

Grand County School District

1 **Admissions and Attendance:**
2 ***Compulsory Education***

3 **Definitions—**

4 1. "Excused Absence or Valid Excuse" means:

5 a. an absence resulting from:

6 i. illness;

7 ii. death of family member;

8 iii. an approved school activity; or

9 iv. any other reason established by the district as valid.

10 1. In determining whether to pre-approve an
11 extended absence of a student as a valid excuse,
12 the district shall approve the absence if the district
13 determines that the absence will not adversely
14 impact the student's education.

15 b. An absence for attendance at a scheduled family event or a
16 scheduled proactive visit to a health care provider if the parent
17 or guardian submits a written statement at least one school day
18 before the scheduled absence and if the student agrees to
19 make up course work for the missed days according to District
20 or school policy. (See Policy GCE section "Parent rights
21 regarding student absences".)

22 c. an absence permitted by a student's:

23 i. individualized education program, developed pursuant to
24 the Individuals with Disabilities Education Improvement
25 Act; or

26 ii. accommodation plan, developed pursuant to Section 504
27 of the Rehabilitation Act.

28 [Utah Code § 53A-11-101\(9\) \(2007\)](#)

29 [Utah Code § 53A-11-101.3 \(2007\)](#)

30 [Utah Code § 53A-15-1403\(5\) \(2015\)](#)

31 2. "Home School" means a school comprised of one or more students
32 officially excused from compulsory public school attendance under this
33 policy and [Utah Code § 53A-11-102.](#)

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[Utah Admin. Rules R277-438-2\(5\) \(December 8, 2016\)](#)

3. "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\(6\) \(December 8, 2016\)](#)

4. "Truant" means absent without a valid excuse or excused absence.

[Utah Code § 53A-11-101\(7\) \(2007\)](#)

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 disciplinary measures. Do we do this?

[Utah Admin. Rules R277-607-4 \(October 9, 2014\)](#)

Compulsory Education—

The parent or legal guardian 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 or legal guardian, after being served with a notice of compulsory education violation, to 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.

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[Utah Code § 53A-11-101.5 \(2012\)](#)

68

69 Exemptions—

70 Students who meet one or more of the following conditions to the satisfaction
71 of the Board shall be exempt from compulsory attendance requirements and shall be
72 given a certificate, issued by the Board, stating that the minor is excused from
73 attendance during the time specified on the certificate:

- 74 1. A minor over age sixteen (16) may receive a partial release from
75 school to enter employment, or to attend a trade school, if the minor
76 has completed the eighth grade. Minors receiving this exemption must
77 still attend school part-time as required by the Board or home school
78 part time as permitted in 2.e. below.
- 79 2. On an annual basis, a school-age minor under eighteen (18) years of
80 age may receive a full release from attending a public, regularly
81 established private or part-time school or class if one of the following is
82 established to the Board's satisfaction:
- 83 a. The minor has already completed the work required for
84 graduation from high school or has demonstrated mastery of the
85 skills and competencies required for graduation from high
86 school in accordance with [Utah Code § 53A-15-102\(1\)](#).
- 87 b. The minor is in a physical or mental condition, certified by a
88 competent physician if required by the Board, which renders
89 attendance inexpedient and impracticable.
- 90 c. Proper influences and adequate opportunities for education are
91 provided in connection with the minor's employment.
- 92 d. The Superintendent determines that the minor, if over age
93 sixteen (16), is unable to profit from attendance at school
94 because of inability or a continuing negative attitude toward
95 school regulations and discipline.
- 96 e. The minor's parent files a signed and notarized affidavit with the
97 minor's school district of residence that the minor will attend a
98 home school and that the parent assumes sole responsibility for
99 the education of the school-age minor except to the extent that
100 the minor is dual-enrolled in a public school. A minor receiving a
101 partial release in order to enter employment under item (1)
102 above may be excused from attending required part-time school
103 to attend home school part time.

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- 104 i. A parent of a minor who attends a home school is solely
105 responsible for:
- 106 1. the selection of instructional materials and
107 textbooks;
- 108 2. the time, place, and method of instruction, and
109 3. the evaluation of the home school instruction.
- 110 ii. A local school board may not:
- 111 1. require a parent of a minor who attends a home
112 school to maintain records of instruction or
113 attendance;
- 114 2. require credentials for individuals providing home
115 school instruction;
- 116 3. inspect home school facilities; or
117 4. require standardized or other testing of home
118 school students.
- 119 iii. Upon request of a parent, the District shall identify the
120 knowledge, skills, and competencies a student is
121 recommended to achieve by grade level and subject area
122 to assist the parent in achieving college and career
123 readiness through home schooling.

124 [Utah Code § 53A-11-102 \(2014\)](#)

125 **Certificate of Exemption from Public School Attendance—**

126 When the Board excuses a minor from public school attendance pursuant to
127 an exemption other than for home schooling, the Board shall issue a certificate
128 stating that the minor is excused from attendance during the time specified on the
129 certificate. When the Board excuses a minor from attendance under the home
130 school exemption, the Board shall annually issue a certificate excusing the minor
131 from attendance for the specified school year. The certificate shall be issued within
132 30 days after the initial receipt of the parent or guardian's signed and notarized
133 affidavit filed by the minor's parent pursuant to Subsection (2)(e). The Board shall
134 issue additional certificates on or before August 1 of each year thereafter unless (1)
135 the minor enrolls in a District school, (2) the parent or guardian notifies the District
136 that the minor no longer attends a home school, or (3) the parent or guardian notifies
137 the District that the minor's district of residence has changed.

138 [Utah Code § 53A-11-102 \(2014\)](#)

**Grand County School District
School Efforts to Resolve Attendance Problems—**

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

143 1. A student registering in the school district during the school year may
144 be provided written notice explaining the school and school district's
145 compulsory education policy.

146 2. A student moving from one school to another within the same district
147 may be provided written notice explaining the school and school
148 district's compulsory education policy.

149 [Utah Admin. Rules R277-607-4 \(October 9, 2014\)](#)

150 The District shall make reasonable efforts to resolve the school attendance
151 problems of its students, including the following, as deemed reasonably feasible by
152 the Board or its designee in individual cases:

- 153 1. counseling of the student by school authorities;
154 2. issuing a Notice of Truancy;
155 3. adjusting the curriculum and schedule if determined necessary to meet
156 special needs of the student;
157 4. considering alternatives proposed by the parent or legal guardian;
158 5. monitoring school attendance of the student;
159 6. voluntarily participating in truancy mediation, if available;
160 7. providing the student's parent or legal guardian, upon request, a list of
161 resources available to assist the parent or legal guardian in resolving
162 the student's attendance problems; and
163 8. enlisting the assistance of community and law enforcement agencies
164 as appropriate to the extent permitted under Utah Code § 53A-11-911.

165 This policy and related statute do not impose civil liability on the school district
166 or its employees.

167 [Utah Code § 53A-11-103 \(2017\)](#)

168 Notice of Compulsory Education Violation—

169 A school administrator, a designee of the school administrator, a law
170 enforcement officer acting as a school resource officer, or a truancy specialist may
171 issue a notice of compulsory education violation to a parent of a student, who is at

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172 least six (6) years old but under the age of fourteen (14), if the student is truant at
173 least five (5) times during the school year.

174 The notice of compulsory education violation shall:

- 175 1. direct the student's parent or legal guardian to meet with designated
176 school authorities to discuss the student's attendance problems and
177 cooperate with the District to secure regular attendance by the student.
- 178 2. specify the school authorities with whom the parent is required to meet.
- 179 3. state that it is a class B misdemeanor for the student's parent or legal
180 guardian to intentionally or recklessly fail to meet with the designated
181 school authorities to discuss the student's attendance problems or fail
182 to prevent the student from being truant an additional five (5) or more
183 times during the remainder of the school year.
- 184 4. be served on the student's parent or legal guardian by personal service
185 or certified mail.

186 The District shall report violations of this policy to the appropriate city, county,
187 or district attorney.

188 [Utah Code § 53A-11-101.5 \(2012\)](#)

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190 **Notice of Truancy—**

191 A student is truant who is absent from school without a valid excuse. The
192 District may authorize school administrators, a designee of the school administrator,
193 a law enforcement officer acting as a school resource officer, or a truancy specialist
194 to issue a notice of truancy to any student who is at least twelve (12) years of age
195 and has been truant at least five (5) times during the school year.

196 The notice of truancy shall:

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

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

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

216 [Utah Code § 53A-11-101.7 \(2017\)](#)

217 **Other Actions to Resolve Attendance Problems—**

218 Nothing in this policy shall prohibit a school from taking action to resolve a
219 student's attendance problems prior to five (5) absences without valid excuses,
220 providing the action does not conflict with the requirements of these policies.

221 [Utah Code § 53A-11-101.7\(5\) \(2017\)](#)

222 **Truancy Specialist—**

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

226 [Utah Code § 53A-11-104 \(2007\)](#)

227 **Duties and Powers—**

228 The truancy specialist may:

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

233 **Custody—**

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

236 [Utah Code § 53A-11-105\(1\) \(2008\)](#)

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

- 240 1. The Principal of the child's school.

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241 2. Any person designated by the Board to receive the child and return
242 him or her to school.

243 3. A designated truancy center of the District.

244 [Utah Code § 53A-11-105\(2\) \(2017\)](#)

245 If the child refuses to return to school or to go to the truancy center, the officer
246 or administrator shall, without unnecessary delay, notify the child's parents, guardian
247 or custodian and release the child to their custody. If the parents, guardian or
248 custodian cannot be reached or are unable or unwilling to accept custody, and if
249 none of the other options in the preceding paragraph are available, the child shall be
250 referred to the Division of Child and Family Services.

251 [Utah Code § 53A-11-105\(3\), \(4\) \(2017\)](#)

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