

## **COMPULSORY STUDENT ATTENDANCE**

The Tyler County Board of Education maintains a belief that regular school attendance is a necessary, vital, and mandatory component of every student's educational program. Consistent attendance fosters the development of positive personal qualities such as punctuality, self-discipline, and responsibility. The basic intent of this attendance policy is to champion a school climate that expects students to attend school regularly and to be on time for each class in order to realize maximum instructional benefits.

Therefore, the Tyler County Board of Education hereby adopts a **zero tolerance** policy regarding school attendance violations. The county attendance director and principals shall be expected to carry out the maximum penalties allowed by state law, against any parents who fail to require their children to attend school.

The Tyler County Board of Educations intent is to increase student attendance by:

- providing for input from teachers, principals, attendance directors, parents, and community leaders when developing or revising the attendance policy.
- creating a positive safe environment conducive to learning and committed to helping students develop responsibility, self-discipline and other good work habits.
- developing a system enlisting parental support for daily school attendance by students.
- conducting an annual attendance evaluation to determine the effectiveness of the policy.

### **PRINCIPLES OF OPERATION**

#### **Responsibilities**

- ✓ Tyler County Schools will employ a certified half-time county director of attendance to implement and execute the duties defined as such in West Virginia School Laws Code 18-8-4. The attendance director shall also serve as the liaison for homeless children and youth as defined in West Virginia Code 18-8-4 and State Policy 4110. Duties of the liaison for homeless children and youth are as defined in Subtitle B of the Title VII of the McKinney-Vento Homeless Assistance Act.
  - ✓ Each school will appoint a designated school attendance coordinator (principal or designee) who collects classroom attendance data and makes appropriate referrals to the county attendance director.
  - ✓ Each school will report attendance information, which reflects the allowable deductions as defined by the West Virginia Department of Education. These allowable deductions include absences that result from school-approved curricular / co-curricular activities; failure of the bus to run due to hazardous conditions, and absences resulting from the suspension of a student due to a Safe Schools violation.

**Definitions:**     **The following definition for excused and unexcused absences is in accordance with state law and West Virginia Board of Education Policy 4110.10 :**

**Compulsory school attendance** shall begin with the school year in which the child's sixth birthday is reached prior to September 1 of such year. Such attendance shall continue to the seventeenth birthday or for as long as the student shall continue to be enrolled in school.

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

**Required Full / Half Day Attendance Minutes**

Full-day attendance is being present at least 74 % of the school day.

Half-day attendance is being present at least 50 % of the school day.

**Excused Absences**

1. Illness or injury of the student requiring physician's written verification. If a student has a chronic health condition, the parent/guardian must schedule a time to meet with the Attendance Director to complete the appropriate steps for approval. Chronic medical conditions 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.
2. Medical and/or dental appointment which cannot be scheduled outside the school day with a physician's written verification.
3. Illness or injury of the student verified by parents/guardian not to exceed three (3) consecutive days or a total of five (5) days per semester. If a child is absent for more than three (3) consecutive days or for more than five (5) days in any semester, a physician's note is required for such absences. Failure to do so will result in those extended days to be counted as un-excused absences.
4. Illness or injury of the student when the parent / guardian is called to the school resulting in a recorded absence. The parent / guardian's signature in the school sign-out log book will serve as written verification.
5. Illness or injury in the family when the student absence is verified in writing as essential by a doctor.
6. Calamity, such as fire in the home, flood, or family emergency upon approval by the school principal.
7. Personal or academic circumstances approved by the principal.
8. Death in the family with a limit of three (3) days except in extraordinary circumstances. Family will be defined as mother, father, brother, sister, grandmother, grandfather, aunt, uncle, brother-in-law, sister-in-law, brother's children, sister's children, student's children, or any person living in the same household.
9. Military requirements for students enlisted or enlisting in the military.
10. Leaves of educational value adhering to these stipulations;
  - A. Any leave of five (5) days or less an application must be submitted to the school principal at least two (2) weeks in advance.
  - B. Any leave of more than five (5) days an application must be submitted to the principal to be reviewed by the principal, attendance director and submitted to the Board of Education at least three (3) weeks in advance.

- C. Students in grades 6-12 may be required to attend ALOP (if available) for tutorial sessions on missed instruction at the discretion of the school principal.
- D. All student make-up work must be completed in a timely fashion, as determined by school policy.

PLEASE REFER TO PROCEDURES JF: COMPULSORY STUDENT ATTENDANCE: Student Application for Leaves of Educational Value.

- 9. School approved curricular or extracurricular activities.
- 10. Legal obligations with written verification.
- 11. Failure of a bus to run or extremely hazardous conditions.
- 12. Observance of religious holidays.
- 13. Participation in home/hospital instruction due to an illness/injury or other extraordinary circumstance that warrants home or hospital confinement. Written verification must be provided by a physician and approved by the attendance director.
- 14. (Grades K-5) If a parent requests that his/her child not attend a specific school-wide activity, that student may be excused from school, if all of the following conditions are met:
  - A. the parent requests, in writing, that the child (children) be excused because the activity conflicts with their religious beliefs;
  - B. the parent picks the child (children) up at school just prior to the beginning of the special activity. The appropriate dismissal time will be determined by the principal;
  - C. if it is a morning activity with instruction resuming for the remainder of the day, the student must return at the appropriate time;
  - D. the school does not provide an alternative instructional plan for students who do not wish to attend the special activity.
- 15. Such other situations as may be further determined by the county board: Provided, that absences of students with disabilities shall be in accordance with the Individuals with Disabilities Education Improvement Act of 2004 and the federal and state regulations adopted in compliance therewith.

**Unexcused Absences- Shall mean an absence from school or an individual class that it NOT excused pursuant to the above excused absence section of this policy.**

Such absences will include, but are not be limited to:

- 1. Truancy
- 2. Failure to submit written documentation detailing the reason of an absence within 3 school days of return to school
- 3. Missing the school bus
- 4. Oversleeping

In case of truancy, (student leaves school grounds unauthorized), the case shall be investigated by the principal in cooperation with the attendance director. The student's parent or guardian shall be notified and, if appropriate, the proper authorities, upon finding that the child is truant.

### **Allowable Deductions**

Absences that result from school-approved curricular/co-curricular activities; failure of the bus to run/hazardous conditions; lawful 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 18-8-4.

### **Instructional Day Guideline and Exceptions**

All students shall be scheduled for the full instructional day including all four years of high school. Exceptions may be made by the County Board for college courses, advanced technical programs, and participation in the WV Virtual School.

### **Dropout**

A dropout is an individual who 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 was not enrolled on October 1 of the previous year although expected to be in membership (i.e., was not reported as a dropout the year before); has not graduated from high school, obtained a GED diploma, or completed a state-or-district-approved education program; and/or does not meet any of the exclusionary conditions:

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

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

### **Enrollment**

A student is officially enrolled when one of the following conditions occur:

- student was enrolled the previous year.
- student appears at school to enroll with or without a parent/guardian.
- student and/or parent /guardian appears at school to enroll with or without records.

### **Withdrawal**

For the purposes of this policy 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 a person. If suspended, the West Virginia Division of Motor Vehicles may not reinstate a license before the end of the semester following that in which the withdrawal occurred.

### **Homeless Children and Youths**

Section 725 of the McKinney-Vento Act defines children and youth to be served as follows: The term ‘homeless children and youth’ “means individuals who lack a fixed, regular, and adequate nighttime residence,” and includes- “(i) 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 shelter; are abandoned in hospitals; (ii) 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; (iii) children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and (iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homes for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii). Stability and adequacy of the living arrangement are critical considerations when determining homelessness.

Children who meet the Federal definition of “homeless” will be provided a free and appropriate public education in the same manner as all other students of the County and will not be stigmatized or segregated on the basis of their status as homeless. No homeless student will be denied enrollment based on a lack of proof of residency. No Board of Education policy, administrative guideline, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless children.

Homeless students will be provided services comparable to other students in the county including:

- A. transportation services;
- B. educational services for which the homeless student meets eligibility criteria including services provided under Title I of the Elementary and Secondary Education Act or similar State and local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency;
- C. programs in vocational and technical education;

- D. programs for gifted and talented students; and
- E. school nutrition programs.

The attendance director will serve as the Liaison for Homeless Children and will perform the following duties;

- A. ensure that public notice of the educational rights of students in homeless situations is disseminated where children and youth receive services;
- B. 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;
- C. ensure that parents or guardians are informed of, and assisted in accessing, all transportation services for their children, including to the school of origin;
- D. help unaccompanied youth choose and enroll in a school, after considering the youth's wishes, and provide the youth with notice of his/her right to appeal the counties decision;
- E. 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;
- F. ensure that homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies;
- G. ensure that homeless children and youths enroll in, and have a full and equal opportunity to succeed in, schools of that local educational agency;
- H. 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;

- I. ensure that enrollment disputes are mediated as outlined in paragraph (3)(E) of Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.)

PLEASE REFER TO PROCEDURES JF: COMPULSORY STUDENT ATTENDANCE: Homeless Children and Youth.

**Home / Hospital Instruction**

Criteria used in determining extenuating circumstances which may require home / hospital instruction is defined in Tyler County Board of Education Policy IM.

**TARDINESS**

School attendance is essential for children. Tyler County School is continuing their efforts to ensure that students attend school. Students are required by state law to attend a full day of school unless excused for illness, medical appointment, military and/or legal obligations or a family emergency.

Tardy shall mean arrival of a student anytime following the start of homeroom or first period in accordance with each school's policy. If a student is going to be tardy, it is the parent/guardian's responsibility to notify the school in writing of the reason for tardiness. The tardiness is considered unexcused unless the parent/guardian provides written documentation or verbal communication from their parent or guardian for one of the reasons listed (illness, medical appointment, military and/or legal obligations or a family emergency). All instances of tardiness will be recorded, whether excused or unexcused, in the state database (WVEIS).

**Student Release Precautions**

No student shall be sent from the school building or grounds during school hours on errands, without permission from the principal and parent/guardian.

Students must have a note or verbal communication from their parent or guardian if they are to be released early from school for an appointment.

**Assurances**

Tyler County Schools assures that a student may not be suspended solely for failure to attend class.

Tyler County Schools will report all dropouts to the West Virginia Department of Education in accordance with the state reporting requirements.

Tyler County assures that students with excessive patterns of absenteeism will be referred to appropriate student assistance teams / programs.

**PROCEDURES / RECORDS REGARDING STUDENT ABSENCES**

1. Documentation of absence reasons will be maintained for every student.

2. An up-to-date register of attendance for every student enrolled in the school will be maintained.
3. A record of students who are physically absent from school will be maintained.
4. Students and parents shall be informed of the school's policy at the beginning of each school year through an attendance policy pamphlet, newsletter, and/or student handbook;
5. Any student absent from school, regardless of the reason, shall be marked absent in the West Virginia Education Information System (WVEIS). Permanent record cards, as well as report cards, shall also carry a record of attendance.
6. Efforts will also be made by school officials to contact parents when students are absent, as deemed necessary by the principal.
7. Upon returning to school, the student shall bring a written excuse from the parent / guardian, doctor, or other party as required, giving the reason for absence. Student written excuses must be returned within the allowable time restraints as identified in the county attendance policy.
8. A student will be afforded five (5) total parent / guardian excuses per semester.

In the case of three (3) total unexcused absences of a student during a school year, the attendance director or assistant may 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, a conference with the principal or other designated representative will be required.

In the case five (5) total unexcused absences, the attendance director or assistant shall serve written notice to the parent, guardian or custodian of the student that 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 may 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 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 complaint against a parent, guardian, or custodian before a magistrate, unexcused absences resulting from suspensions or expulsions from school shall not be considered.

### **Drivers License Revocation**

West Virginia School Law section 18-8-11 requires county attendance directors to notify the division of motor vehicles whenever a student at least fifteen years of age but less than eighteen years of age withdraws from school or fails to maintain satisfactory academic progress, and/or accumulates more than ten (10) consecutive or fifteen (15) unexcused absences during one school year. With respect to whether a student is deemed enrolled, House Bill 4023 expands the meaning of “withdrawal from school” to include any student suspension mandated by West Virginia’s Safe Schools Act. The bill defines “satisfactory academic progress” to mean the “attaining and maintaining of grades sufficient to allow for graduation and course-work in an amount sufficient to allow graduation in five years or by age nineteen, whichever is earlier.” The student will receive a notification letter advising him/her that they have forfeited their driving privileges and that they have a right to request a hearing. At such time the student will be given an opportunity to present facts that validate the student’s withdraw / unexcused absences were due to circumstances beyond their control. WV Code does not accept reasons for suspensions and/or expulsions as circumstances beyond their control. Reinstatement will require that a student maintain satisfactory progress as follows:

- a. reinstatement requests related to withdrawal for unexcused absences shall be reviewed at the end of the semester following that in which the withdrawal occurred;
- b. academic progress will be reviewed at the end of each school year for the purpose of reinstating Driver’s Eligibility Certificate;
- c. reinstatement related to withdrawal for suspension shall be reviewed after all disciplinary sentences have been served.

### **Make-Up Work**

In all cases of absence, whether excused or unexcused, it is the student’s responsibility to make up work that he/she has missed during the absence. Each student is responsible for obtaining all assignments from his/her teacher(s).

In order to provide students with a reasonable amount of time to complete make-up work, the following schedule shall be followed:

**Grades K-5:** The student will receive three (3) calendar days to make up work for the first day missed and one (1) additional day for each consecutive absence thereafter. Days will include weekends and holidays. However, the teacher shall consider extenuating circumstances and will be encouraged to use good judgment in allowing additional time.

If an assignment was made or a quiz/test scheduled at least two (2) days before the student's absence, the student will be responsible for the assignment or quiz/test upon returning to school. However, the teacher shall consider extenuating circumstances and will be encouraged to use good judgment.

**Grades 6-12:** The student will receive two (2) calendar days to make up work for the first day missed and one (1) additional day for each consecutive absence thereafter. Days will include weekends and holidays. However, the teacher shall consider extenuating circumstances and will be encouraged to use good judgment in allowing additional time.

If an assignment was made or a quiz/test scheduled at least two (2) days before the student's absence, the student will be responsible for the assignment or quiz/test upon returning to school. However, the teacher shall consider extenuating circumstances and will be encouraged to use good judgment.

With the principal's approval, teachers may make additional arrangements for a student who is absent for an extended period of time.

## **PROCEDURES TO IMPROVE ATTENDANCE**

Tyler County Schools will utilize preventive and educative procedures including incentives to maintain / improve attendance and reduce tardies through student conferences, student referrals to school guidance counselors and/or local agencies. Schools will utilize incentives including, but not limited to, school-wide preventive discipline programs and/or school-wide incentive programs. Tyler County Schools recognize students for perfect and faithful attendance at the end of each school year by presenting them with a certificate and award assemblies. Schools are afforded the liberty and encouragement to develop further incentives based upon individual student needs.

## **CORRECTIVE MEASURES**

Several programs and procedures are utilized to encourage regular school attendance, designed to meet the developmental needs of all students:

1. Parent conferences are encouraged in order to develop a coordinated plan between the home and school for improved attendance.
2. Tyler County Schools considers five or more days of unexcused absences as excessive.

3. Alternative plans and programs that are positive in nature and encourage improved school attendance will include alternative scheduling, referrals to the Alternative Learning Opportunity Program (ALOP), and school-wide preventive discipline programs. Schools will regularly monitor the effectiveness of these interventions at the conclusion of each grading period.
4. Tyler County Schools will utilize procedures to involve outside agencies through the school's Student Assistance Team. Local agencies may include the Department of Health and Human Resources, regional behavioral health agencies, and/or the Juvenile Mediation Program in conjunction with the First and Second Circuit Court.
5. Individual schools in cooperation with the director of attendance will develop procedures for interagency involvement.
6. Tyler County Schools assures that students with a pattern of excessive absenteeism are referred to the Student Assistance Team for appropriate interventions and that these interventions have been reviewed to determine effectiveness.
7. All students will be scheduled for the full instructional day for all four years. Exceptions to this includes students scheduled for college courses, advanced technical programs and participation in the West Virginia Virtual School.

REFERENCE: SCHOOL LAWS OF WV 18-8-1 TO 18-8-9; STATE BOARD POLICY 4110.10, 2419, 42 U.S.C. 11431 et seq.; Chapter 18-8-4, Code of West Virginia WV State Board Policy 4110

PLEASE REFER TO PROCEDURES JF: COMPULSORY STUDENT ATTENDANCE: Homeless Children and Youth and Student Application for Leaves of Educational Value.

DATE: 1/9/73, 7/20/81, 8/26/85, 7/6/87, 7/6/89, 6/1/89, 4/16/91, 1/18/99, 8/5/02, 7/22/03, 4/2/04, 6/5/06, 12/5/06, 6/21/10, 5/16/11, 3/7/16, 1/17/17, 11/6/17, 4/30/18, 7/2/18