

**Renumbered 1/24/2018**

**53A-11-101 Definitions.**

For purposes of this part:

- (1)
  - (a) "Absence" or "absent" means, consistent with Subsection (1)(b), failure of a school-age minor assigned to a class or class period to attend the entire class or class period.
  - (b) A school-age minor may not be considered absent under this part more than one time during one day.
- (2) "Habitual truant" means a school-age minor who:
  - (a) is at least 12 years old;
  - (b) is subject to the requirements of Section 53A-11-101.5; and
  - (c)
    - (i) is truant at least 10 times during one school year; or
    - (ii) fails to cooperate with efforts on the part of school authorities to resolve the minor's attendance problem as required under Section 53A-11-103.
- (3) "Minor" means a person under the age of 18 years.
- (4) "Parent" includes:
  - (a) a custodial parent of the minor;
  - (b) a legally appointed guardian of a minor; or
  - (c) any other person purporting to exercise any authority over the minor which could be exercised by a person described in Subsection (4)(a) or (b).
- (5) "School-age minor" means a minor who:
  - (a) is at least six years old, but younger than 18 years old; and
  - (b) is not emancipated.
- (6) "School year" means the period of time designated by a local school board or local charter board as the school year for the school where the school-age minor:
  - (a) is enrolled; or
  - (b) should be enrolled, if the school-age minor is not enrolled in school.
- (7) "Truant" means absent without a valid excuse.
- (8) "Truant minor" means a school-age minor who:
  - (a) is subject to the requirements of Section 53A-11-101.5 or 53A-11-101.7; and
  - (b) is truant.
- (9) "Valid excuse" means:
  - (a) an illness;
  - (b) a family death;
  - (c) an approved school activity;
  - (d) an absence permitted by a school-age minor's:
    - (i) individualized education program, developed pursuant to the Individuals with Disabilities Education Improvement Act of 2004, as amended; or
    - (ii) accommodation plan, developed pursuant to Section 504 of the Rehabilitation Act of 1973, as amended; or
  - (e) any other excuse established as valid by a local school board, local charter board, or school district.