

Document: C.R.S. 22-33-107

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Statutes current through Chapter 2 of the 2024 Regular Session, effective as of February 16, 2024.
The 2024 legislative changes are not final until compared and reconciled to the 2024 work product of the Colorado Office of Legislative Services later in 2024.

Colorado Revised Statutes Annotated Title 22. Education (§§ 22-1-101 — 22-107-105) School Districts (Arts. 30 — 38) Article 33. School Attendance Law of 1963 (Pts. 1 — 2) Part 1. School Attendance Law of 1963 (§§ 22-33-101 — 22-33-112)

22-33-107. Enforcement of compulsory school attendance - definitions.

(1) The board of education of each school district shall designate one or more of the employees of the district to act as attendance officer for the district. It is the attendance officer's duty in appropriate cases to counsel with students and parents and investigate the causes of nonattendance and report to the local board of education so as to enforce the provisions of this article which relate to compulsory attendance.

(2) The commissioner of education shall designate an employee of the department of education whose duty it is to assist the individual school districts and to supervise the enforcement of compulsory school attendance for the entire state.

(3)

(a) As used in this subsection (3):

(I) Repealed.

(II) "Local community services group" means the local juvenile services planning committee created pursuant to section 19-2.5-302, the local collaborative management group created by a memorandum of understanding entered into pursuant to section 24-1.9-102, or another local group of public agencies that collaborate with the school district to identify and provide support services for students.

(b) The board of education of each school district shall adopt and implement policies and procedures

concerning elementary and secondary school attendance, including but not limited to policies and procedures to work with children who are habitually truant. The policies and procedures must include provisions for the development of a plan. The plan must be developed with the goal of assisting the child to remain in school and, when practicable, with the full participation of the child's parent, guardian, or legal custodian. Appropriate school personnel shall make all reasonable efforts to meet with the parent, guardian, or legal custodian of the child to review and evaluate the reasons for the child's truancy. The appropriate school personnel are encouraged to work with the local community services group to develop the plan. The plan must be in compliance with section 22-33-108 (7) and include appropriate sanctions other than placement in a juvenile detention facility for a child who is habitually truant and who has refused to comply with the plan. The policies and procedures may also include but need not be limited to the following:

(I) (Deleted by amendment, L. 96, p. 1808, § 4, effective July 1, 1996.)

(I.5) Procedures to monitor the attendance of each child enrolled in the school district to identify each child who has a significant number of unexcused absences and to work with the local community services group and the child's parent to identify and address the likely issues underlying the child's truancy, including any nonacademic issues;

(II) Annually at the beginning of the school year and upon any enrollment during the school year, notifying the parent of each child enrolled in the public schools in writing of such parent's obligations pursuant to section 22-33-104 (5) and requesting that the parent acknowledge in writing awareness of such obligations;

(III) Annually at the beginning of the school year and upon any enrollment during the school year, obtaining from the parent of each child a telephone number or other means of contacting such parent during the school day; and

(IV) Establishing a system of monitoring individual unexcused absences of children which shall provide that, whenever a child who is enrolled in a public school fails to report to school on a regularly scheduled school day and school personnel have received no indication that the child's parent is aware of the child's absence, school personnel or volunteers under the direction of school personnel shall make a reasonable effort to notify by telephone such parent. Any person who, in good faith, gives or fails to give notice pursuant to this subparagraph (IV) shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding which results from such notice or failure to give such notice.

(4) On or before September 15, 2022, and on or before September 15 each year thereafter, the board of education of each school district shall report to the department of education the students' individual attendance information, including total days attended, total days excused, total days unexcused, total possible attendance days, and those who are habitually truant, as defined in section 22-33-102 (3.5), for the preceding academic year. The department shall post the aggregated information for each school district on its website for the public to access and may post additional

information reported by school districts related to truancy.

(5) The department of education may post on its website information concerning effective, research-based, truancy- and dropout-prevention programs for the benefit of school districts.

History

Source: **L. 63:**P. 864, § 8.**C.R.S. 1963:**§ 123-20-8. **L. 84:**(1) amended, p. 601, § 1, effective April 5. **L. 93:**(3) added, p. 460, § 6, effective April 19. **L. 96:**IP(3)(b) and (3)(b)(I) amended, p. 1808, § 4, effective July 1. **L. 2006:**(3)(a) amended, p. 1213, § 5, effective July 1, 2007. **L. 2007:**(3)(a) amended, p. 71, § 3, effective July 1, 2008. **L. 2008:**(4) and (5) added, p. 517, § 2, effective August 5. **L. 2013:**(3)(a) and IP(3)(b) amended and (3)(b)(I.5) added,(HB 13-1021), ch. 335, p. 1947, § 2, effective August 7. **L. 2015:**(1) amended,(SB 15-099), ch. 99, p. 290, § 4, effective August 5. **L. 2018:**(3)(a)(I) repealed and IP(3)(b) and (4) amended,(HB 18-1156), ch. 378, p. 2286, § 4, effective August 8. **L. 2021:**(3)(a)(II) amended,(SB 21-059), ch. 136, p. 740, § 99, effective October 1. **L. 2022:**(4) amended,(HB 22-1374), ch. 273, p. 1971, § 4, effective May 31.

▼ Annotations

Research References & Practice Aids

Hierarchy Notes:

C.R.S. Title 22

C.R.S. Title 22, Art. 33

State Notes

ANNOTATION

Law reviews.

For article, "The Evolution of Colorado's School Attendance Laws: Moving Toward Prevention and Restoration", see 43 Colo. Law. 63 (July 2014).

Research References & Practice Aids

Cross references:

- (1) For the legislative declaration contained in the 2006 act amending subsection (3)(a), see section 1 of chapter 265, Session Laws of Colorado 2006. For the legislative declaration in HB 18-1156, see section 1 of chapter 378, Session Laws of Colorado 2018.
- (2) For the short title ("Foster Youth Success Act") in HB 22-1374, see section 1 of chapter 273, Session Laws of Colorado 2022.

Colorado Revised Statutes Annotated

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