



## **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. Attendance Supervisor

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. 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;
- b. Verify the compulsory attendance violation through such means as matching attendance supervisor records with classroom teacher records;
- c. Provide written compulsory attendance noncompliance 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 is given to the parent 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 that notification includes a statement requiring the student to appear on the next school day following receipt of the notice and to maintain regular attendance for the remainder of the school year;
- f. Provide a copy of the notice and pertinent attendance records to the principal at the time notice is given to the parent or guardian;
- g. Notify the principal within three days of knowledge that the parent or guardian receiving the notification has not complied with the notice.

### 2. Superintendent or Designee

The superintendent or designee will:

- a. Review the compulsory attendance noncompliance 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 written in the 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 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 C violation;
- (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 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.

### 3. 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, Community Human Services; Juvenile Department; etc.);
- e. Discuss the potential consequences for continued compulsory attendance noncompliance, including the potential for the issuance of a citation and the consequences for violation of the Board's student conduct and truancy policies.

### 4. Citation

Compulsory attendance noncompliance 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 Oregon Revised Statute (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;
  - (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;
  - (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 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 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 the parent or guardian is served with the goldenrod (bottom) copy;
  - (13) Ensure the white and yellow copies are sent to the appropriate court, immediately after the citation is served;
  - (14) Ensure the pink 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.

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To: The Parent(s) of [Type Student's Name Here]

Date: \_\_\_\_\_

RE: Compulsory Attendance

This letter serves as your first notification of compulsory attendance law. Our attendance records indicate you may be in violation of Oregon Compulsory School Attendance law. We are concerned because success in school is directly related to being in class. We understand there are legitimate reasons that students are absent, and we aim to support families in maintaining excellent student attendance. Schools have an obligation to inform parents of the potential consequences of poor attendance. The information below summarizes Oregon's laws regarding school attendance.

- ORS 339.065: Four entire or eight half-day unexcused absences, or any combination thereof, in a four-week period in which school is in session, triggers the truancy process and may be a violation of Oregon Compulsory School Attendance. The district may excuse a student for a period not to exceed five days in a term of three months or not to exceed 10 days in any term of at least six months.
- ORS 339.020: Failure to enroll a child in school and maintain a child's regular school attendance is a Class C violation, which may result in a citation and/or fine.
- ORS 163.577: Failing to supervise a child may result in a citation and/or fine.
- ORS 339.010: All children between the ages of 6 and 18 who have not completed the 12th grade are required to attend regularly a public full-time school of the school district in which the child resides, and all children five years of age who have been enrolled in public school are required to attend regularly the public school while enrolled in the public school.
- ORS 339.020: Every person having control of any child between the ages of 6 and 18 years of age who has not completed the 12th grade is required to send such child to and, maintain the child in regular attendance, at a full-time school during the entire year, and if a person has control of a child five years of age and has enrolled the child in a public school, the person is required to send the child to, and maintain the child in, regular attendance at the public school while the child is enrolled in the public school.
- ORS 163.577: A parent or guardian may commit the offense of failing to supervise a child if the child is under 15 years of age and the child fails to attend school as required.
- ORS 807.066: The Department of Transportation may not issue driving privileges to a person under 18 years of age who has not either graduated from high school, or received a General Education Development (GED) certificate. Districts are obligated to notify DMV when attendance is not in compliance with the law.

You are hereby advised to send your student to school no later than the next school day, following receipt of this notice, and maintain him/her in regular attendance for the remainder of the school year to avoid noncompliance. This **first notice** of nonattendance has been forwarded to our student services team for review. If your student's attendance does not improve, further action may be recommended. This may result in a court appearance and a monetary citation.

Out of \_\_\_\_ school days, your student has been absent \_\_\_\_\_ days. We would like to partner with you in removing barriers to your student attending school every day. Additionally, if your child does not have an individualized education program (IEP) pursuant of IDEA, you have a right to request an evaluation to determine if the child should have an IEP; or if your child has an IEP, you may request a review of the IEP.

Please contact me if we can be of support.

Sincerely,

[Type Principal's Name Here]

Principal



To: The Parent(s) of [Type Student's Name Here]

Date: \_\_\_\_\_

RE: Compulsory Attendance

This letter serves as your second notification of compulsory attendance law. Our attendance records indicate you may be in violation of Oregon Compulsory School Attendance law. Since your first notification, your student's attendance has not improved. The information below summarizes Oregon's laws regarding school attendance.

- ORS 339.065: Four entire or eight half day unexcused absences, or any combination thereof, in a four-week period in which school is in session, triggers the truancy process and may be a violation of Oregon Compulsory School Attendance. The district may excuse a student for a period not to exceed five days in a term of three months or not to exceed 10 days in any term of at least six months.
- ORS 339.020: Failure to enroll a child in school and maintain a child's regular school attendance is a Class C violation, which may result in a citation and/or fine.
- ORS 163.577: Failing to Supervise a Child may result in a citation and/or fine.
- ORS 339.010: All children between the ages of 6 and 18 who have not completed the 12th grade are required to attend regularly a public full-time school of the school district in which the child resides, and all children five of age who have been enrolled in public school are required to attend regularly the public school while enrolled in the public school.
- ORS 339.020: Every person having control of any child between the ages of 6 and 18 years of age who has not completed the 12th grade is required to send such child to and, maintain the child in regular attendance, at a full-time school during the entire year, and if a person has control of a child five years of age and has enrolled the child in a public school, the person is required to send the child to, and maintain the child in, regular attendance at the public school while the child is enrolled in the public school.
- ORS 163.577: A parent or guardian may commit the offense of failing to supervise a child if the child is under 15 years of age and the child fails to attend school as required.
- ORS 807.066: The Department of Transportation may not issue driving privileges to a person under 18 years of age who has not either graduated from high school, or received a General Education Development (GED) certificate. Districts are obligated to notify DMV when attendance is not in compliance with the law.

You are hereby advised to send your student to school no later than the next school day, following receipt of this notice, and maintain him/her in regular attendance for the remainder of the school year to avoid noncompliance. This **second notice** of nonattendance has been forwarded to our student services team for review. If your student's attendance does not improve, further action may be recommended. This may result in a court appearance and a monetary citation.

Out of \_\_\_\_ school days, your student has been absent \_\_\_\_\_ days. We would like to partner with you in removing barriers to your student attending school every day. Additionally, if your child does not have an individualized education program (IEP) pursuant to IDEA, you have a right to request an evaluation to determine if the child should have an IEP; or if your child has an IEP, you may request a review of the IEP.

Please contact me if we can be of support.

Sincerely,

[Type Your Principal's Name Here]

Principal



To: The Parent(s) of [Type Student Name Here]

Date: \_\_\_\_\_

RE: Truancy Meeting Notification

Your presence is required at a mandatory attendance conference. The conference will address concerns regarding your student's attendance. We are hopeful that problem solving with you will result in immediate improvement of your student's attendance at school. You have received at least two notifications informing you of the Oregon's compulsory attendance law, as outlined below. You may be in violation of one or more of these statutes.

- ORS 339.065: Four entire or eight half day unexcused absences, or any combination thereof, in a four-week period in which school is in session, triggers the truancy process and may be a violation of Oregon Compulsory School Attendance. The district may excuse a student for a period not to exceed five days in a term of three months or not to exceed 10 days in any term of at least six months.
- ORS 339.020: Failure to enroll a child in school and maintain a child's regular school attendance is a Class C violation, which may result in a citation and/or fine.
- ORS 163.577: Failing to Supervise a Child may result in a citation and/or fine.
- ORS 339.010: All children between the ages of 6 and 18 who have not completed the 12th grade are required to attend regularly a public full-time school of the school district in which the child resides, and all children five or of age who have been enrolled in public school are required to attend regularly the public school while enrolled in the public school.
- ORS339.020: Every person having control of any child between the ages of 6 and 18 years of age who has not completed the 12th grade is required to send such child to and, maintain the child in regular attendance, at a full-time school during the entire year, and if a person has control of a child five years of age and has enrolled the child in a public school, the person is required to send the child to, and maintain the child in, regular attendance at the public school while the child is enrolled in the public school.
- ORS 163.577: A parent or guardian may commit the offense of failing to supervise a child if the child is under 15 years of age and the child fails to attend school as required.
- ORS 807.066: The Department of Transportation may not issue driving privileges to a person under 18 years of age who has not either graduated from high school, or received a General Education Development (GED) certificate. Districts are obligated to notify DMV when attendance is not in compliance with the law.

Out of \_\_\_\_ school days, your student has been absent \_\_\_\_\_ days.

Mandatory Attendance Meeting Date and Time: [Type Meeting Date and Time Here]

Location: [Type Location Here]

If you cannot attend this meeting, please call [Type Contact Name Here] at [Type Phone Number Here] to reschedule.

If your child does not have an individualized education program (IEP) pursuant to IDEA, you have a right to request an evaluation to determine if the child should have an IEP; or if your child has an IEP, you may request a review of the IEP.

If you fail to attend the meeting, your student's attendance information will be forwarded to law enforcement for further action.

Sincerely,

Type Your Principal's Name Here  
Principal