

**Policy: 4110 Attendance
Comment Log
Beginning 1-11-17 & Ending 2-10-17 Comment Period**

Action Type
 N: No Response - Negative
 NA: Not Accepted + Positive
 A: Accepted o Neutral

Date	Individual/Organization	Comments	Action/ Type	Rationale
		§126-81-1 General		
2017-01-20 09:45:40	Julie Gibson principal Martin Elementary Parkersburg WV	I'm concerned about the 5 day conference and the parents having the ability to then adjust unexcused absences based on the meeting. It is not in the students best interest to allow unexcused absences from September to be written off by a parent in January by saying that student was ill that day. How do you remember a single day many months prior? I think this might be beneficial if the parents respond to reasons for unexcused absences on a monthly basis rather than the potential for them to wipe the slate clean many months later.	NA/-	In WV Code §18-8-5
2017-01-30 15:28:03	Crystal Adkins Teacher AFT Rivesville Wv	The revisions are necessary to comply with ESSA requirements.	A/+	Required by ESSA
2017-02-06	Aaron Hendrickson Hampshire County Schools-	This makes good sense	A/+	Required by ESSA

11:58:26	Romney Middle School Romney WV			
2017-02-08 11:12:04	Steve Malnick Fairview WV	4.2-General allowable deductions for schools. Students are given the opportunity to have specific days absent from school excused if they fall under the guidelines and definitions of an excused absence. I do believe this is appropriate however I do see a problem with schools not being able to deduct the same excused absence from their overall attendance accountability. Schools can not continually be held accountable for issues outside of their control like students who are sick, at the doctor, dentist, a death in the family etc... thank you for your attention in this matter.	NA/-	Required by Policy 2320
		5.3b 5 Student behavior could be influenced in some aspect if a total number of suspensions were grounds for some type of conference or petition through the attendance director towards the magistrates office.	N/N	In WV Code § 18-8-8
		Attendance Director--Very few institutions offer an attendance certificate program--I believe only Marshal University in WV offers this at the current time. I believe a Principal with 10 years of experience that works daily with attendance should qualify and be able to become certified. This will allow quality individuals the opportunity to work with challenged youth to increase daily attendance. The challenge of getting a certification has and will continue to turn away individuals that could benefit these children.	N/-	5.3.a. employ a certified county director of school attendance as required by W. Va. Code §18-8-3
2017-01-29	Frank D. Andrews	Include the federal requirements of ESSA that mandate the immediate enrollment of children in	N/A	4.8. states, "A student is officially enrolled when one

11:47:00		foster care when a school change is needed including the definition of "immediate enrollment" provided in federal guidance to states.		<p>of the following conditions occur:</p> <p>4.8.a. student was enrolled the previous year;</p> <p>4.8.b. <i>student appears at school to enroll with or without a parent/guardian; or</i></p> <p>4.8.c. <i>student and/or parent/guardian appears at school to enroll with or without records.</i></p> <p>WVBE Policy 4110 applies to all students and does not require specific language.</p>
2017-01-29 11:47:00	Frank D. Andrews	The Attendance policy includes the roles and responsibilities of "homeless liaisons" under the McKinney-Vento Act to implement the provisions of this act. ESSA requires state and local education agencies to appoint Points of Contact to collaborate with the state child welfare agency to implement ESSA's foster care requirements. The roles and responsibilities of the Points of Contact should be included in the Attendance policy. Federal guidance has been provided as a resource to develop these policy statements.	NA/-	The WVDE has a single point of contact for foster care. This will be addressed with guidance rather than being identified within WVBE Policy 4110. Guidance will be provided in the "West Virginia Department of Education and West Virginia Department of Health and Human Resources Joint Guidance on Educational Stability for Homeless Children and Children in

				Foster Care." The document will be released in the Spring 2017.
2017-01-29 11:47:00	Frank D. Andrews	Children in foster care who are in emergency shelters are included under the provisions of the McKinney-Vento Act and ESSA. The Attendance policy should make this clear to protect the rights of these children and ensure that they receive appropriate services.	NA/	Policy 4110 protects all students and ensures they are enrolled and provided services. A student can only be identified under one act. McKinney-Vento provides increased services for these students.
		§126-81-4 5 Definitions		
2017-01-30 15:28:03	Crystal Adkins Teacher AFT Rivesville Wv	Students need to be in school for teachers and schools to be held accountable for their test scores.	A/+	Required by 4110
2017-02-01 09:16:00	Jamie Waugh Teacher AFT Berkeley Springs WV	My comment and concern is in regards to policy 4110 (attendance). Currently, there is no attendance/truancy policy in effect for a maximum number of days a student can be truant or absent (if a note accompanies the student for explanation). As a teacher, I can say it is IMPOSSIBLE to expect students to master standards (or even to proficient in the expected standards) with this policy in affect. We need to have a cap on the number of excused truanancies and absences so we can efficiently educate our students.	NA/-	Policy 4110 and SB 378 allows districts to define the maximum number of excused absences
2017-02-05 09:02:57	Cathy Adkins Director of Attendance/McKinney- Vento Liaison Logan County Schools	4.5 Foster Care -- Definition needs deleted. This was used when we identified Awaiting Foster Care Placement as an indicator of McKinney-Vento eligibility. This is no longer needed because it will lead to confusion of eligibility.	A/+	Remove 4.5 from 4110 Foster Care is now under ESSA

	Logan WV	I also suggest that we eliminate the term "HOMELESS" and use McKinney-Vento Eligible throughout the policy. This should also be reflected in our title - McKinney-Vento Liaison, instead of Homeless Liaison. Parents and guardians are hesitant when their student is referred to as "HOMELESS". I feel that more students would be identified for services with this change	NA/N	This is part of McKinney-Vento language. Attendance Director /Homeless Liaison is required by McKinney-Vento and WV Code §18-8-4
2017-02-10 15:28:35	Jeffry Smith Director of Support Services Wirt County Board of Education Elizabeth WV	I had a question regarding section 4.3.a which establishes the criteria of a full day for students being .74 of a school day. I was curious to how that was established as the definition, and I was wondering if it should possible be raised to encourage greater instructional time for students.	A/N	This allows WVEIS to calculate the school day
		§126-81-4 12 a Definitions		
2017-01-30 15:28:03	Crystal Adkins Teacher AFT Rivesville Wv	Students need to be present to be educated	N/N	In W. Va. Code §18-8-1. Compulsory School Attendance
2017-01-29 11:47:00	Frank D. Andrews	The definition of "foster care" has no referent in the policy upon removal of the terminology "awaiting foster care placement." In other words, it is unnecessary to have a definition of foster care if the policy revision fails to include any information	A/N	"Foster care," has been removed from Policy 4110

		regarding the education of children in foster care. As presently constructed, the policy offers no policy guidance for school districts and protections for children in foster care as required by federal law. It is imperative that the policy contain substantive guidance for school districts and information for parents, guardians, service providers and child welfare agency concerning the education of children in foster care particularly regarding enrollment.		
2017-01-29 11:47:00	Frank D. Andrews	The definition of "foster care" is inadequate and inconsistent with federal law. The Every Student Succeeds Act defines "foster care" as follows: A "child in foster care" under ESSA has the same meaning as defined in 45 C.F.R. §1355(a): Foster care means 24-hour substitute care for children placed away from their parents or guardians and for whom the title IV-E agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and preadoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the State, Tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made. §200.30(f). The Department should consult with officials from the Department of Health and Human Resources to customize the above definition to West Virginia's definitions and terminology of children in foster care.	N	Guidance will be provided in the "West Virginia Department of Education and West Virginia Department of Health and Human Resources Joint Guidance on Educational Stability for Homeless Children and Children in Foster Care." The document will be released in the Spring 2017.

		(Note: The definition under revision was specifically constructed to fit with the requirements of the McKinney-Vento Act and was not meant to be inclusive of all children in foster. The Every Student Succeeds Act requirements for children in foster care apply to all children in foster care.)		
--	--	--	--	--

Justin Boggs

From: Nobody <nobody@kryten.wvnet.edu>
Sent: Friday, February 10, 2017 3:29 PM
To: Justin Boggs
Subject: Comment Received for Policy 4110 (2017-02-10 15:28:35)

Follow Up Flag: Follow up
Flag Status: Flagged

Please save this email in a "Comments Received Online" folder.
Your folder will be a backup. All comments are saved in our database.
The Complete Comments Report from the database can be found here:
<http://wvde.state.wv.us/r.html?id=ef39c9e0ab5a0aec7100facd7baa76fe>
This is an encrypted URL. Please Bookmark it.

Comment Received for Policy 4110

#####

Name: Jeffry Smith
Organization: Wirt County Board of Education
Title: Director of Support Services
City/State: Elizabeth, WV
Role: Professional Support
Posted: 2017-02-10 15:28:35
Posted from IP:

Comments for section 126-81-4 5 Definitions

I had a question regarding section 4.3.a which establishes the criteria of a full day for students being .74 of a school day. I was curious to how that was established as the definition, and I was wondering if it should possible be raised to encourage greater instructional time for students.

Justin Boggs

From: Nobody <nobody@kryten.wvnet.edu>
Sent: Wednesday, February 08, 2017 11:12 AM
To: Justin Boggs
Subject: Comment Received for Policy 4110 (2017-02-08 11:12:04)

Follow Up Flag: Follow up
Flag Status: Flagged

Please save this email in a "Comments Received Online" folder.
Your folder will be a backup. All comments are saved in our database.
The Complete Comments Report from the database can be found here:
<http://wvde.state.wv.us/r.html?id=ef39c9e0ab5a0aec7100facd7baa76fe>
This is an encrypted URL. Please Bookmark it.

Comment Received for Policy 4110

#####

Name: Steve Malnick
Organization:
Title:
City/State: Fairview , WV
Role: Principal
Posted: 2017-02-08 11:12:04
Posted from IP:

Comments for section 126-81-1 General

4.2-General allowable deductions for schools.rnrnStudents are given the opportunity to have specific days absent from school excused if they fall under the guidelines and definitions of an excused absence. I do believe this is appropriate however I do see a problem with schools not being able to deduct the same excused absence from their overall attendance accountability. Schools can not continually be held accountable for issues outside of their control like students who are sick, at the doctor, dentist, a death in the family etc... thank you for your attention in this matter.rnrn5.3b 5 Student behavior could be influenced in some aspect if a total number of suspensions were grounds for some type of conference or petition through the attendance director towards the magistrates office.
rnrnAttendance Director---Very few institutions offer an attendance certificate program--I believe only Marshal University in WV offers this at the current time. I believe a Principal with!
10 years of experience that works daily with attendance should qualify and be able to become certified. This will allow quality individuals the opportunity to work with challenged youth to increase daily attendance. The challenge of getting a certification has and will continue to turn away individuals that could benefit these children.

Justin Boggs

From: Nobody <nobody@kryten.wvnet.edu>
Sent: Monday, February 06, 2017 11:58 AM
To: Justin Boggs
Subject: Comment Received for Policy 4110 (2017-02-06 11:58:26)

Follow Up Flag: Follow up
Flag Status: Flagged

Please save this email in a "Comments Received Online" folder.
Your folder will be a backup. All comments are saved in our database.
The Complete Comments Report from the database can be found here:
<http://wvde.state.wv.us/r.html?id=ef39c9e0ab5a0aec7100facd7baa76fe>
This is an encrypted URL. Please Bookmark it.

Comment Received for Policy 4110

#####

Name: Aaron Hendrickson
Organization: Hampshire County Schools-Romney Middle School
Title:
City/State: Romney, WV
Role: School System Staff
Posted: 2017-02-06 11:58:26
Posted from IP:

Comments for section 126-81-1 General

This makes good sense

Justin Boggs

From: Nobody <nobody@kryten.wvnet.edu>
Sent: Sunday, February 05, 2017 9:03 AM
To: Justin Boggs
Subject: Comment Received for Policy 4110 (2017-02-05 09:02:57)

Follow Up Flag: Follow up
Flag Status: Flagged

Please save this email in a "Comments Received Online" folder.
Your folder will be a backup. All comments are saved in our database.
The Complete Comments Report from the database can be found here:
<http://wvde.state.wv.us/r.html?id=ef39c9e0ab5a0aec7100facd7baa76fe>
This is an encrypted URL. Please Bookmark it.

Comment Received for Policy 4110

#####

Name: Cathy Adkins
Organization: Logan County Schools
Title: Director of Attendance/McKinney-Vento Liaison
City/State: Logan, WV
Role: Professional Support
Posted: 2017-02-05 09:02:57
Posted from IP:

Comments for section 126-81-4 5 Definitions

4.5 Foster Care -- Definition needs deleted. This was used when we identified Awaiting Foster Care Placement as an indicator of McKinney-Vento eligibility. This is no longer needed because it will lead to confusion of eligibility. I also suggest that we eliminate the term "HOMELESS" and use McKinney-Vento Eligible throughout the policy. This should also be reflected in our title - McKinney-Vento Liaison, instead of Homeless Liaison. Parents and guardians are hesitant when their student is referred to as "HOMELESS". I feel that more students would be identified for services with this change.

Justin Boggs

From: Nobody <nobody@kryten.wvnet.edu>
Sent: Wednesday, February 01, 2017 9:16 AM
To: Justin Boggs
Subject: Comment Received for Policy 4110 (2017-02-01 09:16:00)

Follow Up Flag: Follow up
Flag Status: Flagged

Please save this email in a "Comments Received Online" folder.
Your folder will be a backup. All comments are saved in our database.
The Complete Comments Report from the database can be found here:
<http://wvde.state.wv.us/r.html?id=ef39c9e0ab5a0aec7100facd7baa76fe>
This is an encrypted URL. Please Bookmark it.

Comment Received for Policy 4110

#####

Name: Jamie Waugh
Organization: AFT
Title: Teacher
City/State: Berkeley Springs, WV
Role: Teacher
Posted: 2017-02-01 09:16:00
Posted from IP:

Comments for section 126-81-4 5 Definitions

My comment and concern is in regards to policy 4110 (attendance). Currently, there is no attendance/truancy policy in effect for a maximum number of days a student can be truant or absent (if a note accompanies the student for explanation). As a teacher, I can say it is IMPOSSIBLE to expect students to master standards (or even to proficient in the expected standards) with this policy in affect. We need to have a cap on the number of excused truancies and absences so we can efficiently educate our students.

Justin Boggs

From: Nobody <nobody@kryten.wvnet.edu>
Sent: Monday, January 30, 2017 3:28 PM
To: Justin Boggs
Subject: Comment Received for Policy 4110 (2017-01-30 15:28:03)

Follow Up Flag: Follow up
Flag Status: Flagged

Please save this email in a "Comments Received Online" folder.
Your folder will be a backup. All comments are saved in our database.
The Complete Comments Report from the database can be found here:
<http://wvde.state.wv.us/r.html?id=ef39c9e0ab5a0aec7100facd7baa76fe>
This is an encrypted URL. Please Bookmark it.

Comment Received for Policy 4110

#####

Name: Crystal Adkins
Organization: AFT
Title: Teacher
City/State: Rivesville , Wv
Role: Teacher
Posted: 2017-01-30 15:28:03
Posted from IP:

Comments for section 126-81-1 General

The revisions are necessary to comply with ESSA requirements.

Comments for section 126-81-4 5 Definitions

Students need to be in school for teachers and schools to be held accountable for their test scores.

Comments for section 126-81-4 12 a Definitions

Students need to be present to be educated

Justin Boggs

From: Nobody <nobody@kryten.wvnet.edu>
Sent: Friday, January 20, 2017 9:46 AM
To: Justin Boggs
Subject: Comment Received for Policy 4110 (2017-01-20 09:45:40)

Please save this email in a "Comments Received Online" folder.
Your folder will be a backup. All comments are saved in our database.
The Complete Comments Report from the database can be found here:
<http://wvde.state.wv.us/r.html?id=ef39c9e0ab5a0aec7100facd7baa76fe>
This is an encrypted URL. Please Bookmark it.

Comment Received for Policy 4110

#####

Name: Julie Gibson
Organization: Martin Elementary
Title: principal
City/State: Parkersburg, WV
Role: Principal
Posted: 2017-01-20 09:45:40
Posted from IP:

Comments for section 126-81-1 General

I'm concerned about the 5 day conference and the parents having the ability to then adjust unexcused absences based on the meeting. It is not in the students' best interest to allow unexcused absences from September to be written off by a parent in January by saying that student was ill that day. How do you remember a single day many months prior? I think this might be beneficial if the parents respond to reasons for unexcused absences on a monthly basis rather than the potential for them to wipe the slate clean many months later.

Renee Clark

From: Justin Boggs
Sent: Tuesday, March 07, 2017 11:45 AM
To: Renee Clark
Subject: FW: COMMENT ON PROPOSED REVISION TO POLICY 4110: ATTENDANCE

From: Frank D. Andrews [mailto:fandrews5235@suddenlink.net]
Sent: Sunday, January 29, 2017 11:14 PM
To: Justin Boggs <jboggs@k12.wv.us>
Subject: COMMENT ON PROPOSED REVISION TO POLICY 4110: ATTENDANCE

The following represent comments on behalf of the Education of Children in Out-of-Home Care Advisory Committee on the proposed revision to Policy 4110: Attendance.

BACKGROUND

The present definition of “awaiting foster care placement” was developed by a subcommittee of the **Education of Children in Out-of-Home Care Advisory Committee** and approved by the State Board of Education in 2009. This definition brought services under the McKinney-Vento Act to children in foster care and removed barriers to educational access often experienced by this population. The revision of the McKinney-Vento Act under the Every Student Succeeds Act removes the terminology “awaiting foster care placement” from the definition of “homeless” and important protections for children in foster care are now placed under the Every Student Succeeds Act.

Approximately, 8,000 children per year are in and out of foster care. It is important for the State Board of Education to know that studies conducted by the West Virginia Department of Education in 2004 and most recently in 2015 demonstrated that children in foster care are the lowest performing subgroup of any group for whom testing is required under the No Child Left Behind Act and that these children still experience barriers to educational access. One of these barriers continues to be delays in enrollment when these children move to a new school.

COMMENTS/SUGGESTIONS ON THE POLICY

1. The definition of “foster care” has no referent in the policy upon removal of the terminology “awaiting foster care placement.” In other words, it is unnecessary to have a definition of foster care if the policy revision fails to include any information regarding the education of children in foster care. As presently constructed, the policy offers no policy guidance for school districts and protections for children in foster care as required by federal law. It is imperative that the policy contain substantive guidance for school districts and information for parents, guardians, service providers and child welfare agency concerning the education of children in foster care particularly regarding enrollment.
2. The definition of “foster care” is inadequate and inconsistent with federal law. The Every Student Succeeds Act defines “foster care” as follows: A “child in foster care” under ESSA has the same meaning as defined in 45 C.F.R. §1355(a): Foster care means 24-hour substitute care for children placed away from their parents or guardians and for whom the title IV-E agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and preadoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the State, Tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made.

§200.30(f). The Department should consult with officials from the Department of Health and Human Resources to customize the above definition to West Virginia's definitions and terminology of children in foster care. (Note: The definition under revision was specifically constructed to fit with the requirements of the McKinney-Vento Act and was not meant to be inclusive of all children in foster care. The Every Student Succeeds Act requirements for children in foster care apply to all children in foster care.)

3. Include the federal requirements of ESSA that mandate the immediate enrollment of children in foster care when a school change is needed including the definition of "immediate enrollment" provided in federal guidance to states.
4. The Attendance policy includes the roles and responsibilities of "homeless liaisons" under the McKinney-Vento Act to implement the provisions of this act. ESSA requires state and local education agencies to appoint **Points of Contact** to collaborate with the state child welfare agency to implement ESSA's foster care requirements. The roles and responsibilities of the Points of Contact should be included in the Attendance policy. Federal guidance has been provided as a resource to develop these policy statements.
5. Children in foster care who are in emergency shelters are included under the provisions of the McKinney-Vento Act and ESSA. The Attendance policy should make this clear to protect the rights of these children and ensure that they receive appropriate services.

In issuing federal guidance for the education of children in foster care, Sylvia Burwell, DHHR Secretary, and John King, U.S. Department of Education Secretary stated in a joint letter on June 23, 2016, "...we strongly encourage agencies to begin to work together now to ensure that all of the policies and processes are in place so that foster youth may receive the statutory protections to which they are entitled.