

Compulsory Attendance Notices and Citations

Compulsory attendance citations may be issued by the superintendent or designee as a means to enforce the compulsory attendance law. All such citations shall be issued according to the following procedures:

1. Building Principal or Designee

- a. Determine that the parent or guardian has either failed to enroll his/her student or to maintain the student in regular attendance. Regular attendance shall mean attendance which does not include more than eight unexcused one-half day absences or the equivalent in any four-week period in which school is in session.

(1) Irregular Attendance Step 1

When a student fails to maintain regular attendance the principal or designee shall send the “First Notification” letter (attachment A of this Administrative Regulation). The principal or designee shall also attempt to telephone the parent or guardian to inform them of the content of the “First Notification” letter.

(2) Irregular Attendance Step 2

Should the student fail to maintain regular attendance after parent/guardian receipt of the “First Notification” letter (above), the principal or designee shall send the “Second Notification” letter (attachment B of this Administrative Regulation). The principal shall also attempt to telephone the parent/guardian to inform them of the content of the “Second Notification” letter.

The “Second Notification” letter may be sent any time after the first unexcused absence following parent/guardian receipt of the “First Notification” letter, but not later than the third unexcused absence.

(3) Irregular Attendance Step 3

Should the student fail to maintain regular attendance after parent/guardian receipt of the “Second Notification” letter (above), the principal or designee shall contact the Northwest Regional Education Service District (NWRESA) attendance officer. He/she shall request that the official “irregular attendee” letters provided for in ORS 339 be initiated. This request may be made any time after the first unexcused absence following parent/guardian receipt of the “Second Notification” letter, but not later than the third unexcused absence.

2. Northwest Regional Education Service District (NWRESD) Attendance Officer

a. Irregular Attendance Step 4

After notification of verified irregular attendance by the building principal or designee the NWRESD attendance officer shall initiate the following steps:

- (1) Verify the compulsory attendance violation through such means as matching attendance supervisor records with classroom teacher records;
- (2) Provide written compulsory attendance non-compliance notification to the parent or guardian within 24 hours of verification of the violation. If the student is a youth offender on parole or probation, at the same time notice if given to the parent or other person, the attendance officer shall notify the student's parole or probation officer of the absence;
- (3) Serve the notification personally or by certified mail;
- (4) Ensure such notification includes a statement that the student must appear on the next school day following receipt of the notice and maintain regular attendance for the remainder of the school year;
- (5) Provide a copy of the notice and pertinent attendance records to the superintendent or designee at the time notice is given to the parent or guardian;
- (6) Notify the superintendent within three days of knowledge that the parent or guardian receiving the notification has not complied with the notice.

b. Irregular Attendance Step 5

Should the student fail to maintain regular attendance after parent/guardian receipt of the first official letter from the NWRESD attendance officer, the principal shall so notify the NWRESD attendance officer and he/she shall proceed with the second official letter of notification.

c. Irregular Attendance Step 6

Should the student fail to maintain regular attendance after parent/guardian receipt of the first official letter from the NWRESD attendance officer, the principal shall so notify the NWRESD attendance officer and he/she shall proceed with notification to the parent/guardian of a compulsory meeting at the school.

d. Irregular Attendance Step 7

Should the parent/guardian not attend the compulsory meeting, the principal shall consult with the superintendent to determine if the NWRESD attendance officer will be requested to issue a citation to the parent/guardian. The decision to issue a citation is at the option of the superintendent. If the parent/guardian does not attend the compulsory meeting and unexcused absences continue, the superintendent may immediately request that a citation be issued.

e. Irregular Attendance Step 8 (Superintendent's Option)

Following failure of the parent/guardian to comply as required in Step 7 (above), if so directed by the superintendent, the principal will request the NWRESD attendance officer to issue a citation per the directions below.

3. Superintendent or Designee

The superintendent or designee will:

- a. Review the compulsory attendance non-compliance notice and pertinent student attendance records;
- b. If citation appears warranted prior to issuing the citation, provide written notification to the parent or guardian. The notice will be delivered personally or by certified mail and will state that:
 - (1) The student is required to attend regularly, a school full-time during the school year;
 - (2) Failure to send the student to school and to maintain the student in regular attendance is a Class B infraction;
 - (3) A citation for violation of compulsory attendance laws may be issued by the superintendent or designee;
 - (4) The parent has the right to request:
 - (a) An evaluation to determine if the student should have an individualized education program (IEP), if the student does not have one; or
 - (b) A review of the student's current IEP.
 - (5) The parent or guardian and student are required to attend a conference with the superintendent or designee. The date, time and place of conference will be specified. This conference may not be scheduled until after an evaluation or use review as described in item 4. above, if requested by the parent, has been completed;
 - (6) Failure to attend the conference or failure to send the student to school following the conference may result in the issuance of a citation.

4. Conference

The superintendent or designee will conduct a conference with the parent or guardian and student. Auxiliary aids and services will be provided upon advance request. The superintendent or designee will:

- a. Review Oregon's compulsory attendance law and the student's attendance record;
- b. Determine the reasons for the noncompliance;
- c. Develop a plan for student attendance improvement (contract, etc.);
- d. Refer the parent or guardian and student to other agencies as necessary (i.e., Building Support Team, Youth Services Team, Oregon Department of Human Services, Juvenile Department, etc.);

- e. Discuss the potential consequences for continued compulsory attendance non-compliance, including the potential for the issuance of a citation and the consequences for violation of the Board's student conduct and truancy policies.

5. Citation

Compulsory attendance non-compliance citations may be issued by the superintendent or designee.

The superintendent or designee shall:

- a. Determine that the parent or guardian has continued to fail to enroll his/her student in school or maintain the student in regular attendance following a conference or has refused to attend the conference as required;
- b. Contact the clerk of the court for the county and determine which court will hear the case and when;
- c. Ensure official representing the district will be available to present evidence of the violation at the time and date specified;
- d. Determine whether the local court's interpretation of ORS 339.925 requires the student be named as defendant. Complete form accordingly;
- e. Complete Uniform Compulsory Attendance Citation and Complaint form as follows:
 - (1) Specify appropriate court, district, circuit, municipal or justice as appropriate;
 - (2) Specify when the court will hear the case, including date, time and location of the court appearance at the bottom of the form;
 - (3) Provide all pertinent defendant information, including the name and address of the parent or guardian. Only one adult should be named as the defendant;
 - (4) Provide all pertinent offense information, including the period of time during which the absences occurred and bail;
 - (5) Ensure the minimum number of absences constituting irregular attendance as defined in law has in fact occurred. Excused absences should not be counted for purposes of this citation;
 - (6) Provide all pertinent student information including the grade, date of birth, length of time in the school district and parent(s) name(s). The Oregon Department of Education will compile this information at the end of the calendar year to determine trends in excessive absenteeism;
 - (7) Provide date of superintendent's or designee's prior notification of attendance requirements, consequences including possibility of citation and conference meeting date was sent;
 - (8) Ensure that the prior notice was served to the same parent or guardian who is named as the defendant in the citation;
 - (9) Provide district name, date, superintendent's name and signature. If the superintendent has designated another district official to issue citations, such delegation will be documented and the delegated official's name and signature will appear on the form;
 - (10) Personally serve (not mail) the citation;
 - (11) Complete time and date citation was issued, name, title and signature of district official serving the citation;
 - (12) Ensure that the parent or guardian is served with a copy;

- (13) Ensure copies are sent to the appropriate court, immediately after the citation is served;
 - (14) Ensure a copy is retained by the district. Additional information may be maintained on the back of the pink copy, including the dates the attendance supervisor's and the superintendent's or designee's notifications were sent, dates of contact with parents or guardians and names of school staff who have been involved with the issue;
 - (15) Consult with district's attorney to assist in these procedures as necessary.
- f. Maintain student attendance records in accordance with applicable education records laws.

Attachment A

FOREST GROVE SCHOOL DISTRICT
1728 Main Street, Forest Grove, Oregon 97116-2314
Phone: 503-357-6171

**NOTICE TO PARENTS OR OTHER PERSON HAVING CONTROL OF CHILD
SUBJECT TO COMPULSORY SCHOOL ATTENDANCE**

FIRST NOTIFICATION

DATE HERE

Name
Address
City, State ZIP

Re: School Attendance of NAME OF STUDENT

Dear NAME OF PARENT/GUARDIAN,

School attendance records indicate that your child has missed XX days of school since the start of school. Because of this,(s)he is considered to be an “irregular attender.” This means that (s)he is in violation of the compulsory attendance laws as outlined in Oregon Revised Statutes (ORS) Chapter 339. In accordance with the provisions of ORS Chapter 339, (s)he is subject to compulsory school attendance.

You are directed to cause NAME OF STUDENT to appear at NAME OF SCHOOL, STREET ADDRESS, on the next school day following receipt of this notice. You are further notified that regular attendance at school must be maintained during the remainder of the school year. If there is no immediate change in your child’s school attendance, I am obligated by law to refer this matter to the Washington County attendance officer for further action.

You may request an evaluation to determine if your student should have an individualized education program (IEP), or request a review of your student’s current IEP.

Sincerely,

Principal

Cc: Washington County Attendance Officer
file

Attachment B

FOREST GROVE SCHOOL DISTRICT
1728 Main Street, Forest Grove, Oregon 97116-2314
Phone: 503-357-6171

**NOTICE TO PARENTS OR OTHER PERSON HAVING CONTROL OF CHILD
SUBJECT TO COMPULSORY SCHOOL ATTENDANCE**

SECOND NOTIFICATION

DATE HERE

Name
Address
City, State ZIP

Re: School Attendance of NAME OF STUDENT

Dear NAME OF PARENT/GUARDIAN,

School attendance records indicate that your child has missed XX days of school since the start of school. Because of this,(s)he is considered to be an “irregular attender.” This means that (s)he is in violation of the compulsory attendance laws as outlined in Oregon Revised Statutes (ORS) Chapter 339. In accordance with the provisions of ORS Chapter 339, (s)he is subject to compulsory school attendance.

This is a second notice of non-compliance with the Oregon compulsory attendance law. You are directed to appear with your child at NAME OF SCHOOL, STREET ADDRESS, on the next school day following receipt of this notice. If you fail to appear, and/or regular attendance is not maintained during the remainder of the school year, I am obligated by law to refer this matter to the Washington County attendance officer for further action.

You may request an evaluation to determine if your student should have an individualized education program (IEP), or request a review of your student’s current IEP.

Sincerely,

Principal

Cc: Washington County Attendance Officer
file

FOREST GROVE SCHOOL DISTRICT
1728 Main Street, Forest Grove, Oregon 97116-2314
Phone: 503-357-6171

***** ATTENDANCE SUPERVISOR'S COMPULSORY ATTENDANCE NOTICE *****

Date _____

Parent(s)/Guardian _____
Address _____

Dear _____,
(Parent/Guardian)

A determination has been made that your student, (STUDENT NAME), has not enrolled in school and has not been exempted from compulsory attendance in school, under provisions of Oregon Revised Statute 339.030.

In accordance with Oregon law, you are hereby notified that you must enroll your student at NAME OF SCHOOL no later than the next school day following receipt of this notice and maintain your student in regular attendance for the remainder of the school year.

Please be advised that failure to comply with Oregon's compulsory attendance law is a Class B infraction and may result in a compulsory attendance citation and complaint issued by the superintendent and a fine by a court.

You may request an evaluation to determine if your student should have an individualized education program (IEP), or request a review of your student's current IEP.

If you have questions, please contact [NAME] at [NUMBER].

Sincerely,

[Attendance Supervisor]

[cc: Principal/Superintendent]

Attachment D

FOREST GROVE SCHOOL DISTRICT
1728 Main Street, Forest Grove, Oregon 97116-2314
Phone: 503-357-6171

***** ATTENDANCE SUPERVISOR'S COMPULSORY ATTENDANCE NOTICE *****

Date _____

Parent(s)/Guardian _____
Address _____

Dear _____,
(Parent/Guardian)

A determination has been made that your student, NAME OF STUDENT, is not maintaining regular attendance as required by Oregon Revised Statute 339.065.

Regular attendance is defined by Oregon law as attendance which does not include more than eight unexcused one-half day absences or the equivalent in any four week period school is in session.

According to school attendance records, your student has had unexcused absences from school XX days on the following dates: DATES LISTED HERE.

You are hereby notified that you must send your student to school no later than the next school day following receipt of this notice and maintain your student in regular attendance for the remainder of the school year.

Please be advised that failure to comply with Oregon's compulsory attendance law is a Class B infraction and may result in a compulsory attendance citation and complaint issued by the superintendent and a fine by a court.

You may request an evaluation to determine if your student should have an individualized education program (IEP), or request a review of your student's current IEP.

If you have questions, please contact [name] at [number].

Sincerely,

[Attendance Supervisor]

[cc: Principal/Superintendent]

FOREST GROVE SCHOOL DISTRICT

1728 Main Street, Forest Grove, Oregon 97116-2314 | Phone: 503-357-6171

**** SUPERINTENDENT’S NOTICE OF COMPULSORY ATTENDANCE NON-COMPLIANCE ****

Date _____

Parent(s)/Guardian _____

Address _____

Dear _____,
(Parent/Guardian)

According to school district records, you were notified by the district’s attendance supervisor on DATE that your student, NAME HERE, has [failed to enroll in school] [failed to maintain regular school attendance] as required by Oregon compulsory attendance laws.

Your student was required to appear in school no later than the next school day following your receipt of that notice and maintain regular attendance for the remainder of the school year. School district records indicate your student continues to be absent from school.

The superintendent or designee may issue a citation for your continued violation of Oregon’s compulsory attendance law.

A student is required to regularly attend a full-time school. Failure to send the student to school and to maintain the student in regular attendance is a Class B infraction. A citation for such compulsory attendance violations may result in a court fine.

- You **did not** request an evaluation to determine if your student should have an individualized education program (IEP), or a review of your student’s current IEP.
- You **did** request an evaluation to determine if your student should have an individualized education program (IEP), or a review of your student’s current IEP and the requested evaluation or review was completed on [date].

In accordance with law, you and your student are required to attend a conference with [designated school official] on [date] at [time] to discuss:

1. Oregon’s compulsory attendance law and your student’s attendance record;
2. The reasons for your non-compliance;
3. The development of a plan for improvement;
4. Resources available to help your student be successful in school, referrals to other agencies as may be needed and such alternative education information as may be required by law;
5. Any questions you may have concerning the potential consequences for continued non-compliance with Oregon’s compulsory attendance law, as set forth above and as provided in Board student conduct and truancy policies.

Failure to attend this conference or failure to send your student to school and to maintain your student in regular school attendance following this conference will result in the issuance of a citation to you, as provided by law.

If you have questions, please contact [name] at [number].

Sincerely,

[Superintendent/Designee]