

## COMPULSORY ATTENDANCE

Reviewed September 13, 2011

### 5.20 MINIMUM TIME—EXCEPTIONS, EXCUSES AND EXEMPTIONS

Reviewed September 13, 2011

Every parent, guardian or other person having control of any minor between six and eighteen years of age shall be required to send such minor to a public or regularly established private school during the regularly established school year of the district in which he resides; provided:

- a. That any minor over the age of sixteen years, who has completed the eighth grade or whose services are required for the support of a mother or invalid father may be legally excused to enter employment, but if such minor is so excused, the parent, guardian or other person shall be required to send such minor to a part-time school or class at least one hundred forty-four hours per year.
- b. That in each year the parent, guardian or other person having control of any such minor may be excused by the board of education of the district from sending such minor to a public, regularly established private or part-time school or class for any of the following reasons:
  - (1) That such minor has already completed the work of a senior high school.
  - (2) That such minor is taught at home in the branches prescribed by law for the length of time as children are required by law to be taught in the district schools; provided, that a minor legally excused to enter employment may be excused from attending a part-time school or class for the reason that such minor is taught at home the required number of hours.
  - (3) That such minor is in such physical or mental condition (which must be certified by a competent physician if required by the board) as to render such attendance inexpedient and impracticable.
  - (4) That no such school is established, or class is taught for the requisite length of time, within two and one-half miles of the residence or the place of employment of the minor, unless free transportation is provided.
  - (5) That proper influences and adequate opportunities for education are provided for in connection with the employment of such minor.
- c. That any minor who has reached the age of sixteen years and whose school experience has, in the judgment of school officials, demonstrated that such minor is unable to profit from school attendance, either because of the student's inability or because of the student's continued negative attitude toward school regulations and school discipline, may be excused from school attendance upon recommendation of the school superintendent, and approval of the district board of education.
- d. The evidence of the existence of any such reasons for nonattendance must be in each case sufficient to satisfy the board of education of the district in which the child resides, which if so satisfied, shall issue a certificate stating that the holder is exempt from attendance during the time therein specified. (State Law 53-24-1).

### 5.21 DELICT OF PARENT OR GUARDIAN PENALTY

Reviewed September 13, 2011

Any parent, guardian, or other person having control of any minor coming within the foregoing provisions who willfully fails to comply with their requirements is guilty of a misdemeanor. (State Law 53-24-3)