Admissions and Attendance Compulsory Education

Definitions—

1. “Absence” or “absent” means:

a. For a student enrolled in an attendance validated program, the failure of a school-age child assigned to a class or class period to attend at least half of the class or class period for a given day or class period.

b. For a student enrolled in a learner validated program, the failure of a school-age child to meet the District’s continuing enrollment measurement requirements as established in District policy.

Utah Code § 53G-6-201(1) (2026)

Utah Admin. Rules R277-607-2(1) (March 10, 2025) 2. “Attendance validated program” means an educational program where a student receives direct teacher interaction and instruction and student participation is measured by physical or virtual attendance at scheduled instructional periods.

Utah Code § 53F-2-102(1) (2026) 3. “Learner validated program” means an educational program specifically designed for competency-based or self-paced learning where student participation is measured by demonstrated academic progress and completion of learning objectives rather than by attendance at scheduled instructional periods and the District has established a written policy that defines continuing enrollment measurement requirements, standards for demonstrating academic progress, methods for calculating equivalent instructional hours, and procedures for ensuring equivalent educational rigor and support as provided in attendance-validated programs, and satisfaction of any additional criteria required by the Utah State Board of Education.

Utah Code § 53F-2-102(6) (2026) 4. “Excused Absence or Valid Excuse” means:

a. an absence resulting from:

i. Illness, which may be either mental or physical (the school may not require documentation from a medical professional to substantiate the

illness);

ii. Mental or behavioral health of the school-age child;

iii. death of family member;

iv. an approved school activity;

v. Competition in a rodeo sanctioned by an international, non-profit organization dedicated to the development of sportsmanship, horsemanship, and character in youth through the sport of rodeo;

vi. Any reason a parent provides to justify a student's absence, if the student maintains a cumulative grade point average of at least 2.0, including, but not limited to, participation in mountain biking or shooting sports clubs or in a youth development program administered by Utah State University; or

vii. any other reason established by the district as valid.

1. 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.

2. 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.

b. 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. (See Policy GCE section "Parent rights regarding student absences".)

c. an absence permitted by a student's:

i. individualized education program; or

ii. Section 504 accommodation plan.

Utah Code § 53G-6-201(19) (2026)

Utah Code § 53G-6-205 (2021)

Utah Code § 53G-6-803(5) (2020)

Utah Admin. Rules R277-607-2(8) (March 10, 2025) 5. “Home School” means a school comprised of one or more students officially excused from compulsory public school attendance under this policy and

Utah Code § 53G-6-204.

Utah Admin. Rules R277-438-2(5) (December 8, 2016) 6. “Private School” means a school satisfying the following criteria:

a. maintained by private individuals or entities;

b. maintained and operated not at public expense;

c. generally supported, in part at least, by tuition fee or charges;

d. operated as a substitute for, and giving the equivalent of, instruction required in public schools;

e. employs teachers able to provide the same quality of education as public school teachers;

f. established to operate indefinitely and independently, not dependent upon the age of the students available or upon individual family situations; and

g. licensed as a business by the Utah Department of Commerce.

Utah Admin. Rules R277-438-2(6) (December 8, 2016) 7. “Truant” means that a student is absent without a valid excuse for at least half of the instructional day for a student enrolled in an attendance validated program. (A student may not be considered truant more than one time in a day.) If the student is enrolled in a learner validated program, the absent time period which will result in truancy is defined by the District’s policy about the District’s continuing enrollment measure for the program as it relates to truancy.

Utah Code § 53G-6-201(17) (2026)

Utah Admin. Rules R277-607-2(7) (March 10, 2025) 8. “Habitual truant” means a school-age child who is in grade 7 or above (unless the child is less than 12 years old) who has not been exempted from school

attendance and either is truant at least 20 days during one school year or fails to cooperate with the school's efforts to resolve the attendance problem as provided in this policy.

Utah Code § 53G-8-211(1)(c) (2026)

Utah Admin. Rules R277-607-2(3) (March 10, 2025) 9. "Mental health" means a person's emotional, psychological, and social well-

being which can affect how a person thinks, feels, and acts including how a person handles stress, relates to others, and makes healthy choices.

Utah Admin. Rules R277-625-2(2) (October 8, 2024) 10. "Chronic absenteeism" means a student who was enrolled in the District for at

least 60 calendar days has missed 10% or more of instruction days, whether the absence was excused or unexcused.

Utah Code § 53G-6-201(3) (2026)

Utah Admin. Rules R277-607-2(2) (March 10, 2025) 11. "Intervention" means a series of non-punitive and increasingly frequent and

individualized activities that are designed to create a trusting relationship between teachers, students, and parents, improve attendance, improve academic outcomes, and reduce negative behavior referrals. It can include mentorship programs, family connection to community resources, academic support through small group or individualized tutoring or similar methods, and teaching executive function skills (planning, goal setting, understanding and following multi-step directions, and self-regulation).

Utah Admin. Rules R277-607-2(4) (March 10, 2025)

Utah Code § 53G-6-206(1) (2026)

Notice of Compulsory Education Attendance Laws—

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.

Utah Admin. Rules R277-607-3(1)(b) (March 10, 2025)

Notice of Public School Options—

The District shall place a link on its website to the public school options webpage maintained by the Utah State Board of Education. To the extent technically possible, the District shall also place a link to the Utah State Board of Education public school options webpage on the District's student information portal accessible by parents.

Utah Admin. Rules R277-932-2(4) (July 9, 2024)

Compulsory Education—

The parent of a student who is at least six (6) years of age and not more than eighteen (18) years of age, shall enroll and send his or her school-age minor to a public or regularly established private school during the school year of the district in which the student resides, unless exempted as indicated below. Attendance shall be in District schools or in some other district to which the student may legally be transferred, or in a regularly established private school. It is a class B misdemeanor for a parent to intentionally or without good cause fail to enroll a school-age minor in school, unless exempted as indicated below. The District shall report violations of this policy to the appropriate city, county, or district attorney.

Utah Code § 53G-6-202 (2026)

Exemptions—

Students who meet one or more of the following conditions to the satisfaction

of the Board shall be exempt from compulsory attendance requirements and shall be

given a certificate, issued by the Board, stating that the student is excused from attendance during the time specified on the certificate:

1. A child over 16 years old may receive a partial release from school to enter employment, or to attend a trade school, if the child has completed the eighth grade. Children receiving this exemption must still attend school part-time as required by the Board or home school part-time as permitted in 2.e. below.
2. On an annual basis, a school-age child under 18 years old may receive a full release from attending a public, regularly established private or part-time school or class if one of the following is established to the Board's satisfaction:

a. The child has already completed the work required for graduation from high school.

b. The child is in a physical or mental condition, certified by a competent physician if required by the Board, which renders attendance inexpedient and impracticable.

c. Proper influences and adequate opportunities for education are provided in connection with the child's employment.

d. The Superintendent determines that the child, if over 16 years old, is unable to profit from attendance at school because of inability or a continuing negative attitude toward school regulations and discipline.

a. The child's parent notifies the Board of Education of the intent to home school the child except to the extent that the child is dual-enrolled in a public school. (If an affidavit or other notice of home schooling of a student has previously been provided to the Board, no further notice is required.)

A child receiving a partial release to enter employment under item (1) above may be excused from attending required part-time school to attend home school part time.

i. A parent or legal guardian of a child who attends a home school is solely responsible for:

1. the selection of instructional materials and textbooks;
2. the time, place, and method of instruction, and
3. the evaluation of the home school instruction.

ii. A local school board may not:

1. require a parent or guardian of a child who attends a home school to maintain records of instruction or attendance;
2. require credentials for individuals providing home school instruction;
3. inspect home school facilities; or
4. require standardized or other testing of home school students.

iii. Upon request of a parent or legal guardian, the District shall identify the knowledge, skills, and competencies a student is recommended to achieve by grade level and subject area to assist the parent or legal guardian in achieving college and career readiness through home schooling.

Utah Code § 53G-6-204 (2025)

Certificate of Exemption from Public School Attendance—

When the Board excuses a child from public school attendance pursuant to an exemption other than for home schooling, the Board shall issue a certificate stating that the child is excused from attendance during the time specified on the certificate. When the Board receives a notice that a child will be home schooled, the Board shall acknowledge receipt of the notice within 30 days and shall maintain a record of the notification (no further action or certificate from the Board is required).

Utah Code § 53G-6-204 (2025)

School and District Efforts to Resolve Attendance Problems—

Parent(s) of all students in grades 1-12 shall be provided written notice from the school or district informing parents of Compulsory Education attendance laws and encouraging parental cooperation.

1. A student registering in the school district during the school year may be provided written notice explaining the school and school district's compulsory education policy.
2. A student moving from one school to another within the same district may be provided written notice explaining the school and school district's compulsory education policy.

The notice to parents shall also include a description of the appeals process for contesting a notice of truancy or contesting disciplinary action against a student under this policy.

Utah Admin. Rules R277-607-3(1)(a)(iii) (March 10, 2025)

The District shall make reasonable efforts to promote regular attendance and resolve chronic absenteeism and truancy issues for its students, including the following, as deemed reasonably feasible by the Board or its designee in individual cases:

1. counseling of the student by school authorities;
2. issuing a Notice of Truancy to the student or notice of compulsory education violation to the student's parent;
3. adjusting the curriculum and schedule if determined necessary to meet special needs of the student;
4. considering alternatives proposed by the parent or legal guardian;
5. incorporating attendance into the student's course score and grade as described in Policy EFF;
6. monitoring school attendance of the student;

7. voluntarily participating in truancy mediation, if available;
8. 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
9. enlisting the assistance of community and law enforcement agencies and organizations for early intervention and habitual truancy services as appropriate and reasonably feasible and 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.

Utah Code § 53G-6-206 (2026)

Utah Admin. Rules R277-607-3(1)(c) (March 10, 2025)

Each school in the District shall establish procedures to promote regular attendance and resolve chronic absenteeism and truancy issues which are consistent with this policy. These procedures shall include processes to monitor for chronic absenteeism and to implement interventions for students with chronic absenteeism which are appropriate for the particular circumstances and needs of the school's students and the school. District administration shall provide support to schools in establishing procedures and in implementing efforts to promote regular attendance.

Utah Admin. Rules R277-607-3(1)(a)(ii) (March 10, 2025)

The District shall regularly review student attendance data to identify students at risk of chronic absenteeism, implement tiered interventions for students with attendance concerns, notify parents within two instructional days of a student's unexcused absence (including the total number of unexcused absences for the school year), and maintain accurate and timely attendance records in the student information system. The District shall ensure that the student information system

accurately captures and reports student enrollment, attendance, and membership

data, including by conducting an annual internal review of attendance data accuracy.

Utah Code § 53G-6-206(5) (2026)

Utah Code § 53G-6-214(1) (2026)

The District shall provide annual training to all relevant staff on attendance

policies and procedures and shall clearly communicate attendance expectations and

consequences to parents and students. The Board of Education shall review

relevant attendance data, annually evaluate the effectiveness of attendance

interventions, ensure adequate resources are allocated for attendance monitoring

and intervention programs, and approve any changes to attendance policies in a

public meeting.

Utah Code § 53G-6-215 (2026)

Notice of Compulsory Education Violation—

A school administrator, a designee of the school administrator, a law

enforcement officer acting as a school resource officer, or a truancy specialist may

only issue a notice of compulsory education violation to a parent of a student, if the

student is in grade 1 through 6 and if the student is truant at least five (5) times

during the school year.

The notice of compulsory education violation shall:

1. direct the student's parent to meet with designated school authorities to

   discuss the student's attendance problems and cooperate with the District to

   secure regular attendance by the student.

2. specify the school authorities with whom the parent is required to meet.

3. state that it is a class B misdemeanor for the student's parent to intentionally

   or without good cause fail to meet with the designated school authorities to

   discuss the student's attendance problems or fail to prevent the student from

being truant an additional five (5) or more times during the remainder of the school year.

4. be served on the student's parent by personal service or certified mail.

The District shall report violations of this policy to the appropriate city, county, or district attorney. The District shall maintain records of each notice of compulsory education violation that is issued and any resulting referrals and general outcomes.

Utah Code § 53G-6-202 (2026)

Penalties for Truancy—

The Board of Education may establish administrative penalties for being truant on a student who is in grade 7 or above and at least 12 years old.

Utah Code § 53G-6-203(2) (2026)

Notice of Truancy—

The District may authorize school administrators, a designee of the school administrator, a law enforcement officer acting as a school resource officer, or a truancy specialist to issue a notice of truancy to any student who is at least twelve (12) years of age and in grade 7 or above and who has been truant at least five (5) times during the school year.

The notice of truancy shall:

1. Identify each of the five (5) or more dates when the student was truant.
2. Direct the student and his or her parent to meet with the designated school authorities and cooperate with the school in securing regular attendance by the student;
3. Allow for contesting the notice of truancy. If the student and/or his or her parent desires to contest the notice of truancy, the parent must meet with the principal or the principal's designee to voice any concerns about the accuracy of the notice of truancy. If the parent cannot meet with the principal or the principal's designee, he or she can submit a written review to the principal

outlining the concerns about the accuracy of the notice of truancy. After reviewing the concerns, the principal shall make a determination to either revise or affirm each of the dates when the student was allegedly truant. The principal's determination is final. The principal shall notify the parent or legal guardian of the determination. If the principal affirms the notice of truancy, the principal shall direct the parent to follow step 2 outlined above.

4. Be mailed to, or served on, the student's parent.

The District shall maintain records of each notice of truancy issued and any resulting

referrals and general outcomes.

Utah Code § 53G-6-203 (2026)

Utah Admin. Rules R277-607-3(1)(a)(iii) (March 10, 2025)

Habitual Truant Referral—

If a student is alleged to be a habitual truant, the student shall be referred to

an evidence-based alternative intervention listed in Utah Code § 53G-8-211(3)(a) or

(if the student refuses to participate in the alternative intervention) shall be referred

for prevention and early intervention youth services by the Division of Juvenile

Justice and Youth Services. (The referral may be made by a school administrator or

designee or by a school resource officer.) However, if the student has twice

previously been alleged to be a habitual truant within the school year and referred to

alternative intervention on those occasions, the student may be referred to a law

enforcement agency or court.

Utah Code § 53G-8-211(3), (4) (2026)

Other Actions to Resolve Attendance Problems—

Nothing in this policy shall prohibit a school from taking action to resolve a

student's attendance problems prior to five (5) absences without valid excuses,

providing the action does not conflict with the requirements of these policies.

Utah Code § 53G-6-203(5) (2026)

Truancy Specialist—

The Board may appoint and determine compensation for a truancy specialist to assist in enforcing laws related to school attendance, and to perform other duties prescribed by law or the Board.

Utah Code § 53G-6-207 (2019)

Duties and Powers—

The truancy specialist may:

1. Investigate all cases of unexcused absences from school.
2. Enforce provisions of the compulsory attendance law.
3. Keep written records of all cases of any kind investigated by the truancy specialist in the discharge of his or her duties.

Custody—

The truancy specialist or a school administrator may take a minor into temporary custody if there is reason to believe the minor is a truant minor.

Utah Code § 53G-6-208(1) (2022)

If the truancy specialist or a school administrator takes a presumed truant child into custody, the truancy specialist or administrator shall, without unnecessary delay, release the child to one of the following:

1. The Principal of the child's school.
2. Any person designated by the Board to receive the child and return him or her to school.
3. A designated truancy center of the District.

Utah Code § 53G-6-208(2) (2022)

If the child taken into custody refuses to return to school or to go to the truancy center, the officer or administrator shall, without unnecessary delay, notify

the child's parents, guardian or custodian and release the child to their custody. If

the parents of a truant minor in custody cannot be reached or are unable or unwilling

to accept custody, and if none of the other options in the preceding paragraph are

available, the child shall be referred to the Division of Child and Family Services.

Utah Code § 53G-6-208(3), (4) (2022)

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(8) (2026)

Utah Admin. Rules R277-607-3(2) (March 10, 2025)

Appendix A - Retained Millard Form: Notice of Intent to Home School

The following local form is retained for administrative use with Policy FBB. It carries forward the Board-approved Millard home school notice form and confirms whether dual enrollment is requested.

File Code: 5100

Notice of Intent to Home School

Millard School District
285 East 450 North Delta, UT 84624

MILLARD School District

Student Name(s)	M/F	Birth Date	Boundary School	Dual Enrollment ☐ Yes ☐ No If yes, list classes or activities

Phone Number:	Address:	City:	Zip
Parent/Guardian (please print):	Email Address:		
Reason for Home Schooling (optional):			

I _____(Parent/Guardian) of the above-named student(s), declare my intent to homeschool my student(s). I understand and agree:

1. I am solely responsible for the education of my student(s).
2. I am solely responsible for the selection of instructional materials and textbooks.
3. I am solely responsible for the setting the time, place and method of instruction
4. I am solely responsible for the evaluation of the home school instruction

I accept full responsibility for my student and that he/she may not qualify for a high school diploma issued by Millard School District or any of its schools.

(For students with IEPs or identified through child find): My decision to home school does not in any way imply that the school district did not provide a free and appropriate public education and I understand and agree that my student has no individual right to receive some or all of the special education and related services he/she would receive if enrolled in a public school in Millard School District. Consistent with state law, Section 53G-6-702 and Utah State Board of Education Rule R277-438

For Dual Enrollment: I understand I must meet with the building administrator to determine participation in a course, co-curricular activity, or program consistent with state law, Section 53G-6-702, and Utah State Board of Education Rule R277-438 prior to determining dual enrollment.

I understand that if my student is participating in the Utah Fits All Scholarship Program, they are not eligible to enroll in or participate in academic programs or services offered by Millard School District during the regular school day. However, my student may participate in extracurricular activities, consistent with district policies and eligibility requirements.

I have read this agreement and understand my obligations as a home school parent/guardian

Parent/Guardian Signature:_____ Date_____

Note: this information on this form is for Millard School District use only. If Millard School District release home school information as "directory information," Millard School District must do so consistent with federal law.

District Use Only: Date Received:_____ Dual Enrollment Verified with Principal: Yes/NA Date:_____

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Source: MSD Policy 5100, approved 2026.