

1 **R277. Education, Administration.**

2 **R277-607. Absenteeism and Truancy Prevention.**

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

4 (1) This rule is authorized by:

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

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

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

12 (2) The purpose of this rule is to direct an LEA to create policies for truancy
13 procedures and compulsory education.

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15 **R277-607-2. Definitions.**

16 (1) "Absence" means the same as that term is defined in Subsection [53G-6-](#)
17 [201\(1\)](#).

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

22 (3) "Mental health" means the same as that term is defined in Subsection R277-
23 625-2(2).

24 ([2]4) "Notice of truancy" is a citation issued consistent with Section [53G-6-203](#).

25 ([3]5) "Truant" means the same as that term is defined in Subsection [53G-6-](#)
26 [201\(7\)](#).

27 ([4]6) "Unexcused absence" means a student's absence from school for reasons
28 other than those deemed a valid excuse.

29 ([5]7) "Valid excuse" means the same as that term is defined in Subsection [53G-](#)
30 [6-201\(9\)](#).

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32 **R277-607-3. Absenteeism and Truancy Policy Requirements.**

33 (1) An LEA shall:

34 (a) develop an absenteeism and truancy policy that:

35 (i) encourages regular, punctual attendance of students, consistent with Section
36 [53G-8-211](#) and Title 53G Public Education System -- Local Administration, Chapter 6
37 Participation in Public Schools, Part 2 Compulsory Education; and

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

42 (b) review the LEA's absenteeism and truancy policy regularly;

43 (c) create and operate an attendance review team as described in Subsection (3);

44 (d) review attendance data annually and consider revisions to the absenteeism
45 and truancy policy to encourage student attendance; and

46 (e) make the absenteeism and truancy policy available for review by parents or
47 interested parties.

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

50 (3) An LEA's attendance review team shall:

51 (a) consist of:

52 (i) administrators including those responsible for:

53 (A) academic instruction;

54 (B) health and wellness;

55 (C) student support services; and

56 (D) attendance data;

57 (ii) where possible, community agencies; and

58 (iii) may include the LEA's multi-disciplinary team;

59 (b) review attendance data to inform actions and tiered interventions development
60 at least monthly;

61 (c) create a systematic LEA and school level response for the LEA's absenteeism
62 and truancy policy including:

- 63 (i) practice improvement; and
64 (ii) prevention and intervention strategies; and
65 (d) promote shared accountability and continuous improvement related to an
66 LEA's absenteeism and truancy policy including a school level attendance plan developed
67 at the end of the previous school year.
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69 **R277-607-4. Compulsory Education Procedures.**

70 (1) An LEA shall develop compulsory education procedures as part of the LEA's
71 absenteeism and truancy policy described in Section R277-607-3.

72 (2) The compulsory education procedures shall:

73 (a) provide a process for notice to parents about the absenteeism and truancy
74 policy;

75 (b) require notice to parents regarding the progress of a student's discipline and
76 consequences for violation of the truancy policy;

77 (c) provide an appeals process to contest:

78 (i) a notice of truancy; or

79 (ii) any disciplinary actions against a student pursuant to the absenteeism and
80 truancy policy or;

81 (d) establish definitions not provided in law or this rule necessary to implement the
82 absenteeism and truancy policy and compulsory education procedures;

83 (e) include definitions of:

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

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

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

88 (g) establish programs and meaningful incentives which promote regular, punctual
89 student attendance.

90 (3) An LEA shall publish the appeals process described in Subsection R277-607-
91 4(2)(c) for use by a student or the student's parents.

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93 **KEY: compulsory education, truancy**

- 94 **Date of Enactment or Last Substantive Amendment: August 12, 2020**
- 95 **Notice of Continuation: June 5, 2020**
- 96 **Authorizing, and Implemented or Interpreted Law: [Art X Sec 3](#); [53E-3-401\(4\)](#); [53G-](#)**
- 97 **[6-206](#)**