

<b>COMPULSORY SCHOOL ATTENDANCE</b>	Descriptor Code: JBA	Adopted Date: July, 2008
	Reviewed Date:	Revised Date: August, 2015

The term "minor" when used in any statute, shall include any person, male or female, under twenty-one years of age. Ms Code 1-3-27

DeSoto County School District shall comply with the requirements of the "Mississippi Compulsory School Attendance Law" (Ms Code 37-13-91). Appropriate reports as required by law shall be provided to the Mississippi Department of Education's Office of Compulsory School Attendance Enforcement.

**COMPULSORY- SCHOOL-AGE CHILD**

"Compulsory-school-age child" means a child who has attained or will attain the age of six (6) years on or before September 1 of the calendar year and who has not attained the age of seventeen (17) years on or before September 1 of the calendar year; and shall include any child who has attained or will attain the age of five (5) years on or before September 1 and has enrolled in a full-day public school kindergarten program. However, the parent or guardian of any child enrolled in a full-day public school kindergarten program shall be allowed to dis-enroll the child from the program on a one-time basis, and such child shall not be deemed a compulsory-school-age child until the child attains the age of six (6) years. Ms Code 37-13-91 (2) (f) (2013)

Compulsory-school-age children must be enrolled in school unless the child is:

- a. Physically, mentally or emotionally incapable of attending school as determined by the appropriate school official based upon sufficient medical documentation;
- b. Enrolled in and pursuing a course of special education, remedial education or education for handicapped or physically or mentally disadvantaged children; or
- c. Being educated in a legitimate home instruction program. Ms Code 37-13-91 (3)

**REPORTS**

If a compulsory-school-age child has not been enrolled in school within fifteen (15) calendar days after the first day of the school year or if a child has accumulated five (5) unlawful absences during the school year, the principal shall, within two (2) school days or within five (5) calendar days, whichever is less, report, on the form provided by the State Department of Education, the absences to the school attendance officer. The principal, or his/her designee, shall report any student suspensions or student expulsions to the school attendance officer when they occur. Ms Code 37-13-91 (6)

School districts shall maintain accurate records documenting enrollment and attendance in a manner that allows the State Department of Education to make an assessment of changes in enrollment and attendance, including dropout rates.

The State Department of Education shall compile annually a statewide report on school district effectiveness in reducing absentee problems, dropout rates, and other attendance-related problems during the previous school year, incorporate the information into the annual Mississippi Report Card

required by Section 37-3-53, Mississippi Code of 1972, on school district performance and offer technical assistance and coordination services to assist districts in improving performance.

### **UNLAWFUL ABSENCES/VALID EXCUSES**

An "unlawful absence" is an absence during a school day by a compulsory-school-age child, which absence is not due to a valid excuse for temporary nonattendance. Days missed from school due to disciplinary suspension shall not be considered an "excused" absence under this section. Each of the following shall constitute a valid excuse for temporary nonattendance, provided satisfactory evidence of the excuse is provided to the principal or his/her designee:

- a. Attendance at an authorized school activity with the prior approval of the principal of the school district or his/her designee.
- b. Illness or injury which prevents the student from being physically able to attend school.
- c. When isolation is ordered by the county health officer, by the State Board of Health or appropriate school official.
- d. Death or serious illness of a member of the immediate family, which includes children, spouse, grandparents, parents, brothers, sisters, stepbrothers and stepsisters.
- e. A medical or dental appointment with prior approval of the principal or his/her designee, except in the case of emergency.
- f. Attendance at the proceedings of a court or an administrative tribunal if the student is a party to the action or under subpoena as a witness.
- g. Observance of a religious event, with the prior approval of the principal or his/her designee. (Approval should not be withheld unless, in the professional judgment of the principal or his/her designee, the extent of the absence would adversely affect the student's education.)
- h. Participation in a valid educational opportunity, such as travel including vacations or other family travel, with the prior approval of the principal or his/her designee. (Approval shall be based on the professional judgment of the principal or his/her designee but shall not be withheld unless the extent of the absence would adversely affect the student's education.)
- i. Other conditions sufficient to warrant nonattendance, with prior approval of the principal or his/her designee. However, no absences shall be excused when any student suspensions or expulsions circumvent the intent and spirit of the compulsory attendance law. Ms Code 37-13-91 (4)
- j. An absence is excused when it results from the attendance of a compulsory-school-age child participating in official organized events sponsored by the 4-H or Future Farmers of America (FFA). The excuse for the 4-H or FFA event must be provided in writing to the appropriate school superintendent by the Extension Agent or High School Agricultural Instructor/FFA Advisor.
- k. An absence is excused when it results from the compulsory-age-child officially being employed to serve as a Page at the State Capitol for the Mississippi House of Representatives or Senate.

NOTE: According to a 1998 Attorney General Opinion, automatic fail provision of an absences policy may not apply against legal, excused absences. Such absences policies may not be applied against absences resulting from disciplinary suspensions if absences policies are applied to truant children who are otherwise passing, the district must afford the child procedural due process. (Attorney General Opinion, Carter, 1-9-98) (#183) (97-0817)

### **SCHOOL ATTENDANCE OFFICER**

The superintendent and principals shall cooperate with the school attendance officer employed by the State Department of Education, pursuant to Ms Code 37-13-85.

Process Standard 10 is as follows:

10. The school district implements procedures for monitoring and reporting student absences as specified in the Mississippi Compulsory Attendance Law. {Ms Code 37-13-91 }

The Mississippi Public School Accountability Standards for this policy are standards 10 and 11.

REF: Ms Code as cited  
Mississippi Public School Accountability Standards (Most Current Edition)

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JBD – Absences and Excuses (K-12)