



NEBO SCHOOL DISTRICT BOARD OF EDUCATION POLICIES AND PROCEDURES

SECTION: J - Students
POLICY TITLE: Secondary Attendance
FILE No.: JDH
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1. PURPOSE AND PHILOSOPHY

School attendance has a direct impact on a student's level of academic achievement. In order to make the most of one's educational opportunities, a student must have consistent, punctual, daily attendance. It is primarily the responsibility of the secondary student to achieve punctual, daily attendance as set forth in the Utah compulsory education requirements, Utah Code Ann. §53A-11-101, et seq. A parent may contact the school to obtain current attendance information regarding his/her student. This policy is made available to parents/legal guardians of all students through online registration, through the District's website at www.nebo.edu, and in the Parent Information Guide. A parent may monitor their student's attendance by accessing the Student Information System (SIS) through the District's website at www.nebo.edu. Students are required to attend each class, on time, every school day, unless properly excused. Repeated truancy, on or off campus, may result in a Concern Letter; a Notice of Truancy; a Nebo Attendance Court Referral; fines; detention; suspension; expulsion; loss of privileges, eligibilities, and/or benefits; referral to Juvenile Court for compulsory education violations; alternative placement; Board release; or other interventions.

2. DEFINITIONS

- 2.1. **"Absence"** or **"absent"** means failure of a student assigned to a class or class period to attend the entire class or class period.
- 2.2. **"Approved school activity"** means an activity sponsored by the school and approved by the school's administration. A student may attend an approved school activity as a member of a team, class, club, or group. "Approved school activities" are excused absences, however, students are responsible to complete any missed schoolwork.
- 2.3. **"Concern Letter"** is a letter mailed to the parent of a student who has five (5) truanies in a particular class period or a total of twenty (20) truanies in all class periods during the current school year. The letter informs the parent of their student's attendance problems, requests

help in solving the attendance problems, and informs the parent of possible school action if the trancies continue.

- 2.4. **“Detention”** is a supervised study hall. Students must provide their own materials. A Detention program may be incorporated as part of a local school’s attendance and tardy policies and procedures. Participating in a Detention program does not eliminate a student’s unexcused absence or tardy, nor does it remove the absence from the student’s education record; however, consistent with Sections 9 and 10 of this policy, Detention does allow the student to obtain or restore certain school privileges, eligibilities, and/or benefits as specified by the local school’s attendance and tardy policies and procedures.
- 2.5. **“Excused absence”** means a student’s absence from school that has been excused by the school administration for any of the following reasons:
 - 2.5.1. an illness;
 - 2.5.2. the death of a family member or close friend;
 - 2.5.3. an approved school activity;
 - 2.5.4. a medical, dental, or orthodontic appointment;
 - 2.5.5. a family emergency;
 - 2.5.6. a family activity; OR
 - 2.5.7. an absence excused through a health care or other accommodation plan, an Individualized Education Program (IEP) under the Individuals with Disabilities Education Act (IDEA), or a Section 504 accommodation plan.
- 2.6. **“Good attendance”** occurs when a habitually truant student attends school for forty-five (45) consecutive school days without an unexcused absence or tardy.
- 2.7. **“Habitual truant” or “habitually truant”** is when a student who is at least twelve (12) years of age or older:
 - 2.7.1. is truant at least ten (10) times in a particular class period or has a total of forty (40) trancies in all class periods during the current school year; OR
 - 2.7.2. is truant at least five (5) times in a particular class period or has a total of twenty (20) trancies in all class periods during the current school year and fails to cooperate with the efforts of school authorities to resolve the student’s attendance problems as set forth in Utah Code Ann., §53A-11-103.
- 2.8. **“Nebo Attendance Court Referral”** means written notification issued by the District’s Attendance Officer (Truancy Specialist) or school administrator to a habitually truant student referring the student to Nebo Attendance Court. A “Nebo Attendance Court Referral” is issued when:
 - 2.8.1. the student has been truant fifteen (15) times in a particular class period or a total of sixty (60) times in all class periods during the current school year;
 - 2.8.2. the school has made reasonable efforts described in Utah Code Ann., §53A-11-103 to resolve the student’s attendance problems; AND
 - 2.8.3. the efforts to resolve the student’s attendance problems have not been successful.

- 2.9. “Nebo Attendance Court”** is a truancy intervention court program operated by Nebo School District to a Habitually Truant student who has been issued a Nebo Attendance Court Referral.
- 2.10. “Notice of Truancy”** is a written notice mailed to or served on the parent of a student who is at least twelve (12) years of age or older who has ten (10) truanancies in a particular class period or a total of forty (40) truanancies in all class periods during the current school year. The “Notice of Truancy” shall contain the notifications and provisions as required by Utah Code Ann., §53A-11-101.7(4).
- 2.11. “Parent”** means the natural or adoptive father and/or mother of a student, the custodial parent of the student, a legally appointed guardian of a student, or any other person purporting to exercise any authority over the student which could be exercised by a person described above.
- 2.12. “Reasonably Accommodate”** is when a school makes its best effort to enable a parent or guardian to exercise a parental right specified in Utah Code Ann., §53A-15-1403 without substantial impact to staff and resources, including employee working conditions, safety and supervision at school and for school activities, and the efficient allocation of expenditures; and while balancing (1) parental rights, (2) educational needs of the students, (3) the academic and behavioral impacts to a classroom, (4) a teacher’s workload, and (5) the assurance of the safe and efficient operation of a school.
- 2.13. “Tardy”** is when a student arrives at a class after the tardy bell has rung. Tardiness is considered a disciplinary issue as well as an attendance issue. If a student arrives to class over ten (10) minutes late but arrives before one-half (1/2) of the total class period has expired, the tardy will be considered a “late tardy.” If a student arrives to class after more than one-half (1/2) of the total class period has expired, the tardy will be considered an “absence” for that class period. It is the responsibility of any student who is tardy to meet with the teacher either during or following the class period to ensure that he/she was marked appropriately. Each school, with the input and assistance of its School Community Council, may develop additional policies and procedures for dealing with tardiness as per Section 9 of this policy.
- 2.14. “Truant” or “truancy” or “truanancies” or “unexcused absence”** means being absent from school for reasons other than those specifically authorized under this policy, or an absence in which the school is either not notified or not notified in a timely manner as to the reason for the absence.

3. PROCEDURES FOR EXCUSING AN ABSENCE

- 3.1.** The decision to mark an absence “excused” is within the discretion of the school administration, consistent with this policy.
- 3.2.** Parents may request that an absence be excused. To do so, the parent must contact the school and provide the reason for the absence. Failure to provide one of the reasons listed in Section 2.5 will result in the absence being documented as unexcused. If possible, parents should contact the school prior to the absence, but for the request to be considered, the parent must provide the reason and make the request within two (2) school days following the absence. The two (2) school day time limit, however, does not extend beyond the end of the term. All requests for excused absences must be made by the last day of each term. Parents requesting that an absence be excused after the two (2) school day limit or beyond the last day of the term must follow the due process procedures outlined in Section 12 of this policy.
- 3.3.** Students having excused absences exceeding all or part of five (5) school days due to a stated illness may be required to provide a doctor’s note specifically addressing the dates the student was absent from school.

- 3.4.** School administrators shall reasonably accommodate a written request of a student's parent or guardian to excuse the student from attendance for a family event or visit to a health care provider, without obtaining a note from the provider. Administrators may evaluate requests to approve extended or excessive absences. Such absences may be excused so long as the absences do not negatively impact the academic progress of the student or otherwise fall outside the scope of a reasonable accommodation as defined in Section 2.12 above. Students are required to complete make-up work missed due to an excused absence. Schools may offer positive incentives for students to attend schools.
- 3.5.** School administrators have authority to grant exceptions to the above procedures in situations involving unforeseen circumstances.

4. VIOLATION OF POLICY

Violation of this policy or a violation of a local school's attendance and tardy policies and procedures may bring about consequences, including, but not limited to, a Concern Letter; a Notice of Truancy; a Nebo Attendance Court Referral; Notice of Compulsory Education Violation; Compulsory Education Violation; fines; detention; suspension; expulsion; loss of privileges, eligibilities, and/or benefits; referral to Juvenile Court for compulsory education violations; referral to the Utah County Attorney's Office for compulsory education violations; alternative placement; Board release; or other interventions.

5. ATTENDANCE AND ACADEMIC GRADES

Academic grades may be impacted by attendance in participation-based classes, such as band, choir, orchestra, dance, physical education, etc. Certain academic-based classes may also be structured and taught in such a manner so that the academic grade may be impacted by attendance. Before academic grades can be affected by attendance, a teacher must demonstrate a reasonable and justifiable relationship between attendance and the impact on the academic grade and obtain written approval from the school principal. Upon receiving written approval, the teacher shall then provide written disclosure to students and parents that participation, attendance, and punctuality will be considered a factor in assessing the student's grade. The specific percentage of the grade attributable to participation, attendance, and punctuality shall be specified in the written disclosure document. In addition, any negative impact on the student's grade as a result of lack of participation, absences, and tardies shall be specified in the written disclosure document.

6. ATTENDANCE AND ACTIVITY ELIGIBILITY

Students become ineligible to participate in any school activities requiring eligibility on the day following the issuance of a Notice of Truancy. Eligibility may be restored through completing an approved detention program.

7. CHECKING OUT OF SCHOOL

Any student who leaves school during the school day is required to check out at the attendance office. In order for the absence to be validly excused, the student must present a note from his/her parent or must contact his/her parent at that time in order to document the reason for the absence. If the student does not check out at the attendance office, the absence will be unexcused. In an emergency, a school administrator may approve the checkout at the time, pending parental confirmation by telephone or note. When a student checks out and leaves the school for a legitimate purpose and then returns to school later in the day, he/she is required to check in at the attendance office. Junior high schools are considered to be closed campuses. Junior high students may not leave the campus during the school day without approval of a school administrator. Those students who need to leave regularly (such as going home for lunch) may obtain an ongoing pass from the school administrator.

8. SCHOOL AND PARENT RESPONSIBILITIES

8.1. School administration and personnel shall make earnest and persistent efforts to resolve attendance problems. Those efforts include, as reasonably feasible, the following:

8.1.1. Each school shall notify students and parents of this policy and any local school attendance and/or tardy policies and procedures every year. Said policies, or a summary thereof, may be included in the school’s student handbook.

8.1.2. School personnel and teachers will monitor and record the daily attendance of students.

8.1.3. Teachers shall update attendance records on SIS on a daily basis.

8.1.4. A representative of the school will make daily phone notice of absences via a computerized or a personal calling system. Parents are expected to keep a current phone number on file at the school.

8.1.5. Concern Letter

8.1.5.1. A Concern Letter shall be mailed to the parent of a student who has five (5) trancies in a particular class period or a total of twenty (20) trancies in all class periods during the current school year.

8.1.5.2. The letter is to inform the parent of their student’s attendance problems, request help in solving the attendance problems, and to inform the parent of possible school action if the trancies continue.

8.1.6. Notice of Truancy

8.1.6.1. A Notice of Truancy shall be mailed to or served on the parent of a student who is at least twelve (12) years of age or older who has ten (10) trancies in a particular class period or a total of forty (40) trancies in all class periods during the current school year.

8.1.6.2. The Notice of Truancy shall contain the notifications and provisions as required by Utah Code Ann., §53A-11-101.7(4), including: (a) directing the parent meet with school authorities to discuss the student’s trancies, as described in Section 8.1.6.4; and (b) requesting the parent to cooperate with the school in securing regular attendance by the student.

8.1.6.3. Parents who are issued a Notice of Truancy and fail to respond to a school’s request for assistance and support in resolving attendance concerns may be issued a Nebo Attendance Court Referral or be referred to the appropriate legal authorities for compulsory education violations in accordance with Utah law. Parents may contest the Notice of Truancy in accordance with the due process procedures set forth in Section 12 of this policy.

8.1.6.4. Following the issuance of a Notice of Truancy, school officials shall meet with parents and students, as appropriate. During the meeting, the parents and school shall consider the following in an attempt to solve the attendance problems:

8.1.6.4.1. providing appropriate counseling services to the student;

- 8.1.6.4.2.** making any necessary and reasonable adjustments to the curriculum and/or schedule to meet the special needs of the student;
 - 8.1.6.4.3.** considering alternatives proposed by the parent;
 - 8.1.6.4.4.** enlisting the assistance of community and law enforcement agencies, as appropriate and reasonably feasible for compulsory education violations; AND
 - 8.1.6.4.5.** providing, upon request, a list of resources available to assist the parent in resolving the student's attendance problems.
- 8.1.6.5.** Habitually truant students and their parents who are issued a Notice of Truancy may also be required to attend and complete a one-time truancy prevention class, which carries a fine of thirty dollars (\$30.00). Failure or refusal by a student or parent to attend the truancy prevention class or pay the fine may result in school discipline, including, but not limited to, issuance of a Nebo Attendance Court Referral, suspension, placement in an alternative educational setting, expulsion, Board release, or other interventions. If exigent circumstances exist, as determined by the school administration, a parent may be excused from the requirement to attend the class.

8.1.7. Nebo Attendance Court Referral

- 8.1.7.1.** A Nebo Attendance Court Referral shall be issued by the District's Attendance Officer (Truancy Specialist) or school administrator to a Habitually Truant student who is twelve (12) years of age or older referring the student to Nebo Attendance Court. A Nebo Attendance Court Referral is issued when:
- 8.1.7.1.1.** the student has been truant fifteen (15) times in a particular class period or a total of sixty (60) times in all class periods during the current school year;
 - 8.1.7.1.2.** the school has made reasonable efforts under Utah Code Ann., §53A-11-103 to resolve the student's attendance problems; AND
 - 8.1.7.1.3.** the efforts to resolve the student's attendance problems have not been successful.
- 8.1.7.2.** A student who is issued a Nebo Attendance Court Referral may be fined fifty dollars (\$50.00) and referred to participate in the Nebo Attendance Court program. It is expected that students will fully comply with all terms, conditions, and directives imposed by the Nebo Attendance Court. Habitually truant students who participate in the Nebo Attendance Court program shall be required to pay a fine to the school finance office in the amount of fifty dollars (\$50.00), which may be refunded by successful completion of all Nebo Attendance Court directives and good attendance. Particularly, the school finance office will refund one-half (1/2) the fine when the student has attended forty-five (45) consecutive school days without an unexcused absence or tardy, and the Nebo Attendance Court will refund the remaining balance of the fine when the student attends another forty-five (45) consecutive school days without an unexcused absence or tardy. It is the responsibility of the parent or student to provide verification of good attendance to the Nebo Attendance Court.

8.1.8. Restorative Intervention Team

8.1.8.1. The District has created a Restorative Intervention Team (RIT). The RIT shall include the Student Services Coordinator, a District attendance specialist, and the student’s school administrator. The RIT may include a District social worker, an administrator from Landmark High School, a representative of Wasatch Mental Health, a representative of the Department of Workforce Services’ Workforce Innovation and Opportunity Act (WIOA) Youth Program, or other individuals as invited.

8.1.8.2. A student who is issued a Nebo Attendance Court Referral and who does not fully comply with all terms, conditions, and directives imposed by the NAC shall appear before the RIT for placement in an alternate setting or program. The RIT shall consider the student’s history, the reasons for the student’s truant behavior, and any other relevant factors in determining an alternate setting.

8.1.8.3. A student placed in an alternate setting by the RIT may not be re-enrolled in the student’s boundary school except upon decision by the RIT.

8.1.9. In the event the school administrator determines that the parent’s behavior is primarily causing the secondary student’s attendance problems, and the student is younger than fourteen (14) years of age, the school administrator may, as an alternative to following the truancy procedures in this policy, pursue the procedures for a compulsory education violation as prescribed by Utah law and as set forth in Nebo School District Policy #JDI, *Elementary Attendance*.

8.2. Parents shall cooperate with school authorities and make earnest and persistent efforts to resolve attendance problems. Those efforts include the following:

8.2.1. Parents must ensure that their student attends school as required by Utah law.

8.2.2. Parents are required to timely notify the school when the student is absent for an excusable reason as set forth in this policy. It is recommended that a student who knows that he/she is going to be absent for two (2) or more days contact teachers before leaving regarding academic assignments that need to be completed.

8.2.3. Parents are encouraged to communicate and/or meet with teachers and other school authorities in order to find solutions to attendance problems.

8.2.4. Parents are also encouraged to monitor their own student’s attendance by accessing the SIS through the District’s website. Each school will provide SIS access information and instructions to the parents.

8.2.5. When applicable and necessary, parents of students who are twelve (12) through fourteen (14) years of age may be referred to the Utah County Attorney’s Office for a Compulsory Education Violation (see Nebo School District Policy #JDI, *Elementary Attendance*).

9. LOCAL SCHOOL ATTENDANCE AND TARDY POLICIES AND PROCEDURES

Each school may establish rewards and consequences related to attendance and tardiness. Reward programs must be planned so as to accommodate all students who qualify. Local school attendance and tardy policies and procedures must be approved in writing by the School Community Council and approved in writing by the Director of Secondary Education. School attendance and tardy policies and procedures must be consistent with, and shall not violate, Utah law, Utah State Board of Education rules and regulations, and Nebo School District policies. Written

information concerning approved school attendance and tardy policies and procedures shall be provided annually to the students and parents by the school administration.

10. DETENTION

As part of a local school’s attendance and tardy policies and procedures, as described in Section 9 of this policy, schools may implement a Detention program. A Detention program may be used: (a) in conjunction with a rewards program; (b) to restore activity participation eligibility (see Section 6 of this policy); and/or (c) to eliminate the negative impact of an absence or tardy upon the academic grade (a tardy or absence may impact an academic grade only in accordance with Section 5 of this policy).

11. CONTINUING ENROLLMENT MEASUREMENT FOR NONTRADITIONAL PROGRAMS

11.1. A nontraditional program is a public school program that consists of eligible, enrolled public education students where students primarily receive instruction either online or through a distance learning program. Utah law requires school districts enrolling students in a nontraditional program to document the continuing enrollment status for individual students enrolled in the nontraditional program.

11.2. Secondary students enrolled in Nebo School District may enroll in online courses through nontraditional programs such as Utah Students Connect, a consortium of Utah school districts of which Nebo is a member district.

11.3. Students enrolled in a course through a nontraditional program must log in to the course website at least once every ten (10) school days until the course is completed.

12. DUE PROCESS

12.1. A parent may, within ten (10) calendar days of the date of notice of such action, appeal a contested unexcused absence or a Notice of Truancy. If the tenth (10th) calendar day falls on a day other than a business day of the District, the appeal deadline is extended to the next business day. All appeals shall be in writing and shall be made to the person from whom the notice came. If no appeal is made within the timeline set forth above, the action described in the notice is final. In the event of an appeal, the parent is entitled to the following:

12.1.1. Within ten (10) school days from the date of the appeal, the parent, student (when appropriate), teacher (if necessary), and a school administrator shall meet in an effort to resolve the matter.

12.1.2. In the event the matter is not resolved at the meeting with the school administrator, the parent may request the matter to be reviewed by a school multi-disciplinary team. The school administrator shall meet with the school multi-disciplinary team who will render a decision on the matter.

12.1.3. In the event the matter is not resolved with the school multi-disciplinary team, the parent may request the matter to be reviewed by the School Community Council. The School Community Council will be provided information concerning the issue but will not be given any information to personally identify the student. The School Community Council will act as an advisory group and offer an opinion to the school administrator. The school administrator will take into consideration the School Community Council’s opinion and will render a decision on the matter.

12.1.4. In the event the matter is not resolved with the School Community Council and school administrator, the parent may request a meeting with the Director of Secondary Education. The decision of the Director of Secondary Education is final.

- 12.2. For matters concerning suspensions, expulsions, or Board releases, parents are entitled to the appropriate due process procedures set forth in Nebo School District Policy #JD, *Student Conduct and Discipline*.
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EXHIBITS

Secondary Attendance Flowchart

REFERENCES

The Individuals with Disabilities Education Act (IDEA), 20 U.S.C. 1400, et seq.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794

Utah Code Ann., §53A-11-101, et seq.

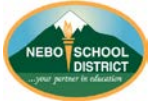
Utah Code Ann., §53A-15-1501, et seq.

Nebo School District Policy #JD, Student Conduct and Discipline

Nebo School District Policy #JDI, Elementary Attendance

FORMS

None



NEBO SCHOOL DISTRICT

Secondary Attendance Flow Chart

7-12 Grade Students

5 unexcused absences in a particular class period or
20 unexcused absences in all class periods.

CONCERN LETTER

10 total unexcused absences in a particular class or
40 total unexcused absences in all class periods

NOTICE OF TRUANCY
(to student 12 or older)

NOTICE OF COMPULSORY EDUCATION VIOLATION
(to parent of student under 14)

PARENT MEETING
(held within 2 weeks of notice)

15 total unexcused absences in a particular class period or
60 total unexcused absences in all class periods

NEBO ATTENDANCE COURT REFERRAL
(student 12 or older)

COMPULSORY EDUCATION VIOLATION
(parent of student under 14)
Parent is fined and referred to Nebo Attendance Court or County Attorney

Failure to comply with NAC directives

RESTORATIVE INTERVENTION TEAM
Alternate placement