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:

   1. 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;

   2. Verify the compulsory attendance violation through such means as matching attendance supervisor records with classroom teacher records;

   3. 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;

   4. Serve the notification personally or by certified mail. The notification will be written in the native language of the parent or guardian;

   5. 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;

   6. 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;

   7. 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:

   1. Review the compulsory attendance noncompliance notice and pertinent student attendance records;

(continued)

2. 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 school regularly;
    2. Failure to send the student to school and to maintain the student in regular attendance is a Class C violation;
    3. A citation of up to $150 for violation of compulsory attendance laws may be issued by the superintendent or designee;
    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;
    5. 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:

1. Review Oregon's compulsory attendance law and the student's attendance record;

2. Determine the reasons for the noncompliance;

3. Develop a plan for student attendance improvement (contract, etc.);

4. 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.);

5. 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:

1. 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;

2. Contact the clerk of the court for the county and determine which court will hear the case and when;

3. Ensure official representing the district will be available to present evidence of the violation at the time and date specified;

(continued)

4. Determine whether the local court's interpretation of ORS 339.925 requires the student be named as defendant. Complete form accordingly;

5. 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 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.

6. Maintain student attendance records in accordance with applicable education records laws.

(continued)

BANDON SCHOOL DISTRICT
455 9TH STREET
BANDON, OR. 97411
Phone: 541-347-4411

ATTENDANCE SUPERVISOR'S NONENROLLMENT NOTICE

Date _____
Parent(s)/Guardian _____
Address _____

Dear _____,
(Parent/Guardian)

A determination has been made that your student,_____, has not enrolled in school and has not been exempted from compulsory attendance in school, under provisions of ORS 339.030.

In accordance with Oregon law, you are hereby notified that you must enroll your student at [ ] 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 C violation and may result in a compulsory attendance citation and complaint issued by the superintendent and a fine by a court of up to $150.

If you have questions, please contact _____at _____.

Sincerely,

Attendance Supervisor

cc: Principal/Superintendent

(continued)

BANDON SCHOOL DISTRICT
455 9TH STREET
BANDON, OR. 97411
Phone: 541-374-4411

ATTENDANCE SUPERVISOR'S IRREGULAR ATTENDANCE NOTICE

Date _____
Parent(s)/Guardian _____
Address _____

Dear _____,
(Parent/Guardian)

A determination has been made that your student,_____, is not maintaining regular attendance as required by ORS 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 _____ days on the following dates: _____.

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 C violation and may result in a compulsory attendance citation and complaint issued by the superintendent and a fine by a court of up to $150.

If you have questions, please contact _____ at _____.

Sincerely,

Attendance Supervisor

cc: Principal/Superintendent

(continued)

BANDON SCHOOL DISTRICT
455 9TH STREET
BANDON, OR. 97411
Phone: 541-347-4411

SUPERINTENDENT'S NOTICE OF COMPULSORY ATTENDANCE NONCOMPLIANCE

Date _____
Parent(s)/Guardian _____
Address _____

Dear _____,
(Parent/Guardian)

According to school district records, you were notified by the district's attendance supervisor on _____ that your student,_____, 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 C violation. A citation for such compulsory attendance violations may result in a court fine of up to $150.

In accordance with law, you and your student are required to attend a conference with _____ on _____ at _____ to discuss:

1. Oregon's compulsory attendance law and your student's attendance record;
2. The reasons for your noncompliance;
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 noncompliance 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 _____ at _____.

Sincerely,

Superintendent

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