

**5001**  
**Compulsory Attendance and Excessive Absenteeism**

**Required Attendance**

Every person residing in the school district who has legal or actual charge or control of any child who is of mandatory attendance age shall cause that child to attend a public or private school regularly unless the child has graduated from high school or has been allowed to disenroll pursuant to this policy.

**Mandatory Attendance Age**

All children who are or will turn six years old before January 1 of the current school year are of mandatory attendance age. Children who have not turned eighteen years of age are of mandatory attendance age.

A child who will not reach age 7 before January 1 of the current school year may be excused from mandatory attendance if the child's parent or guardian completes an affidavit affirming that alternative educational arrangements have been made for the child. A copy of the required affidavit is attached to this policy.

**Discontinuing Enrollment – 5 Year Old Students**

The person seeking to discontinue the enrollment of a student who will not reach six years of age prior to January 1 of the current school year shall submit a signed, written request to the superintendent using the form which is attached to this policy. The school district may request written verification or documentation that the person signing the form has legal or actual charge or control of the student. The school district shall discontinue the enrollment of any student who satisfies these requirements. Any student whose enrollment is discontinued under this subsection shall not be eligible to reenroll in this school district until the beginning of the following school year unless otherwise required by law.

**Discontinuing Enrollment – 16 and 17 Year Old Students**

Only children who are at least 16 years of age may be disenrolled from the district. The person seeking to discontinue the child's enrollment shall submit a signed, written request and submit it to the superintendent using the form which is attached to this policy. The district will follow the procedures outlined on the attached form in considering requests to disenroll.

Only children disenrolling to attend a non-accredited school may be exempt from this policy. The person with legal or actual charge or control of the child must

provide the superintendent with a copy of the signed request submitted to the State Department of Education for attending non-accredited schools. The superintendent may confirm the validity of the submission with the State Department of Education.

### **Attendance Officer**

Each building principal is designated as an attendance officer for the district. Each building principal, at his or her discretion, may delegate these responsibilities to any other qualified individual. The attendance officer is responsible for enforcing the provisions of state law relating to compulsory attendance. This responsibility includes but is not limited to filing a report with the county attorney of the county in which a student resides. Compensation for the duties of attendance officer is included in the salary for the superintendent or designee.

### **Absences\***

1. Students are expected to attend every class, every day.
2. High School: Students must not acquire more than 10 absences, excluding absences identified in item 6 below, from any course in any given semester in order to earn academic credit for that course for that semester. Mandatory attendance at summer school is required for students who have acquired more than 10 absences in a semester in any course. Students who acquire more than 1 day of absence of mandatory summer school may lose credit for the class and may be referred to the county attorney. See student handbook for additional information.
3. Elementary and Middle School: Students must not acquire more than the equivalent of 20 school day absences, excluding absences identified in item 6 below, in a school year. Mandatory attendance at summer school is required for students who have acquired more than the equivalent of 20 school day absences in a school year. Students who acquire more than the equivalent of 3 school day absences in mandatory summer school may be referred to the county attorney. Students may appeal assignment to mandatory summer school to his/her building principal.
4. Students in grades preK-12 whose residence ceases, or when other evidence exists that they will no longer attend the school district, will be dropped from enrollment. The administration will consider requirements for residence, domicile, and attendance under state statute and Department of Education rules when making this determination. If they should subsequently return, they will be required to re-enroll once disenrolled. Unless a student provides evidence s/he had been enrolled in another school district during the period of absence or was otherwise

excused from attendance at LPS, her/his absences up to the time of re-enrollment will be counted in the determination of loss of academic credit (if applicable), assignment to mandatory summer school, and compliance with compulsory attendance laws.

#### 5. Interventions to Reduce Absenteeism

- 1<sup>st</sup>-4<sup>th</sup> absences: The parent/guardian will be contacted.
- 5<sup>th</sup> absence: The parent/guardian will be contacted and the student will meet with his/her counselor and/or a member of the administration to discuss the reasons behind the student's absence(s) and possible solutions.
- An attendance hearing may be required at the discretion of the principal at any time. At a hearing, the parent, student, and school official and/or designated hearing officer will develop a collaborative plan to reduce barriers to regular attendance (form attached to this policy).
- The county attorney will be contacted by an administrator or hearing officer after the 20<sup>th</sup> cumulative day-equivalent absence (i.e. partial day absences will be added together in calculating cumulative days of absence) in a school year for possible violation of compulsory attendance laws.

6. \*Absences caused by the following circumstances shall not be counted against a student:

- a) when a licensed health care provider (including a school nurse) has confirmed in writing, in his/her professional medical opinion and within his/her scope of practice, the student or a child whom the student is parenting is so physically or mentally ill that attendance is impracticable or impossible. The documentation from the provider must be turned in within seven (7) calendar days of the last day of absence, otherwise the absence will count toward the 20 days of absenteeism resulting in contact with the county attorney as described in item 5 above.
- b) due to weather conditions that have made the roads impassable so that the student's attendance is impracticable or impossible;
- c) student participation in a school-sponsored activity;
- d) student has been suspended or expelled from school by the school district; and
- e) an absence caused by and required of law enforcement, child protective services or a court of competent jurisdiction, confirmed in writing to the school district.
- f) up to two college visits (one day each) when accompanied by a parent or guardian; additional visits may be allowed at the discretion of the principal.

7. Upon return from every absence or partial-day absence, students shall confer with their teachers about missed classwork. Please refer to the individual teacher's class syllabus for late/makeup work procedure. See student/parent handbooks for additional information on making up assignments.

Adopted on: July 14, 2014

Revised on: May 11, 2015

Reviewed on: September 12, 2016

Revised on: July 10, 2017

Revised on: June 11, 2018

Revised on: July 8, 2019

Re-adopted on: July 13, 2020

Re-adopted on: July 12, 2021

Revised on: December 13, 2021

Revised on: June 13, 2022

Reviewed on: July 10, 2023

Revised on: June 10, 2024

## **Disenrollment Packet**

Disenrollment from school is a serious decision with significant legal ramifications. Nebraska Statutes § 79-201 to 79-209 cover compulsory attendance at public school, exceptions, and the ways that a parent or a student who has reached 18 years of age may disenroll. The forms in this packet will help parents and students complete the legally required steps.

The disenrollment process is different for students of different ages. Multiple forms are contained in this packet. You only need to complete one of the disenrollment forms. When selecting the correct form for disenrollment, please note that the forms ask about your student's current age AND what age your student will be on January 1 of the current school year.

Depending on the age of your student at disenrollment, an exit interview may be required by state law.

**Disenrollment of Five-Year-Old Child  
Attendance Affidavit of Parent/Guardian and Student**

I, \_\_\_\_\_, am the parent or legal guardian of \_\_\_\_\_, and have legal authority to make education decisions regarding the student. My child resides in the Lexington School District but will not be enrolled in and regularly attend a public, private, denominational, or parochial day school which meets the requirements for legal operation in Chapter 79 of the Nebraska statutes.

I certify that the child was born on (date) \_\_\_\_\_, is five years old, and will not reach the age of six years old prior to January 1 of the \_\_\_\_ - \_\_\_\_ school year. I am disenrolling my child pursuant to section 79-201 of the Nebraska statutes and district policy. I understand that my student whose enrollment is discontinued using this form shall not be eligible to reenroll in this school district until the beginning of the following school year unless otherwise required by law.

Printed Name of parent or guardian: \_\_\_\_\_

Relationship to Student: \_\_\_\_\_

Address: \_\_\_\_\_ Phone Number: (\_\_\_\_) \_\_\_\_\_

Signature of parent or guardian: \_\_\_\_\_

Signature of student: \_\_\_\_\_

(not required if the student is too ill to attend)

COUNTY OF \_\_\_\_\_)

) ss.

STATE OF NEBRASKA )

Signed in my presence and sworn to this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
Notary Public

**Alternative Educational Arrangements for Six-Year-Old Child  
Attendance Affidavit of Parent/Guardian and Student**

I, \_\_\_\_\_, am the parent or legal guardian of \_\_\_\_\_, and have legal authority to make education decisions regarding the student. My child resides in the \_\_\_\_\_ School District but will not be enrolled in and regularly attend a public, private, denominational, or parochial day school which meets the requirements for legal operation in Chapter 79 of the Nebraska statutes.

I certify that the child was born on (date) \_\_\_\_\_, is six years old, and will not reach the age of seven years old prior to January 1 of the \_\_\_\_ - \_\_\_\_ school year. I am not enrolling my child this school year because:

**Please check one of the following:**

\_\_\_\_ The child is participating in an education program that I believe will prepare the child to enter grade one for the following school year.

\_\_\_\_ I intend the child to participate in a school which has elected or will elect, pursuant to section 79-1601 of the Nebraska statutes, not to meet accreditation or approval requirements; and I intend to provide the Commissioner of Education with the required statement to that effect on or before the child's seventh birthday.

Printed Name of parent or guardian: \_\_\_\_\_

Relationship to Student: \_\_\_\_\_

Address: \_\_\_\_\_ Phone Number: (\_\_\_\_) \_\_\_\_\_

Signature of parent or guardian: \_\_\_\_\_

Signature of student: \_\_\_\_\_

(not required if the student is too ill to attend)

COUNTY OF \_\_\_\_\_ )

) ss.

STATE OF NEBRASKA )

Signed in my presence and sworn to this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
Notary Public

**Disenrollment of Child Between 16 and 18 Years of Age**

**Attendance Affidavit of Parent/Guardian and Student**

I, \_\_\_\_\_ am the parent or legal guardian of \_\_\_\_\_, and have legal authority to make education decisions regarding the student. My child resides in the Lexington School District but will not be enrolled in and regularly attend a public, private, denominational, or parochial day school which meets the requirements for legal operation in Chapter 79 of the Nebraska statutes because illness makes attendance impossible or impracticable, or because financial hardships make it necessary for the child to be employed to support the child's family.

I certify that the child was born on (date) \_\_\_\_\_, and is 16 or 17 years old. I authorize and direct the school district to discontinue the child's enrollment pursuant to section 79-202 of the Nebraska statutes. I understand that state law requires an exit interview as part of the disenrollment process. I agree to attend an exit interview scheduled by the superintendent's office at a date to be determined. My child will attend the exit interview unless unable to do so due to illness.

Printed Name of parent or guardian: \_\_\_\_\_

Relationship to Student: \_\_\_\_\_

Address: \_\_\_\_\_ Phone Number: (\_\_\_\_) \_\_\_\_\_

Signature of parent or guardian: \_\_\_\_\_

Signature of student: \_\_\_\_\_

(not required if the student is too ill to attend)

COUNTY OF \_\_\_\_\_)

) ss.

STATE OF NEBRASKA )

Signed in my presence and sworn to this \_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
Notary Public





## Superintendent Verification of Exit Interview

I \_\_\_\_\_, am Superintendent of Lexington Public Schools. Principal \_\_\_\_\_ and I attended the exit interview with the parent and child on \_\_\_\_\_, 20\_\_\_. The parent and child presented the information that is required by statute. In my opinion, the parent has legal and actual charge of the child and the child's illness makes attendance impossible or impracticable, or the child is experiencing financial hardship which necessitates employment to support the family.

\_\_\_\_\_  
\_\_\_\_\_, Superintendent

## Collaborative Plan Addressing Barriers to Attendance

Student Name: [Click here to enter text.](#) Student Grade: [Click here to enter text.](#)  
Building: [Click here to enter text.](#) Classroom/Homeroom Teacher: [Click here to enter text.](#)

Date of Meeting: [Click here to enter a date.](#) Number of absences at time of meeting: [Click here to enter text.](#)

What are the primary reasons the student has been absent: [Click here to enter text.](#)  
Based on that information, meeting participants considered the following issues (check all that apply):

- Illness related to physical or behavioral health of the child
- Educational Counseling
- Referral to community agencies for economic services
- Family or individual counseling
- Assisting the family in working with other community services
- Referral to student assistance team for possible Section 504 or IDEA eligibility
- Other: [Click here to enter text.](#)

### Attendance Plan

**Based on the above considerations, this attendance plan will be put into place:**

Steps to be taken by school staff: [Click here to enter text.](#)

Steps to be taken by student: [Click here to enter text.](#)

Steps to be taken by parent/guardian: [Click here to enter text.](#)

Steps to be taken by third parties: [Click here to enter text.](#)

### Signatures of Meeting Attendees:

Parent/Guardian: \_\_\_\_\_

Student: \_\_\_\_\_

Attendance Officer: \_\_\_\_\_

Counselor or School Administrator: \_\_\_\_\_

Other (indicate title): \_\_\_\_\_

*If parents/guardians are not present at the meeting, please attach documentation showing that the school made reasonable efforts to invite the parents.*

**Notice to family:** Nebraska law requires students to be in attendance at school each day that such school is open and in session, except when excused by school authorities or when illness or severe weather conditions make attendance impossible or impracticable. Nebraska law also requires school officials to investigate any possible violation of this requirement. ***Please note that if your student accrues more than 20 absences, the school district may refer the child to the county attorney for action under Neb. Rev. Stat. § 43-247(3)(a) and (b).***

**I have received a copy of this Plan, including the above notice:**

Parent/Guardian: \_\_\_\_\_

Student: \_\_\_\_\_

*If parents/guardians are not present at the meeting, please attach documentation showing that the school made reasonable efforts to invite the parents.*