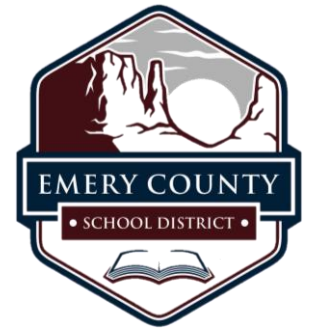


Emery County School District



Policy: JE—Student Attendance and Truancy Intervention

Date Adopted: 2 November 1988
Current Review / Revision: 11 November 2020

Compulsory Education

Attendance at school is a critical element for student achievement and success. Excessive student absence from school leaves learning gaps that are difficult to fill. Compulsory Education laws of the State of Utah require students who are at least 6 years of age and not more than 18 years of age, shall attend school unless properly exempted by the Board of Education. Parents or legal guardians of a student between 6 and 18 years of age are responsible for sending the student to school (Utah Code 53G-6-201). Accordingly, the District promotes and encourages regular school attendance of all students and implementation of appropriate interventions when students are truant. The District expects parents and students to fully comply with the State's compulsory attendance law.

Exemptions

The Board shall excuse a school-age student from attendance if the school-age child's parent/guardian submits a signed affidavit stating the school-age child will attend a home school.

The Board may excuse a school-age child from attendance if it has received sufficient evidence to support a finding by the Superintendent that the school-age child is over the age of sixteen (16) and is unable to profit from attendance at school because of inability or a continuing negative attitude toward school regulations and discipline, or as otherwise provided in Utah Code 53G-6-204.

When a school-aged child is excused from attendance by the Board, a certificate shall be issued within 30 days of receipt of signed affidavit stating that the school-aged child is excused from school attendance for the period specified on the certificate.

Definitions

- a) Compulsory Education Violation – means a notice issued in accordance with subsections (3) and (4) of Utah Code 53G-6-202.
- b) Excessive Absence – is being absent from school, or any individual class thereof, more than 6 times in any school term. This does not include excused absences and school-sponsored activities.
- c) Excused Absence – is an absence that has been excused by the school administration or parent/guardian for a reasonable period of time for a death in the family, severe physical or mental illness or injury, family emergency, or approved school activity. An absence may also be permitted by a student's Individualized Education Plan (IEP), or 504 Accommodation Plan.
- d) Preapproved Extended Absence – is a long-term absence (three days or longer) that may be approved by the school principal if it is determined the extended absence will not adversely impact the student's education.
- e) Truant Minor – is a school-age minor who is subject to the State of Utah Compulsory Education law and who is absent from school or class without a legitimate or valid excuse.

- f) Notice of Truancy – is an administrative notice to a school-age child who is in grade 7 or above, unless the school-age child is less than 12 years of age, and has been truant at least five (5) times during the current school year. The Notice of Truancy shall: identify the classes and/or dates for which the student has been considered truant; direct the student and parent to meet with school authorities to discuss the student's trancies; and inform the student and parent that Utah State Law requires their cooperation in securing regular attendance of the school-age child.
- g) Habitual Truant – is a school-age minor who is truant at least ten times during one school year and who fails to cooperate with efforts on the part of the school authorities to resolve the minor's attendance problem.
- h) Truancy Citation – is an administrative citation to a school-age child who is in grade 7 or above, unless the school-age child is less than 12 years old, and is truant. A copy of the Truancy Citation shall be personally delivered or mailed by regular mail to the parent or legal guardian of the school-age child.
- i) Notice of Compulsory Education Violation – means an administrative notice to a school-age student in grades 1-6 and their parent(s), after five unexcused absences in a school year.
- j) Parent – shall mean the child's parent(s), guardian(s), or an individual acting for or on behalf of the child under a power of attorney or other similar legal document.

Excessive Absence

Absence from school for six (6) or more days, or portions of a school day during one (1) term, not including school-excused absences, shall be considered as "excessive absence" under this policy. The following procedure will be followed to assist in avoiding excessive absences on the part of students:

- a) On the fourth (4th) absence the student's parent(s) will be notified by mail or administrative phone call that their child has reached 4 of the 6 excessive absences that are allowed each quarter and ask for their assistance in improving their student's attendance.
- b) On the sixth (6th) absence, the student's parent(s) will be notified by certified mail or administrative phone call of the problem and of a meeting to be held to discuss the problem. This meeting may be waived if the parents have prior approval from the school for their student's excessive absences due to extenuating circumstances.

In the meeting, a review of the attendance will take place and determine whether there are extenuating circumstances that have contributed to the student's absences. If the principal/designee determines that no extenuating circumstances exist the principal/designee has the option of: a) excusing future absences, or (b) requiring prior written notice from the student's parent/guardian of an excused absence as defined in Utah Code 53G-6 and in this policy.

- c) If absences beyond the sixth (6th) absence in any one term are not cleared according to the procedure outlined in this policy, such absences may be considered unexcused absences.
- d) The school's principal/designee shall monitor all student attendance, especially as it relates to academics, and will contact parent(s) at any time prior to the sixth (6th) absence when it is apparent that absences are impacting the education of the student.

Extended Absences

Circumstances may arise when parent(s) request that their child be excused for purposes other than illness, medical appointments, family emergencies, or death of a family member. Periodically students travel with their parents on business trips or vacations during the school year. In such circumstances, parent(s) must contact the school principal to

discuss the reasons and possible academic impacts of the absences. After reviewing the student's grades and academic status, the principal will discuss any potential negative impacts the absence may have on the student's education.

Since learning is progressive, it is important that all assignments are completed. The student should gather ahead of time (at least a week, if possible), all homework or other assignments that he/she will be missing. The student is then responsible to turn in all assignments and make up all exams within a prearranged time frame.

Teachers will provide the opportunity for students to make up assignments missed, but it is each student's responsibility to find out what assignments were given and the date by which they are to be finished.

School-Sponsored Activities

Students who participate in school-sponsored activities are considered present when calculating attendance. However, the students are expected to complete all missed assignments and testing as arranged with individual teachers.

Truancy Prevention and Intervention

The school shall make and document efforts to resolve a student's attendance problems and interventions shall include, as reasonably feasible:

- a) counseling of the student by school authorities using positive behavioral interventions and supports;
- b) making any necessary adjustment to curriculum and schedule to meet special needs of the student;
- c) considering alternatives proposed by a parent or legal guardian;
- d) monitoring school attendance of the student;
- e) voluntary participation in truancy mediation
- f) providing a student's parent, upon request, with a list of resources available to assist the parent in resolving the student's attendance problems;
- g) enlisting the assistance of community intervention education classes as appropriate;
- h) Issuing a Truancy Citation to a student who is in grade 7 or above, unless the school-age child is less than 12 years old;
- i) Issuing a Notice of Truancy to a student who is in grade 7 or above, unless the school-age child is less 12 years old;
- j) Issuing a Notice of Compulsory Education Violation to the parent or legal guardian of a student who is in grade 1 through 6.

Truancy Citations and Notice of Truancy

Earnest and persistent efforts to resolve student attendance problems may include the issuance of a Truancy Citation and/or Notice of Truancy, as follows:

- a) Truancy Citations: A school administrator or a designee of a school administrator may issue a Truancy Citation to a school-age child who is in grade 7 or above, unless the school-age child is less than 12 years old, and is truant. A copy of the Truancy Citation shall be personally delivered or mailed by regular mail to the parent or legal guardian of the school-age child.

- b) Notice of Truancy: A school administrator or a designee of a school administrator may issue a Notice of Truancy to a school-age child who is in grade 7 or above, unless the school-age child is less than 12 years of age, and has been truant at least five (5) times during the current school year. The Notice of Truancy shall:
 - a) identify the classes and/or dates for which the student has been considered truant;
 - b) direct the student and parent to meet with school authorities to discuss the student's truancies; and
 - c) inform the student and parent that Utah State Law requires their cooperation in securing regular attendance of the school-age child.

Copies of truancy citations and notices shall be retained in the student's permanent record.

If a student enters or leaves the District, truancy citations and notices issued may follow the student at the discretion of the receiving district.

The parent shall have the right to appeal a truancy citation or notice of truancy in writing to the building level administrator within ten (10) days of being issued.

Compulsory Education Violation

A school administrator or a designee of a school administrator acting as a school resource officer, may only issue a Notice of Compulsory Education Violation to the parent of a school-age child in grade 1 through 6 if the school-age child is truant at least five (5) times during the school year.

The Notice of Compulsory Education Violation shall:

- a) direct the parent to meet with school authorities to discuss the student's attendance problems;
- b) the parent to cooperate with the school in securing regular attendance by the student;
- c) designate the school authority with whom the parent is required to meet;
- d) state that it is a class B misdemeanor for the parent to intentionally or without good cause fail to meet with the school authority or fail to prevent the student from being truant five (5) or more times during the remainder of the school year.

The Notice of Compulsory Education Violation must be served on the school-aged child's parent by personal service or certified mail.

If a parent or legal guardian intentionally or without cause fails to meet with the school authority, or the school-age child is absent without a valid excuse an additional five (5) or more times during the remainder of the school year, or if school personnel have reason to believe that, after a notice of compulsory education violation is issued, the parent has failed to make a good faith effort to ensure that the student receives an appropriate education, the issuer of the compulsory education violation shall report to the Division of Child and Family Services:

- a) identifying information of the school-age child and the school-age child's parent who received the Notice of Compulsory Education Violation;
- b) information regarding the longest number of consecutive school days the school-age child has been absent or truant from school and the percentage of school days the school-age child has been absent or truant during each relevant school term;

- c) whether the school-age child has made adequate educational progress;
- d) whether the school-age child is two or more years behind the District's school's age group expectations in one or more basic skills;
- e) whether the school-age child is receiving special education services or systematic remediation efforts; and
- f) efforts made by the school to resolve the school-age child attendance problems.

If the school efforts are not successful, based on the interventions and documentation to resolve attendance issues, the school administrator/issuer of compulsory education violation shall report violations to the County Attorney. Utah Code 53G-6-202

Learner Validated Enrollment Measurement for Distance or Online Education Students

A learner validated enrollment measurement is a method of documenting a student's enrollment status in lieu of conducting a daily in-person attendance check. For students enrolled in a District distance or online education program, the following minimum enrollment measurements are allowed:

- a) Student login or teacher contact a minimum of once per week (more frequent is allowed and encouraged)
- b) A minimum hourly requirement, per day or week, when students are engaged in course work
- c) Required timelines for a student to provide or demonstrate completed assignments, coursework or progress toward academic goals

Schools and teachers will determine the specific enrollment measurement for each course and this measurement will be clearly outlined in the class syllabus. Enrollment measurements will be approved by the school principal and district supervisor.

Schools will document each student's continued enrollment status in compliance with this policy at least once every ten consecutive school days. The district will not count a student as an eligible student if the school or district has not engaged with the student during the prior ten consecutive school days.

The District will follow current state rules and guidelines for coding and tracking student attendance. Schools will appropriately adjust and update student membership records in the District's student information system for students that did not meet the learner validated enrollment measurement.