

Compulsory Attendance Notices and Citations**

Appropriate notices on student absences or irregular attendance may be issued by the district in accordance with law. A citation may be issued by the superintendent or designee for noncompliance of ORS 339.035¹ in accordance with ORS 339.095.

1. Attendance Supervisor

The attendance supervisor shall:

- a. Determine whether a parent or guardian has failed to enroll their child and to maintain the child in regular attendance at a public school. “Regular attendance” means attendance which does not include more than eight unexcused one-half day absences, or the equivalent thereof, 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 notification of the violation from the proper authority. If the student is an adjudicated youth 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 student’s absence;
- c. Serve the notification personally or by certified mail. The notification will be written in the home language of the parent or guardian of the student;
- d. Ensure that notification includes a statement requiring the student to appear at the public school 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) or Section 504 plan (“504 plan”) or right to request a review of their child’s current IEP or 504 plan;
- f. Provide a copy of the notice to the superintendent or designee² at the time notice is given to the parent or guardian.

The attendance supervisor, within three days of knowledge of noncompliance by the parent or guardian, shall notify the superintendent.

2. [Superintendent or Designee

If after review of a student’s record, a citation in violation of ORS 339.035 appears warranted, prior to issuing the citation, the superintendent or designee shall provide written notification to the parent or guardian of the student and the student. 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 ORS 339.035 provides requirements for teaching by private teacher, parent or guardian.

² {OAR 581-021-0077, requires such notice to the superintendent, a principal or other appropriate school official.}

- a. The student is required to attend regularly, a full-time school during the school year;
- b. A citation for violation of ORS 339.035 may be issued by the superintendent or designee;
- c. The parent or guardian has the right to request an evaluation to determine if the student should have an IEP or 504 plan, if the student does not have one, or a review of the student's current IEP or 504 plan;
- d. The parent or guardian and student are required to attend a scheduled conference with the superintendent or designee. The date, time and place of conference will be specified in the notice.

If an evaluation or review as described in item c. above has been requested, this conference will be scheduled after its completion.

3. Conference

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

- a. Review Oregon's attendance law and the student's attendance record;
- b. Determine the reasons for the noncompliance;
- c. Develop a plan for student attendance improvement (i.e., contract, etc.);
- d. Inform the parent and student of other available resources in the district and community, if available;
- e. Discuss the potential consequences for continued attendance noncompliance, including the potential for the issuance of a citation, if applicable.