

## **Policy 420 – Attendance**

**Revised policy effective July 1, 2020**

*1<sup>st</sup> reading*                                      May 27, 2021

*2<sup>nd</sup> reading*                                      June 10, 2021

*3<sup>rd</sup> reading and Adoption*                      June 21, 2021

**Statutory authority**      West Virginia Code 18-8, West Virginia Board of Education Policy 4110

### **Administrative Guidelines**

(none)

The educational program offered by this Board is predicated upon the presence of the student and requires continuity of instruction and classroom participation. The Board recognizes that a direct relationship exists between students' daily attendance and academic performance, graduation, and good work habits in the workplace. To facilitate good attendance this school system will maintain a positive, safe environment conducive to learning, and commit to helping students develop responsibility, self-discipline, and other good work habits.

### **Definitions**

For the definitions of the following terms, see West Virginia Board of Education Policy 4110:

Absence

Allowable Deductions for Schools

Attendance

Dropout

Dropout Date

Enrollment

Homeless Children and Youths

School of Origin

Transfer

For the definition of the following terms, see West Virginia Code 18-8-4 (a) (3):

Excused Absence, provided the following:

For the purposes of this policy, a parental note may be used to justify absence for personal illness or injury of the student but shall only be considered valid for the first five days of absence in a particular semester; after which, a written excuse from a medical professional must be provided for the absence to be considered "excused."

Unexcused Absence

Further terms to be defined are as follows:

### *Awaiting Foster Care Placement*

Any child or youth who:

- A. is in the custody of the West Virginia Department of Health and Human Resources;
- B. has been placed in out-of-home care; and
- C. is not in a permanent placement.

This includes, but is not limited to, children and youth in family foster care, kinship care, emergency shelter care or in a residential group home.

### *Leave of Educational Value*

A leave of educational value shall be defined as an absence from the regular school day or portion of the day during which the student is engaged in an activity that has significant educational value and in which the student acts as representative of the school in an event not also sponsored by the school or in which the student acts to further his / her educational outcomes through enrollment or potential enrollment in post-secondary education, enlistment in the Armed Forces of the United States, or gainful employment.

Pursuant to WV Code 18-8-4 (a) (3) (xi) and (xii), students may request and be approved for a leave of educational value and be considered excused for any absences resulting from this leave, provided that:

- A. Such leave is approved in advance by the principal and by the Superintendent.
- B. An educational plan detailing objectives and activities of the leave is submitted prior to the leave and subject to approval.
- C. Verification of implementation of the educational plan is submitted upon the student's return to school.

### *Tardy*

Any student who arrives at school after the start of the school day or is late reporting to his/her assigned location during the school day shall be considered ~~to be~~ tardy. A tardy may be excused or unexcused ~~and shall be~~ as determined by the school.

### **Responsibilities**

#### A. Student and Parent/Guardian/Custodian

Foremost, it is the legal responsibility of the parent, guardian, or custodian to make sure their child attends school regularly and on time while enrolled in school. Attendance and reporting to class on time shall be required of all students enrolled in the schools during the days and hours that the school is in session or during the attendance sessions to which s/he has been assigned.

#### B. Parent/Guardian/Custodian/Adult Student

Each Principal shall require, from the parent, guardian, or custodian of each student of compulsory school age or from an adult student who has been absent from school or from class for any reasons, a written statement on the day of return of the cause for such absence. The Board reserves the right to verify such statements and to investigate the cause of each single absence or prolonged absence. These statements must be submitted within three instructional days of the student's return to school after an absence.

Repeated infractions of Board policy on attendance, including repeated tardiness, may result in disciplinary actions which may include, but are not limited to, detention, extra class time, and/or alternative class settings. No student shall be suspended from school solely due to absenteeism or tardiness.

### C. Board

The Board shall employ an attendance director as required by WV Code 18-8-3.

The Board shall support and require the attendance director to implement and execute the duties as defined in WV Code 18-8-4 including the requirement to serve as the liaison for homeless children and youth.

The Board shall support and require the principal of each school to implement and execute the duties as defined in WV Code 18-8-5.

### D. Attendance Director

The attendance director shall perform the duties required in WV Code 18-8-4 and West Virginia Board of Education Policy 4110. Under the direction of the Superintendent, these duties may be supplemented or supported by principals and other school employees as needed. Furthermore, under the direction of the Superintendent, duties prescribed by state law or policy to be the responsibility of the attendance director or of principal(s) may be performed by either.

### E. Principal

The principal shall perform the duties as defined in WV Code 18-8-4 and 18-8-5 and West Virginia Board of Education Policy 4110 as appropriate. Specifically, it shall be the responsibility of the principal to make meaningful contact with any and all students who have accumulated three unexcused absences during a school year, along with their parents or guardians of the same. This contact shall be made to ascertain the reasons for these absences and propose a plan to support regular attendance of the student for the remainder of the school year. For the purposes of this responsibility, "meaningful contact" may be accomplished in-person, via telephone or digital audio/visual communication, or via personal electronic mail contact. Meaningful contact shall additionally be made after a student has accumulated five unexcused absences during a school year.

## Principles of Operation

- A. The principal or principal's designee are designated as school attendance coordinators and shall collect or cause to be collected classroom attendance data and make appropriate referrals to the attendance director.
- B. Persons charged with reporting student attendance information shall provide information that reflects allowable deductions as defined by the West Virginia Department of Education.
- C. ~~Reasonable preventive measures and consequences for student tardiness:~~ Tardiness is considered to be disruptive behavior by a student and is a violation of the Student Code of Conduct and shall be dealt with accordingly. The preventive measures, outlined in a separate section of this policy, shall be observed to reduce tardiness.
- D. Students may not be suspended solely for failure to attend class or due to tardiness. Other measures of discipline may include, but are not limited to detention, extra class time or alternative class settings.
- E. All school dropouts shall be reported to the West Virginia Department of Education.
- F. All students in grades 9-12, in order to obtain the full benefit from the educational programs offered, shall be scheduled in the defined high school curriculum, college courses, career/technical programs, credit recovery, Option Pathway, experiential learning or virtual school courses for the full instructional day for four (4) years.
- G. ~~No more than a parental excuse may be required for absences resulting from a documented chronic medical condition or a documented disability as defined in this policy.~~

## Process and Procedures

Parental awareness, support, and involvement are essential to a successful attendance policy. Parents are encouraged to support the policy by sending their children to school regularly and on time. The District Board recognizes the

importance of the home and school connection and strongly encourages parents to become aware of the policies and regulations of the Board and their child(ren)'s school. Parents should become familiar with the rights and responsibilities that are contained in this policy and the school's handbook. Parents will be notified of the District attendance policy annually by the principal during the first week of school. Parents of students enrolling in school after the beginning of the school term will be provided the policy within one week of registration.

Students will be provided the opportunity to make-up work missed as a result of an excused or unexcused absence. The make up work shall be completed within one additional full day for each day's absence missed during such absence.

Students shall be required to maintain satisfactory attendance (satisfactory being defined as no unexcused absences) during one complete semester following the semester in which the revocation/suspension or denial of his/her driver's license or permit occurred. (Refer to policy section relating to school attendance as a condition of licensing for privilege of operation of motor vehicle).

Students and parents have the right to appeal decisions regarding the implementation of this policy. Requesting an informal conference shall be the first step in the appeal. If not satisfied after the informal appeal, a citizens' appeal may be filed.

### **Maintenance of Records**

An accurate, up to date, daily record of attendance for every student shall be maintained using the West Virginia Information System (WVEIS). Data entry may occur through a separate system(s), but all data must be promptly transferred to WVEIS.

Students who are physically absent from school must be documented as absent.

### **Prevention and Corrective Measures**

Each school shall develop and implement a system of incentives and rewards to promote school attendance and to reduce tardiness. Parents, school staff, and students must be involved in its development. These systems or programs may consist, but are not limited to personal and group, recognition programs, granting special privileges, free admission to school and community events, etc.

The following preventive and corrective measures will be utilized:

- A. assign the student to a truancy intervention program
- B. provide counseling to the student
- C. request or require the student's parent to attend a parental involvement program
- D. request or require a parent to attend a truancy prevention mediation program
- E. take appropriate legal action

The Superintendent is authorized to establish an educational program for parents of habitually and chronically truant students which is designed to encourage parents to ensure that their children attend school regularly.

Any parent who does not complete the program may be reported to law enforcement authorities for parental education neglect.

Students with a pattern of excessive absenteeism shall be referred to appropriate student assistance teams/programs for appropriate interventions. Student assistant teams/programs shall periodically review interventions to determine their effectiveness.

### **School Attendance as Condition of Licensing for Privilege of Operation of Motor Vehicle**

Any student of the County who is at least fifteen but less than eighteen years of age may request from the attendance director documentation of enrollment/attendance status. This documentation must be provided ~~on a form approved by the WVDE for presentation to the~~ as required by West Virginia Division of Motor Vehicles (WVDMV) when making application for, or reinstatement of, an instruction permit or license to operate a motor vehicle.

No later than days after following appropriate due process from the date of withdrawal, the attendance director shall notify the WVDMV of the withdrawal from school of any student of the County who is at least fifteen years of age, but less than eighteen years of age, except as provided in WV Code 18-8-11(d).

For the purposes of this section and pursuant to WV Code 18-8-11, withdrawal is defined as more than ten consecutive, or fifteen days total, unexcused absences during a school year. Suspension or expulsion from school or imprisonment in a jail or a West Virginia correctional facility is not a circumstance beyond the control of the person.

If a student's withdrawal from school is beyond the control of the student and such student is applying for a license, the attendance director shall provide the student with documentation to present to the WVDMV to excuse the student from the provisions of WV Code 18-8-11(d). The Superintendent, with the assistance of the attendance director or any other staff or school personnel, shall be the sole judge of whether such withdrawal is due to circumstances beyond the control of such person.

The Superintendent shall develop administrative guidelines that:

- A. establish proper procedures for notifying parents about absences, monitoring absences and notifying the attendance director so the student and his/her parents are provided the opportunity to challenge the attendance records;
- B. establish a school session which is in conformity with the requirements of the rules of the West Virginia State Board of Education;
- C. governing the keeping of attendance records in accordance with the rules of the West Virginia State Board of Education;
- D. identify the habitual and chronic truant, investigate the cause(s) of his/her behavior, and consider modification of his/her educational program to meet particular needs and interests;
- E. provide students an opportunity to make-up work they missed and receive credit for the work, if completed;
- F. refer for evaluation any student who, due to a specifically identifiable physical or mental impairment, exceeds or may exceed the school system's limit on excused absences to determine eligibility either under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973, or other appropriate legislation or policy.

#### **Absence During the School Day for Professional Appointments**

Parents are to be encouraged to schedule medical, dental, legal, and other necessary appointments other than during the school day. Since this is not always possible, when a student is to be absent for part of the day:

- A. the student shall have a statement to that effect from his/her parents;
- B. the student shall bring a signed statement from the doctor, dentist, lawyers, counselor, etc. to the effect that s/he reported promptly for the appointment;
- C. the student shall report back to school immediately after his/her appointment if school is still in session.

The Board shall consider each student assigned to a program of other guided learning experiences to be in regular attendance for the program provided that s/he reports to such staff member s/he is assigned for guidance at the place in which s/he is conducting study, and regularly demonstrates progress toward the objectives of the course of study. This includes approved home/hospital instruction for medical reasons with written documentation by a licensed physician who specializes in that health condition setting forth those extenuating circumstances requiring homebound

instruction for a student deemed to be incapacitated and unable to attend school. The Board shall provide home/hospital instruction to students who are temporarily unable to attend classes for a period that has lasted or will last for more than three consecutive weeks or more due to an injury or for any other reason as certified by a licensed physician who specializes in that health condition.

### **Absences for Religious Instruction**

The Board desires to cooperate with those parents who wish to provide for religious instruction for their children but also recognizes its responsibility to enforce the attendance requirements of the State.

Upon the signed request of a student's parent, the Board will allow exceptions to the student's continuous attendance at school for religious instruction outside the school building by an authorized church or religious organization when such exception is consistent with other policy and neither discriminates against nor favors any particular religious practice.

A student seeking such exception must be properly registered and a copy of such registration must be filed with the principal.

The time for release for religious instruction or education shall be arranged by the principal. S/He will also assure the appropriate continuance of the instructional program in the public school during such release times, consistent with other Board policy.

No solicitation for attendance at religious instruction shall be permitted on school system premises. No staff member shall encourage or discourage participation in any religious instructional program.

### **Late Arrival and Early Dismissal**

The Board recognizes that from time-to-time compelling circumstances require that a student be late to school or dismissed before the end of the school day.

As agent responsible for the education of the children of this County, the Board shall require that the school be notified in advance of such absences by written request of the student's parent, which shall state the reason for the late arrival or early dismissal. Justifiable reasons shall be determined by the principal.

Routine early dismissals necessary for a student to receive ongoing special medical care, psychiatric or psychological assistance, professional counseling, or related personal training will be granted if prior approval is obtained from the principal. The submission of a personal treatment or training plan detailing the objectives and activities of the program is required before the principal will consider the issuance of a "Standing Approval for Late Arrival or Early Dismissal" for the requesting student. The principal may require professional verification of the need for such care from the provider of such services. Verification of participation is required upon the student's return to school after each early dismissal.

If one parent has been awarded custody of the student by the courts, the parent of custody shall provide the school with a copy of the custody order and inform the school in writing of any limitations in the rights of the non-custodial parent. Absent such notice, the school will presume that the student may be released into the care of either parent.

No student who has a medical disability which may be incapacitating may be released without a person approved by the parent(s) or legal guardian to accompany him/her.

No student shall be released to anyone who is not authorized such custody by the parent(s) or legal guardian(s).