

## **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 339.035<sup>1</sup> in accordance with ORS 339.095.

### **1. Attendance Supervisor**

The attendance supervisor shall:

- a. Determine whether a parent or guardian has either failed to enroll his/her student or to maintain the student in regular attendance at a public school. Regular attendance shall mean 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 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 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 designee at the time notice is given to the parent or guardian;
- g. 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:

- 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:

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

Banks School District  
12950 NW Main St.  
Banks, OR 97106  
Phone: 503-324-8591

**\*\*\*\*\* ATTENDANCE SUPERVISOR'S NONENROLLMENT NOTICE \*\*\*\*\***

Date  
Parent(s)/Guardian  
Address

Dear ,  
(Parent/Guardian)

A determination has been made that your student, (Student's Name), is not exempted from compulsory attendance in school, under provisions of ORS 339.030 and is not currently enrolled in school.

In accordance with Oregon law, you are hereby notified that you must enroll your student at [school name] 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.

You may request an evaluation to determine if your student should have an individualized education program (IEP), or Section 504 plan ("504 plan"), or request a review of your student's current IEP or 504 plan.

If you have questions, please contact (Principal) at (School Number).

Sincerely,

Principal

cc: Principal/Superintendent

Compulsory Attendance Notices and Citations -  
Banks School District  
12950 NW Main St.  
Banks, OR 97106  
Phone: 503-324-8591

**\*\*\*\*\* ATTENDANCE SUPERVISOR'S IRREGULAR ATTENDANCE NOTICE \*\*\*\*\***

Date  
Parent(s)/Guardian  
Address

Dear (Parent/Guardian),

After review of attendance records, your child (name) is not maintaining regular attendance at a public school 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 thereof in any four-week period school is in session. According to attendance records, your child has had [ ] unexcused absences from school on the following dates: [ ].

Please send your child to school no later than the next school day following receipt of this notice and maintain your child in regular attendance for the remainder of the school year.

You may request an evaluation to determine if your child should have an individualized education program (IEP) or Section 504 plan ("504 plan") or request a review of your child's current IEP or 504 plan. If you request an evaluation for, or a review of a current IEP or 504 plan, a conference will be held after such evaluation or review has been completed.

If your child is taught by a parent, guardian or private teacher, you must notify your local education service district and comply with ORS 339.035. Your local ESD is: Northwest Regional ESD.

If you have questions, please contact (Principal's Name) at (Principal's Number).

Sincerely,

Principal

cc: Superintendent

Banks School District  
12950 NW Main St.  
Banks, OR 97106  
Phone: 503-324-8591

**\*\* SUPERINTENDENT'S NOTICE OF COMPULSORY ATTENDANCE NONCOMPLIANCE \*\***

Date  
Parent(s)/Guardian  
Address

Dear ,  
(Parent/Guardian)

According to district records, you were notified by the district's attendance supervisor on [date] that your student, [name], has [failed to enroll in school] [failed to maintain regular school attendance] as required by Oregon. Your student was required to appear in school no later than the next school day following your receipt of that notice and to maintain regular attendance for the remainder of the school year. District records indicate your student continues to be absent from a public school.

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.

You [did not request an evaluation of your student's individualized education program (IEP) or a review of your student's current IEP.] [requested an evaluation to determine if your student should have an individualized education program (IEP).] [requested a review of an existing IEP for your student] and the requested evaluation or review was completed on [date].

You and your student are requested to attend a conference with [designated school official] on [date] at [time] to discuss:

1. The development of a plan for improvement;
2. 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;
3. Any questions you may have concerning District programs and resources to help your child attend regularly.

If your child is taught by a parent, guardian or private teacher, you must notify your local education service district and comply with ORS 339.035. Your local ESD is: Northwest Regional ESD.

If you have questions, please contact the building Principal.

Sincerely,

Superintendent

HR4/4/24 | LF

Compulsory Attendance Notices and Citations -JEA-AR