

1 **R277. Education, Administration.**

2 **R277-607. Absenteeism and Truancy Prevention.**

3 **R277-607-1. Authority^[s] Purpose^[s] and Oversight Category.**

4 (1) This rule is authorized by:

5 (a) Utah Constitution Article X, Section 3, which vests general control and
6 supervision over public education in the Board;

7 (b) Subsection 53E-3-401(4), which allows the Board to make rules to execute
8 the Board's duties and responsibilities under the Utah Constitution and state; and

9 (c) Section 53G-6-206, which:

10 (i) describes the duties of an LEA governing board in making efforts in promoting
11 regular attendance and resolving school absenteeism and truancy issues for each
12 school-age child who is, or should be, enrolled in the LEA;

13 (ii) does not impose civil liability on the Board and LEA governing board or their
14 employees; and

15 (iii) requires each LEA to annually report data on absences with or without a
16 valid excuse to the state board.

17 (d) Section 53G-9-804, which requires the Board to make rules requiring LEAs
18 to enact chronic absenteeism prevention and intervention policies.

19 (2) The purpose of this rule is to direct an LEA to create a policy, which:

20 (a) defines attendance expectations;

21 (b) provides interventions and resources;

22 (c) delineates consequences consistent with state law; and

23 (d) provides an appeals process.

24 (3) An LEA described in Subsection 53G-9-802(5) is exempt from providing
25 dropout recovery services as described in Subsection 53G-9-802(3).

26 ~~[(4) This Rule R277-607 is categorized as Category 2 as described in Rule~~
27 ~~R277-111.]~~

28

29 **R277-607-2. Definitions.**

30 (1)~~(a)~~ "Absence" or "absent" means ~~[the failure of a school-age child assigned~~
31 ~~to a class or class period to attend at least half of the class or class period as defined by~~
32 ~~the LEA].~~

33 ~~[(b) "Absence or "absent" does not mean multiple tardies used to calculate an~~
34 ~~absence for the sake of a truancy] the same as defined in R277-100.~~

35 (2) "Attendance Validated Program" means the same as defined in R277-100.

36 ~~[(2)](3) "Chronic absenteeism" means [a student misses 10% or more of days~~
37 ~~enrolled, for any reason, and makes a school aware that a beginning of tiered supports~~
38 ~~may be needed] a student who:~~

39 (a) was enrolled in an LEA for at least 60 calendar days; and

40 (b) has been absent for at least 10% of days of instruction, whether the absence
41 was excused or not excused.

42 ~~[(3)](4) "Habitual truancy" means the same as defined in 53G-8-211, a school-~~
43 ~~age child who:~~

44 (i) is in grade 7 or above, unless the school-age child is less than 12 years old;

45 (ii) is subject to the requirements of Section 53G-6-202; and

46 (iii)(A) is truant at least 20 days during one school year; or

47 (B) fails to cooperate with efforts on the part of school authorities to resolve the
48 school-age child's attendance problem as required under Section 53G-6-206.

49 ~~[(4)](5) "Intervention" means the same as the term is defined in Subsection 53G-~~
50 ~~6-206(1).~~

51 (6) "Learner Validated Program" means the same as defined in R277-100.

52 ~~[(5)](7) "Notice of compulsory education" is a notice of violation to the parents of~~
53 ~~students in grades 1-6 consistent with Section 53G-6-202.~~

54 ~~[(6)](8) "Notice of truancy" is a citation issued to students and parents of students~~
55 ~~in grades 7-12 consistent with Section 53G-6-203.~~

56 (9) "Tardy" means a student's arrival after the designated start time for a class
57 period or instructional day, as defined by the LEA's written policy.

58 ~~[(7)]~~(10) "Truancy means a condition in which a school-age child is absent
59 without a valid excuse, for at least:

60 (a) half of the school day; or

61 (b) if the school-age child is enrolled in a learner ~~[verified]~~validated program, [as
62 ~~that term is defined by the Board~~], the relevant amount of time under the LEA's policy
63 regarding the LEA's continuing enrollment measure as it relates to truancy.

64 (c) a school-age child may not be considered truant under this part more than
65 one time during the same day.

66 ~~[(8)]~~(11)(a) "Valid excuse" means:

67 (i) Any reason made pursuant to Section 53G-10-205, Section 53G-6-201,
68 Section 53G-6-205, and Subsection 53G-6-803(5).

69 (ii) an illness, which may be either mental or physical, regardless of whether the
70 school-age child or parent provides documentation from a medical professional;

71 (iii) behavioral health of the school-age child;

72 (iv) a family death;

73 (v) an approved school activity or suspension;

74 (vi) an absence permitted by a school-age child's:

75 (A) individualized education plan; or

76 (B) section 504 accommodation plan;

77 ~~[(vii) an absence permitted in accordance with Subsection 53G-6-803(5); or]~~

78 ~~[(viii)]~~(vii) any other excuse established as valid by a local school, charter school
79 governing board, or school district.

80 (b) "Valid excuse" does not mean a parent acknowledgement of an absence for
81 a reason other than a reason described in Subsections (8)(a)(i) through (vii), unless
82 specifically permitted by the local school board, charter school governing board, or
83 school district under Subsection (13)(a)(vii).

84

85 **R277-607-3. Promotion of Regular Attendance.**

86 (1) An LEA governing board:

- 87 (a) shall create ~~[and review]~~ an LEA attendance policy that:
- 88 (i) outlines attendance expectations with language and definitions consistent
- 89 with Title 53G, Chapter 6, Part 2, Compulsory Education;
- 90 (ii) provides for school level procedure making; and
- 91 (iii) provides an appeals process to contest:
- 92 (A) a notice of truancy;
- 93 (B) a notice of compulsory education; or
- 94 (C) any disciplinary actions taken against a student pursuant to an LEA's
- 95 attendance policy;
- 96 (iv) shall be reviewed every five years
- 97 (b) shall annually publicize the LEA's attendance policy and appeals process
- 98 through:
- 99 (i) LEA and school websites;
- 100 (ii) handbooks;
- 101 (iii) letters to parents; and
- 102 (iv) other reasonable means of communication;
- 103 (c) shall support institutional efforts to promote regular attendance and address
- 104 chronic absenteeism and truancy issues for school-age children enrolled in the LEA, in
- 105 accordance with Subsection 53G-6-206(3) and Section 53G-9-804; and
- 106 (d) may enlist the assistance of community agencies and organizations for early
- 107 intervention and habitual truancy services, in accordance with Section 53G-8-211.
- 108 (e) if an LEA adopts a policy for attendance-based grading, the LEA shall ensure
- 109 their policy shall follow 53G-6-213.
- 110 (2) An LEA shall annually report the following data separately to the
- 111 Superintendent:
- 112 (a) absences with a valid excuse; and
- 113 (b) absences without a valid excuse.

114 **R277-607-4. LEA Accountability Measures.**

115 (1) An LEA shall ensure effective implementation of attendance practices
116 consistent with Section R277-607-3 and Title 53G, Chapter 6, Part 2, including:

117 (a) providing annual training to relevant staff;

118 (b) maintaining consistent implementation of attendance policies across schools;

119 and

120 (c) communicating attendance expectations and consequences to students and
121 parents in a clear and timely manner.

122 (2) An LEA governing board shall provide oversight of attendance practices in
123 accordance with 53G-6-214, including reviewing attendance data, evaluating
124 intervention effectiveness, ensuring adequate resources, and approving policy changes
125 in a public meeting.

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128 **KEY: compulsory education, truancy, absenteeism, chronic absenteeism**

129 **Date of Last Change: March 10, 2025**

130 **Notice of Continuation: June 4, 2021**

131 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53G-**

132 **6-206; 53G-9-804**

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