

1 **R277. Education, Administration.**

2 **R277-607. Attendance Promotion and Chronic Absenteeism ~~[and Truancy]~~**
3 **Prevention.**

4 **R277-607-1. Authority and Purpose.**

5 (1) This rule is authorized by:

6 (a) Utah Constitution [Article X, Section 3](#) which vests general control and
7 supervision over public education in the Board;

8 (b) Subsection [53E-3-401](#)(4), which allows the Board to make rules to execute the
9 Board's duties and responsibilities under the Utah Constitution and state; and

10 (c) Section [53G-6-206](#), which directs educational entities and parents working on
11 behalf of children to make efforts to promote positive student attendance and resolve
12 school ~~[attendance problems]~~ absenteeism and chronic absenteeism of school-age
13 minors who are or who should be enrolled in an LEA.

14 (2) The purpose of this rule is to direct an LEA to create policies and procedures
15 that promote attendance, reduced ~~[for]~~ truancy ~~[procedures]~~ and provide compulsory
16 education guidance.

17

18 **R277-607-2. Definitions.**

19 (1) "Absence" means the same as that term is defined in Subsection [53G-6-](#)
20 [201](#)(1).

21 (2) "Behavioral health" means the impact a student's actions can have on a
22 student's physical or mental health and includes conditions in which services provided by
23 social workers, counselors, psychiatrists, neurologists, behavior analyst, psychologists,
24 and physicians would be appropriate.

25 (3) "Chronic absenteeism" means a student misses 10% or more of days enrolled,
26 for any reason.

27 (4) "Intervention" means the same as the term is defined in Section [53G-6-206](#).

28 ([3]5) "Mental health" means the same as that term is defined in Subsection [R277-](#)
29 [625-2\(2\)](#).

30 ([4]6) "Notice of truancy" is a citation issued consistent with Section [53G-6-203](#).

31 ([5]7) "Punitive action" means

32 (a) a Notice of truancy;

33 (b) a notice of compulsory education violation consistent with Section [53G-6-202](#)

34 ; and

35 (c) does not mean any other supports or alternative interventions as determined
36 by an LEA.

37 ([6]8) "Truant" means the same as that term is defined in Subsection [53G-6-](#)
38 [201\(7\)](#).

39 ([7]9) "Unexcused absence" means a student's absence from school for reasons
40 other than those deemed a valid excuse.

41 ([8]9) "Valid excuse" means the same as that term is defined in Subsection [53G-](#)
42 [6-201\(9\)](#).

43

44 **R277-607-3. [~~Absenteeism and Truancy~~] Attendance Policy Requirements.**

45 (1) An LEA shall:

46 (a) develop an [~~absenteeism and truancy~~] attendance policy that:

47 (i) promotes regular attendance and [~~resolves~~] [addresses](#) school absenteeism and
48 truancy issues for each student who is, or should be, enrolled in the LEA, by encouraging
49 and supporting [~~encourages~~] regular, punctual attendance of students, consistent with

50 Section [53G-8-211](#) and Title 53G [~~Public Education System – Local Administration~~],
51 Chapter 6 [~~Participation in Public Schools~~], Part 2, Compulsory Education; [~~and~~]

52 (ii) ensures valid excused absences for mental health or behavioral health are not
53 used to circumvent Free Appropriate Public Education (FAPE) requirements or other
54 educational services requirement under federal law including the Individuals with
55 Disabilities Education Act (IDEA);

56 ~~[(iii) ensure between March 17, 2021 and June 1, 2022 that no punitive action is~~
57 ~~taken against a student or student's parent for being truant.]~~

58 (iii) includes provisions that reflect the LEA's unique needs or circumstances; and

59 (iv) adopts evidence or research-informed absenteeism and dropout prevention
60 interventions;

61 (b) review the LEA's absenteeism and truancy policy [~~regularly~~] biennially;

62 (c) create and operate an attendance review and implementation team [~~as~~
63 ~~described in Subsection (3)~~];

64 (d) review attendance data [~~annually~~] monthly no less than quarterly and
65 consider revisions to the [~~absenteeism and truancy~~] attendance policy to encourage
66 student attendance;

67 (e) [~~make the absenteeism and truancy policy available for review by parents or~~
68 ~~interested parties~~] publicize the LEA's attendance policy through school websites,
69 handbooks, letters to parents, or other reasonable means of communication; and

70 (f) [~~as described in Subsection 53G-8-211(2)(b), ensure that the LEA does not~~
71 ~~refer a student to a court for being truant between March 17, 2021 and June 1, 2022.~~]
72 create procedures for a stakeholder to provide input for the attendance policy.

73 (2) An LEA may issue a notice of truancy to a student consistent with the LEA's
74 [~~absenteeism and truancy~~] attendance policy and Section [53G-6-203](#).

75 (3) An LEA's attendance review team under Subsection (1)(c) [~~shall~~]:

76 (a) may include [~~consist of~~]:

77 (i) administrators, including those responsible for:

78 (A) academic instruction;

79 (B) health and wellness;

80 (C) student support services; and

81 (D) attendance data;

82 (ii) [~~where possible,~~] representatives of community agencies; and

83 (iii) [~~may include~~] the LEA's multi-disciplinary team;

84
85 (b) shall collect ~~[two-way perspective] [student and family perception]~~ data
86 regarding student attendance through two-way communication with students and
87 families;

88 ([b]c) shall review attendance data to inform actions and tiered interventions
89 development at least monthly;

90 ([e]d) shall create a systematic LEA and school level response for the LEA's
91 ~~[absenteeism and truancy]~~ attendance policy that are in alignment with other educational
92 systems, including:

93 (i) practice improvement; and

94 (ii) prevention and intervention strategies; and

95 ([e]e) shall promote shared accountability and continuous improvement related to
96 an LEA's ~~[absenteeism and truancy]~~ attendance policy including a school level
97 attendance plan developed at the end of the previous school year.

98

99 **R277-607-4. Compulsory Education Procedures.**

100 (1) An LEA shall develop compulsory education procedures as part of the LEA's
101 ~~[absenteeism and truancy]~~ attendance policy described in Section R277-607-3.

102 (2) The compulsory education procedures shall:

103 (a) provide a process for notice to parents about the ~~[absenteeism and truancy]~~
104 attendance policy;

105 (b) require notice to parents regarding the progress of a student's discipline and
106 consequences for violation of the ~~[truancy]~~ attendance policy;

107 (c) provide an appeals process to contest:

108 (i) a notice of truancy; or

109 (ii) any disciplinary actions against a student pursuant to the ~~[absenteeism and~~
110 ~~truancy]~~ attendance policy or;

111 (d) establish definitions not provided in law or this rule necessary to implement the
112 ~~[absenteeism and truancy]~~ attendance policy and compulsory education procedures;

113 (e) include definitions of:

114 (i) "approved school activity" under Subsection [53G-6-201](#)(9)(c); ~~[and]~~

115 (ii) "any other excuse" under Subsection [53G-6-201](#)(9)(e); and

116 (iii) "chronic absenteeism" consistent with Section R277-607-2.

117 (f) include criteria and procedures for preapproval of extended absences
118 consistent with Section [53G-6-205](#); and

119 (g) establish programs and meaningful incentives ~~[which]~~ that promote regular,
120 punctual student attendance.

121 (3) An LEA shall publish the appeals process described in Subsection R277-607-
122 4(2)(c) for use by a student or the student's parents.

123

124 **KEY: compulsory education, truancy**

125 **Date of Last Change: August 25, 2021**

126 **Notice of Continuation: June 4, 2021**

127 **Authorizing, and Implemented or Interpreted Law: [Art X Sec 3](#); [53E-3-401](#)(4); [53G-](#)
128 [6-206](#)**