



NEBO SCHOOL DISTRICT BOARD OF EDUCATION POLICIES AND PROCEDURES

SECTION: J - Students
POLICY TITLE: Student Attendance
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1. PURPOSE AND PHILOSOPHY

- 1.1. The Board of Education of Nebo School District recognizes that daily, punctual attendance at school can lead to student success and positive lifelong outcomes. Chronic absenteeism may prevent students from reaching academic benchmarks and has been linked to high school dropout and other undesirable outcomes.
- 1.2. Under Utah's compulsory education law, [UTAH CODE ANN. 53G-6-202](#), parents are required to enroll and send their school-age children to school unless an exception applies, as set forth in [Nebo School District Policy JDK, Home School and Other Compulsory Education Exemptions](#). Both the Utah Legislature and the Utah State Board of Education have set forth requirements and procedures for school districts related to student attendance.
- 1.3. This policy establishes the requirements and procedures students, parents, and the District must follow to comply with Utah law and to help students receive the benefits of the District's education program.

2. DEFINITIONS

- 2.1. **"Absence"** or **"absent"** means the failure of a student assigned to a class or class period to attend the 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. **"Chronic absenteeism"** means the same as it is defined in [UTAH ADMIN. CODE R277-607-2](#). Chronic absenteeism is when a student misses 10% or more of days enrolled, for any reason.

Chronic absenteeism makes a school aware that a beginning of tiered interventions may be needed.

- 2.4. **“Excused absence”** means a student’s absence from school that has been excused by the school administration for any of the following reasons:
 - 2.4.1. an illness, which may be either mental or physical, regardless of whether the school-age child or parent provides documentation from a medical professional;
 - 2.4.2. the mental or behavioral health of the school-age child;
 - 2.4.3. the death of a family member or close friend;
 - 2.4.4. an approved school activity;
 - 2.4.5. a medical, dental, or orthodontic appointment;
 - 2.4.6. a family emergency;
 - 2.4.7. a family activity; OR
 - 2.4.8. 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.

- 2.5. **“Habitual truant” or “habitually truant”** means the same as it is defined in [UTAH CODE ANN. § 53G-8-211](#) and is when a student who is in grade 7 or above and at least twelve (12) years old:
 - 2.5.1. fails to cooperate with the efforts of school authorities to resolve the student’s attendance problems in accordance with [UTAH CODE ANN. § 53G-6-206](#) after being truant at least five (5) times during the current school year; OR
 - 2.5.2. is truant at least twenty (20) times during the current school year.

- 2.6. **“Intervention”** means the same as it is defined in [UTAH CODE ANN. § 53G-6-206](#).
 - 2.6.1. Intervention means a series of non-punitive and increasingly frequent and individualized activities that are designed to:
 - 2.6.1.1. create a trusting relationship between teachers, students, and parents;
 - 2.6.1.2. improve attendance;
 - 2.6.1.3. improve academic outcomes; and
 - 2.6.1.4. reduce negative behavior referrals.
 - 2.6.2. Intervention includes:
 - 2.6.2.1. mentorship programs;
 - 2.6.2.2. family connection to community resources;
 - 2.6.2.3. academic support through small group or individualized tutoring or similar methods; and
 - 2.6.2.4. teaching executive function skills, including:
 - 2.6.2.4.1. planning;

- 2.6.2.4.2. goal setting;
- 2.6.2.4.3. understanding and following multi-step directions; and
- 2.6.2.4.4. self-regulation.

- 2.7. **“Nebo Attendance Court Referral”** means written notification issued by the District’s Truancy Specialist or school administrator to a habitually truant student referring the student to Nebo Attendance Court.
- 2.8. **“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.
- 2.9. **“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.
- 2.10. **“Reasonably Accommodate”** is when a school makes its best effort to enable a parent to exercise a parental right specified in [UTAH CODE ANN. § 53G-6-803](#) 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.
- 2.11. **“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 may develop additional policies and procedures for dealing with tardiness as per section 10 of this policy.
- 2.12. **“Truant”** means a condition in which a student is absent without a valid excuse for at least half the school day. A student may not be considered truant under this policy more than one time during one day.

3. ATTENDANCE REQUIREMENT

- 3.1. Students are required to attend each period for each class in which they are enrolled unless excused as provided in this policy.
- 3.2. Students are required to arrive on time to each class in which they are enrolled and remain until the class ends unless excused as provided in this policy.
- 3.3. Violation of this policy may result in the actions described in sections 7 and 8.

4. PROCEDURES FOR EXCUSING AN ABSENCE

- 4.1. The decision to mark an absence “excused” is made by the school administration, consistent with this policy. Parent acknowledgement of an absence for a reason other than a reason described in subsection 2.4 does not excuse the absence.
- 4.2. 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 subsection 2.4 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.

- 4.3. The District may not require documentation from a medical professional to substantiate a valid excuse that is a mental or physical illness. 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 2.10 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.
- 4.4. School administrators have authority to grant exceptions to the above procedures in situations involving unforeseen circumstances.

5. 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. Elementary, middle, and junior high schools are considered to be closed campuses. Elementary, middle, and 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.

6. SCHOOL RESPONSIBILITIES

6.1. Notification

- 6.1.1. Each school shall notify students and parents of this policy and any local school attendance and/or tardy policies and procedures every year. The policies, or a summary thereof, may be included in the school's student handbook.
- 6.1.2. Teachers, or other employees as assigned, will monitor and record student absences and tardies in the District's student information system (SIS) each school day.
- 6.1.3. Parents will be notified each day if the student was absent that day.

6.2. Attendance Concern Letter

- 6.2.1. A school shall issue an Attendance Concern Letter to the parent of a student who has five (5) trancies during the current school year.
- 6.2.2. A school may issue an Attendance Concern Letter to the parent of a student who has fewer than five (5) trancies during the current school year.
- 6.2.3. A Concern Letter should inform the parent of the student's unexcused absences, request the parent's help in solving the attendance problems, and inform the parent of possible school action if the trancies continue.

7. RESPONSE TO TRUANCY GRADES 1-6

7.1. Notice of Compulsory Education Violation

- 7.1.1. A Notice of Compulsory Education Violation shall be issued to the parent of a student in grade one (1) through six (6) who has ten (10) truanancies during the current school year.
- 7.1.2. A Notice of Compulsory Education Violation may be issued to the parent of a student in grade one (1) through six (6) who has fewer than ten (10) but at least five (5) truanancies during the current school year.
- 7.1.3. The Notice of Compulsory Education Violation must be served on the parent by personal service or certified mail and shall contain the notifications and provisions required by [UTAH CODE ANN., § 53G-6-202](#), including:
 - 7.1.3.1. directing the parent to meet with school authorities to discuss the student’s truanancies;
 - 7.1.3.2. directing the parent to cooperate with the school in securing regular attendance by the student;
 - 7.1.3.3. designating the school authorities with whom the parent is required to meet; AND
 - 7.1.3.4. informing the parent that it is a class B misdemeanor for the parent to intentionally or without good cause: (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 truant five (5) or more times during the remainder of the current school year.
- 7.1.4. 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:
 - 7.1.4.1. counseling of the student by school authorities;
 - 7.1.4.2. making any necessary and reasonable adjustments to the curriculum and/or schedule to meet the special needs of the student;
 - 7.1.4.3. considering alternatives proposed by the parent;
 - 7.1.4.4. at the request of the student's parent, and with written consent of the parent, incorporating attendance into the student’s course score or grade according to an individualized plan;
 - 7.1.4.5. providing, upon request, a list of resources available to assist the parent in resolving the student’s attendance problems.
- 7.1.5. Parents may contest the Notice of Compulsory Education Violation in accordance with due process procedures set forth in section 12 of this policy.

7.2. Nebo Attendance Court Option

A parent who is issued a Notice of Compulsory Education Violation may, upon referral by the District Truancy Officer, be given the option to participate in the Nebo Attendance Court program. Parents must 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.

7.3. Report to Division of Child and Family Services

- 7.3.1. If school personnel have reason to believe that, after a notice of compulsory education violation is issued, the parent has failed to make a good faith effort to ensure that the student receives an appropriate education, the issuer of the compulsory education violation shall report to the Division of Child and Family Services:
- 7.3.1.1. identifying information of the student and the parent who received the notice of compulsory education violation;
 - 7.3.1.2. information regarding the longest number of consecutive school days the student has been absent or truant from school and the percentage of school days the student has been absent or truant during each relevant school term;
 - 7.3.1.3. whether the student has made adequate educational progress;
 - 7.3.1.4. whether the requirements for resolving attendance problems, as detailed in [UTAH CODE ANN. § 53G-6-206](#), have been met;
 - 7.3.1.5. whether the student is two or more years behind the school's age group expectations in one or more basic skills; and
 - 7.3.1.6. whether the student is receiving special education services or systematic remediation efforts.

7.4. Referral to County Attorney

A school administrator or designee shall report compulsory education violations to the District Truancy Specialist. The District Truancy Specialist shall report compulsory education violations, as described in this subsection, to the county attorney.

- 7.4.1. Parents who fail to enroll their child as required by law may be reported to the county attorney.
- 7.4.2. Parents who were issued a notice of compulsory education violation may also be referred to the county attorney if one or more of the following occurs:
 - 7.4.2.1. The parent failed to attend the required meeting with school officials;
 - 7.4.2.2. The parent failed to respond to the school's request for assistance in resolving attendance concerns;
 - 7.4.2.3. The parent failed to prevent their child from being truant five (5) or more times during the remainder of the school year following the Notice of Compulsory Education Violation.

8. RESPONSE TO TRUANCY GRADES 7-12

8.1. Notice of Truancy

- 8.1.1. A Notice of Truancy shall be issued to the parent of a student who is in seventh grade or above and at least twelve (12) years old who has ten (10) truancies during the current school year. A Notice of Truancy may be issued to the parent of a student who is in seventh grade or above and at least twelve (12) years old who has fewer than ten (10) but at least five (5) truancies during the current school year.
- 8.1.2. The Notice of Truancy shall contain the notifications and provisions required by [UTAH CODE ANN. § 53G-6-203](#), including the following:

- 8.1.2.1. directing the parent to meet with school authorities to discuss the student's trancies; and
- 8.1.2.2. requesting the parent to cooperate with the school in securing regular attendance by the student.
- 8.1.3. 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:
 - 8.1.3.1. counseling of the student by school authorities;
 - 8.1.3.2. making any necessary and reasonable adjustments to the curriculum and/or schedule to meet the special needs of the student;
 - 8.1.3.3. considering alternatives proposed by the parent;
 - 8.1.3.4. at the request of the student's parent, and with written consent of the parent, incorporating attendance into the student's course score or grade according to an individualized plan;
 - 8.1.3.5. providing, upon request, a list of resources available to assist the parent in resolving the student's attendance problems.
- 8.1.4. Parents may contest the Notice of Truancy in accordance with the due process procedures set forth in section 12 of this policy.

8.2. Truancy Prevention Class

Students and their parents who are issued a Notice of Truancy must attend and complete a one-time truancy prevention class, which carries a fee 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.

8.3. Nebo Attendance Court Referral

- 8.3.1. A Nebo Attendance Court Referral shall be issued by the District's Truancy Specialist or school administrator to a Habitually Truant student who is in seventh grade or above and at least twelve (12) years old referring the student to Nebo Attendance Court. A Nebo Attendance Court Referral is issued when:
 - 8.3.1.1. the student has been truant fifteen (15) times during the current school year;
 - 8.3.1.2. the school has made reasonable efforts under [UTAH CODE ANN. § 53G-6-206](#) to resolve the student's attendance problems; AND
 - 8.3.1.3. the efforts to resolve the student's attendance problems have not been successful.
- 8.3.2. The District Truancy Specialist may, in consultation with a student's school administrator, issue a Nebo Attendance Court Referral to a student who has been truant fewer than fifteen (15) times during the current school year but not before the student has been issued a Notice of Truancy and been referred to the Truancy Prevention Class.
- 8.3.3. A student who is issued a Nebo Attendance Court Referral must comply with all terms, conditions, and directives imposed by the Nebo Attendance Court. The student must

pay a fee 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 consistent attendance as described in paragraphs 8.3.3.1 through 8.3.3.3.

- 8.3.3.1. 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.
- 8.3.3.2. The school finance office will refund the remaining balance of the fee when the student attends another forty-five (45) consecutive school days without an unexcused absence or tardy.
- 8.3.3.3. It is the responsibility of the parent or student to provide verification of attendance to the Nebo Attendance Court.

8.4. Restorative Intervention Team

- 8.4.1. 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 Behavioral Health, a representative of the Department of Workforce Services' Workforce Innovation and Opportunity Act (WIOA) Youth Program, or other individuals as invited.
- 8.4.2. 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.
- 8.4.3. 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.

8.5. Juvenile Justice Services Referral

The District Truancy Specialist shall refer a student for prevention and early intervention youth services by the Division of Juvenile Justice Services, as described in [UTAH CODE ANN. § 62A-7-104](#), if the student is a habitual truant, as defined above, and refuses to participate in the alternate setting determined by the Restorative Intervention Team as described in subsection 8.4.

8.6. Law Enforcement and Court Referral

- 8.6.1. The District Truancy Specialist may refer a student who is in grade 7 or above to a law enforcement officer or agency if the student fails to participate in prevention and early intervention youth services as described in subsection 8.5.
- 8.6.2. If a student is referred to a court or a law enforcement officer or agency, the District Truancy Specialist shall continue to engage with the student and the student's family through the court process.
- 8.6.3. The District Truancy Specialist shall include the following in the referral to court or law enforcement:
 - 8.6.3.1. Attendance records for the student;
 - 8.6.3.2. A report of the evidence-based alternative interventions used by the District before the referral, such as the Truancy Prevention Class, Nebo Attendance

Court, and any action taken by the Restorative Intervention Team, including the outcomes of each intervention;

8.6.3.3. The name and contact information of the District Truancy Specialist;

8.6.3.4. A report from the Division of Juvenile Justice Services that demonstrates the student's failure to complete or participate in prevention and early intervention youth services; and

8.6.3.5. Any other information that the District Truancy Specialist considers relevant.

9. PARENT RESPONSIBILITIES

9.1. Parents shall cooperate with school authorities to resolve attendance problems. Parent efforts include the following:

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

9.1.2. 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.

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

9.1.4. Parents are also encouraged to monitor their own student's attendance by accessing the SIS.

9.1.5. When applicable and necessary, parents may be referred to the Utah County Attorney's Office for a Compulsory Education Violation.

10. LOCAL SCHOOL ATTENDANCE AND TARDY POLICIES AND PROCEDURES

10.1. Each school may establish its own policy or set of rules to provide rewards and consequences related to attendance and tardiness. Local policies and rules must be consistent with and may not conflict with this or any other District policy. Reward programs must accommodate all students who qualify. Local school attendance and tardy policies and procedures must be approved in writing by the applicable Director of Secondary or Elementary Education. School attendance and tardy policies and procedures must be consistent with Utah law, Utah State Board of Education rules, 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.

10.2. Academic Grades

10.2.1. 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, consistent with paragraph 10.2.2.

10.2.2. Before academic grades can be affected by attendance, including at a practice, rehearsal, or competition for a co-curricular activity, 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. Any out-of-class practice, rehearsal, or performance that will impact a student's academic grade must be specified in the disclosure document and provided to parents.

- 10.2.3. Consistent with Utah Code Ann. § 53G-6-206, in addition to the provisions of paragraphs 10.2.1 and 10.2.2, a student's academic grade may be affected by the student's attendance on a case-by-case basis at the request of the student's parent, with written consent from the parent, and in accordance with an individualized plan developed by the parent and teacher. Nothing in this paragraph limits the ability of an academic grade to be affected by attendance under paragraphs 10.2.1 and 10.2.2.

10.3. Activity Eligibility

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

10.4. Detention

10.4.1. Detention is a supervised study hall. Students must provide their own materials. 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. Participating in Detention may allow the student to obtain or restore certain school privileges as described in paragraph 10.4.2.

10.4.2. As part of a local school's attendance and tardy policies and procedures, schools may implement a Detention program. A Detention program may be used in conjunction with a rewards program to restore activity participation eligibility.

10.5. Partial Day Absences

10.5.1. Because Utah law defines "truancy" as an absence of at least half the school day without a valid excuse, unexcused absences of less than half the school day are not addressed by the responses outlined in sections 7 and 8. For example, a student who repeatedly misses a single period but attends the rest of the day will not receive a Notice of Compulsory Education Violation or a Notice of Truancy.

10.5.2. Local school attendance policies must include procedures for addressing unexcused absences of single class periods or other portions of the day that are less than half the school day. Local procedures must be consistent with this policy.

11. LEARNER VALIDATED ENROLLMENT MEASUREMENT

11.1. A learner validated program is a District program that consists of eligible, enrolled students who receive instruction through an online learning program, a blended learning program, or a competency-based learning program. Utah law requires the District to document the continuing enrollment status for individual students enrolled in a learner validated program.

11.2. Students enrolled in a learner validated program must log in to the course's learning management system or otherwise make contact with the instructor at least once every ten (10) school days until the course is completed. A student who fails to do so will be withdrawn from the course.

11.3. School or District staff will regularly track student log ins and other evidence of student engagement and provide support to students and parents. Additional procedures and requirements for student enrollment measurements in learner validated programs may be adopted through administrative directive.

12. DUE PROCESS

- 12.1. A parent may, within ten (10) school days, appeal an unexcused absence, a Notice of Compulsory Education Violation, or a Notice of Truancy. 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 multi-disciplinary team, 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*](#).

13. MAINTAINING ENROLLMENT AFTER TEN CONSECUTIVE UNEXCUSED ABSENCES

- 13.1. The Utah legislature has created the Minimum School Program and established requirements for the calculation of funding for the program. [UTAH CODE ANN. Title 53F, Chapter 2](#). Student enrollment and attendance are necessary components of those calculations, and the USBE requires the District to submit student attendance reports to determine membership for purposes of funding. Membership is a term used to identify students who are eligible to generate funding under the Minimum School Program.
- 13.2. Under [UTAH ADMIN. CODE R277-419-5](#), to generate membership for funding through the Minimum School Program on any school day, the District must ensure that a student being counted in membership meets the following attendance requirements:
 - 13.2.1. If the student is enrolled primarily in an attendance validated program (face-to-face or in-person learning), the District may not count the student as an eligible student if the student has ten consecutive unexcused absences;
 - 13.2.2. If the student is enrolled in a learner validated program, the District may not count the student as an eligible student if the District has not engaged with the student during the prior ten consecutive school days.
- 13.3. Notwithstanding the restrictions on counting membership outlined in subsection 13.2, the District must maintain a student’s enrollment as follows:
 - 13.3.1. The District shall continue to provide a student with a disability a free and appropriate public education (FAPE) even when the student has not attended school or engaged with the District during the prior ten consecutive school days;
 - 13.3.2. The District shall maintain the student’s enrollment; and
 - 13.3.3. The District may continue to count a student with a disability in membership for funding purposes up to thirty (30) days if the District documents that it is working to locate and engage with the student.

EXHIBITS

Attendance Flowchart Grades 1-6
Attendance Flowchart Grades 7-12

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. § 53G-6-201, et seq.](#)
[UTAH CODE ANN. § 53G-6-801, et seq.](#)
[UTAH CODE ANN. § 53G-8-211](#)
[UTAH CODE ANN. § 62A-7-104](#)
[UTAH ADMIN. CODE R277-419](#)
[UTAH ADMIN. CODE R277-607](#)
[Nebo School District Policy JD, *Student Conduct and Discipline*](#)
[Nebo School District Policy JDK, *Homeschool and Other Compulsory Education Exemptions*](#)
[Nebo School District Policy JS, *Special Education*](#)
 Nebo School District Administrative Directive 6.9, *Learner Validated Enrollment*
 Nebo School District Attendance Concern Letter
 Nebo School District Notice of Compulsory Education Violation
 Nebo School District Notice of Truancy

FORMS

None

HISTORY

Revised: 2024 – added provision for attendance being a factor in student's grade per SB 177 (2024); modified definition of habitual truant per HB 362 (2024).
Committee Change: 15 April 2024 – corrected section and subsection references.
Revised: 10 January 2024 – added definitions from UTAH ADMIN CODE R277-607 (August 2023) and HB400 (2023); clarified form of issuance of notice of truancy; made technical changes.
Revised: 10 May 2023 – removed moratorium on punitive action; modified procedures for 10 consecutive unexcused absences per changes to R277-419; updated exhibits; made technical changes.
Revised: 8 December 2021 – updated consistent with HB 81 (2021) and HB 116 (2021); added a note to reflect temporary moratorium on compulsory education violations consistent with SB 219 (2021); clarified requirements for co-curricular activity grades and absences.
Revised: 11 November 2020 – Consolidated former policy JDI, *Elementary Attendance*, and JDH, *Secondary Attendance*, into single policy, JDH, *Student Attendance*; updated consistent with revisions to state law including HB14 (2020), HB384 (2020), HB28 (2019), SB125 (2018), and R277-607.
Revised 12 July 2017 – updated consistent with HB239 (2017); revised purpose and philosophy consistent with current notice practices; removed reference to habitual truant citation per HB239; created Nebo Attendance Court Referral; removed juvenile court referral for habitual truant citation; created restorative intervention team and process for alternate setting; removed Nebo attendance court referral exclusion of students 16 years old with 3.5 GPA; made technical changes.
Revised 13 July 2016 – modified definitions of detention, excused absence, habitual truant, habitual truant citation, and Nebo attendance court; revised procedures for excusing an absence; clarified process for issuing and responding to notice of truancy and habitual truant citation; made technical changes.
Revised 13 August 2014 – added definition of “reasonably accommodate” and requirement to accommodate written parent requests to excuse an absence for family event or doctor visit without requiring a note per SB122 (2014); added exception to habitual truant citation for students 16 years old with 3.5 GPA per HB399 (2014); added continuing enrollment measure for nontraditional programs per R277-419; made technical changes.
Revised 12 August 2009 – revised definition of tardy; revised procedures for extended absences.
Revised 9 July 2008 – renumbered from JED; reformatted to District’s new policy template; made technical changes.
Revised or Adopted 13 September 2000.
