

R277. Education, Administration.

R277-607. Absenteeism and Truancy Prevention.

R277-607-1. Authority and Purpose.

(1) This rule is authorized by:

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

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

(c) Section 53G-6-206, which:

(i) describes the duties of an LEA governing board in promoting regular attendance;

(ii) does not impose civil liability on the Board, and LEA governing board, or their employees; and

(iii) requires each LEA to annually report data on absences with or without a valid excuse to the state board.

(d) Section 53G-9-804, which:

(i) describes the Legislature's expectations regarding absenteeism prevention and outreach policies; and

(ii) requires the Board to make rules requiring LEAs to enact chronic absenteeism prevention and intervention policies.

(2) The purpose of this rule is to direct LEAs to create a policy, which:

(a) defines attendance expectations;

(b) delineates consequences consistent with state law; and

(c) provides an appeals process.

(3) An LEA described in Subsection 53G-9-802(5) is exempt from providing dropout recovery services as described in Subsection 53G-9-802(3).

R277-607-2. Definitions.

(1) "Chronic absenteeism" means a student misses 10% or more of days enrolled, for any reason, and makes a school aware that a beginning of tiered supports may be needed.

(2) "Intervention" means the same as the term is defined in Subsection 53G-6-206(1).

(3) "Notice of compulsory education" is a notice of violation to the parents of students in grades 1-6 consistent with Section 53G-6-202.

(4) "Notice of truancy" is a citation issued to students and parents of students in grades 7-12 consistent with Section 53G-6-203.

(5) "Truancy means a condition consistent with Subsection 53G-6-201(8).

(6) "Valid excuse" means the same as the term is defined in Subsection 53G-6-201(10).

R277-607-3. Promotion of Regular Attendance.

(1) An LEA governing board:

(a) shall create and review an LEA attendance policy that:

(i) outlines attendance expectations with language and definitions consistent with Subsection 53G-9-804(1)(a) and Title 53G, Chapter 6, Part 2, Compulsory Education;

(ii) addresses the interplay between absences for mental health or behavioral health and Free Appropriate Public Education requirements or other educational service requirements for students under federal law including the IDEA;

(ii) provides for school level procedure making; and

(iii) provides an appeals process to contest:

(A) a notice of truancy;

(B) a notice of compulsory education; or

(C) any disciplinary actions taken against a student pursuant to an LEA's attendance policy;

(b) shall publicize the LEA's attendance policy and appeals process through:

(i) LEA and school websites;

(ii) handbooks;

(iii) letters to parents; and

(iv) other reasonable means of communication;

(c) shall support institutional efforts to promote regular attendance and address school absenteeism and truancy issues for school-age children enrolled in the LEA, in accordance with Subsection 53G-6-206(3) and Section 53G-9-804; and

(d) may enlist the assistance of community agencies and organizations for early intervention services, in accordance with Section 53G-8-211.

(2) An LEA shall annually report the following data separately to the Superintendent:

(a) absences with a valid excuse; and

(b) absences without a valid excuse.

KEY: compulsory education, truancy, absenteeism

Date of Last Change: August 8, 2023

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Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53G-6-206; 53G-9-804