



# NEBO SCHOOL DISTRICT BOARD OF EDUCATION POLICIES AND PROCEDURES

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**SECTION:** J - Students  
**POLICY TITLE:** Elementary Attendance  
**FILE No.:** JDI  
**DATED:** July 13, 2016

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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 parent of an elementary student to encourage 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. A summary of this policy is available at the local school and is mailed out at the beginning of each school year to the parents/legal guardians of all students 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](http://www.nebo.edu). Students are required to attend class, on time, every school day, unless properly excused. Repeated truancy, on or off campus, may result in a Concern Letter, a Notice of Compulsory Education Violation, a Compulsory Education Violation, suspension, Nebo Attendance Court, Juvenile Court referral, alternative placement, or other interventions.

### 2. DEFINITIONS

- 2.1. **"Absence"** or **"absent"** means failure of a student to attend class for the entire school day or the student is more than sixty (60) minutes late to class without a valid excuse.
- 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 class, club, or group. "Approved school activities" are excused absences, however, students are responsible to complete any missed school work.
- 2.3. **"Compulsory Education Violation"** occurs when a parent of a student who is at least six (6) years of age but younger than fourteen (14) years of age:

- 2.3.1. intentionally or recklessly failed to meet with designated school authorities to discuss the student's attendance problems as directed by the Notice of Compulsory Education Violation;
  - 2.3.2. failed to prevent the student from being truant for an additional five (5) or more times during the current school year after being served with a Notice of Compulsory Education Violation; OR
  - 2.3.3. intentionally or recklessly failed to enroll the student in school, unless the student is exempt from enrollment under Utah Code Ann., §53A-11-102 or §53A-11-102.5.
- 2.4. **“Concern Letter”** is a letter mailed to the parent of a student who has five (5) trancies 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.
- 2.5. **“Excused absence”** means a student's absence from school that has, at the discretion of the school administration, been excused 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. **“Nebo Attendance Court”** is a court program operated by Nebo School District which may be offered as an option or alternative to the Juvenile Court or the Utah County Attorney's Office to a parent who has been referred to appropriate legal authorities for a Compulsory Education Violation.
- 2.7. **“Notice of Compulsory Education Violation”** is a written notice served upon a parent, via personal service or certified mail, whose elementary student is at least six (6) years of age but younger than fourteen (14) years of age and who has ten (10) trancies during the current school year. The Notice of Compulsory Education Violation shall contain the notifications and provisions required by Utah Code Ann., §53A-11-101.5(4).
- 2.8. **“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.
- 2.9. **“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-15-1503 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.

- 2.10. “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 less than sixty (60) minutes late, the tardy may be considered a “late tardy.” If a student is more than sixty (60) minutes late to class, the tardy may be considered an “absence” for that day. It is the responsibility of the parent of any student who is tardy to verify with the school that the student was marked tardy and not absent. 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.
- 2.11. “Truant” or “truancy” or “truancies” 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 principal, 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. 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. When a parent knows that their student is going to be absent for two (2) or more consecutive days, the parent should contact teachers regarding the student’s assignments before the absence occurs.
- 3.3.** Students having excessive excused absences exceeding all or part of five (5) 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 principals 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. Principals 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 2.9 above. Schools may require students to complete make-up work missed due to an excused absence. Schools may offer positive incentives for students to attend school.
- 3.5.** The school principal has authority to grant exceptions to the above in situations involving unforeseen circumstances.

### **4. VIOLATION OF POLICY**

Violation of this policy or a violation of a local school attendance and/or tardy policy or procedure may bring about consequences, including, but not limited to, a Concern Letter, a Notice of Compulsory Education Violation, a Compulsory Education Violation, suspension, Nebo Attendance Court, Juvenile Court referral, alternative placement, or other interventions.

### **5. ATTENDANCE AND ACADEMIC PERFORMANCE**

Participation-based subjects and certain academic-based subjects may be structured and taught in such a manner that the academic performance may be impacted by attendance. Before academic performance can be affected by attendance, a teacher must demonstrate a reasonable and justifiable relationship between attendance and the impact on the academic performance 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 evaluating the student’s academic performance. The

specific percentage of the academic evaluation attributable to participation, attendance, and punctuality shall be specified in the written disclosure document. In addition, any negative impact on the student's evaluation as a result of lack of participation, absences, and tardies shall be specified in the written disclosure document.

**6. ATTENDANCE AND ACTIVITY ELIGIBILITY**

Students may become ineligible to participate in school activities on the day following the issuance of a Notice of Compulsory Education Violation. Eligibility may be restored through reasonable administrative intervention, upon request of the parent.

**7. CHECKING OUT OF SCHOOL**

In order to ensure the safety of children enrolled in Nebo School District schools, students will not be released to any person without verified authorization (verbal or written) from the custodial parent. Each school will maintain a check-out log indicating the date, time, reason, and the name of the person to whom the student is released. It is the responsibility of the parent to provide the school with copies of any legal documents restricting access to their student(s).

**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.** Whenever possible, a representative of the school will make a daily phone notice of absences via a computerized or a personal calling system. Parents are responsible to have a current phone number on file at the school.

**8.1.4.** A Concern Letter shall be mailed to the parent of a student who has five (5) trancies during the current school year. 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.

**8.1.5.** A Notice of Compulsory Education Violation shall be served upon a parent, via personal service or certified mail, whose student is at least six (6) years of age but younger than fourteen (14) years of age and who has ten (10) trancies during the current school year. The Notice of Compulsory Education Violation shall contain the notifications and provisions as required by Utah Code Ann., §53A-11-101.5(4), including:

**8.1.5.1.** directing the parent to meet with school authorities to discuss the student's trancies;

**8.1.5.2.** requesting the parent to cooperate with the school in securing regular attendance by the student;

**8.1.5.3.** designating the school authorities with whom the parent is required to meet; AND

**8.1.5.4.** informing the parent that it is a class B misdemeanor for the parent to intentionally or recklessly: (a) fail to meet with the designated school authorities to discuss the student's attendance problems; or (b) fail to

prevent the student from being absent without a valid excuse five (5) or more times during the remainder of the current school year.

- 8.1.6.** Parents who fail to respond to a school's request for assistance and support in resolving attendance concerns may be referred for a Compulsory Education Violation to the appropriate legal authorities in accordance with Utah law. Parents may contest the Notice of Compulsory Education Violation in accordance with due process procedures set forth in Section 10 of this policy.
- 8.1.7.** School officials shall meet with parents following the issuance of a Notice of Compulsory Education Violation. During the meeting, the parents and school shall consider the following in an attempt to solve the attendance problems:
  - 8.1.7.1.** providing appropriate counseling services to the student;
  - 8.1.7.2.** making any necessary and reasonable adjustments to the curriculum and/or schedule to meet the special needs of the student;
  - 8.1.7.3.** considering alternatives proposed by the parent;
  - 8.1.7.4.** enlisting the assistance of community and law enforcement agencies, as appropriate and reasonably feasible; AND
  - 8.1.7.5.** providing, upon request, a list of resources available to assist the parent in resolving the student's attendance problems.
- 8.1.8.** A parent who is referred to appropriate legal authorities for a Compulsory Education Violation may, upon referral by the District Truancy Officer, be given the option or alternative to participate in the Nebo Attendance Court program. It is expected that parents will fully comply with all terms, conditions, and directives imposed by the Nebo Attendance Court. Failure to cooperate or comply with the program will result in a referral to the Utah County Attorney's Office or Juvenile Court.
- 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. When a parent knows that their student is going to be absent for two (2) or more consecutive days, the parent should contact teachers regarding the student's assignments before the absence occurs.
  - 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.

## **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 Elementary 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. DUE PROCESS**

**10.1.** 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 Compulsory Education Violation. 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:

**10.1.1.** 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.

**10.1.2.** 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.

**10.1.3.** 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.

**10.1.4.** 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 Elementary Education. The decision of the Director of Elementary Education is final.

**10.2.** 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**

Elementary Attendance Flowchart

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**REFERENCES**

Utah Code Ann., §53A-11-101, et seq.

Utah Code Ann., §53A-15-1501, et seq.

Individuals with Disabilities Education Act (IDEA)

Section 504 of the Rehabilitation Act of 1973

Nebo School District Policy #JDH, Secondary Attendance

Nebo School District Policy #JD, Student Conduct and Discipline

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**FORMS**

None

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# NEBO SCHOOL DISTRICT Elementary Attendance Flowchart K-6 Grade Students

**Elementary Student**  
5 unexcused absences

**Parent**  
**"LETTER OF CONCERN"**

**Elementary Student**  
10 unexcused absences

**Parent**  
**"NOTICE OF COMPULSORY EDUCATION VIOLATION"**

A **parent** who:

- fails to meet with school authorities;
- fails to prevent student from accumulating unexcused absences; or
- fails to enroll student in school. (*Applies to students age 6-13 years*).

If a parent does not/will not come to meet with the school, the school **MUST** send a certified letter requesting the parent attend a meeting at a specific date and time. (OR) Contact the District Truancy Specialist to hand deliver the letter to meet. (Home Visit)

*(The Notice of CEV letter MUST have a parent's signature to continue in the legal process. Contact District Truancy Specialist if meeting does not take place within two weeks.)*

**Elementary Student**  
Additional 5 unexcused absences

**Parent**  
**"COMPULSORY EDUCATION VIOLATION"**  
Meeting/Citation/Referral

**Parent**

Nebo Attendance Court (NAC)	Utah County Attorney's Office
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