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**ATTENDANCE POLICY**

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**1.0 Philosophy**

It is the Board's philosophy to increase attendance by:

- 1.1** creating a positive safe environment conducive to learning and committed to helping students develop responsibility, self-discipline, and other good work habits.
- 1.2** developing a system enlisting parental/guardian support for daily school attendance by students.
- 1.3** This policy will be reviewed with input from teachers, principals, attendance directors, parents/guardians and community leaders.

**2.0 Definitions**

**2.1** Absence - Not being physically present in the school facility for any reason.

**2.2** Allowable Deductions for Schools - Absences that result from school approved curricular/co-curricular activities; failure of the bus to run due to hazardous conditions; students placed in an alternate setting or homebound; students not in attendance due to disciplinary measures.

**2.3** Attendance - For statistical purposes, attendance will be reported and aggregated to the nearest half-day according to the following definitions:

**2.3.1** Full-day attendance means being present at least .74 of the school day.

**2.3.2** Half-day attendance means being present at least .50 of the school day.

**2.4** Attendance Rate - The number of days present divided by the number of days of membership, multiplied by one hundred, equals attendance rate for students on the attendance registers in grades K-12.

**2.5** Awaiting Foster Care Placement - Any child or youth who: 1) is in the custody of the West Virginia Department of Health and Human Resources, 2) has been placed in out-of-home care, and 3) 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.

**2.6** Dropout - A dropout is an individual who:

**2.6.1** was enrolled in school at some time during the previous school year and was not enrolled on October 1 of the current school year; or

**2.6.2** was not enrolled on October 1 of the previous school year although expected to be in membership (i.e., was not reported as a dropout the year before); and

**2.6.3** has not graduated from high school, obtained a General Educational Development Certificate (hereinafter, GED) diploma, or completed a state- or district-approved education program; and

**2.6.4** does not meet any of the following exclusionary conditions:

**2.6.4.1** Transfer to another public school district, private school, registered home school, or state- or district-approved education program;

**2.6.4.2** Temporary school-recognized absence due to suspension or illness; or

**2.6.4.3** Death.

**2.7** Dropout Date - For students of compulsory school attendance age or older, the dropout date is defined as the school day after the student’s last day of attendance.

**2.8** Enrollment - A student is officially enrolled when one of the following conditions occur:

**2.8.1** Student was enrolled the previous year;

**2.8.2** Student appears at school to enroll with or without a parent/guardian; or

**2.8.3** Student and/or parent/guardian appears at school to enroll with or without records.

**2.9** Enrollment Count - A status count that reports the number of students on the attendance register as required by the West Virginia Department of Education (hereinafter “WVDE”).

**2.10** Excused Student Absences:

**2.10.1** Absences that result from school-approved curricular/co-curricular activities;

**2.10.2** Failure of the bus to run due to hazardous conditions;

**2.10.3** SAT Plan, IEP or 504 Plan;

**2.10.4** Documented chronic medical condition;

**2.10.5** Documented disability that impacts attendance;

- 2.10.6** Illness or injury of the student. Written excuses may be provided by a parent or guardian for up to 5 days per one-half of an instructional term. Absences in excess of 5 days per one-half of an instructional term must be provided by a licensed physician or authorized school nurse. All excuses must be submitted within 3 days of the student returning from the absence.
- 2.10.7** Medical and/or dental appointment that cannot be scheduled outside the school day when the absence is verified in writing by the physician or dentist;
- 2.10.8** Calamity, such as fire in the home, flood, family emergency or hazardous condition shall be approved by the school principal;
- 2.10.9** Death in the family. Limit three (3) days for each occurrence except in extraordinary circumstances. "Family" is defined as mother, father, brother, sister, grandmother, grandfather, aunt, uncle, brother-in-law, sister-in-law, brother's children, sister's children, student's child(ren) or any person in the same household;
- 2.10.10** Leaves of educational value adhering to these stipulations: (1) Prior approval of school administrator; (2) Prior submission and approval of educational plan detailing objectives activities; (3) No more than three unexcused absences for the school year (4) Leave not to exceed five days. (5) Verification of implementation of the educational plan upon student's return. (6) Leave to extend more than five school days requires County Board approval;
- 2.10.11** Legal obligation with verification;
- 2.10.12** Observance of religious holidays with verification; and
- 2.10.13** Contagious parasite conditions, such as lice, which has been verified by school personnel, shall be excused absences not to exceed two days per incident. If student's absences exceed two days, they will then be counted as unexcused unless physician verification is received to support the extended time period.
- 2.10.14** Approved personal circumstances – approved by school administration in coordination with the county Attendance Director.
- 2.11** Compulsory School Attendance. Students not subject to compulsory attendance under the provisions of West Virginia Code §18-8-1, *et seq.*, shall not be considered absent.
- 2.12** Unexcused Student Absences. All absences that are not excused under the terms of this policy shall be regarded as unexcused absences.

- 2.13** Documented chronic medical condition. Any physical or mental condition that may require multiple or regular absences. This condition must be documented annually with a valid physician's note that explains the condition and the anticipated impact on attendance. The necessity for the absences must be approved and reviewed quarterly by the SAT, IEP or 504. Such absence(s) shall be considered an allowable deduction for purposes of this policy.
- 2.14** Documented disability - Any mental or physical impairment that substantially limits one or more major life activities and is documented annually with a valid physician's note that explains the disability and the anticipated impact on attendance. The necessity for the absences must be approved and reviewed quarterly by the SAT, IEP or 504 team. Such absence(s) shall be considered an allowable deduction for purposes of this policy.
- 2.15** Extenuating circumstances for absences which may require home/hospital instruction - Circumstances arising from an injury or any other reason as certified in writing by a licensed physician (MD/DO) indicating a student is temporarily confined to home or hospital for a period that has lasted or will last more than three consecutive weeks. The certification must contain the specific reasons the student must remain at home or in the hospital and must describe the criteria or conditions under which the student can return to school and the expected date of such return. If appropriate, a treatment plan would be attached. A written statement by a licensed physician (MD/DO) must be resubmitted every six months if a student's temporary home/hospital instruction is prolonged. The Board delegates to the Superintendent the authority to require that the parent/guardian obtain an opinion from a second health care provider at the expense of the county board.
- 2.16** Homeless Children and Youths - As defined in the McKinney-Vento Act means individuals who lack a fixed, regular and adequate nighttime residence and includes:
- 2.16.1** Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
  - 2.16.2** Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
  - 2.16.3** Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings; and
  - 2.16.4** Migratory children who qualify as homeless because the children or youth are living in circumstances as described in the above descriptions.
  - 2.16.5** Membership Days - The days present plus the days absent.

**2.16.6** School of Origin - As defined in the McKinney-Vento Act, it is the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

**2.16.7** Transfer - A process by which a student ends enrollment or attendance in one location and begins enrollment or attendance in a second location (e.g., within a county, between counties or out-of-state). This can be evidenced through a transcript request or other documentation that the student is continuing elementary or secondary education.

### **3.0 Attendance Director**

The Board shall employ a certified county director of school attendance as required by West Virginia Code §18-8-3. The Board shall support and require the county attendance director to implement and execute the duties as defined in West. Virginia. Code §18-8-4:

- 3.1** The Attendance Director and his/her assistants shall diligently promote regular school attendance. They shall ascertain reasons for absences from school of students of compulsory school age and students who remain enrolled beyond the compulsory school age birthday.
- 3.2** The Attendance Director report all school dropouts to the West Virginia Department Education.
- 3.3** The Attendance Director and his/her assistants shall maintain accurate attendance records and related documentation for every student enrolled in the district.
- 3.4** The Attendance Director and his/her assistants shall ensure that an up-to-date daily register/record of attendance for every student is maintained. Additionally, each day a student is absent two automated calls will be made to the parent or guardian to notify them of the student's absence.
- 3.5** The Attendance Director shall publish written procedures for: 1) notifying parents/guardians about absences, 2) monitoring absences and 3) notifying the county Attendance Director.
- 3.6** The Attendance Director shall ensure that procedures are in place to document students who are physically absent from school as absent.
- 3.7** In the case of five (5) total unexcused absences of a student during a school year, the attendance director or assistant shall serve written notice to the parent, guardian, or custodian of the student that the attendance of the student at school is required and that if the student has five (5) unexcused absences. Within five (5) days of receipt of the notice the parent, guardian or custodian, accompanied by the student, shall report in person to the school the student attends for a conference with the principal or other designated representative of the school in order to discuss and correct the circumstances causing the unexcused absences of the student, including the adjustment of unexcused absences based upon such meeting.

In the case of ten (10) total unexcused absences of a student during a school year, the attendance director or assistant shall make complaint against the parent, guardian, or custodian before a magistrate of the county. If it appears from the complaint that there is a probable cause to believe that an offense has been committed and that he accused has committed it, a summons or a warrant for the arrest of the accused shall issue to any officer authorized by law to serve the summons or to arrest persons charged with offenses against the state. More than one parent, guardian or custodian may be charged in a complaint. Initial service of the summons or warrant issued pursuant to the provisions of W. Va. Code §18-8-4 shall be attempted within ten (10) calendar days of the receipt of the summons or warrant and subsequent attempts at service shall continue until the summons or warrant is executed or until the end of the school term during which the complaint is made, whichever is later.

When calculating unexcused absences for the purpose of making complaints against a parent, guardian, or custodian before a magistrate, unexcused absences resulting from suspensions or expulsions from school shall not be considered.

- 3.8** If the parent, guardian or custodian does not comply, then the attendance director or assistant shall make complaint against the parent, guardian or custodian before a magistrate of the county. If it appears from the complaint that there is a probable cause to believe that an offense has been committed and that the accused has committed it, a summons or a warrant for the arrest of the accused shall be issued to any officer authorized by law to serve the summons or to arrest persons charged with offenses against the state. More than one parent, guardian or custodian may be charged in a complaint. Initial service of the summons or warrant issued pursuant to the provisions of this section shall continue until the summons or warrant is executed or until the end of the school term during which the complaint is made, whichever is later.
- 3.9** The magistrate court clerk, or the clerk of the circuit court performing the duties of the magistrate court as authorized in section eight, article one, chapter fifty of this code (§50-1-8), shall assign the case to a magistrate within ten days of execution of the summons or warrant. The hearing shall be held within twenty (20) days of the assignment to the magistrate, subject to lawful continuance. The magistrate shall provide to the accused at least ten days' advance notice of the date, time and place of the hearing.
- 3.10** When any doubt exists as to the age of a student absent from school, the Attendance Director has authority to require a properly attested birth certificate or an affidavit from the parent, guardian or custodian of the student, stating the age of the student. In the performance of his or her duties, the county Attendance Director has authority to take, without warrant, any student absent from school in violation of the provisions of this article and to place the student in the school in which he or she is or should be enrolled.
- 3.11** If the Attendance Director is employed for more 200 contract days, other duties may be assigned as determined by the Superintendent during the period in excess of 200

days. The Attendance Director is responsible, under direction of the county Superintendent, for efficiently administering school attendance in the county.

- 3.12** In addition to those duties directly relating to the administration of attendance, the county Attendance Director and assistant director also shall perform the following duties: 1) Assist in directing the taking of the school census to see that it is taken at the time and in the manner provided by law; 2) Confer with principals and teachers on the comparison of school census and enrollment for the detection of possible non-enrollees; 3) Cooperate with existing state and federal agencies charged with enforcing child labor laws; 4) Promote attendance in the county by compiling data for schools and by furnishing suggestions and recommendations for publication through school bulletins and the press or in such manner as the county superintendent may direct; 5) Participate in school teachers' conferences with parents and students; 6) Assist in such other ways as the county superintendent may direct for improving school attendance; and 7) Make home visits of students who have excessive unexcused absences, as provided above, or if requested by the chief administrator, principal or assistant principal.
- 3.13** The attendance director shall serve as the liaison for homeless children and youths as defined in West Virginia Code §18-8-4. As defined in McKinney-Vento Act, as the liaison for homeless children and youth, the Attendance Director is required to:
- 3.13.1** ensure that public notice of the educational rights of students in homeless situations is disseminated where children and youths receive services.
  - 3.13.2** ensure that parents or guardians are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
  - 3.13.3** ensure that parents or guardians are informed of, and assisted in accessing, all transportation services for their children, including to the school of origin.
  - 3.13.4** help unaccompanied youth choose and enroll in a school, after considering the youth's wishes, and provide the youth with notice of his or her right to appeal the school district's decision.
  - 3.13.5** immediately assist in obtaining immunizations or record of immunizations or other medical records for those students who do not have them and assure that students are enrolled in school while the records are being obtained.
  - 3.13.6** ensure that homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies.
  - 3.13.7** ensure that homeless children and youths enroll in, and have a full and equal opportunity to succeed in, schools of that local educational agency.

- 3.13.8** ensure that homeless families, children and youths receive educational services for which such families, children and youths are eligible; including Head Start and Even Start programs and preschool programs administered by the local educational agency, and referrals to health care services, dental services, mental health services and other appropriate services.
- 3.13.9** ensure that enrollment disputes are mediated as outlined in Paragraph (3)(E) of the McKinney-Vento Act.
- 3.13.10**the Attendance director shall file with the county superintendent and county board of education, at the close of each month, a report showing activities of the school attendance office and the status of attendance in the county at the time due to provisions in West Virginia Code §18-8-4.
- 3.13.11**support and require the school principal to implement and execute the duties as defined in West Virginia Code §18-8-5:

  - 3.13.11.1** The principal shall compare school numbers with school enrollment monthly.
  - 3.13.11.2** The principal shall contact any parent, guardian or custodian of the student and hold a meeting with such person and the student when the enrolled student has accumulated five unexcused absences from attendance.
  - 3.13.11.3** It shall be the duty of the principal, administrative head or other chief administrator of each school, whether public or private, to make prompt reports to the county Attendance Director, or proper assistant, of all cases of unexcused absences arising within the school which require the services of an attendance worker.
  - 3.13.11.4** A student whose educational services are guided by an existing SAT plan, IEP or 504 plan may warrant special consideration when a pattern of multiple single or chronic absences exist. The child's current status should be reviewed by the SAT, IEP or 504 team as deemed appropriate and in accordance with state and federal laws.

#### **4.0 Parent Cooperation**

Each parent, guardian or custodian shall be responsible for fully cooperating in and completing the enrollment process by providing: immunization documentation (West Virginia Code §16-3-4), copy of a certified birth certificate or affidavit (West Virginia Code §18-2-5c), signed suspension and expulsion document (West Virginia Code §18-5-15) and any other documents required by federal, state and/or local policies or code.

#### **5.0 School Reporting Requirements**



The principal of each school (or designee) shall be designated as school attendance coordinator and shall collect classroom attendance data and make appropriate referrals to the county Attendance Director. The school attendance coordinator shall report student attendance information that reflects the allowable deductions as defined by the West Virginia Board of Education.

**6.0 Preventive measures and consequences for student tardiness**

The preventative measures and consequences for unexcused absences and tardiness are contained in Board Policy 3010- Expected Behaviors In Safe And Supportive Schools

**7.0 Student suspensions**

A student may not be suspended solely for failure to attend class. Other methods of discipline may include, but are not limited to, detention, extra class time, or alternative class settings may be utilized.

**8.0 Notification of Students and Parents**

The Superintendent shall annually publish the Board’s Attendance Policy to students and their parents/guardians.

**9.0 Opportunity to make up school work**

All students are expected to make up work missed due to absences.

**10.0 Absences of Two Days or Less.**

For students in grades K–8, it is the teacher’s responsibility to provide makeup work within two school days of the return of the student to school. For students in grades 9–12, it is the responsibility of the student to request makeup work within two school days of return to school.

**11.0 Absences of More than Two Days**

After a student has been absent for more than two consecutive days, the school will make provisions for the class work to be picked up by the parent/guardian or designee so that the student may continue pursuing education until the student returns to school.

**12.0 Make-up Procedure**

Upon receiving makeup work from the teacher, the student must submit the work within a timeline designated by the teacher or school policy. Students will be afforded the opportunity to learn missed concepts occasioned by excused or unexcused absences in order to progress through their program of studies. Teachers are responsible for providing a minimum of one day for each day’s absence for students to make up missed work assignments and/or evaluations that are occasioned by excused or unexcused absences. Teachers may, in their discretion, require alternative work assignments and/or evaluation

procedures. Failure to make up work and/or evaluations within the guidelines will result in loss of credit for that work or evaluation and could result in a lower grade or failure of the class. In all cases, credit shall be based upon completion of assigned instructional activities and academic performance as defined by established evaluation procedures.

### **13.0 Attendance following revocation of driver's license**

Students are required to maintain satisfactory attendance (satisfactory being defined as no unexcused absences) during one complete semester following the revocation of his/her driver's license.

### **14.0 Attendance Appeal Process**

An appeal may be filed on behalf of any student contesting school-based decisions to designate absences as unexcused or the terms of opportunities to make up missed schoolwork. Such appeals must be submitted in writing to the Attendance Director within ten school days of the action being contested.

### **15.0 Preventive and Corrective**

Early prevention of absenteeism shall be addressed in educative brochures prepared by the Attendance Director that is made available to parents and students at the start of each school year. New enrollees throughout the year will be provided these brochures. The Attendance Director and assistants shall develop incentives and recognition for those students showing and maintaining improved attendance. A countywide perfect attendance award for high school seniors shall be implemented. Partnerships with local businesses will be sought to be of assistance in providing the rewards.

Schools shall develop attendance incentives for perfect and faithful attendance and use school-wide recognition programs for students attaining these accomplishments. Perfect attendance shall be awarded to those students who have been present every day of the school year for at least .74 of each school day. Faithful attendance shall be awarded to those students who have been absent no more than five days of the school year.

### **16.0 Preventive In-School Resources**

Students may be referred to the school counselor, other student support personnel, student assistance team (SAT), mentoring program or peer program designed to meet the developmental needs of students. Preventive and corrective measures shall include:

**16.1** Interagency resources shall be used for alternative plans and programs that are positive in nature and encourage improved school attendance. The Attendance Director and assistants shall maintain contact and utilize these outside resources. Parents and students shall be made aware of counseling, mentoring, behavioral, mental health, substance abuse, domestic violence, health and other services available.

### **17.0 Assurances**

The Board assures that students with a pattern of excessive absenteeism are referred to appropriate student assistance teams/programs (West Virginia Board of Education Policy 2510 and Policy 2320, Process for Improving Education: Performance Based Accreditation System) for appropriate intervention(s), and that these interventions have been reviewed to determine effectiveness.

**18.0 Review Schedule**

The Superintendent shall conduct an annual attendance evaluation and submit a written report to the Board that addresses the effectiveness of this policy.

**AUTHORITY: WV Code 18-8-1 et seq., West Virginia Board of Education Policy 4110**

**ADOPTED: 08/27/13**

**REVISED: 07/26/16; 02/13/18**