



Master of Educational Leadership

EDUC 582 - School Law

**Case Study #5:**

**Attendance Rules and Regulations – A Double Standard?**

**Abstract**

This case addresses a Midwestern high school where there appears to be a different standard of attendance dependent on who the attendance policies affect.

**Background**

Zinneo Union High School is a rural school located in a small town of 14,326 residents that also has a 4-year community college. The majority of students that attend Zinneo High come from families who are hard working members of the farming community where family values are highly respected. A small but vocal minority of the student population comes from the highly educated parents that work at the local university. The influence of these parents in all areas of community and school board politics is quite high, especially considering that the university faculty children comprise only one third of the entire student population of Zinneo High.

Zinneo's total student population is 726 students in a community with declining growth. Although the community college added two additional dorms to accommodate the college student growth in recent years, the community itself has been experiencing a decline of population in recent years. More and more family farms are being sold to large farm coops due to the escalating costs of farm operation and the challenge to maintain the ever increasing overhead costs seen in rural farming operations.

The overall demographics include 78% of the student population Caucasian with the balance of the minority students split between 20% Hispanic and 2% other. The largest percentage of the Hispanic students belongs to migrant worker families that support the larger farm operations in the area.

Graduation rates are not high for Zinneo. Even in a town with a community college, the average graduation rate is just under 74% of the students graduating with their cohort. This is the lowest graduation rate of all the high schools in their conference.

Many students drop out of high school when they reach the legal age. 86% of those students who drop out belong to farming families who do not place high value on a high school education. Family values emphasize their need to be supporting the work around the family farms.

### **Attendance Rules and Regulations**

Five years ago, in an effort to curb the high rate of excessive absence and in an effort to try to improve graduation rates, The Zinneo Union High School Board enacted policy that made absence from school for any reason (excused or unexcused) more restrictive than many surrounding high schools. Many of the students, especially farm students, would regularly miss their first and second hour classes due to their need to be on the farm to complete chores. Even with a later starting time set by the school board in an effort to accommodate the farming community, student tardiness and absenteeism was having a detrimental affect on overall student progress.

When spring planting time arrived each year in late April to early May, and fall harvest time in mid to late October, many of the farming member students would miss multiple days in order to help get the crops in to the ground or harvested in the fall. For many days at Zinneo during these planting and fall harvest times, the average daily attendance would average fewer than 83%.

Needless to say, some members of the farming community parents felt that the rules established were specifically targeted at the farming community not taking into account the need for these high school students to complete their chores prior to attending school. Even with numerous appeals to the Board of Education to make accommodations for the farm kids, the Board felt that the accommodation of a later start time for them addressed the farmer's needs and also the student's education.

### **Local Boy Serves as School Leader**

Frank Johnson was a local Zinneo boy who grew up on a large family farm in southwestern Zinneo Township. He still helps his brothers who took over the family farm five years ago after their Dad became ill to support the second largest dairy operation in the county.

Frank was the top quarterback for the Zinneo football team for three of his four years when he was in high school. His record still stands for the most completed passes in one football game in The Tarkansas Conference, a total of 26 completions. Zinneo that year went on to win conference and regional play-offs before being beaten by the eventual state champ.

With Frank's athletic ability, he earned a 4-year full scholarship ride to the local community college where he was also a very highly awarded college player. If it had not been for Frank blowing out his knee during his junior year at the college, he was touted to possibly being one of the top prospects for the NFL draft upon graduation from college.

Frank taught high school driver education and agriculture when he graduated from the local community college. He was also the head football coach for 15 years before being encouraged to apply for the high school principal position. Although at the time Frank had no administrative courses nor experience toward licensure, the Zinneo Board promised that they would help pay for his graduate courses while he served as high school principal. Frank took the job.

For three years after his appointment, during the summers, Frank went back to the local University in Freesberg, thirty miles away where he worked to achieve his administrative licensure. All along the years he served as teacher, head football coach and principal, he continued to support his brothers on the family farm. He, along with his two of his brothers, all built homes on the family farmstead and all supported the operation in addition to other jobs two of the three brothers maintained in order to adequately support their families and the farm operation.

Zinneo has always been known for the very competitive sports programs it has. As mentioned, the Zinneo High School football program was the pride of the entire community for many years. For a school its size, it has a total of 18 sports programs for both the girls and boys. Because Zinneo is the largest high school in its conference with the next largest high school only 426 students, many of Zinneo's athletic teams must travel outside of the conference area to compete.

### **The Double Standard?**

October 13-17, 2003, the Zinneo Homecoming week, there were as usual, many activities scheduled during homecoming week. The annual powder puff girl's football game where the varsity football team members coached the girls always occurred on Wednesday night after football practice. Thursday night was always the pep rally followed by the bon fire. This was one of the biggest events in the town of Zinneo where over half the community turned out for the event. They always would light the hillside behind the high school with a big "Z" for Zinneo as the culminating event for the homecoming bonfire festivities.

On the night of the homecoming bonfire, after all the celebration, six of the varsity football starters decided to carry out a plan they had been plotting for weeks. They decided to drive to the nearby Flatstone High School, the team they were going to compete against the next night in this year's Homecoming game to "leave their mark" and pimp the Flatstone players.

The previous year when Zinneo and Flatstone were to compete in Flatstone's homecoming, members of the Varsity football team from Flatstone came to Zinneo High

the weekend before the big game, toilet papered the high school, sprayed graffiti on the outside walls of the school and used Atrazine on the football field to carve out Flatstone's initials. Damages to school and property were estimated at over \$20,000. Rumors were rampant as to who was involved in the destruction. Everyone knew it was Flatstone football players that committed the vandalism as they bragged about it for weeks following the game. Ultimately, no one was arrested nor restitution paid to Zinneo for the damages.

Flatstone was 46 miles away and the six football players from Zinneo jumped into one car and headed out to Flatstone. The six players, all sons of prominent members of the community and school district, decided that they would get back at Flatstone High for what they did to Zinneo High School the previous year.

Just outside Flatstone, the football team player's car had trouble and would not run. After close examination of the engine, a belt had broken that made the car inoperable. No one had any communication to call friends for help. Cell phones in this rural area would not work due to the nature of the area. There were no gas stations open in this small rural town.

The players knew they had to get back to school the next morning because if they were unexcused to school the day of the game, they would be kept out of the game that night. Four of the six players were all starters including the quarterback; son of the school board president, the fullback; Principal Frank Johnson's nephew, the center; son of the local community college president and the tight end; son of the superintendent.

The six athletes finally found a phone and called one of the player's parents. It was not until well into the start of the next school day that the players were finally picked up. They did not arrive back to classes at Zinneo until just after lunch, well beyond the time they would be allowed to arrive without penalty of not playing in that night's competition.

When the six players arrived to the high school office, Jack Springer, the assistant principal and attendance officer, confronted the students. In addition to being the attendance officer, Jack also was the athletic director and head football coach.

Jack knew he had a dilemma. If he did not have these six boys playing in tonight's game, there was no way they could beat Flatstone. This game was especially important as the winner of tonight's game would be conference champs. Jack knew board policy and school attendance procedures. It was Jack and Frank that rewrote the attendance procedures five years ago when it was presented and passed by the Zinneo Union High School Board. Jack also knew that the state interscholastic rules for attendance the day of a game would prevent these players from competing. Jack also serves on the state board of control for athletics so he could not plead ignorance.

Jack provided passes to the boys and sent them to class with no indication on the pass as to whether they were excused or unexcused. His hope was that no one would discover or question any unexcused absence issues, at least until after the game that night.

After sending the students to class, Jack went to confer with Principal Johnson about the dilemma. Unfortunately, Frank was in a closed meeting with the superintendent, the board president, the president of the community college and Frank's brother. Frank instructed his secretary that he was not to be bothered the remainder of the day until after the evening's football game.

Zinneo Union High School played the game that night and beat Flatstone High School in a blow-out, 42 to 12.