

Agency: UTAH STATE BOARD OF EDUCATION

Request Title: *10 Day Absence Policy Request*

Purpose Statement: To amend Utah State Code to require a welfare check referral for students who have been absent for 10 or more consecutive days and whose families have been non-responsive to all school communications.

What is the nature of your request?

Select one:

POLICY REQUEST – You are seeking changes to Utah State Code to improve your program/services.

Projected Results:

- Establishes a clear, legally-mandated protocol for LEAs to follow when a student is chronically absent and unresponsive, ensuring student safety and well-being are verified.
- Improves accountability by creating a "safety net" for students who may have "fallen through the cracks" (e.g., moved without notice, unenrolled, or are in an unsafe situation).

Rationale:

- This policy addresses a critical gap between truancy procedures and child welfare. When a family becomes completely unresponsive and a student is missing from school, LEAs lack a clear, required next step to verify the student's safety.
- This creates a formal trigger for intervention, protecting the student and providing the LEA with a clear procedure to follow when all other communication attempts have failed.

USBE Lead Point of Contact:

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USBE Section: Policy

POLICY REQUEST

This section only needs to be completed if you are making a policy request (creating or changing existing Utah Code language).

1. Section(s) of State Code to be addressed (if none, insert "N/A"):

Title 53G, Chapter 6, Part 2 (Compulsory Education)

2. Summarize the request, the specific problem it will solve, and how it will solve the problem. (Describe the issues or concerns the legislation will address:)

Problem: When a student has been absent for 10 consecutive days, schools are required to unenroll them. However, in some cases, this absence is combined with a total lack of communication from the

parents (no notice of absence, no homeschool affidavit, no unenrollment notice) and a complete failure to respond to school outreach. LEAs are left uncertain whether the student has moved or is in a crisis.

Request: This request seeks to amend state code to require an LEA to make a referral for a welfare check when a specific set of high-risk criteria is met.

Solution: This policy will create a mandatory action for LEAs. Before or at the point of unenrollment for 10 consecutive absences, if the student also meets all the specified criteria (no contact, no records request, no enrollment elsewhere), the LEA *must* refer the case to the appropriate authorities for a welfare check to verify the student's safety.

3. Describe the history of the issues or concerns including relevant context and timelines:

Local Education Agencies (LEAs) are often caught between attendance/truancy rules and child welfare concerns. Truancy procedures are designed for students who are still enrolled but not attending. This request addresses the specific scenario where a student effectively disappears. LEAs have reported needing a clearer, state-mandated protocol to define their responsibility in escalating these specific cases to ensure a student's well-being is not overlooked.

4. What are the suggested legislative solutions? Include code references and suggested language where possible:

To amend Title 53G, Chapter 6, Part 2 (Compulsory Education), potentially by adding a new section or amending 53G-6-206.

Suggested Language (conceptual):

(1) An LEA shall make a referral for a student welfare check if a student has been absent for 10 or more consecutive school days and all of the following conditions are met: (a) the student's parent has failed to notify the school of the student's absence; (b) the student's parent has not filed a home school affidavit; (c) the student's parent has not provided notice of unenrollment; (d) the student's parent has failed to respond to repeated communications from the school (e.g., email, phone calls, text messages, or other methods); (e) and one of the following is true: (i) the LEA has not received a request for student records from another educational entity; or (ii) there is no record of the student being enrolled in any other Utah LEA.

(2) In such cases, a referral shall be made to [Local Law Enforcement or the Division of Child and Family Services] for a welfare check to verify the student's well-being.