

299.12 Failure to attend.1. *Definitions.* As used in [this section](#):

a. “*Chronically absent*” means any absence from school for more than ten percent of the days or hours in the grading period established by a public school.

b. “*School official*” means an employee of a public school whose job duties involve identifying children who are at risk for becoming chronically absent, creating interventions to limit the rate of student absenteeism, and participating in the legal process related to student absenteeism.

2. *Chronic absenteeism.*

a. When a child becomes chronically absent, a school official shall send a notice by ordinary mail or electronic mail to the county attorney of the county in which the public school’s central administrative office is located, and a notice by certified mail to the child’s parent, guardian, or legal or actual custodian of the child, if the child is not an emancipated minor, or to the child, if the child is an emancipated minor, that includes information related to the child’s absences from school and the policies and disciplinary processes associated with additional absences.

b. A school official may send the notice described in paragraph “a” prior to a child at risk of becoming chronically absent if all of the following requirements are satisfied:

(1) The county attorney of the county in which the public school’s central administrative office is located and the board of directors of the public school agree to the amount of absences that will lead to the school official sending the notice.

(2) The amount of absences that will lead to the school official sending the notice is described in the school’s student handbook.

3. *School engagement meeting.*

a. (1) If a child is absent from school for greater than or equal to fifteen percent of the days or hours in the grading period, a school official shall attempt to find the cause for the child’s absences and shall initiate and participate in a school engagement meeting. The purpose of the school engagement meeting is to identify the child’s barriers to attendance and the interventions that may be used to improve the child’s attendance.

(2) A school official may initiate and participate in a school engagement meeting as provided in subparagraph (1) prior to a child being absent from school for greater than or equal to fifteen percent of the days or hours in a school calendar.

b. All of the following individuals shall participate in the school engagement meeting:

(1) The child.

(2) The child’s parent, guardian, or legal or actual custodian, if the child is not an emancipated minor.

(3) A school official.

c. (1) During the school engagement meeting, the participants shall create and sign an agreement that shall be known as an absenteeism prevention plan. Each participant signing the absenteeism prevention plan shall receive a copy of the plan. The absenteeism prevention plan shall identify the causes of the child’s absences and the future responsibilities of each participant related to the child’s attendance.

(2) A school official shall monitor the participants’ compliance with the terms of the absenteeism prevention plan. The school official shall contact the participants at least once each week during the remainder of the school calendar to monitor the performance of the participants under the plan.

d. During the school engagement meeting, the participants may initiate referrals to any services or counseling that the participants believe may be appropriate under the circumstances to improve the child’s attendance.

e. If the participants in the school engagement meeting fail to enter into an absenteeism prevention plan, or if the child or the child’s parent, guardian, or legal or actual custodian violates a term of the absenteeism prevention plan or fails to participate in the school engagement meeting, the county attorney may initiate a proceeding under [section 299.6](#).

f. [This subsection](#) is not applicable to a child who is receiving competent private

instruction or independent private instruction in accordance with the requirements of chapter 299A.

97 Acts, ch 41, §32; 97 Acts, ch 174, §5, 7; 2004 Acts, ch 1043, §7, 8, 10; 2013 Acts, ch 121, §96; 2024 Acts, ch 1152, §19

Referred to in §299.6, 299.13

Section stricken and rewritten