

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:

Attendance Supervisor

1. The attendance supervisor shall:
 - a. Determine that the parent or guardian has either failed to enroll his/her student or to maintain the student in regular attendance. Any student who has more than eight unexcused half-day absences, or the equivalent, within a four week period when school is in session does not regularly attend school.
 - b. Verify the compulsory attendance violation through such means as matching attendance supervisor records with classroom teacher records;
 - c. Provide written compulsory attendance non-compliance notifications 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 is given to the parents or other person, the attendance supervisor shall notify the student's parole or probation officer of the absence;
 - d. Serve the notification personally or by certified mail. The notification will be written in the native language of the parent or guardian;
 - e. 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;
 - f. Provide a copy of the notice and pertinent attendance records to the superintendent or designee at the time notice is given to the parent;
 - g. Notify the superintendent within three days of knowledge that the parent receiving the notification has not complied with the notice.

Superintendent or Designee

1. The superintendent or designee will:
 - a. Review the compulsory attendance non-compliance notice and pertinent student attendance records;
 - b. If a citation appears to be warranted prior to issuing the citation, the superintendent or their designee shall provide written notification to the parent or guardian. The notice shall be written in the primary language of 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 school regularly;

- (2) Failure to send the student to school and to maintain the student in regular attendance is Class C violation (ORS 153.018);
- (3) A citation for violation of compulsory attendance laws may be issued by the Superintendent or their designee;
- (4) The parent has the right to request:
 - c. An evaluation to determine if the student should have an individualized education program (IEP), if the student does not have one; or
 - d. A review of the student's current IEP.
 - (1) The parent or guardian and student are required to attend a conference with the superintendent or their designee. The date, time and place of conference will be specified.
 - (2) Failure to attend the conference or failure to send the student to school following the conference may result in the issuance of a citation.

Conference

- 1. The superintendent or their 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 non-compliance;
 - c. Develop a plan for student attendance improvement, including conditions or agreements with the parents or guardians that will facilitate the student's attendance
 - d. Refer the parent 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.

Citation

- 1. Compulsory attendance non-compliance citations may be issued by the superintendent or their 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 that an official representing the district is available to present evidence of the violation at the time and date specified;
 - d. Determine whether the local courts interpretation of ORS 339.925 required the student be named as defendant and complete the form accordingly;

- e. Complete Uniform Compulsory Attendance Citation and Complaint form as follows:
- (1) Specify appropriate court;
 - (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 may be named as the defendant per citation;
 - (4) Provide all pertinent offense information, including the period of time during which the absences occurred.
 - (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 Department of Education will compile this information at the end of the calendar year to determine trends in excessive absenteeism;
 - (7) Provide the date of the superintendent's or designee's prior notification of attendance requirements and consequences, including possibility of citation and conference meeting date;
 - (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, title and signature of district official serving the citation;
 - (10) Personally serve (not mail) the citation;
 - (11) Complete time and date citation was issued, along with the name, title and signature of district official serving the citation;
 - (12) Ensure that the parent or guardian is served with a copy;
 - (13) Ensure the 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;
 - (15) Consult with district's legal counsel to assist in these procedures as necessary.
- f. Maintain student attendance records in accordance with applicable education records laws.