

Policy JBA: Compulsory School Attendance/School Age

Status: DRAFT

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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

This school district shall comply with the requirements of the "Mississippi Compulsory School Attendance Law" (' 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. ' 37-13-91 (2) (f) (2013)

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

1. Physically, mentally or emotionally incapable of attending school as determined by the appropriate school official based upon sufficient medical documentation;
2. Enrolled in and pursuing a course of special education, remedial education or education for children with handicapped or physically or mentally disadvantaged or disabilities children; or
3. Being educated in a legitimate home instruction program. § 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 superintendent shall or his or her designee, within two (2) school days or within five (5) calendar days, whichever is less, shall report, on the form provided by the State Department of Education, by close of the business of the next business day, the unlawful absences to the school attendance officer. The superintendent, or his or her designee, shall report any student suspensions or student expulsions to the school attendance officer when they occur. § 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, whose 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 superintendent or his designee:

1. Attendance at an authorized school activity with the prior approval of the superintendent of the school district or his designee. (These activities may include field trips, athletic contests, student conventions, musical

festivals, and any similar activity).

2. Illness or injury which prevents the student from being physically able to attend school and any absence after the third must be documented by a written excuse by a medical provider.
3. When isolation is ordered by the county health officer, by the State Board of Health or an appropriate school official.
4. Death or serious illness of a member of the immediate family, which includes children, spouse, grandparents, parents, brothers, sisters, stepbrothers and stepsisters.
5. A medical or dental appointment with prior approval of the superintendent or his designee, except in the case of emergency with a documented excuse from the medical provider.
6. 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.
7. Observance of a religious event, with the prior approval of the superintendent or his or her designee. (Approval should not be withheld unless, in the professional judgment of the superintendent or his or her designee, the extent of the absence would adversely affect the student's education.)
8. Participation in a valid educational opportunity, such as travel, including vacations or other family travel, with the prior approval of the superintendent or his or her designee. (Approval shall be based on the professional judgment of the superintendent or his or her designee); but shall not be withheld unless the extent of the absence would adversely affect the student's education.)
9. Other conditions sufficient to warrant nonattendance, with prior approval of the superintendent or his or her designee. However, no absences shall be excused when any student suspensions or expulsions circumvent the intent and spirit of the compulsory attendance law. ' 37-13-91 (4)
10. 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.
11. An absence is excused when it results from the compulsory-school-age child officially being employed to serve as a page at the State Capitol for the Mississippi House of Representatives or Senate.

LIMITATION ON EXCUSED ABSENCES

Unless an exception applies, no student shall be granted more than five (5) excused absences per semester. Any additional excused absences beyond this limit must be specifically approved by the superintendent, or his or her designee, upon a showing of extenuating circumstances. Extenuating circumstances may include, but are not limited to:

1. Prolonged illness or injury supported by medical documentation.
2. Extended religious observance.
3. Participation in education opportunities of substantial merit, including out-of-state educational travel.

Any absence in excess of this limit, and not approved by the superintendent, shall be considered unexcused.

School-sanctioned events, such as athletics, band, choir, or other events sponsored by the Mississippi High School Activities Association, shall not be counted as absences. School-sanctioned academic or club events shall not be counted as absences.

CHRONIC ABSENTEEISM

A compulsory-school-age child shall be considered chronically absent if the child is absent from school for ten percent (10%) or more of the student's school days in a school year, regardless of whether such absences are excused or unexcused.

SCHOOL ATTENDANCE OFFICER

The superintendent and principals shall cooperate with the school attendance officer employed by the State Department of Education, pursuant to [§37-13-85](#).

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