

POLICY JEA

Board of Education Las Cruces Public Schools

Related Entries: JE, JHB, JHB-R
Responsible Office: Associate Superintendent for Instruction

COMPULSORY SCHOOL ATTENDANCE

I. PURPOSE

The Board of Education recognizes that daily class attendance by school age persons at all grade levels is an essential component in the learning process, in the development of self-discipline, and in preparation for post-secondary training, education and employment. Daily class attendance is a requirement of the New Mexico Compulsory School Attendance Law (22-12-1 NMSA 1978).

II. POSITION

Unless excused by the Law, all school age persons subject to the Law shall attend school until attaining the age of majority (18 years of age) for at least the length of time of the school year that is established in the district (22-12-1 NMSA 1978).

III. DEFINITIONS

- A. "Qualified student" means a public school student who:
1. has not graduated from high school;
 2. is regularly enrolled in one-half or more of the minimum course requirements approved by the department for public school students; and
 3. in terms of age:
 - i. is at least five years of age prior to 12:01 a.m. on September 1 of the school year;
 - ii. is at least three years of age at any time during the school year and is receiving special education services pursuant to rules of the department; or
 - iii. has not reached the student's twenty-second birthday on the first day of the school year and is receiving special education services pursuant to rules of the department
- B. "Habitual Truant" means a student who has accumulated the equivalent of ten or more unexcused absences within a school year.
- C. "Student in Need of Intervention" means a student who has accumulated five unexcused absences within a school year.

- D. “Unexcused absence” means an absence from school or classes for which the student does not have an allowable excuse pursuant to the Compulsory School Attendance Law or rules of the Board of Education.

IV. GUIDELINES

- A. Any qualified student and any person who because of his age is eligible to become a qualified student as defined by 22.8.2.M NMSA 1978 until attaining the age of majority shall attend a public school, a private school, a home school or a state institution.

A person shall be excused from this requirement if the person:

1. is specifically exempted by law from the provisions of this section;
 2. has graduated from high school or obtained his or her General Education Diploma (GED);
 3. is at least 18 years of age and has been excused by the local school board or its authorized representative upon a finding that the person will be employed in a gainful trade or occupation or engaged in an alternative form of education sufficient for the person's educational needs and the parent, guardian or other person having custody and control consents; or
 4. is at least five years of age prior to 12:01 a.m. on September 1 of the school year;
 5. is at least three years of age at any time during the school year and is receiving special education services pursuant to rules of the department;
 6. has not reached the student's 22nd birthday on the first day of the school year and is receiving special education services pursuant to the rules of the department.
- B. Any parent of a person subject to the provisions of the Compulsory School Attendance Law is responsible for the school attendance of that person.
 - C. Under specified conditions, the Superintendent of Schools shall grant excused absences to students of parents/guardians who are active-duty military personnel in accordance with the Interstate Compact on Educational Opportunity for Military Children (11.8B.1 NMSA).
 - D. The district shall provide for early identification of students with unexcused absences, students in need of early intervention and habitual truants and provide intervention strategies that focus on keeping students in need of early intervention in an educational setting.
 - E. The district shall not use out-of-school suspension and expulsion as the punishment for unexcused absences and habitual truancy.

- F. Teachers are required to take attendance for every instructional day in all schools.
- G. Schools shall document the following for each student identified as an habitual truant:
 - 1. Attempts of the school to notify the parent that the student had unexcused absences;
 - 2. Attempts of the school to meet with the parent to discuss intervention strategies; and
 - 3. Intervention strategies implemented to support keeping students in school.
- H. The Las Cruces Public Schools shall permit at least ten (10) days of excused absences for a student who provides documentation of the birth of the student's child and parentage (mother or father). The district shall provide additional excused absences to a student after the birth of the student's child if deemed medically necessary by the student's physician. In addition, the district shall permit four (4) days of excused absences in addition to the number of days of excused absences provided for a student who provides appropriate documentation of pregnancy or that the student is a parent, mother or father, of a child under the age of thirteen (13) needing care.
- I. The Superintendent of Schools shall promulgate a regulation for the enforcement of this policy.

V. **REVIEW**

This policy shall be reviewed in accordance with the Board of Education policy review process.



Board of Education, President

1/29/19

Date

History: Formerly Procedure 300-2; revised 10.04.05; 09.09, 01.19.10; 10.18.11, 10.18.18

Legal Reference: 22-12-2 NMSA 1978; 22-8-2 NMSA 1978

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