

**TITLE: ATTENDANCE**

**1.0 PHILOSOPHY** Gilmer County Schools is mandated by State Code to follow specific guidelines to enforce the Compulsory School Attendance Law. The Board of Education also has discretion to add guidelines and procedures at the local level which are needed to enhance regular school attendance. The Gilmer County Board of Education recognizes that a direct relationship exists between daily school attendance and student academic performance, graduation and good work habits. All students are expected to attend school regularly and be on time for classes. Families play a key role in making certain students get to school safely every day and understand why attendance is so important for success in school and in life. Parents/guardians are encouraged to become aware of the policies and procedure of Gilmer County Schools. The Gilmer County Board of Education encourages schools to implement and maintain a positive safe environment conducive to learning, encourage student responsibility and self-discipline and promote other good work habits.

**2.0 DEFINITIONS**

2.1 Compulsory school attendance shall begin for all children who have attained the age of five prior to July 1 of the school year in which the pupil enters the kindergarten program and may, pursuant to the provisions of section forty-four of this article, establish kindergarten programs designed for children below the age of five. The programs for children who shall have attained the age of five shall be full-day everyday programs. *WV Code 18-5-18*

2.2 WV Pre-K shall be a voluntary program. Eligible child shall mean any child, regardless of ability who is four years old prior to July 1 of the year the child is to enroll. An eligible child must be four years old prior to July 1 of the year the child is to enroll.

2.2.1 PK Attendance: Enrollment in an approved participating WV Pre-K program is voluntary; however, once the child is enrolled, attendance must follow W.Va. Code 18-8-1 et. seq., which allows the program administrator (i.e. principal, director, executive director), teacher and parent/guardian to pursue disenrollment of the child if they concur that requiring 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 for that school year.

2.2.2 PK Transportation: WV Pre-K site where bus transportation is provided, a designated person must follow-up within the first hour of arrival time with the family of any child who is not present or accounted for each day.

2.3 Three year old children can be enrolled in the WV Pre-K system if they have an IEP. Three year olds without IEPs may be present in the collaborative classroom if they qualify under the community program's enrollment guidelines. Children may not be excluded based on developmental delays. *WV Board of Education Policy 2525*

2.4 **Student** – Shall mean a student enrolled in county schools including any Pre-K student.

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

2.6 **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.

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

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

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

2.8 **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.

2.9 **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.

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

2.10.1 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

2.10.2 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

2.10.3 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

2.10.4 does not meet any of the following exclusionary conditions:

2.10.4.1 transfer to another public school district, private school, registered home school, or state- or district-approved education program;

2.10.4.2 temporary school-recognized absence due to suspension or illness; or

2.10.4.3 death.

2.11 **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.

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

- 2.12.1 Student was enrolled the previous year and did not graduate;
- 2.12.2 Student appears at school to enroll with or without a parent/guardian; or
- 2.12.3 Student and/or parent/guardian appears at school to enroll with or

without records.

2.13 **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").

2.14 **Excused Student Absences:**

- 2.14.1 School approved or county-approved curricular/co-curricular activities;
- 2.14.2 Failure of the bus to run due to hazardous conditions;
- 2.14.3 SAT Plan, IEP or 504 Plan;
- 2.14.4 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. All excuses must be submitted within 3 days of the student returning from an absence.**

2.14.5 Personal illness or injury of the student's parent, guardian, custodian, or family member: Provided, that the written excuse must explain why the student's absence was necessary and caused by the illness or injury in the family.

2.14.6 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;

2.14.7 Documented chronic medical condition or disability that impacts attendance with documentation from a physician;

2.14.8 Participation in home or hospital instruction due to an illness or injury or other extraordinary circumstance that warrants home or hospital confinement;

2.14.9 Calamity, such as fire in the home, flood, family emergency or hazardous condition shall be approved by the school principal;

2.14.10 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;

2.14.11 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;

2.14.12 Personal or academic circumstance approved by the principal;

2.14.13 Judicial obligation or court appearance involving the student with verification;

2.14.14 Observance of religious holidays with verification; and

2.14.15 Military requirement for students enlisted or enlisting in the military;

2.14.16 Students with disabilities' absence will be addressed in accordance with Policy 2510, assuring the Quality of Education, and will be addressed under the student's IEP and/or 504 Plan.

2.14.17 Other emergency or set of circumstances which, in the judgment of the superintendent or designee, constitutes a good and sufficient cause for absence from school.

2.15 **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.

2.16 **Unexcused Student Absences.** All absences not specifically included in the definition of "excused absence.

2.16.1 **All documentation relating to absences shall be provided to the school no later than three instructional days after the first day the student returns to school.**

2.17 **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.

2.18 **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.

2.19 **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. If the student does not meet with the educational plan prescribed as scheduled, and there is not a medical reason for not keeping the scheduled instruction time, truancy action will be pursued when deemed appropriate by the County Attendance Director.

2.20 **Homeless Children and Youths** - As defined in the McKinney-Vento Act means individuals who lack a fixed, regular and adequate nighttime residence and includes:

2.20.1 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; or are abandoned in hospitals

2.20.2 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;

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

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

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

2.20.6 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.

2.21 **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 reports 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.

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.

3.6.1 In the case of five total unexcused absences of a child during a school year, the Attendance Director or his/her assistant shall serve written notice to the parent, guardian or custodian of such child that the attendance of such child at school is required and that within five days of receipt of the notice the parent, guardian or custodian, accompanied by

the child, shall report in person to the school the child 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 child including the adjustment of unexcused absences based upon such meeting.

3.6.2 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.

3.6.3 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.

3.6.4 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.

3.6.5 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.

3.7 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.

3.8 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.

3.9 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:

3.9.1 ensure that public notice of the educational rights of students in homeless situations is disseminated where children and youths receive services.

3.9.2 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.

3.9.3 ensure that parents or guardians are informed of, and assisted in accessing, all transportation services for their children, including to the school of origin.

3.9.4 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.

3.9.5 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.

3.9.6 ensure that homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies.

3.9.7 ensure that homeless children and youths enroll in, and have a full and equal opportunity to succeed in, schools of that local educational agency.

3.9.8 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.

3.9.9 ensure that enrollment disputes are mediated as outlined in Paragraph (3)(E) of the McKinney-Vento Act.

3.10 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.

3.11 Support and require the school principal to implement and execute the duties as defined in West Virginia Code §18-8-5:

3.11.1 The principal shall compare school numbers with school enrollment monthly.

3.11.2 The principal or designee 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.

3.11.3 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.

3.11.4 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** At the commencement of each school year parents/guardians and students shall be provided with a copy of the county attendance policy and school procedures. New arrivals during the school year shall also be provided with a copy.



8.1 Parents/guardians shall be advised of their responsibility to report the attendance of their children and their accountability for the regular school attendance of their children.

8.2 A written note with parent signature or any allowable excuse documentation, defined in the Excused Absence Section should be sent to the school within THREE (3) of when the student returns with the reason for absence.

### **NOTE IS REQUIRED WHEN RETURNING TO SCHOOL**

When a student has been absent from school, a note from student's parent/guardian or professionals designated in Excused Absence Section must be presented **within three (3) school days after the absences**. This note should include:

- Student's name
- Grade
- Date(s) of absence
- Date of the note
- Reason(s) for the absence

8.3 Students arriving late or leaving early not only disrupts the student's learning but also the student's peers. Students are responsible for any make up work missed due to arriving late or leaving early. All students arriving late or leaving early for any reason must sign in or sign out in the main office.

8.3.1 **Tardy** – Shall mean arrival by a student after the appointed time for the commencement of school or an individual class which a student is scheduled to attend, excused or unexcused. Student tardiness will be handled according to procedures and/or rules established by each school.

8.3.2 Students who leave prior to the end of the school day will be counted as early dismissal, excused or unexcused.

**9.0 OPPORTUNITY TO MAKE UP SCHOOL WORK** All students are expected to make up work missed due to absences.

9.1 Absences of Two Days or Less. For students in grades K–6, 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 7–12, it is the responsibility of the student to request makeup work within two school days of return to school.

9.2 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.

9.3 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.

**10.0 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.

**11.0 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.

**12.0 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 Principals shall develop incentives and recognition for those students showing and maintaining improved attendance. 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.

**13.0 PREVENTIVE IN-SCHOOL RESOURCES** Upon receiving a CA-2 for five (5) unexcused absences a SAT meeting will be scheduled with parent/guardian and student. School team members included in this meeting will be the SAT coordinator, school counselor, Truancy Diversion Specialist and other student support personnel. The purpose of this meeting is an attempt to remove any barriers related to compliance with WV Code/county policy and to reestablish good attendance. The Truancy Diversion Specialist will work with the student and the family to facilitate the academic progress of the student. The TDS will make home visits as needed and connect families with local/regional service agencies. The Specialist will work with the student and their parent/guardian in an attempt to resolve unexcused absences and to avert potential legal ramifications. Upon receiving their seventh (7<sup>th</sup>) unexcused absence the student will meet with the school counselor. This conference is for the purpose of problem-solving attendance issues and redirecting the student towards regular attendance and positive behavior. When the student reaches ten (10) unexcused absences, the Truancy Diversion Specialist will intervene to provide an alternative to legal

action in the form of a Truancy Diversion Agreement. The Agreement will involve the student, parent/guardian, building principal or their designee, school counselor and the Truancy Diversion Specialist. The Truancy Diversion Agreement will set forth that the student will have no further unexcused absences, no serious disciplinary violations which would result in suspension from school and make satisfactory academic progress. If the student chooses to enter into the Agreement, the Truancy Diversion Specialist will monitor and meet with the student in 10 days and monthly thereafter until the end of the school year. If the student does not take advantage of the Truancy Diversion Agreement, then legal action will ensue, pursuant to WV Code. This agreement will be offered only one time per school year. If the student who enters into the Truancy Diversion Agreement does not fulfill the requirements set forth, legal action will be taken.

13.1 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.

14.0 **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.

15.0 **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.

**Legal Authority:** West Virginia Code 18-8-1 *et seq.*  
West Virginia Board of Education Policy 2525  
West Virginia Board of Education Policy 4110

**Board Adoption:** July 21, 2014

**Revised:** September 4, 2018