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AUTHOR Bartlett, Larry; And Others
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ABSTRACT

The model attendance policy offered for consideration here suggests that school districts should encourage regular school attendance and may demand reasonable excuses for absences. Unexcused absences may warrant disciplinary action. The suggested rules that apply the attendance policy to specific situations cover a number of areas. A broad statement of attendance philosophy might introduce attendance rules. The rules may stipulate that after prolonged absences, parents may be contacted by the school. Rules concerning tardiness should be included in the attendance rules. Legitimate reasons for excusing absences should be clearly listed along with mechanisms for obtaining special permission to be absent. The rules for completing missed school work may be included. Penalties for unexcused absences might be probation, detention, or suspension. It is suggested that reduction of grades not be used as a disciplinary procedure. The duties and jurisdiction of the truancy officer may be incorporated in the attendance policy. These rules and policies should not be adopted verbatim, but rather adapted to individual situations and needs. The appendix includes Iowa laws concerning school attendance and cites studies on absenteeism and achievement. (Author/JM)

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MODEL POLICY AND RULES ON ABSENCES

IMPORTANT: THIS IS A MODEL ONLY

This model contains numerous ethical, educational and legal judgments. Do not accept any portion of this model as local policy or rules until after full and sufficient consideration. It is always wise to have proposed local policies and regulations reviewed by legal counsel.

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Administrative Support Staff
Grimes State Office Building
Des Moines, Iowa 50319

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Larry Bartlett, Administrative Consultant, Chairperson
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Carl Miles, Director, Supervision Division
Gayle Obrecht, Director, Administration and Finance Division
David Scala, Superintendent, Baxter Community School District
Giles Smith, Director, Guidance Services Section

Theresa A. Graziano-Davis, Memorial Assistant

ABSENCES

Introduction

The state has long expressed interest in the education of its youth:

Promote then, as an object of primary importance,
institutions for the general diffusion of knowledge.

George Washington

If a nation expects to be ignorant and free in a
state of civilization it expects what never was
and never will be.

Thomas Jefferson

The family itself is not beyond regulation in the
public interest . . . acting to guard the general
interest in youth's well being, the state as parens
patriae (parent of the country, ed.) may restrict
the parent's control by requiring school attendance,
regulating or prohibiting the child's labor and in
many other ways.

Princé v. Massachusetts, 321 U.S. at 166 (1943)

For many years school attendance has been listed as a major concern by school administrators. The National Center for Educational Statistics estimates that only 92 percent of the students enrolled in school are in attendance on any given day and show that the absence rate is increasing each year. This absence rate of eight percent is twice that estimated to be normal expectations for a 180-day school year according to national health officials. Health officials also point out that long-term illness accounts for less than one percent of the absences.

Some school patrons have expressed doubt that attendance is a major problem or should be a major concern of the school. They ask: What harm is done by missing a few days of school? We are the parents, can't we decide when our children should or should not attend school?

Until the last decade research did support the contention that little, if any, correlation could be shown between school attendance and achievement in school subject matter. An analysis of twenty-four studies, dating back to 1925, shows an even split between those showing a relationship between attendance and achievement and those that did not.

Within the past ten years some half dozen studies have shown that a positive relationship does exist between attendance and specific subject matter and further that students with a lower absence rate tend to develop a more responsible attitude; to display more satisfaction with school; and to achieve greater success in school endeavors.

The National Association of Secondary School Principals found that in schools that had attendance policies that worked, (i.e., reduced absenteeism) the following characteristics were present:

- The policies are strong. When little or nothing is done about attendance, the problem gets worse. Schools making headway on attendance are schools which expend considerable thought and effort to solving the problem.
- Participation in the formulation of attendance policy is broadly based. Administrators, teachers, students, and parents frequently are involved in policy making.
- Policies clearly specify in writing attendance expectations and delineate the outcomes of good and poor attendance.
- Policies are well publicized. Each parent and student repeatedly has been informed of attendance requirements.
- Policies are consistently enforced. At each level of enforcement--teacher, counselor, dean, principal--compliance with the policy is expected.
- Immediate follow-up on absences is made by a letter, a telephone call to the home, or some other means.

Student absenteeism is not a simple problem. The adoption of a policy by the Board of Education will not solve the problem. Careful analysis of individual attendance patterns and a willingness to objectively investigate all possible causes of student absenteeism are a necessary adjunct to developing a policy.

It is of the utmost importance that a distinction be made between "policy" and "rules." Policy is that general statement of direction given by the board of directors to all concerned. Rules define and specify the procedure developed by the school administration by which the policy is to be carried out. Rules detail the application of policy to specific circumstances. Proposed policies and rules should always be reviewed by legal counsel. This model should not be presented for verbatim adoption. It is offered only for consideration and revision.

STATEMENT OF POLICY

It shall be the policy of the _____ School District to encourage regular attendance on the part of its students. Students who are absent from school without reasonable excuse shall be subject to disciplinary measures which may include, but not be limited to, short-term and long-term suspension.

Legal Reference: \$274.1
\$279.8
\$299.8

Burdick v. Board of Education
31 Ia. 562

MODEL STATEMENT OF RULES

I. Philosophy

Students will be expected to attend classes regularly and to be on time in order to receive maximum benefit from the instructional program, to develop habits of punctuality, self-discipline and responsibility, and to assist in keeping disruption of the educational environment to a minimum. While it is possible for an absent student to make up much of the school work missed, it is impossible to completely compensate for absence from classes.

Absences always cause some disruption in the educational progress of the student who was absent. In order to maintain interest and understanding in a program of instruction, students should not expect to be absent any more than is absolutely necessary. Students who fail to make up work missed may not understand what the teacher is currently presenting, and may also become discouraged with the double burden of keeping current and making up missed work. Irregular attendance or tardiness by students not only hinders their own studies, but also interferes with the progress of those pupils who are regular and prompt in attendance.

Students who have good attendance records are most likely to achieve higher grades, enjoy school life to a greater degree, and have more employment opportunities after leaving school. Progressive employers expect promptness and regular attendance from employees and are reluctant to hire persons who have not established good habits of responsibility and self-discipline. Life-long patterns of responsibility and self-discipline of regular attendance and promptness are fostered by attention given them during the years of school attendance.

There are times, however, when school officials may determine that the problems associated with absence from school are outweighed by the advantages of an activity in which the student participates and they may endorse or sponsor an activity or trip. Attendance at such approved trips and activities will not be considered an absence from school.

Attendance Notification

- A. Whenever a student is absent from school on more than ___ occasions in a school year or any multiple of ___ thereafter, a notice shall be sent by the principal within three school business days informing the student's parents of the dates of absence, the reasons given therefore, and whether the absence was considered excused or unexcused.
- B. Whenever a student is absent on more than ___ occasions, the above-mentioned notice shall include a brief summary of the district's

philosophy on regular attendance, and an invitation to the parents to visit the school to discuss the attendance of their child.

If the parents are reluctant to visit the school or if no contact is made by the parents, a school employee designated by the principal shall make a home visit in order to impress upon the parents the importance of regular school attendance.

Comment: One of the greatest problems regarding attendance is the lack of communication between the school and the parent. Many problems such as forgery and lack of realization of the actual number of absences can be dissolved with frequent and regular communication with the parents. The spaces found throughout the model are to provide greater discretion for individual school systems. It is recommended that the intervals between school contacts regarding absences be between three and ten absences.

III. Tardiness

Tardies may be excused upon the same reasonable grounds as those considered for absences. unexcused tardies shall be considered one unexcused absence.

Students tardy to school will not be admitted to school without the written permission of the principal or the principal's designee.

- C. Students tardy to class will not be admitted to class without written permission to enter class from the office or from the school employee responsible for the tardiness.

IV. Absences

- A. Absences from school will be considered excused for the following reasons:

1. Personal illness;
2. Death or serious illness in the immediate family or household;
3. Medical or dental appointments which cannot be made other than during school time;
4. Short-term suspension from school;
5. Other reasons which can be justified from an educational standpoint.

- B. Absences from school for the following reasons will generally be treated as unexcused absences:

1. Shopping trips;
2. Vacations;
3. Work for parents or employer.

C. Reasons for absence from school which can be justified from an educational standpoint may be approved by the principal of the attendance center. Permission for such absences should be obtained in advance of the absence from school. Failure to obtain prior permission may result in the absence being considered unexcused. The principal should document the reasons for excusing or refusing to excuse such absences.

Comment: Many of the reasons for absence given in paragraphs A and B above are interchangeable in that individual schools have a great deal of discretion in determining what should be allowed as a reasonable reason for absence from school. Some boards of directors might prefer to allow students to work for parents on either a limited or unlimited basis. For instance, student absences for working for parents might be excused for six days a year and then be treated as an unexcused absence thereafter. Only absences based on illness and family emergency appear to be so obviously reasonable excuses for being absent that it is unlikely that students could be punished for absence due to those reasons. This will allow discretionary administrative decisions on absences within the guideline or standard of educationally justifiable reasons. The greatest problem that could arise would be if the administrator excused some absences and denied other absences for basically the same reason. But then, arbitrary administration of any rule is a possibility. Some of the common instances in which this discretionary judgment would arise are funerals of acquaintances, vacation trips of significant educational value, attendance at tournaments and contests, and special activities and events.

- D. School work missed due to any absence must be completed to the satisfaction of each teacher whose class or classes were missed.
1. When students can anticipate absences, every effort should be made to see that school work is made up in advance of the absence. The principal may determine that the completion of school work in advance be a prerequisite to allowing the absence to be excused.
 2. When an absence was not anticipated, all school work must be made up within the number of school days which are double those of the absence. (e.g., three days absence must be made up in six school days) Absences of more than five days must be made up as arranged with each teacher.

3. Students who do not make up their work as required by this rule may be subject to disciplinary actions as described in paragraph V. C.
4. Students shall receive full credit for school work made up due to absences.
- E. Students who anticipate an absence, especially when the absence must have the principal's prior approval, shall give timely notice to the school office in advance of the anticipated absence. When time permits, such notification shall be in writing and signed by the student and the parents or guardian of the student. Failure to notify the school in advance may result in the absence being considered as unexcused.
- F. All students who were absent from school for any reason shall submit in written form the specific reasons for their absence, the specific days or times they were absent, verification by the doctor or dentist, if appropriate, and the signature of the student and a parent or guardian.

Parents and guardians should be encouraged to phone the school regarding a student's absence on the day of the absence.

Only when a student of majority age (18 years or older, or married) is not residing with the student's parents or guardian may the student present his or her own excuse for absence without parental verification. The principal should be notified in advance of any such circumstances.

- G. In the event that the principal determines that it is advisable to verify an excuse given for an absence, the principal may take appropriate steps to do so. When it is determined that an excuse is forged or misrepresents the facts, the principal may treat those instances of absence as unexcused.

Comment: While most parents and students are honest with school officials, some are not. This provision gives the school administration the right to investigate absences, even when excuses are furnished by the parent, and to take appropriate action when it is determined that the absence was, in fact, without good reason.

- H. No later than four weeks following the close of each school quarter, the principal in charge of each attendance center will report to the board of directors regarding average daily attendance for the previous quarter period. Such report will include an explanation of the data presented.

V. Unexcused Absences

- A. Students who are absent from school or class without reasonable excuse shall be subject to disciplinary measures. Reasonable

excuses are those which are acceptable reasons as provided in Section III of these rules. All other absences from school shall be considered unexcused absences.

- B. Each day or portion of a day of an unexcused absence from school or class shall be considered a separate violation of these rules.
- C. Students who are found to be absent without reasonable excuse may be subjected to one or more of the following disciplinary measures:
 - 1. Probation;
 - 2. After-school detention;
 - 3. Nonteaching day attendance;
 - 4. In-school suspension;
 - 5. Removal of school privileges;
 - 6. Short-term suspension from school;
 - 7. Long-term suspension from school.

Comment: The phrase "long-term suspension from school" replaces the term "expulsion" and is generally considered to be those suspensions which exceed ten days. Under Section 282.4, only the board of directors may expel a student.

It is presumed that the local policy regarding due process will be followed in the administration of this rule. The review provisions of paragraph VII. do not replace the necessity of providing procedural due process prior to the issuance of discipline by the principal.

VI. Reduction of Grades Prohibited

Reduction of grades shall not be used as a disciplinary measure against a student because of absence from school.

VII. Review

A. Teacher's decision

Students and parents wishing to have a review of a teacher's decision regarding tardiness and make-up work rendered under this absence rule, may do so by filing a written request for review with the principal within five school business days after the teacher's decision was rendered. The principal will

determine a mutually-agreeable time, place and date for the review and notify the student, parents and teacher accordingly. At the appointed time, the parties attending the review will meet to discuss the matter informally. Following the review, the principal shall affirm, reverse or modify the teacher's decision.

B. Principal's decision

Students, parents and teachers may obtain a review of the principal's decision under this absence rule by filing a written request for review within five school business days with the superintendent. The superintendent or designee will determine a mutually-agreeable time, place and date for the review and notify the interested persons accordingly. At the conclusion of the review, the superintendent or the superintendent's designee shall affirm, reverse or modify the principal's decision.

(Alternative VII. A written request for review may be made of a principal's decision under this rule by a student or parent within five school business days of the principal's decision. A committee of three persons, including an administrator other than one who made the decision appealed, a school counselor and a teacher selected by the student will review the facts and render a written decision. The superintendent will automatically review all such decisions.)

VIII. Truancy Officer

A. Appointment

The district board shall appoint one or more persons as truancy officers for the purpose of enforcing state laws regarding truancy.

Comment: Section 299.10 authorizes boards in all school districts to appoint a "truancy officer." Those districts with a population greater than 20,000 persons must appoint a "truancy officer." That section authorizes the appointment of a police officer or other suitable person.

- B. The truancy officer shall be notified of all instances of unexcused absences, and when a student has accumulated ___ unexcused absences from school, the truancy officer shall contact the student's parents regarding their cooperation in the matter. The truancy officer shall report to the principal regarding the parents' cooperativeness.
- C. When a student who is subject to the provisions of the state's compulsory attendance laws has accumulated ___ or more unexcused absences, and the parents remain uncooperative, or in the instance

of __ unexcused absences, the truancy officer shall, through the county attorney, begin appropriate legal action against the parents.

- D. The truancy officer shall attempt to maintain good liaison with the county attorney's office and juvenile authorities.

COMMITTEE NOTE: This model policy and rules will be reviewed on a regular basis. The Department of Public Instruction will appreciate any comments or suggestions persons have regarding improving the model.

1977 Code of Iowa

CHAPTER 299
COMPULSORY EDUCATION

Referred to in §§281.6, 713A.3

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| 299.1 Attendance requirement. | 299.14 Discharge from truant school. |
| 299.2 Exceptions. | 299.15 Reports by school officers and employees. |
| 299.3 Reports from private schools. | 299.16 Census by school officer. |
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| 299.11 Duties of truancy officer. | 299.24 Religious groups exempted from school standards. |
| 299.12 Neglect by truancy officer. | |
| 299.13 Incurrigibles. | |

299.1 Attendance requirement. Any person having control of any child over seven and under sixteen years of age, in proper physical and mental condition to attend school, shall cause said child to attend some public school for at least twenty-four consecutive school weeks in each school year, commencing with the first week of school after the first day of September, unless the board of school directors shall determine upon a later date, which date shall not be later than the first Monday in December.

The board may, by resolution, require attendance for the entire time when the schools are in session in any school year.

In lieu of such attendance such child may attend upon equivalent instruction by a certified teacher elsewhere. [S13, §2823-a; C24, 27, 31, 35, 39, §4411; C46, 50, 54, 58, 62, 66, 71, 73, 75, §299.1]

Referred to in §§299.2, 299.6, 299.11
See also §281.6

299.2 Exceptions. Section 299.1 shall not apply to any child:

1. Who is over the age of fourteen and is regularly employed.
2. Whose educational qualifications are equal to those of pupils who have completed the eighth grade.
3. Who is excused for sufficient reason by any court of record or judge.
4. While attending religious services or receiving religious instructions.
5. Who is attending a private college preparatory school approved or probationally

approved under the provisions of section 257.25, subsection 14. [S13, §2823-a; C24, 27, 31, 35, 39, §4411; C46, 50, 54, 58, 62, 66, 71, 73, 75, §299.2]

Referred to in §§299.6, 299.11

299.3 Reports from private schools. Within ten days from receipt of notice from the secretary of the school district within which any private school is conducted, the principal of such school shall, once during each school year, and at any time when requested in individual cases, furnish to such secretary a certificate and report in duplicate of the names, ages, and number of days attendance of each pupil of such school over seven and under sixteen years of age, the course of study pursued by each such child, the texts used, and the names of the teachers, during the preceding year and from the time of the last preceding report to the time at which a report is required. The secretary shall retain one of the reports and file the other with the secretary of the area/education agency. [S13, §2823-b; C24, 27, 31, 35, 39, §4412; C46, 50, 54, 58, 62, 66, 71, 73, 75, §299.3]

Referred to in §§299.6, 299.11

299.4 Reports as to private instruction. Any person having the control of any child over seven and under sixteen years of age, who shall place such child under private instruction, not in a regularly conducted school, upon receiving notice from the secretary of the school district, shall furnish a certificate stating the name and age of such child, the period of time during which such child has been

under said private instruction, the details of such instruction, and the name of the instructor. [S13,§2823-b; C24, 27, 31, 35, 39,§4413; C46, 50, 54, 58, 62, 66, 71, 73; 75,§299.4]

Referred to in §§299.6, 299.11

299.5 Proof of abnormality. Any person having the control of any child over seven and under sixteen years of age, who is physically or mentally unable to attend school, shall furnish proofs by affidavit as to the physical or mental condition of such child. [S13,§2823-b; C24, 27, 31, 35, 39,§4414; C46, 50, 54, 58, 62, 66, 71, 73, 75,§299.5]

Referred to in §§299.6, 299.11

299.6 Violations. Any person who shall violate any of the provisions of sections 299.1 to 299.5, inclusive, shall be fined not less than five dollars nor more than twenty dollars for each offense. [S13,§2823-a; C24, 27, 31, 35, 39, §4415; C46, 50, 54, 58, 62, 66, 71, 73, 75,§299.6]

299.7 Custody of records. All such certificates, reports, and proofs shall be filed and preserved in the office of the secretary of the school corporation as a part of the records of his office, and he shall furnish certified copies thereof to any person requesting the same. [S13,§§2823-b,c; C24, 27, 31, 35, 39,§4416; C46, 50, 54, 58, 62, 66, 71, 73, 75,§299.7]

299.8 "Truant" defined. Any child over seven and under sixteen years of age, in proper physical and mental condition to attend school, who fails to attend school regularly as provided in this chapter, without reasonable excuse for his absence, shall be deemed to be a truant. [S13,§2823-a; C24, 27, 31, 35, 39,§4417; C46, 50, 54, 58, 62, 66, 71, 73, 75,§299.8]

299.9 Truant schools—rules for punishment. The board of directors may provide for the confinement, maintenance, and instruction of truant children and may for that purpose establish truant schools or set apart separate rooms in any public school building; and it shall prescribe reasonable rules for the punishment of truants. [S13,§§2823-d-h; C24, 27, 31, 35, 39,§4418; C46, 50, 54, 58, 62, 66, 71, 73, 75, §299.9]

299.10 Truancy officers — appointment — compensation. The board of each school district may, and in school districts having a population of twenty thousand shall, appoint a truancy officer.

In districts having therein a city, the board may appoint a member of the police force or marshal as such officer; and other districts may appoint a constable or other suitable person.

Such officers shall be paid a reasonable compensation by the board. [S13,§2823-e; C24, 27, 31, 35, 39,§4419; C46, 50, 54, 58, 62, 66, 71, 73, 75,§299.10]

299.11 Duties of truancy officer. The truancy officer shall take into custody without war-

rant any apparently truant child and place him in the charge of the teacher in charge of the public school designated by the board of directors of the school district in which said child resides, or of any private school designated by the person having legal control of the child; but if it is other than a public school, the instruction and maintenance of the child therein shall be without expense to the school district.

The truancy officer shall promptly institute criminal proceedings against any person violating any of the provisions of sections 299.1 to 299.5. [S13,§§2823-e,f; C24, 27, 31, 35, 39, §4420; C46, 50, 54, 58, 62, 66, 71, 73, 75,§299.11; 66GA, ch 1157,§1]

299.12 Neglect by truancy officer. Any truancy officer or any director neglecting his duty to enforce the truancy law after written notice so to do served upon him by any citizen of the county or by the area education agency administrator shall be liable to a fine not exceeding twenty-five dollars and be removed from such office. The county attorney shall prosecute such persons upon request of the administrator. [S13,§2823-f; C24, 27, 31, 35, 39, §4421; C46, 50, 54, 58, 62, 66, 71, 73, 75,§299.12]

299.13 Incurables. If the child is placed in a school other than a public school and does not maintain proper conduct, the board may cause the child's removal to an appropriate school or class. If a child placed in a public school fails to attend or to maintain proper conduct, the board may place that child in an appropriate school or class. [S13,§§2823-d-e; C24, 27, 31, 35, 39,§4422; C46, 50, 54, 58, 62, 66, 71, 73, 75,§299.13; 66GA, ch 1157,§2]

299.14 Discharge from truant school. Any child placed in a truant school may be discharged therefrom at the discretion of the board under such rules as it may prescribe. [S13,§2823-g; C24, 27, 31, 35, 39,§4423; C46, 50, 54, 58, 62, 66, 71, 73, 75,§299.14]

299.15 Reports by school officers and employees. All school officers and employees shall promptly report to the secretary of the school corporation any violations of the truancy law of which they have knowledge, and he shall inform the president of the board of directors who shall, if necessary, call a meeting of the board to take such action thereon as the facts justify. [S13,§2823-g; C24, 27, 31, 35, 39,§4424; C46, 50, 54, 58, 62, 66, 71, 73, 75,§299.15]

299.16 Census by school officer. All school officers empowered to take the school census shall ascertain the number of children over seven and under sixteen years of age, in their respective districts, the number of such children who do not attend school, and so far as possible the cause of the failure to attend. [S13,§2823-i; C24, 27, 31, 35, 39,§4425; C46, 50, 54, 58, 62, 66, 71, 73, 75,§299.16]

School census, §291.9

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