

**R277. Education, Administration.**

**R277-607. Truancy Prevention.**

**R277-607-1. Authority and Purpose.**

(1) This rule is authorized by:

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

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

(c) Section 53G-6-206, which directs educational entities and parents working on behalf of children to make efforts to resolve school attendance problems of school-age minors who are or who should be enrolled in an LEA.

(2) The purpose of this rule is to direct an LEA to create policies for truancy procedures and compulsory education.

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

(1) "Absence" means the same as that term is defined in Subsection 53G-6-201(1).

(2) "Habitual truant" means the same as that term is defined in Subsection 53G-6-201(2).

(3) "Habitual truant citation" is a citation issued only consistent with Section 53G-6-203.

(4) "Truant" means the same as that term is defined in Subsection 53G-6-201(7).

(5) "Unexcused absence" means a student's absence from school for reasons other than those authorized under the LEA policy.

(6) "Valid excuse" means the same as that term is defined in Subsection 53G-6-201(9).

**R277-607-3. Truancy Policy Requirements.**

(1) An LEA shall:

(a) develop a truancy policy that encourages regular, punctual attendance of students, consistent with Section 53G-8-211 and Title 53G Public Education System – Local Administration, Chapter 6 Participation in Public Schools, Part 2 Compulsory Education;

(b) review the LEA's truancy policy annually;

(c) review attendance data annually and consider revisions to the truancy policy to encourage student attendance; and

(d) make the truancy policy available for review by parents or interested parties.

(2) An LEA may issue a habitual truant citation to a student consistent with the LEA's truancy policy and Section 53G-6-203.

#### **R277-607-4. Compulsory Education Procedures.**

(1) An LEA shall develop compulsory education procedures as part of the LEA's truancy policy described in Section R277-607-3.

(2) The compulsory education procedures shall:

(a) provide a process for notice to parents about the truancy policy;

(b) require notice to parents regarding the progress of a student's discipline and consequences for violation of the truancy policy;

(c) provide an appeals process to contest:

(i) a notice of truancy; or

(ii) any disciplinary actions against a student pursuant to the truancy policy or;

(d) establish definitions not provided in law or this rule necessary to implement the truancy policy and compulsory education procedures;

(e) include definitions of "approved school activity" under Section 53G-6-201(9)(c) and "any other excuse" under Section 53G-6-201(9)(e);

(f) include criteria and procedures for preapproval of extended absences consistent with Section 53G-6-205; and

(g) establish programs and meaningful incentives which promote regular,

punctual student attendance.

(3) An LEA shall publish the appeals process described in Subsection R277-607-4(2)(c) for use by a student or the student's parents.

**KEY: compulsory education, truancy**

**Date of Enactment or Last Substantive Amendment: October 8, 2019**

**Notice of Continuation: September 2, 2014**

**Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53G-6-206**