

DESCRIPTOR TERM: Students	Millard District Policy File Code: 6400 Approved: 01-11-24
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STUDENT ATTENDANCE

A. Purpose

The Laws of the State of Utah require students between the ages of six and eighteen to be in attendance at school unless they have graduated from high school (See Utah Code, Section 53G-6-202).

The Utah State Board of Education views on-time attendance as a critical element for student achievement success. The opportunities lost through student absence and tardiness leave learning gaps that are difficult to fill. Parents, students, and school personnel should make decisions that lead to excellent classroom attendance.

Teachers should employ strategies that encourage on-time attendance through recognition, rewards, and grades.

B. Definitions

1. **Excessive Absenteeism:** “Excessive absenteeism” is being absent from school, or any individual class thereof, more than five times in a seven period day, or three times in a four or five period day, in any school term. This does not include excused school absences and school sponsored activities.
2. **Excused Absence:** An “excused absence” is an absence resulting from:
 - a. illness, which may be either mental or physical (the school may not require documentation from a medical professional to substantiate the illness);
 - b. mental or behavioral health of the school-age child;
 - c. death of family member
 - d. an approved school activity; or
 - e. any other reason established by the district as valid.
 - i. In determining whether to pre-approve an extended absence of a student as a valid excuse, the district shall approve the absence if the district determines that the absence will not adversely impact the student’s education.

- ii. A “valid excuse” does not include a parent acknowledgement of an absence for a reason other than those stated above unless the Board of Education has specifically permitted absence for that reason.
- f. An absence for attendance at a scheduled family event or a scheduled proactive visit to a health care provider if the parent submits a written statement at least one school day before the scheduled absence and if the student agrees to make up course work for the missed days according to District or school policy.
- g. an absence permitted by a student’s:
 - a. individualized education program; or
 - b. Section 504 accommodation plan.

[Utah Code § 53G-6-201\(10\) \(2021\)](#)

[Utah Code § 53G-6-205 \(2021\)](#)

[Utah Code § 53G-6-803\(5\) \(2020\)](#)

3. **Preapproved Extended Absence:** A long term absence (three days or longer) may be approved by the school administration if it is determined the extended absence will not adversely impact the student’s education. In order for them to be excused, parent(s) must contact the school administration before the absence and complete the associated paperwork to gain administrative approval.
4. **Habitual Truant:** A “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.
5. **Parent:** “Parent” shall mean the child’s parent(s), guardian, or an individual acting for or on behalf of the child under a power of attorney or other similar legal document.
6. **Truancy Citation:** A “truancy citation” is an administrative notice to a truant minor issued following an appearance before the principal or other designated school truancy control officer.
7. **Truant minor:** A “truant minor” is a school-age minor who is subject to the state’s compulsory education law and who is absent from school without a legitimate or valid excuse. Students leaving the class or building or missing class without prior approval will be deemed truant.

C. Policy

Prior to or no later than school registration, the parent or legal guardian of each student in grades 1-12 shall be provided written notice from the school or district informing the parents or legal guardians of Compulsory Education attendance laws, discipline or consequences progress; and opportunities to appeal a notice of truancy or disciplinary measures. This notice shall be provided with registration materials or as part of the registration process and shall also be provided at appropriate locations on the District website and school websites. However, this notice shall not be provided for the 2021-2022 school year registration.

[Utah Admin. Rules R277-607-4\(2\)\(a\), \(b\) \(August 12, 2020\)](#)

1. **Residency:** Only students who are residents within the Millard School District or are board approved non-residents and have been appropriately registered may attend classes in the Millard School District.
2. **Parent Excused Absences:** Opportunities lost through student absence and tardiness leave learning gaps that are difficult to fill. Parents, students, and school personnel should make decisions that lead to excellent classroom attendance. It is our desire to have every student in every class each day. In extreme circumstances a parent may excuse up to five absences in a seven period day, or three absences in a four or five period day in a term before truancy citations are issued to the student. This should be only in extreme circumstances and should not be considered an acceptable or encouraged practice. Whenever possible students need to be in school.
3. **Excused Absences:** The individual school administration may excuse a student from school for a reason identified by the school or district as reasonable such as: illness, medical appointments, family emergencies, death of a family member or close friend, or family activity or travel, consistent with district/school policy.
4. **Preapproval of Extended Absences:**
 - a. Circumstances may arise when parent(s) request that their child be excused from school for purposes other than illness, medical appointments, family emergencies, or death of a family member or close friend. In such circumstances, parent(s) must prearrange for their child's absence. To prearrange an absence, parent(s) must contact the school administration, complete the necessary form, and be prepared to discuss the reason(s) why the event or activity would justify the absence. If the administration grants the

student's absence, the student is then responsible to gather, ahead of time, 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 the prearranged time frame.

- b. If the administration determines that the parent(s) requested absence for their child is not justified or legitimate and the parent(s) nevertheless takes the child out of school, such absence will be counted as an unexcused absence and a truancy citation may be issued.
 - c. If a student is absent by reason of the parent(s) and student's failure to prearrange the student's absence, such absence will be counted as an unexcused absence and a truancy citation may be issued.
 - d. In extenuating circumstances, the parent(s) may notify the school up to three days after the absence. The school administration will determine whether such extenuating circumstances are sufficient to justify the absence as an excused absence.
- 5. **School Sponsored Activities:** Students who participate in school sponsored activities are considered to be present when calculating attendance. However, they are expected to complete all missed assignments and testing as arranged with individual teachers.
- 6. **Excessive Absences:** Excessive absences will be subject to any or all of the following sanctions or disciplinary activities:
 - a. Meeting between school officials and parent(s)
 - b. Interventions such as schedule changes
 - c. In-school Suspension
 - d. Dismissal from school
- 7. **Tardiness:** Tardiness is disruptive to the education process. Appropriate, consistent sanctions shall be developed by individual schools and approved by district administration.
- 8. The District shall make reasonable efforts to resolve the school attendance problems of its students, including the following, as deemed reasonably feasible by the Board or its designee in individual cases:
 - a. counseling of the student by school authorities;
 - b. issuing a Notice of Truancy;

- c. adjusting the curriculum and schedule if determined necessary to meet special needs of the student;
- d. considering alternatives proposed by the parent or legal guardian;
- e. monitoring school attendance of the student;
- f. voluntarily participating in truancy mediation, if available;
- g. providing the student's parent or legal guardian, upon request, a list of resources available to assist the parent or legal guardian in resolving the student's attendance problems; and
- h. enlisting the assistance of community and law enforcement agencies as appropriate to the extent permitted under Utah Code § 53G-8-211.

This policy and related statute do not impose civil liability on the school district or its employees. During the period from March 17, 2021 to June 1, 2022, the school's efforts to resolve attendance problems may not include issuing a Notice of Truancy.

[Utah Code § 53G-6-206 \(2021\)](#)

9. Truant students 12 years of age or above:

- a. A student who is truant one or more times in any individual day must meet with school officials.
- b. Administrative Penalties

10. Procedures to Notify Parent for a student in grades 1-6: When a student becomes truant, the individual school's administration will notify the student's parent(s) by telephone, mail, or personal communication and use the following procedures for a school age minor who is in grades 1-6:

- a. A school administrator shall issue a Notice of Compulsory Education Violation to a parent of a school-age child, if the school-age child is absent without a valid excuse at least five times during the school year. Valid parent excused absences, up to five each quarter, will not be counted in this number.
- b. The Notice of Compulsory Education Violation shall:
 - 1. Direct the parent(s) of the school-age child to meet with school authorities to discuss the child's school attendance problem.

2. Direct the parent(s) to cooperate with the school district in securing regular attendance by the school-age child.
 3. Designate the school authorities with whom the parent(s) are to meet.
 4. State that it is a Class B misdemeanor for the parent of the school-age child to intentionally or recklessly fail to meet with the designated school authorities, or fail to prevent the school-age child from being absent without a valid excuse five or more times for the remainder of the school year.
 5. Be served on the school-age child's parent(s) by personal service or certified mail.
- c. School authorities shall report violations of this section to the county attorney.
11. **Procedures to Notify Parent for a student 12 years of age or older in grades 7-12:** When a student becomes truant, the individual school's administration will notify the student's parent(s) by telephone, mail, or personal communication and use the following procedures for a school age minor in grades 7-12 who is at least 12 years of age:
- a. **First, Second, Third, Fourth Truancy:** Issue truancy citation and notify parent.
 - b. **Fifth Truancy:** Issue truancy citation. Issue the Notice of Truancy to the student and to the parent. Notice shall direct the student and parent to meet with school authorities to discuss the truancies; and cooperate with the school district in securing regular attendance by the student.
 - c. **Sixth, Seventh, Eighth, Ninth Truancy:** Issue truancy citation and notify parent. Follow through on any plans or sanctions determined in meeting after Notice of Truancy.
 - d. **Tenth Truancy:** Issue Habitually Truant Citation to the student.
 - e. **Additional Truancies:** Issue truant citation to the student and notify parents.

D. Attendance Review Team

1. The District's attendance review team consists of administrators (including those responsible for academic instruction, health and wellness, student support services, and attendance data), may include the District's multi-disciplinary team, and where possible includes community agencies. The attendance review team will:
 - a. On at least a monthly basis review attendance data to inform actions and tiered interventions development;
 - b. Create a systemic District and school level response for the District's compulsory education policy, including practice improvement and prevention and intervention strategies; and
 - c. Promote shared accountability and continuous improvement relating to the District's compulsory education policy, including a school level attendance plan developed at the end of the previous school year.

[*Utah Admin. Rules R277-607-3\(1\)\(c\), \(3\) \(August 12, 2020\)*](#)

E. Appeals Procedure

1. Any student who has received a truancy citation or an unexcused absence has the right to appeal the truancy citation or unexcused absence to a Performance Review Committee appointed by the principal of the student's school. Such appeal must be filed with the principal, in writing, signed by both the parent and student, within 10 days of receiving the truancy citation or unexcused absence.
2. The Performance Review Committee shall consist of one administrator, one counselor, and one teacher.
3. At the hearing before the Review Committee the student may be represented by a person of his/her choice and shall be entitled to produce witnesses, ask questions, and present any relevant evidence on his/her behalf.
4. The Performance Review Committee should render its decision after the hearing or may take the matter under advisement. The Performance Review Committee's decision will be reduced to writing and issued to the parent/student within 5 days of the hearing. The Performance Review Committee's decision shall be final.

- F. **Release from Compulsory Education:** The board of education, after following the outlined due process and acting within state and legal guidelines, may release a student from school for unresolved excessive absences and trancies.
- G. **Reporting to the State Board of Education:** The District shall annually report to the State Board of Education (a) the number of absences with a valid excuse and (b) the number of absences without a valid excuse.

[Utah Code § 53G-6-206\(6\) \(2021\)](#)

**Millard School District
Pre-Arranged Absence Form**

Students may be excused from school beyond the five parent excused absences per term, if an activity can be shown to have some educational value. Absences must be arranged in advance with school administration and not after the activity has taken place.

Before the absences will be changed from parent excused to school excused, students must submit an explanation of why the activity was educationally beneficial, and they must show proof that they have completed all classroom assignments which were missed during the activity.

Student Name: _____ Grade: _____

Date of Absences: _____

Reason for absence: _____

Parent Signature: _____ Date: _____

Administrator Approval: _____ Date: _____

Period	Class	Current Grade	Missed Assignments	Teacher Approval	Date Assignments Completed	Teacher Signature

For each week of school missed, students will have one week in which to complete missed work.

STATE OF UTAH JUVENILE COURT

HABITUAL TRUANCY/SCHOOL BASED REFERRAL

A school may not refer a minor to court for habitual truancy or an offense alleged to have occurred on school property that is a class C misdemeanor or lower unless the minor refuses to participate in an evidence-based alternative intervention and fails to participate in prevention and early intervention youth services provided by the Division of Juvenile Justice Services. A youth services center operated by the Division of Juvenile Justice Service may be considered an evidence-based intervention. To be habitually truant, a youth must be in grade 7 or above AND at least 12 years old. The school shall appoint a school representative to actively participate in the court process with the minor and the minor's family.

The following requirements must be met before a referral can be made:

- ☐ Youth is in at least 7th grade AND at least 12 years of age.
- ☐ Youth has refused to participate in an evidence based alternative intervention - (May include: Mobile crisis outreach team; A youth services center operated by the Division of Juvenile Justice Services; A youth court or comparable restorative justice program; Evidence based interventions created and developed by the school or school district; Other evidence-based interventions that may be jointly created and developed by a local education agency, The state board, the juvenile court, local counties and municipalities, the Department of Health or the Department of Human Services)
- ☐ Youth has failed to participate in prevention and early intervention youth services provided by the Division of Juvenile Justice Services.

Truancy ☐ Class C Misdemeanor ☐

Student Number: _____ Birth Date: _____
 Student Name: _____ Home Phone: _____
 Gender: M ☐ F ☐ Ethnicity: _____ Age: _____ City: _____ Zip: _____
 Student resides with: _____ Phone: _____
 Father: _____ DOB: _____ Email: _____
 Address: _____ Phone: _____
 Mother: _____ DOB: _____ Phone: _____
 Address: _____ Phone: _____
 Referral completed by: _____
 Interpreter needed: Parent ☐ Youth ☐ Language: _____
School
 School: _____ Grade: _____ GPA: _____
 Assigned School Representative: _____ Office Phone: _____
 Email Address: _____

☐ Regular Program ☐ Shortened Day () ☐ Afternoon Alternative School
☐ Special Education ☐ Self-Contained Behavioral Unit ☐ Other: _____

Attendance

Attendance for the period beginning: _____ and ending: _____

Total days possible: _____
 Total days absent: _____
 Number of full days of unexcused absence: _____
 Additional periods of unexcused absence: _____

****Please attach School Attendance Records with this Referral****

Youth Profile

Physical Health Concerns Y ☐ N ☐ Details _____
 Is There a Health Care Plan? Y ☐ N ☐ Details _____
 Mental Health Concerns Y ☐ N ☐ Details _____
 Youth-In-Custody Student Y ☐ N ☐ Details _____

School Background

Enrollment History _____ Details _____
 Previous History of Truancy Y ☐ N ☐ Details _____
 Academic Progress/On Track for Graduation Y ☐ N ☐ Details _____
 Does Student Have an IEP Y ☐ N ☐ Details _____
 Does Student Have ELL / ESL Accommodations Y ☐ N ☐ Details _____

Participation in Prevention and Early Intervention Youth Services Provided by JJS

*******Provide a report from the Division of Juvenile Justice Services that demonstrates the minor's failure to complete or participate in prevention and early intervention services per statute.*******

Name of program: _____ Referred Date: _____
 Date of Unsuccessful Termination: _____

Narrative / Additional Information

****Please attach a report of evidence based alternative interventions utilized, including outcomes****

Efforts Made To Address Truancy: (Please include dates)

Conferences held with student: _____

Conferences held with parent: _____

Phone contact with parent: _____

Home visits made: _____

Behavioral Contracts tried: _____

Administrative Contacts tried: _____

- ☐ Date of Notice of Truancy: _____
- ☐ Date of Second Notice of Truancy: _____
- ☐ Adjusted/Modified Class Schedule
- ☐ Counselor/Administrator/Teacher Daily/Weekly Check in
- ☐ Daily Tracking Sheets
- ☐ Attendance Contract
- ☐ Assigned Tracker/Mentor BHA
- ☐ Home Visit
- ☐ Referral to After School Program
- ☐ Referral to Social Worker/Psychologist
- ☐ Vocational School Details _____
- ☐ Alternative School Details _____
- ☐ Other _____

Narrative / Additional Information

(School District making referral)

(School Counselor)

(School Principal)

(Date)

(School District official approving court referral)

(Date of approval)