop-outs, the school board directs the superintendent to provide regular reports on efforts made to increase student retention. Accurate records shall be maintained on enrollment and attendance, including dropout rates. The school district will

implement programs and procedures that are designed to keep students in school and to lower the dropout rate. School personnel should exhaust all available means and avenues to keep children in school. When a child has missed fifteen days of school, the principal should, in coordination with the district's school attendance officers, implement parental neglect proceedings. Excessive unexcused absences will be reported to the state attendance officer. Tardies and dismissals can result in a student being absent if the child misses more than 37% of the instructional day. The school district does not allow tardies to accumulate into absences.

SECTION VII: ALLOWABLE CREDIT

All tardies, dismissals and excused absences will allow 100% credit for work required by the teacher, provided that work is completed and submitted within a minimum of five school days; however, an extension beyond five days may be granted at the discretion of the school principal, as he or she deems appropriate.

SECTION VIII: MAKE UP WORK

When an unexcused absence, or suspension for 10 days or less causes a student to miss class time, that student shall be given the opportunity to make up work required by the teacher, and may earn credit up to 75% of the credit which normally would be allowed. A student shall have the opportunity to complete and submit required work within five school days after returning to school. Otherwise, no credit shall be given for all missed work. School work may be requested by parents during the time of unexcused absences, tardies, dismissals, or suspension for 10 days or less.

A student who is expelled, and/or who has been offered the opportunity to attend the alternative school and chooses not to do so, shall not be permitted to make up missed work. However, students who attend the alternative school will be able to complete work in the core subjects of English, math, science, and social studies that are offered at the alternative school.

Section IX: PERFECT ATTENDANCE

"Perfect Attendance" shall be defined and observed by all schools as no absences.

Section X: SCHOOL-RELATED ACTIVITIES

Participation and/or practice in school-related activities shall not be permitted the day that an unexcused absence occurs.

Section XI: UNAUTHORIZED VISITATION TO OTHER SCHOOLS

Unauthorized visitation by individual students to schools of different grade levels to attend school functions conducted during the school day shall not be permitted.

Section XII: HOME SCHOOLING

The Mississippi Compulsory School Attendance Law requires a parent, legal guardian or custodian who has legal control or charge of a child age six (6) to seventeen (17) to enroll him/her in an education program (i.e. public, private or home school). Student enrollment

must occur except under the limited circumstances specified in subsection three (3) of Miss. Code Ann. §37-13-91 which includes, but is not limited to, sending the child to a state approved, nonpublic, or educating the child at home in an organized educational program. July 1, 2003, the law was amended to include the following: a child, five (5) years of age, who enrolls in public kindergarten, will have to abide by the same guidelines as outlined in Miss. Code Ann. §37-13-91.

To register a child for home school, the parent/legal guardian shall contact the Mississippi State School Attendance Officer in Hinds County, through the Mississippi Department of Education (MDE), for a certificate of enrollment. The parent/legal guardian shall be required to complete a certificate of enrollment and provide a simple description of the curriculum that he/she has chosen.

SOURCE: JACKSON PUBLIC SCHOOL DISTRICT, JACKSON, MISSISSIPPI
LEGAL REF.: SECTION 37-13-91; MISSISSIPPI CODE OF 1972
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