

R277-607 received final approval by the Utah State Board of Education on June 4, 2020. R277-607 will be published in the July 1, 2020 Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of August 8, 2020.

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 directs educational entities and parents working on behalf of children to make efforts to resolve school attendance problems of school-age minors who are or who should be enrolled in an LEA.
- (2) The purpose of this rule is to direct an LEA to create policies for truancy procedures and compulsory education.

R277-607-2. Definitions.

- (1) "Absence" means the same as that term is defined in Subsection [53G-6-201\(1\)](#).
- (2) ~~["Habitual truant" means the same as that term is defined in Subsection [53G-6-201\(2\)](#).~~
- (3) ~~["Habitual truant"]~~Notice of truancy ~~[citation]~~ is a citation issued ~~[only]~~ consistent with Section [53G-6-203](#).
- (4) "Truant" means the same as that term is defined in Subsection [53G-6-201\(7\)](#).
- (5) "Unexcused absence" means a student's absence from school for reasons other than those ~~[authorized under the LEA policy]~~ deemed a valid excuse.
- (6) "Valid excuse" means the same as that term is defined in Subsection [53G-6-201\(9\)](#).

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

- (1) An LEA shall:
 - (a) develop an absenteeism and truancy policy that encourages regular,

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

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

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

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

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

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

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

(a) consist of:

(i) administrators including those responsible for:

(A) academic instruction;

(B) health and wellness;

(C) student support services; and

(D) attendance data;

(ii) where possible, community agencies; and

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

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

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

(i) practice improvement; and

(ii) prevention and intervention strategies; and

(d) promote shared accountability and continuous improvement related to an LEA's absenteeism and truancy policy including a school level attendance plan developed at the end of the previous school year.

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R277-607-4. Compulsory Education Procedures.

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

(2) The compulsory education procedures shall:

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

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

(c) provide an appeals process to contest:

(i) a notice of truancy; or

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

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

(e) include definitions of:

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

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

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

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

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

KEY: compulsory education, truancy

Date of Enactment or Last Substantive Amendment: October 8, 2019

Notice of Continuation: [~~September 2, 2014~~]2020

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