

Compulsory Attendance Notices and Citations

Compulsory attendance citations may be issued by the superintendent 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. 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;
- C. Serve the notification personally or by certified mail. The notification will be written in the native language of the parent or guardian;
- D. 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;
- E. Ensure that the notification states that the parent or guardian has the right to request an evaluation to determine if the child should have an individualized education program (IEP), if the child does not currently have an IEP, or request a review of the child's current IEP;
- 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 or guardian;
- G. Notify the superintendent 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. If, after review of attendance records a citation appears warranted, prior to issuing the citation, provide written notification to the parent or guardian. The notice will be written

in the native 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 regularly attend full-time during the school year;
2. A citation for violation of compulsory attendance laws may be issued by the superintendent or designee;
3. 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.
4. 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;

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, Services to Children and Families, 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 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;
 - 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 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 provided the citation;
 - 13. Ensure the designated court is appropriately notified immediately after the citation is served;
 - 14. Ensure a copy is retained by the district.
 - 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.