

# Dropout from School Policy Q & A



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This policy Q & A addresses the topics related to the legal requirements for dropping out of school.

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## When can a student stop attending school in Nebraska?

Children are required to attend school in Nebraska if they are 6 years old prior to January 1 of the then-current school year and until they reach 18 years of age ([Neb. Rev. Stat. 79-201\(1\)](#)). The law, which was most recently amended in 2012, refers to students below the age of 19 as children.

However, Nebraska does have two exceptions to this law, which allow students to drop out at the age of 16 if they can show financial hardship that necessitates their withdrawal from school. The other exception is if a student has an illness that affects attendance.

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## How does Nebraska compare to other states regarding the age of dropping out of school?

According to a National Education Association (NEA) report (2012), the age when students may drop out of school varies somewhat across other states, but the majority of states allow students to dropout at the age of 16. There are currently approximately 20 states that have mandatory attendance until 18 years of age, including Nebraska. According to the report, the remaining states have set their mandatory attendance ages at 16 or 17. Raising compulsory attendance ages has

been one way that some states have been trying to decrease dropout rates. The NEA report is available at: (<http://www.nea.org/assets/docs/PB40raisingcompulsoryschoolage2012.pdf>).

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### **What does a parent or guardian need to do if they wish to allow their child to drop out or withdraw from school between the ages 16-18?**

If the child is between the ages of 16 and 18, the legal guardian of the child can withdraw the child from school and be exempt from the mandatory attendance requirements. To be exempt from the attendance requirements, the following procedures must occur: an exit interview and signage of a withdrawal form. Additionally, the student must be withdrawn from school for one of the following reasons: demonstration of financial hardship that requires the student to be employed to help his or her family, or documentation of a student illness that makes school attendance impossible or impracticable. ([Neb. Rev. Stat. 79-202\(1\)](#)).

A child may also be withdrawn from a school that does not meet accreditation or state approval requirements. A signed notarized release, on a form prescribed by the Commissioner of Education, must be filed with the State Department of Education. See ([Neb. Rev. Stat. 79-202\(1\) and \(6\)](#)).

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### **What are the requirements for conducting an exit interview?**

The request for the exit interview must be in writing and conducted by the school superintendent or the superintendent's designee. This applies whether the child is enrolled in a school in the district, or if the student resides in the school district and attends a private or parochial school instead of public school ([Neb. Rev. Stat. 79-202\(2\)](#)). The following people must attend the exit interview: the child (unless illness prevents this), the person who requested the exit interview and has legal custody of the child, the superintendent or designee, the child's principal or designee, and any other person the required parties request and is able and willing to attend ([Neb. Rev. Stat. 79-202\(3\)](#)).

The person making the request for the exit interview must show that he or she has legal custody of the child. Additionally, this person must demonstrate that the child is withdrawing due to financial hardships requiring the child to be employed to help the family, or the child has an illness making attendance impossible or impracticable. The superintendent is required to identify all known

alternative educational opportunities that would be available to the child. Additionally the superintendent should emphasize that dropping out is likely to reduce potential future earnings and increase likelihood of the child being unemployed in the future. Any other relevant information can also be discussed at the meeting ([Neb. Rev. Stat. 79-202\(4\)](#)). At the conclusion of the interview, the person who made the request for the exit interview can sign the withdrawal form provided by the school district or rescind the written request for withdrawal ([Neb. Rev. Stat. 79-202\(5\)](#)).

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### **What are the requirements for making a withdrawal form valid?**

To be valid, the withdrawal form must be signed by the child, unless illness makes this impossible or impracticable. The form must also be signed by the superintendent or designee acknowledging that the interview was held, the required information was provided and discussed, the person making the written request has legal custody of the child, and the child is withdrawing due to financial hardship or an illness ([Neb. Rev. Stat. 79-202\(5\)](#)).

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### **Can a child reenter school after he or she has withdrawn?**

Yes. A student may enroll in a school district as provided in [Neb. Rev. Stat. 79-215](#) or in a non-accredited school as provided in Neb. Rev. Stat. 79-1601. Once the student is enrolled, it voids the withdrawal form mentioned above and section 79-201 to 79-210. These compulsory attendance laws will once again apply to the child ([Neb. Rev. Stat. 79-202\(7\)](#)).

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### **Are there state reporting requirements for school districts on students that withdraw from school?**

Yes. The Commissioner of Education will determine what the required withdrawal form should contain and either the withdrawal forms or data regarding these students will be provided to the State Department of Education each year. [Neb. Rev. Stat. 79-528](#) provides the required data collection to be reported to the state and the filing requirements.

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