

ROCKWELL CHARTER SCHOOL

Attendance Policy and Procedures

Philosophy

The Board of Directors of Rockwell Charter School acknowledges that regular attendance at school is required by law and is a major key to students' success. Frequent absence of students from day-to-day classroom instruction disrupts the learning process. A successful education requires a continuity of instruction, class participation, learning experience, and study. Activities, discussions, simulations, projects, and presentations take place every day and cannot be duplicated, even by after-school instruction or make-up work.

Definitions

The definitions used in this policy reflect terms as defined in Utah Admin. Code §53G-6-201, Participation in Public Schools: Compulsory Education or other Utah Admin. Code referenced below.

Absence or Absent: The failure of a school-age child assigned to a class or class period to attend a class or class period. Absence or Absent does not mean multiple tardies used to calculate an absence for the sake of a truancy.

Educational Neglect: Per Utah Admin. Code §80-1-102, after receiving a notice of compulsory education violation under Utah Admin. Code §53G-6-202, the parent or guardian fails to make a good faith effort to ensure that the child receives an appropriate education.

Intentionally: With intent or willfully with respect to the nature of an individual's conduct or to a result of an individual's conduct, when it is an individual's conscious objective or desire to engage in the conduct or cause the result.

Minor: An individual who is under 18 years old.

Parent: A custodial parent of the minor; a legally appointed guardian of a minor; or any other person purporting to exercise any authority over the minor which could be exercised by a custodial parent or legally appointed guardian of a minor.

Remainder of the School Year: The portion of the school year beginning on the day after the day on which a notice of compulsory education violation is served and ending on the last day of the school year.

School Day: The portion of a day that school is in session in which a school-age child is required to be in school for purposes of receiving instruction.

School Year: The period of time designated by a local school board or charter school governing board as the school year for the school where the school-age child is enrolled or should be enrolled, if the school-age child is not enrolled in school.

School-Age Child: A minor who is at least six years old but younger than 18 years old; and is not emancipated.

Truancy: A condition in which a school-age child, without a valid excuse, is absent for at least half of the school day; or, if the school-age child is enrolled in a learner verified program, as that term is defined by the state board, the relevant amount of time under the school's policy regarding the school's continuing enrollment measure as it relates to truancy. A school-age child may not be considered truant more than one time during the day.

Truant Minor: A school-age child who is subject to the requirements of Utah Admin. Code §53G-6-202 or §53G-6-203 and is truant.

Valid Excuse: The following are considered "valid excuses" for absence in Utah law:

- An illness, which may be either mental or physical, regardless of whether the school-age child or parent provides documentation from a medical professional;
- Mental or behavioral health of the school-age child; a family death;
- An approved school activity;
- An absence permitted by a school age child's IEP or Section 504 accommodation plan;
- An absence permitted in accordance with Utah Admin. Code §53G-6-803(5) including an excused absence for a scheduled family event or a scheduled proactive visit to a health care provider if the parent submits a written statement at least one school day before the scheduled absence, and the student agrees to make up course work for school days missed for the scheduled absence in accordance with school policy;
- Any other excuse established as valid by the school's governing board.
- A pre-approved extended absence if the absence is requested in writing and arrangements are made such that the school determines that the extended absence will not adversely impact the school-age child's education (53G-6-205).

Limitations on Parents or Guardians to Excuse an Absence

As described in Utah Admin. Code §53G-6-201, a valid excused absence does **not** mean a parent's acknowledgment of an absence for a reason other than a reason defined above as an excused absence unless specifically permitted by the school's policies.

Utah Requirement for Compulsory Education

Per Utah Admin. Code §53G-6-202, the parent of a school-age child shall enroll and send the school-age child to a public or regularly established private school. The school acknowledges that it is a class B misdemeanor for a parent of a school-age child to intentionally or without good cause fail to enroll the school-age child in school unless the school-age child is exempt from enrollment under 53G-6-204 or 53G-6-702.

Notice of Compulsory Education Violation

A school administrator, a designee of a school administrator, a law enforcement officer acting as a school resource officer, or the school's truancy specialist may issue a notice of compulsory education violation to a parent of a school-age child if the school-age child is in 1st through 6th grade and has been truant at least five times during the school year. The Notice of Compulsory Education shall be served on the parent or guardian by personal service or certified mail and may not be issued unless the school-age child has been truant at least five times during the school year.

A notice of compulsory education violation issued to a parent or guardian shall direct the parent or guardian to:

- Meet with school administration to discuss the school-age child's school attendance problems; and,
- Cooperate with the school in securing regular attendance by the school-age child;
- Designate the school administrators with whom the parent is required to meet;
- State that it is a class B misdemeanor for the parent to intentionally or without good cause:
 - Fail to meet with the designated school administrator to discuss the school-age child's school attendance problems; or
 - Fail to prevent the school-age child from being truant five or more times during the remainder of the school year.

Truancy for Secondary Students

Except as provided in [53G-6-204](#) or [53G-6-702](#), and per [53G-6-203](#), a school-age child who is enrolled in a public school shall attend the public school in which the school-age child is enrolled. In accordance with [53G-8-211](#), the school may impose administrative penalties on a school-age child who is in grade 7 or above and is truant, unless the school-age child is less than 12 years old.

Notice of Truancy

A school administrator, a designee of a school administrator, a law enforcement officer acting as a school resource officer, or a truancy specialist must issue a Notice of Truancy when the school-age child has been truant at least five times during the school year and when the school-age child is 12 years old and at least in 7th grade. The Notice of Truancy shall be served on the school-age child's parent or guardian by certified mail.

The Notice of Truancy shall direct the school-age child and the parent or guardian of the school-age child who receives the Notice of Truancy to:

- Meet with a school administrator to discuss the school-age child's truancies; and,

- Cooperate with the school in securing regular attendance by the school-age child.

Contesting a Notice of Truancy

A parent or guardian may contest a notice of truancy by:

- Providing a written explanation of the challenge; and,
- Scheduling a meeting with the Executive Director and another administrator.
- The decision of the administration concerning the contested truancy is final.

Notification Service

While the school will attempt to serve a Notice of Compulsory Education Violation or Notice of Truancy by personal service or certified mail, the school may not be able to do so without a confirmed physical address for a parent or guardian. In such a case, the school may notify a parent or guardian through email or by phone and will keep a record of the name of the parent notified, and the date and time of notification.

Required Reporting of Truancy and Compulsory Education Violations

The school acknowledges its legal requirement to report violations of Utah Admin. Code §53G-6-202 to the appropriate county or district attorney. The school also acknowledges that, if school personnel have reason to believe that, after a Notice of Compulsory Education Violation or a Truancy Notice is issued, the parent has failed to make a good faith effort to ensure that the school-age child receives an appropriate education, the school must report the Compulsory Education Violation or Truancy to the Division of Child and Family Services with the following information:

- Identifying information of the school-age child and the parent who received the notice of compulsory education violation;
- Information regarding the longest number of consecutive school days the school-age child has been absent or truant from school and the percentage of school days the school-age child has been absent or truant during each relevant school term;
- Whether the school-age child has made adequate educational progress;
- Whether the requirements of Utah Admin. Code §53G-6-206 have been met.
- Whether the school-age child is two or more years behind the local public school's age group expectations in one or more basic skills; and,
- Whether the school-age child is receiving special education services or systematic remediation efforts.

Obligation to Promote Regular Attendance

The school expects students to be in attendance every school day in order to receive maximum benefit from their education experiences. Although parents or guardians have primary responsibility for their child's regular attendance and timely arrival at school,

administrators will work cooperatively with students, parents or guardians, teachers, and staff to deter excessive and unexcused student absences and to improve student attendance. In accordance with 53G-6-206, the school acknowledges its responsibility to promote regular attendance and to resolve attendance problems through non-punitive and increasingly frequent and individualized activities designed to:

- Create a trusting relationship between teachers, students, and parents;
- Improve attendance;
- Improve academic outcomes;
- Reduce negative behavior referrals;

The school will implement interventions designed to improve attendance, as reasonably feasible, including, but not limited to:

- Initiating mentorship programs;
- Connecting families to community resources;
- Providing academic support through small group, individualized tutoring, or similar methods; and,
- Teaching executive function skills such as planning, goal-setting, understanding and following multi-step directions, and self-management.
- Counseling of the school-age child by school counselors;
- Issuing a Notice of Truancy to the school-age child in accordance with 53G-6-203;
- Issuing a Notice of Compulsory Education Violation of the school-age child's parent in accordance with 53G-6-202;
- Making any necessary adjustment to the curriculum and schedule to meet special needs of the school-age child;
- Considering alternatives proposed by the school-age child's parent;
- Monitoring school attendance of the school-age child;
- Participating voluntarily in truancy mediation, if available; and,
- Providing the school-age child's parent, upon request, with a list of resources available to assist the parent in resolving the school-age child's attendance problems.
- In addition to the above interventions and supports, the school may enlist the assistance of community and law enforcement agencies and organizations for early intervention services as appropriate and reasonably feasible in accordance with 53G-8-211.

School Exemption from Civil Liability

Utah law does not impose civil liability on the school's Board of Directors or their employees concerning student absences, truancy, compulsory education violations, and related actions taken to resolve truancy and support students in attending school.