

Attendance Policy

Authority. - West Virginia Constitution, Article XII, §2, W. Va. Code §16-3-14, 17B-2-3, 17B-2-5, 18-2-5, 18A-5-1, 18-5-15, 18-8-1, 18-8-1a, 18-8-2, 18-8-3, 18-8-4, 18-8-5, 18-8-11 and Subtitle B of Title VII of the McKinney Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) (hereinafter, McKinney-Vento Act).

1. Philosophy

The Gilmer County Board of Education, in its desire to promote better school attendance, takes into account that not every student's school experience is an easy one. It therefore states as a part of its philosophy that the goal of the entire county school system is to create a safe, open, and caring school environment conducive to learning and mindful of the needs of its students. The board asks each employee, student, and parent/guardian to be aware of any problem(s) that may lead to poor attendance and to bring them to the attention of the appropriate person, guidance counselor, or agency to begin finding solutions to those problems. In this way, we can continue to better our schools, students, and community. The Board is committed to helping students develop responsibility, self-discipline, and other good work habits. The Board asks that the students and parents/guardians support and promote daily school attendance. This policy has been created using the State Board of Education rules, as guidelines and the Gilmer County Board of Education will conduct a yearly attendance evaluation to determine the effectiveness of the policy. This evaluation shall be conducted with input from teachers, principals, parents, attendance director, and community leaders.

2. Definitions

- 2.1. Absence - Not being physically present in the school facility for any reason.
- 2.2. Allowable Deductions For Students - Absences that result from school-approved curricular/co-curricular activities; failure of the bus to run/hazardous conditions; excused student absences; students not in attendance due to disciplinary measures; and absent students for whom the attendance director has pursued judicial remedies to compel attendance (filed a criminal complaint or juvenile petition) due to provisions in W.Va. Code § 18-8-2.
- 2.3. Attendance - For statistical purposes, attendance will be reported and aggregated to the nearest half day according to the definitions in 2.3.1. and 2.3.2.
 - 2.3.1. Full-day attendance is being present at least .74 of the school day.
 - 2.3.2. Half-day attendance is 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 classes K-12.
- 2.5. Disenrollment - The removal of a preschool student from school enrollment with the mutual agreement of the principal, teacher, and parent/guardian that further attendance for the school year is not in the best interest of the child. Once a child is disenrolled, re-enrollment is not guaranteed.
- 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 GED diploma, or completed a state or district-approved education program; and
 - 2.6.4. does not meet any of the following exclusionary conditions:

- a. transfer to another public school district, private school, registered home school, or state- or district-approved education program;
- b. temporary school-recognized absence due to suspension or illness; or
- c. death.

2.7. Dropout Date - For students of ages 16 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.

2.10. Excused Student Absences - Absences that result from school-approved curricular/co-curricular activities; failure of the bus to run/hazardous conditions, SAT Plan, IEP or 504 Plan, and other county board approved excused absences.

2.11. 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 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.

2.12. 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 anticipated impact on attendance. The necessity for the absences must be approved and reviewed quarterly by the SAT, IEP, or 504 team.

2.13. Homeless Children and Youth - as defined in the McKinney-Vento Homeless Assistance Act means individuals who lack a fixed, regular, and adequate nighttime residence and includes:

2.13.1. 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;

2.13.2. 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;

2.13.3. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

2.13.4. migratory children who qualify as homeless because the children or youth are living in circumstances as described in the above descriptions.

2.14. Membership Days - The days present plus the days absent.

2.15. School of Origin - As defined in the McKinney-Vento-Act-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. 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.

2.17. 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.

3. Principles of Operation

Under West Virginia State Board of Education Policy 4110, Gilmer County is required to develop and implement a county attendance policy and to set reasonable limits for student absences and tardiness. While

students and parents/guardians have the ultimate responsibility for daily school attendance, the laws of West Virginia require school administrators to enforce compulsory school attendance as defined by W. V. Code §18-8-1a: Compulsory school attendance shall begin with the school year in which the sixth birthday is reached prior to the first day of September of such year or upon enrolling in a publicly supported kindergarten program and continue to the sixteenth birthday. Beginning with the 2011-2012 high school freshman cohort class of students, compulsory school attendance begins with the school year in which the sixth birthday is reached prior to September 1 of such year or upon enrolling in a publicly supported kindergarten program and continues to the seventeenth birthday or for as long as the student continues to be enrolled in a school system after the seventeenth birthday.

3.1. Exemptions - Exemption from the foregoing requirements of compulsory public school attendance shall be made on behalf of any child for the following causes or conditions, each such cause or condition being subject to confirmation by the attendance authority of the county."

3.1.1. Instruction in a private, parochial, or other approved school.

3.1.2. Instruction in home or other approved place.

3.1.3. Physical or mental incapacity.

3.1.4. Failure of the bus to run/hazardous conditions

3.1.5. Absences that result from school-approved curricula/co-curricular activities

3.1.6. Absences that result from the suspension of a student due to a "Safe Schools Violationö. (WV Code § 18A-5-1A)

3.1.7. Granting work permits.

3.1.8. Serious illness or death in the immediate family of the pupil.

3.1.9. Destitution in the home.

3.1.10. Church ordinances; observances of regular church ordinances.

3.1.11. Alternate private, parochial, church or religious school instruction.

3.1.12. Disenrollment of a preschool student

3.2. School Board Responsibilities:

3.2.1. Shall employ a certified county director of school attendance as required by W. V. Code.

3.2.2. Shall support and require the County Attendance Director to implement and execute all laws pertaining to school attendance.

3.2.3 Requires the attendance director to notify students and their parent/guardian in an appropriate and timely fashion of attendance concerns and all required legal notifications should be done on a timely basis.

3.2.4. Requires the Attendance Director to serve as liaison for homeless children and youth as defined in WV Board of Education Policy 4110.

3.2.5. Requires the Attendance Director to make appropriate referrals to local service providers such as the DHHR and mental health agencies when it would be in the best interest of the student and may help remove barriers to regular attendance.

3.2.6. Does hereby appoint each school principal as a designated attendance coordinator to collect classroom attendance data, maintain accurate attendance records with an up-to date register/record of attendance for every student in every class, make appropriate referrals to the County Attendance Director, and follow W. V. Code §18-8-5.

3.2.7. Report student attendance information which reflects the allowable deductions as defined by the West Virginia Department of Education.

3.2.8. Submit each revision of the County attendance policy to the WV Department of Education for approval

3.2.9. Requires a student to maintain satisfactory attendance during one complete semester following the revocation of his/her driver's license.

3.3. School coordinators/school responsibilities:

3.3.1. To notify parent/guardian promptly by phone if possible or by mail on the second consecutive day of either absence or a student returning to school without a written excuse for an absence.

3.3.2. After ten (10) total absences or five (5) unexcused absences during any 1/2 of the instructional year, to evaluate the student's academic competency and when necessary advise and meet with the parent/guardian and teacher(s) to find measures to raise the academic competency to acceptable levels or better.

3.3.3. Shall report all school dropouts by means provided to the West Virginia State Department of Education.

3.3.4. Requires each school to deliver a copy of this policy to each parent/guardian with a returnable form having a place for the student and parent/guardian to acknowledge their receipt and reading of this policy and a day time telephone number where the parent/guardian can be reached. Copies are to be available at each school for any interested parties.

3.3.5. Requires students with absences to make up schoolwork and allows one day for each day of absence. However students with excused absences maybe granted extra time to complete work if it is appropriate in the opinion of her/his teacher or principal.

3.3.6. Require that all students attend school for a full day of instruction and requests that the parent/guardian call to notify the school the day that their child is absent

3.3.7. Maintain an up-to-date- register/record of attendance for every student.

3.3.8. Require that all students with a pattern of excessive absences be referred to the local school Student Assistance Team for appropriate interventions.

3.4. Excused Absences - Exceptions to the above requirement: - The following shall constitute excused absences:

3.4.1. Students who are ill (Physical or mental incapacity) will be excused with a written excuse from:
a) a parent/guardian for a total of five (5) days during any 1/2 of the instructional year.
b) a licensed physician or authorized school nurse.

3.4.2. All written excuses are due on the day the student returns to school and will not be accepted after five days.

3.4.3. Students whose circumstances are judged by the attendance coordinator to be deserving of excuse.

3.4.4. Students who are academically and socially prepared to enter higher education prior to graduation from high school under the West Virginia Board of Regents approved early admission program. To be eligible for the early admission program, a student must have completed all requirements for graduation from high school except senior English. Each candidate will be thoroughly screened and full concurrence must be reached between the school, parent/guardian, and institution of higher education before permission will be granted.

3.4.5. Students who are not eligible for or who do not choose to enter the early admissions program may be granted an exception by the principal to accommodate placement into college courses. However, under this exception, no student will be permitted to schedule less than two 90-minute block classes at the high school, and they must obtain certification from the college on enrollment and regular attendance. If a student withdraws from their college course, he/she must report back to the high school for assignment of secondary course work.

3.4.6. Medical and/or dental appointments that cannot be scheduled outside the school day when verified in writing by the health care provider.

3.4.7. Leaves of education value adhering to these stipulations:

- a) The prior submission to the principal for approval of an educational plan detailing objectives and activities.
- b) Leave not to exceed ten (10) consecutive school days unless approved by the County Board of Education.
- c) Verification of implementation of the education plan upon the student's return

3.4.8. Legal obligation with verification.

3.4.9. Observance of religious holidays.

3.4.10. Home/hospital instruction will be addressed in accordance with WV State Board Policy 2419, Regulations for the Education of Exceptional Students, section 1.10. and WV State Board Policy 2510, section 6.2.4. A qualified student will be counted present retroactive to the day of illness or accident.

3.4.11. Special Education Program: The office of Special Education of Gilmer County Schools shall have the authority to make exceptions to the absences in exceptional education programs where the student's physical or psychological condition warrants such exception. The Special Education Division shall review each special student's attendance needs.

3.4.12. When a student's parents are contacted to pick up an ill student from school upon the advice or recommendation of the school nurse, any such absence shall be coded as a medically excused absence.

3.5. Unexcused Absences - The following shall constitute unexcused absences:

3.5.1. Any absence not classified, as an excused absence will be defined as an unexcused absence. In a situation where the absence is questionable, the principal as the attendance coordinator will render a decision.

3.5.2. Disciplinary Suspensions

a) That immediate notice of suspension (with all detail which can legally be included as part of the notice) be given to a guidance counselor or other appropriate employee, whose responsibility it will be to meet with the student and parent/guardian to discuss the problem and (if it becomes necessary) to seek all available outside means to resolve the problem(s).

b) That the student must be given the academic materials needed to continue her/his daily schoolwork at home.

c) That the student must complete all assigned schoolwork before returning to school to receive credit.

3.5.3. When requirements and regulations are not met by the student as laid out in W. V. Code §18-8-8: "If a child be suspended from school because of improper conduct or refusal of such child to comply with the requirements of the school, the school shall immediately notify the county superintendent of such suspension, and specify the time or conditions of such suspension. Further admission of the child to school maybe refused until such requirements and regulations be complied with. Any such child shall be treated by the school as being unlawfully absent from the school during the time he refuses to comply with such requirements and regulations, and any person having legal or actual control of such child shall be liable to prosecution under the provisions of this article for the absence of such child from school: **Provided**, That the county board of education does not exclude or expel the suspended child from school."

3.6. Tardy - A student is to be considered tardy when he/she arrives at school or to a scheduled class after the time it is appointed to begin. Except as follows:

3.6.1. Hazardous conditions causing tardiness.

3.6.2. Delay caused by an employee of the school system or their invitee. It is hereby required of the employee to provide a written excuse to the student.

3.6.3. Excuses provided by the principal.

3.6.4. Excused absence from school.

3.7. Consequences of and/or Remedies for unexcused absences, disciplinary suspension, and tardiness:

3.7.1. Any student who has been tardy three (3) times in any class during 1/2 of the instructional year will be required to meet with the school coordinator or his/her designee to discuss the matter and find means to rectify the problem.

3.7.2. Notification of parent/guardian and student of all potential legal actions mandated by W. V. Code, which apply to absences.

3.7.3. Students shall not be suspended from school solely for failure to attend class.

3.7.4. Schools are required to develop programs and procedures and incentives that promotes regular attendance in school. Examples might include rewards for good attendance, contests, individual recognition, closer home/school contact, opportunities for improved student/staff communication, and use of community resources.

Attendance Appeal Process:

If a parent/guardian and/or student disagree with a school coordinator's decision as it relates to attendance and consequences stemming from that decision, an appeal may be processed. The following procedures shall constitute the appeal process.

Level I: The parent/guardian and/or student shall initiate Level I of the appeal process by contacting the principal. The decision will be discussed. If unresolved satisfactorily, the parent/guardian and/or student may pursue Level II.

Level II: The parent/guardian and/or student shall initiate Level II of the appeal process with the Superintendent. The Superintendent or designee will notify the attendance coordinators of all the other schools

in the county system in a timely manner, and all known facts pertinent to the decision will be provided to these coordinators. These coordinators will each review the matter, collect any additional information that they may need, and render their individual decision, either concurring with or disagreeing with the original decision, to the County Superintendent in a timely manner. The Superintendent or designee will render a decision. The parent/guardian and/or student will be notified of the decision and may pursue Level in.

Level III: The parent/guardian and/or student shall initiate Level III of the appeal process with the County Board of Education. At an open meeting, unless the parent/guardian or student requests executive session, the County Board of Education will hear both sides in the matter, review the facts, and render a final decision, in a timely manner, and inform parent/guardian and/or student.

Student Withdrawal:

Except where W. V. Code provides otherwise, no student shall withdraw from school without referral to the guidance counselor and the principal. Parent/guardian permission shall be obtained in writing prior to the withdrawal of a student under age 18. The principal shall notify the County Attendance Director immediately of any student withdrawing from school.