

WEST VIRGINIA
SECRETARY OF STATE

JOE MANCHIN, III

ADMINISTRATIVE LAW DIVISION

Form #5

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2002 JUN -7 P 3:42

OFFICE WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

AGENCY: West Virginia Board of Education TITLE NUMBER: 126

CITE AUTHORITY: W. Va. Constitution, Article XII, § 2, W.Va. Code § 18-2-5, 18-5-15, 18-8-1, 18-8-3, 18-8-4, and 18A-5-1

RULE TYPE: PROCEDURAL _____ INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE X

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

W. Va. Code §§ 29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W.Va. 451; 376 S.E.2d 839 (1988).

AMENDMENT TO AN EXISTING RULE: YES X NO _____

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 81

TITLE OF RULE BEING AMENDED: Attendance (4110)

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE EFFECTIVE DATE OF THIS RULE IS July 7, 2002.


William J. Luff, Jr.

Deputy State Superintendent of Schools

SCANNED

**EXECUTIVE SUMMARY
WEST VIRGINIA BOARD OF EDUCATION**

**POLICY 4110
ATTENDANCE POLICY**

PUBLIC COMMENT PERIOD ENDS: May 21, 2002 ADOPTED:

Background:

Policy 4110 defines and outlines regulations for county school systems to follow when developing and implementing their county attendance policies. The regulations set forth in Policy 4110 were last revised in August, 1998. West Virginia Constitution, Article XII, §2; W.Va. Code §§18-2-5, 18-5-15, 18-8-1, 18-8-3, 18-8-4 and 18A-5-1 and the West Virginia Board of Education establish the authority for these regulations. Extensive revisions in the existing policy resulted in a repeal and replacement of Policy 4110.

Major Changes to Policy 4110:

1. §126-81-1. General.

The Authority section includes the addition of these W. Va. Code cites: §18-5-15, §18-8-3, §18-8-4, and §18A-5-1.

2. §126-81-2. Rationale.

The Rationale section requires that each county develop and implement a county attendance policy in accordance with this policy.

3. §126-81-3. Policy Development.

Policy Development is a new section that requires counties to provide for input from teachers, principals, attendance directors, parent/guardians/custodians, and community leaders when developing or revising the attendance policy.

4. §126-81-4. Definitions.

A new section for appropriate attendance definitions has been added to create a common language for use statewide.

- A. Absence (Sec. 4.1.)
- B. Allowable deduction (Sec. 4.2.)
- C. Attendance (Sec. 4.3.)
- D. Attendance rate (Sec. 4.4.)
- E. Dropout (Sec. 4.5.)
- F. Dropout date (Sec. 4.6.)
- G. Enrollment (Sec. 4.7.)
- H. Enrollment count (Sec. 4.8.)
- I. Membership days (Sec. 4.9.)
- J. "Safe Schools violation" (Sec. 4.10.)
- K. Transfer (Sec. 4.11.)

5. §126-81-5. Responsibility.

The Responsibility section adds and redefines areas of responsibility at the state and county levels.

A. The West Virginia Department of Education has the responsibility of defining allowable deductions for purposes of state attendance reports and statistics. (Sec. 5.1.)

B. County board of educations shall support and require the county attendance director to implement and execute the duties as defined in W.Va. Code §18-8-4, including additional job responsibilities resulting from federal legislation, H.R. 1. (No Child Left Behind) regarding the education for homeless children and youth. (Sec. 5.3.2.d.)

C. County board of educations shall support and require school principals to implement and execute the duties as defined in W.Va. Code §18-8-5. (Sec. 5.3.3.)

D. Each parent/guardian/custodian shall have the responsibility of fully cooperating in and completing the enrollment process. (Sec. 5.4.)

6. §126-81-6. County Attendance Policy Components section replaces Guidelines section.

The County Attendance Policy Components section replaces the former Guidelines section. This section outlines specific components that must be included in county attendance policies:

A. A philosophy stating the county board's intent to increase attendance by creating an appropriate learning environment and by enlisting parental support (6.1.)

B. Principles of Operation that include (6.1.2.):

1. designating an attendance coordinator at the school level to collect attendance data and make appropriate referrals to the county attendance director
2. reporting attendance information that reflects allowable deductions
3. defining excused and unexcused absences and extenuating circumstance that may require home/hospital instruction
4. setting reasonable preventions and consequences for student tardies
5. submitting each revision of the county attendance policy to the West Virginia Department of Education for approval
6. assuring that students may not be suspended solely for failure to attend class
7. reporting all school dropouts to the West Virginia Department of Education

C. Development of Processes and Procedures that include (6.1.3.):

1. a process to notify students and parents/guardians of the county attendance policy and their responsibility for regular school attendance
2. procedures and timelines for students with excused absences to make up school work
3. a requirement that a student maintain satisfactory attendance during one complete semester following the revocation of his/her driver's license
4. an attendance appeal process for students and parents

D. Maintenance of Records that includes (6.1.4.):

1. an up-to-date daily record of attendance for every student
2. written procedures for notifying parents about absences, monitoring absences, and notifying the county attendance director
3. records that can be used as a legal document that show students who are physically absent from school are marked as absent

E. Preventive and Corrective Measures that include (6.1.5.):

1. incentives to maintain and improve attendance and reduce tardies
2. procedures for securing parent/guardian involvement to improve student attendance
3. procedures for providing adequate counseling for problems related to attendance
4. procedures for interagency involvement
5. programs that encourage improved school attendance using positive approaches
6. assurances that students with a pattern of excessive absenteeism are referred to appropriate student assistance teams/programs for appropriate interventions that are reviewed to determine effectiveness

7. §126-81-7. School attendance as condition of licensing for privilege of operation of motor vehicle.

- A. The section on school attendance as condition of licensing for privilege of operation of motor vehicle is a new section that incorporates language from W.Va. State Code §18-8-11 into Policy 4110 to clarify the procedures for addressing attendance issues as they relate to a student's driver's license. (Sec. 7.1 - 7.5.)

Policy 4110 (Attendance Policy)
Report to the West Virginia Board of Education
June 6, 2002

During the comment period that ended on May 21, 2002, comments on Policy 4110 were received from 17 persons (some persons comments on more than one issue):

Teacher—2	State Board member--1
Attendance Director—5	County Superintendent--2
Principal—5	Central Office Director--2

The following chart shows the issues raised in the comments; the number of comments received; action taken as a result of the comment; the rationale for the action taken.

Action: N: No response NA: Not accepted A: Accepted

Issue	No. of Comments	Action Taken	Rationale for Action Taken
Withholding course credit for excessive absenteeism	5	NA	Such action contradicts Policy 2510 and State Superintendent's Interpretations
Request change in 6.1.3.b. to require counties to "develop procedures and reasonable timelines requiring students with absences to make up school work (policy on comment says "excused" absences	4	A	Students, regardless of the reason for the absence, should be encouraged to follow procedures and timelines to make up missed work. (The words "and unexcused" will follow the word "excused" in 6.1.3.b.
Request change in 5.3.2.b. from "five consecutive absences" to "five total absences" in order to allow earlier intervention with students	3	NA	The "five total absences" comes from W.Va. Code and would require a change in Code. Nothing in Policy 4110 prevents a county from implementing preventive measures or taking steps to intervene sooner than five days absence.
Requiring enrollment of	2	NA	Such action contradicts

students who do not have records			W.Va. Code (Linkinogger case) and recent No Child Left Behind legislation
Marking as absent a child who is on a school-sponsored trip or taking a college course	1	NA	Attendance records may be used as legal documents, and, as such, must reflect whether the student was physically present in the school facility
A few general comments reflected general misinterpretation of the policy with regard to: Absences due to Safe Schools violations; Absences of pre-school children; Use of WVEIS to set up absence reasons codes	4	N	WVDE has staff development planned to review these procedures and to clear up misinformation

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FILED

**TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION
SERIES 81
ATTENDANCE (4110)**

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

§126-81-1. General.

1.1. Scope. - These rules provide guidelines for the development of local county attendance policies.

1.2. Authority. - West Virginia Constitution, Article XII, §2, W.Va. Code §§18-2-5, 18-5-15, §18-8-1, 18-8-3, 18-8-4, and 18A-5-1.

1.3. Filing Date. - June 7, 2002.

1.4. Effective Date. - July 7, 2002.

1.5. Repeal of Former Rule. - This legislative rule repeals and replaces W.Va. 126CSR81 "County Attendance Policy" filed August 13, 1998 and effective September 12, 1998.

§126-81-2. Rationale.

2.1. West Virginia Board of Education recognizes that a direct relationship exists between students' daily school attendance and academic performance, graduation, and good work habits. This Attendance Policy promotes students' daily school attendance. Each county shall be required to develop and implement a county attendance policy in accordance with this policy. Daily attendance is necessary for students to meet their schools' academic program standards as each day's learning builds on the work previously completed. 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, and to provide an environment conducive to, and encouraging of, attendance.

§126-81-3. Policy Development.

3.1. Each county must provide for input from teachers, principals, attendance directors, parents, and community leaders when developing or revising the attendance policy. Counties are to conduct an annual attendance evaluation to determine the effectiveness of the policy. County policies will be reviewed by on-site review teams to ensure compliance with this policy.

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§126-81-4. Definitions.

4.1. Absence - Not being physically present in the school facility for any reason. Absences resulting from the suspension of a student due to provisions in §18A-5-1a (c) for which W. Va. Code provides that the pupil may be suspended shall be calculated in the school's/county's attendance rate. Under this section of W. Va. Code, a principal may suspend a student who has (1) threatened to injure, or in any manner injured, a pupil, teacher, administrator or other school personnel; (2) wilfully disobeyed a teacher; (3) possessed alcohol in an educational facility, on school grounds, a school bus or any school-sponsored function; (4) used profane language directed at a school employee or a pupil; (5) intentionally defaced any school property; (6) participated in any physical altercation with another person while under the authority of school personnel; (7) habitually violated school rules or policies.

4.2 Allowable deductions - Absences that result from school-approved curricular/co-curricular activities; failure of the bus to run/hazardous conditions; and absences resulting from the suspension of a student due to a "Safe Schools violation".

4.3. Attendance - For statistical purposes, attendance will be reported and aggregated to the nearest half day according to the definitions in 4.3.1. and 4.3.2.

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

4.3.2. Half-day attendance is being present at least .26 of the school day.

4.4. 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.

4.5. Dropout - A dropout is an individual who:

4.5.1. 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

4.5.2. 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

4.5.3. has not graduated from high school, obtained a GED diploma, or completed a state- or district-approved education program; and

4.5.4. does not meet any of the following exclusionary conditions:

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- 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.

4.6. 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.

4.7. Enrollment - A student is officially enrolled when one of the following conditions occur:

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

4.8. Enrollment Count - A status count that reports the number of students on the attendance register as required by the West Virginia Department of Education.

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

4.10. " Safe Schools violation" - a violation by a student of any of the provisions in §18A-5-1a for which W. Va. Code requires that a pupil shall be suspended. (i.e., possession of deadly weapons or controlled substances on the premises of an educational facility, or assault and battery committed by a student upon a teacher or other school personnel).

4.11. 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.

§126-81-5. Responsibility.

5.1. The West Virginia Board of Education has the responsibility to encourage daily attendance and mandate that county school systems adequately address student absences including tardies.

5.2. The West Virginia Department of Education has the responsibility of defining allowable deductions for purposes of state attendance reports and statistics. Absences resulting from these allowable deductions shall not be calculated in the school's/county's attendance rate.

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5.3. Each county board of education shall:

5.3.1. employ a certified county director of school attendance as required by W. Va. Code §18-8-3.

5.3.2. support and require the county attendance director to implement and execute the duties as defined in W. Va. Code §18-8-4:

a. The county 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 sixteenth birthday.

b. In the case of five consecutive or ten 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 ten 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.

c. 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.

d. The attendance director shall serve as the liaison for homeless children and youth as defined in W. Va. Code §18-8-4. As defined in H. R. 1 (No Child Left Behind), as the liaison for homeless children and youth, the attendance director is required to:

(1) ensure that public notice of the educational rights of students in homeless situations is disseminated where children and youth receive services.

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

(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.

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(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.

5.3.3. support and require the school principal to implement and execute the duties as defined in W.Va. Code §18-8-5:

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

b. The principal shall contact any parent, guardian, or custodian of the student and hold a meeting with such person and the student when the enrolled student has accumulated five unexcused absences from attendance.

c. 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.

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

§126-81-6. County Attendance Policy Components.

6.1. Each county's attendance policy shall address the following components:

6.1.1. Philosophy: A philosophy declaring the board's intent to increase attendance by:

a. creating a positive safe environment conducive to learning and committed to helping students develop responsibility, self-discipline, and other good work habits.

b. developing a system enlisting parental support for daily school attendance by students.

6.1.2. Principles of Operation: County school districts are responsible for:

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- a. appointing a designated school attendance coordinator (principal, or designee) who collects classroom attendance data and makes appropriate referrals to the county attendance director.
- b. reporting student attendance information which reflects the allowable deductions as defined by the West Virginia Department of Education.
- c. defining excused and unexcused absences in compliance with W. Va. Code §18-8-1 and §18-8-2 and attendance in Policy 2510, Assuring the Quality of Education: Regulations for Education Programs.
- d. defining extenuating circumstances for absences which may require home/hospital instruction.
- e. setting reasonable preventions and consequences for student tardies.
- f. submitting each revision of the county attendance policy to the West Virginia Department of Education for approval.
- g. assuring that 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.
- h. reporting all school dropouts to the West Virginia Department of Education.

6.1.3. Development of Processes and Procedures: County school districts are responsible for:

- a. developing a process to notify students and their parents/guardians of the county attendance policy and their responsibility and accountability for regular school attendance.
- b. developing procedures and reasonable timelines requiring students with excused and unexcused absences to make up school work.
- c. requiring a student maintain satisfactory attendance during one complete semester following the revocation of his/her driver's license. (Refer to Section 7.)
- d. developing an attendance appeal process for students and parents.

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6.1.4. Maintenance of Records: Accurate attendance records and related documentation shall be maintained for every student enrolled in public school.

a. An up-to-date daily register/record of attendance for every student must be maintained.

b. There must be written procedures for 1) notifying parents about absences, 2) monitoring absences, and 3) notifying the county attendance director.

c. Students who are physically absent from school must be documented as absent. This record may become a legal document.

6.1.5. Preventive and Corrective Measures: Designed to meet the developmental needs of students, preventive and corrective measures should include:

a. developing preventive and educative procedures including incentives to maintain and improve attendance and reduce tardies.

b. procedures for notification of parents/guardians of absences and procedures for securing parent/guardian involvement to improve student attendance.

c. procedures for providing adequate counseling for problems related to attendance.

d. procedures for interagency involvement.

e. alternative plans and programs that are positive in nature and encourage improved school attendance.

f. assurances 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, Performance Based Accreditation System) for appropriate intervention(s), and that these interventions have been reviewed to determine effectiveness.

§126-81-7. School attendance as condition of licensing for privilege of operation of motor vehicle.

7.1. Any student fifteen years of age, but less than eighteen years of age, who is properly enrolled in a West Virginia public school, or who is a West Virginia resident enrolled in an out-of-state school, or who is properly enrolled in an Exemption A, B, or K non public school may request from the attendance director or chief administrator of the appropriate school system documentation

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of enrollment/attendance status. This documentation must be provided on a form approved by the West Virginia Department of Education for presentation to the West Virginia Division of Motor Vehicles when making application for, or reinstatement of, an instruction permit or license to operate a motor vehicle.

7.2. In accordance with the provisions of W.Va. Code §17B-2-3 and §17B-2-5, the West Virginia Department of Motor Vehicles shall deny a license or instruction permit for the operation of a motor vehicle to any person under the age of eighteen who does not at the time of application present a diploma or other certificate of graduation issued to the person from a secondary high school of this state or any other state, or documentation that the person: (1) is enrolled and making satisfactory progress in a course leading to a general educational development certificate (GED) from a state approved institution or organization, or has obtained such certificate; (2) is enrolled in a secondary school of this state; (3) is a West Virginia resident enrolled in an out-of-state school; (4) is excused from such requirement due to circumstances beyond his or her control; or (5) is enrolled in an institution of higher education as a full-time student in this state or any other state.

7.3. No later than five days after following appropriate due process from the date of withdrawal, the attendance director or chief administrator of the school system shall notify the West Virginia Division of Motor Vehicles of the withdrawal from school of any student fifteen years of age, but less than eighteen years of age, except as provided in W.Va. Code §18-8-11 (d).

7.4. For the purposes of this section and pursuant to W.Va. Code §18-8-11, withdrawal shall be defined as more than ten consecutive, or fifteen days total, unexcused absences during a school year. For the purposes of this section and pursuant to W.Va. Code §18-8-11, suspension or expulsion from school, or imprisonment in a jail or penitentiary, is not a circumstance beyond the control of such person.

7.5. If a student's withdrawal from school is beyond the control of the student and such student is applying for a license, the attendance director or chief administrator of the school system shall provide the student with documentation to present to the West Virginia Division of Motor Vehicles to excuse the student from the provisions of W.Va. Code §18-8-11(d). The school district superintendent (or the appropriate school official of any private secondary school), with the assistance of the county attendance director or any other staff or school personnel, shall be the sole judge of whether such withdrawal is due to circumstances beyond the control of such person.

FISCAL NOTE WORKSHEET

(Submit 4 Copies)

NO _____ DRAFT NO _____ BILL NO _____ RESOLUTION NO _____

SUBJECT Attendance Policy FUND _____

SOURCE OF REVENUE: GENERAL FUND SPECIAL OTHER (SPECIFY) _____

BEST ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

BEST ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____


SHOW OVER-ALL EFFECT IN ITEMS 1 AND 2 & GIVE EXPLANATION OF BREAKDOWN BY FISCAL YEAR INCLUDING LONG-RANGE EFFECT

EFFECT OF PROPOSAL	ANNUAL		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
1. ESTIMATED TOTAL COST	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
PERSONAL SERVICES	\$	\$	\$	\$	\$
CURRENT EXPENSES					
REPAIRS/ALTERATIONS					
EQUIPMENT					
OTHER					
2. ESTIMATED TOTAL REVENUES	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-

3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

January 10, 2002
DATE

WV Dept. of Education
AGENCY



AUTHORIZED REPRESENTATIVE

**POLICY 4110: ATTENDANCE POLICY
COMMENT LOG**

April 21, 2002- May 21, 2002

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		
4/26/02	Damon Hanshaw English 12 Teacher Nicholas Co. High School	I have a problem concerning a female student in my English 12 class who has missed 40 days this term. After being gone for a period of 5 to 10 days, she will return with a doctor's excuse. Although I have given her makeup work in the past which she has failed to do, I am now being asked to give her makeup work for the entire term since I have no grades for her. I refused to do so and the county attendance director says that according to the law I am required to go back and give her the opportunity to make up everything that I have covered this year because she has doctor's excuses. If that is the law, it needs to be changed. I have no control over these doctors who freely pass out excuses to the kids who do not want to be in school but expect to graduate. The law should say if a student misses 15 days of school (excused or unexcused), he/she will fail to receive credit unless he/she is on homebound. Thank you.		
4/26/02	Norma Hilvers Principal Ellenboro Elem. School Ellenboro, WV	I have a concern now about preschool absences. Since they are not of compulsory school age, should they count against my attendance percent? Do they presently since they are entered on WVEIS? If so could there be something in the revised policy that they would not and could that be supported in the calculations made on WVEIS?		

Date	Individual/Organization	Comments	Action/Type	Rationale
5/8/02	Warren Grace, Jr. Principal Paden City High School	<p>\$126-81-1. General (cont.)</p> <p>I have been recently made aware of the major changes in Policy 4110 Attendance. There are many, many problems with this proposed policy. It is not reasonable to accept any person who arrives at your school door and immediately enroll them as a student. Our school, and most other schools, certainly have the responsibility to request and review records of the student. To accept anybody whenever they choose to show up could be a VERY serious mistake. The child might be a runaway or a fugitive from the criminal justice system. There are many other areas of this proposed policy that are equally dangerous and foolish. All school MUST be able to deny academic credit based on attendance. The local businesses and plants have consistently told us that we need to graduate students with a strong work ethic. What message is sent when students can obtain academic credit with unacceptable classroom attendance?? It is becoming extremely difficult to get students to attend class regularly. Many students don't have the traditional mother and father, as did generations past. Many high schools in our state are really struggling to meet current and future OEPA attendance requirements. PLEASE do not pass policies that hinder the efforts that schools are currently making to get students to school everyday. If the state board can't help in this very difficult area, let schools and county school systems handle the problem. Again, most secondary school principals are NOT aware of this proposed change of policy. Don't we deserve some input into the proposed change?? I have not touched on other areas of this proposed change in policy. If you can't help us, please don't make things worse. Approve or disapprove county attendance policies, as you are currently doing, on their own merits. Thank you very much for your consideration in this matter.</p>		

Date	Individual/Organization	Comments	Action/ Type	Rationale
5/16/02	Brenda Valentine Principal Kanawha City Elem. School	<p>§126-81-1. General (con't.)</p> <p>I realize at this time, as in the past, there is nothing in the policy to address tardiness which in most schools is a tremendous problem. Schools have few options for addressing this problem, especially in the elementary school. The morning sets the tone for the day and students are behind all day. Critical instruction is missed daily and even constant reminders during the week of testing do not make a difference. Children are still tardy and makeup testing is very difficult.</p> <p>Our school attendance team ponders this problem and would like some options. The principals also discuss the problem frequently.</p> <p>If you have any suggestions, we would sincerely appreciate your feedback.</p>		
5/20/02	Carol Roberts Teacher Long Drain School Weitzel County	<p>Although I realize the intent of federal policy is to insure that all school age children are enrolled in school, I feel that some safeguards should be in place to protect the students already in our schools. I feel that these students are not being appropriately protected by allowing students to enter who have not been properly immunized or who have been suspended from other school systems. By allowing suspended students to enter schools, we will be putting students in jeopardy. This will be especially true if a student has been suspended for violence. One responsibility that is being overlooked is protecting students who are already in our schools.</p> <p>I also feel that course credit should not be given to a student who does not attend class. Part of learning evolves from participation in class. Why bother requiring attendance if credit is going to be given to students who do not attend.</p>		

Date	Individual/Organization	Comments	Action/Type	Rationale
5/20/02	Carol Roberts Teacher Long Drain School Wetzel County	<p>\$126-81-1. General (con't.)</p> <p>Also, successful academic progress should be required before a student is allowed to regain a driver's license. Why should the GED requirement differ from the regular program requirements ?</p>		
5/21/02	Ruth Mooney & Principals Committee to review proposed Policy 4110 Mason County Schools	<p>The third comment the committee would like the State Board to address is the removing of the section dealing with the withholding of course credit due to excessive absences. The West Virginia Board of Education (through the Accreditation process) requires schools and counties to have a 93% attendance rate, regardless of whether or not student absences are due to valid or invalid (legal or illegal) reasons. The counties need a way to require students to maintain a 93% individual attendance rate. Mason County and many other counties were making ground in that area by withholding credit when students had excessive absences. Most counties who had withholding of credit in their policies also allowed students an opportunity to make up the lost instructional time. If students completed the make up time, then students did not receive an Incomplete (withholding of credit). It has been fair and student attendance improved in these counties. That section was 6.1.3.3 in the first draft of the proposed Policy 4110. Now, in the latest version of this attendance policy, that option was taken out. The reason given for taking out the "withholding of credit" section in this proposed Policy 4110 is that it is in conflict with Policy 2510. Mastery of Skills is the only requirement for receiving a credit, therefore attendance cannot play a part, as Policy 2510 reads now. The State Board should consider adding an attendance component to Policy 2510, section 5.35 Graduation Requirements and section 6.4.2., which describes mastery of content standards and objectives in a course to receive a credit.</p> <p>Now, another rule is proposed to require schools to have 75% of the student population in attendance in order for a day to be considered an "instructional day",</p>		

Date	Individual/Organization	Comments	Action/Type	Rationale
5/21/02	Ruth Mooney & Principals Committee to review proposed Policy 4110 Mason County Schools	<p>\$126-81-1. General (con't.)</p> <p>(Sections 5.39 and 7.2.12). This is another rule required to schools and counties, but no means I have a similar rule placed on students. If the State Board does not want to hold students accountable for excessive absences then one of two things should be considered: 1) Take the attendance rate out of the accreditation process and/or 2) Change the wording in State Code from "Compulsory School Attendance" to "Compulsory School Enrollment".</p>		
5/21/02	Bob Glass Attendance Director Hancock County Schools	<p>I have had an opportunity to review some of the changes to the State Attendance Policy (4110) and I have some real concerns.</p> <p>Item #5 concerning the withholding course credit. Our county (Hancock) just completed its first year with a policy that withheld credit for poor attendance. It has been most successful. Our attendance has improved dramatically. As a former classroom teacher for 26 years I know the importance of students being in their seats so that I may teach them. I have a saying that states: "teachers cannot teach empty desks." That is a constant battle cry when I conference with students and parents. I know that the perception may be that with this type of policy we are taking away the overall philosophy of education. I disagree. The one major improvement with our new policy besides improved attendance was IMPROVED COMMUNICATIONS WITH PARENTS. With an appeals process as part of the policy this allowed us to get involved with the families to improve attendance. To me this helped to legitimize what education is all about. You must be a participant. To be a participant you must attend. I remember reading a statistic that stated that 7 out of every 10 Americans who lose their job lose it because of lack of attendance on the job. What better way to instill a work ethic than to demand that students attend. I really feel that taking out that part of the policy greatly weakens what we can do to ensure students attend school. I know that positive reinforcement and positive approaches can be successful. And, at the elementary and middle school levels positive reinforcement</p>		

Date	Individual/Organization	Comments	Action/Type	Rationale
5/21/02	Bob Glass Attendance Director Hancock County Schools	<p>§126-81-1. General (con't.)</p> <p>activities are very successful. This is not as true at the high school level. I again would welcome state department members to look at what we do in this county to positively improve school attendance without any mention of loss of credit or promotion.</p> <p>Another point is the attachment of driver's license to attendance. Here we have a situation that has nothing to do with education and yet it's used as a deterrent.</p>		
5/3/02	Sandra Chapman President WV Board of Education	<p>§126-81-2. Rationale</p> <p>2.1 - add to the last sentence after the words "compulsory school attendance" the following: "...and to provide an environment conducive to, and encouraging of, attendance."</p>		
		<p>§126-14-3. Policy Development</p>		
		<p>§126-81-4. Definitions</p>		
4/30/02	Paula Potter Principal Hayes Jr. High School	<p>4.1 - I don't believe suspensions that follow the code of conduct should be figured into the expectation of 93% attendance rate. School attempt to follow code of conduct policies but are then penalized for attendance.</p>		
5/8/02	Ronald Blankenship Superintendent Calhoun County Schools	<p>4.2. - I am unable to support or understand an "allowable deduction" that includes <u>absences resulting from the suspension of a student due to a Safe Schools violation</u>. What message is that sending to students? Surely this does not mean this would be treated as an excused absence!?</p>		
5/15/02	Susanna Villers Attendance Director Wetzel County Schools	<p>4.2. - Allowable deductions are very reasonable.</p> <p>4.6. - Dropout Date- This definition does not permit attendance workers to pursue measures to try to keep a student from dropping out of school and to pursue the appropriate legal avenues. If a student is considered a dropout, they are not enrolled in our school and the</p>		

Date	Individual/Organization	Comments	Action/Type	Rationale
5/15/02	Susanna Villers Attendance Director Wetzel County Schools	<p>\$126-81-4. Definitions (con't.)</p> <p>legal authorities will not take any action against them or the parents to prevent a student from being a dropout.</p> <p>4.7.3 - How can a county uphold enrollment requirements in 5.4 without the parent? For example, the law requires that the parent sign the suspension and expulsion document upon enrolling a student. How would the county know who the guardian of the student is for emergency purposes?</p>		
5/21/02	Roy E. Ray Superintendent Jackson County Schools	<p>Students who are where they are supposed to be, should not be counted absent, because they are not physically present in the school facility. Educational opportunities external to the school building are an important part of the education of any child. The policy does not explain how allowable deductions will work. Is a child still absent if he/she is on a field trip? Will the absence recorded simply be reduced on the school attendance rate and will the absence remain on the student's records? This amounts to a tremendous amount of unnecessary work on teachers, principals and attendance directors. The amount of additional time and work required indicates that the fiscal note attached to the policy is misleading when it shows that no additional costs will be incurred. It looks as if attendance clerks will need to be hired to handle the additional work.</p> <p>Our teachers need to be instructional leaders not clerks. There are current methods in place that require less work and time to achieve the same results. Just because a few issues many become legal issues is not justification to require such tedious and unnecessary work and time. Surely we know whether a child was on a field trip or whether he/she was absent.</p>		
5/21/02	Blaine Hess Director of High Schools and Vocational Education Jackson County Schools	<p>In defining an absence in a manner in which school related activities must be counted as an absence, then recorded, an additional task is being added which doesn't improve on the current system. This time could</p>		

Date	Individual/Organization	Comments	Action/Type	Rationale
5/21/02	Blaine Hess Director of High Schools and Vocational Education Jackson County Schools	\$126-81-4. Definitions (con't.) be much better spent in calling the homes of students that are actually absent from school.		
5/21/02	Ruth Mooney & Principals Committee to review proposed Policy 4110 Mason County Schools	The first comment from the committee relates to: Definitions. 4.1. Absence, 4.2. Allowable deductions, and 4.10. "Safe Schools Violation". The committee would like these sections given more clarity. And under 4.2., specifics are needed in how to code the allowable deductions in the WVEIS computer program.		
5/21/02	Bryan Thompson Attendance Director Jackson County Schools	4.1 - The definition of an absence needs to exclude students who are in full compliance with their assigned schedule. Students assigned to college classes/and or field trips should only be reported absent if they did not attend the class or go on the field trip.		
5/8/02	Ronald Blankenship Superintendent Calhoun County Schools	\$126-81-5. Responsibility 5.3.2.b. - If we wait until a student has five consecutive or ten total unexcused absences..... before we serve written notice, it may be too late for many students! I feel we need to serve notice much earlier.		
4/29/02	Gary L. Cross Principal Ravenswood Grade School Ravenswood, WV 26164	5.3.2. b - Please remove <u>consecutive</u> ! It should read 5 absences without doctor's excuses. We have child miss 4 consecutive days return for 1 day, then miss 4 more days. Please make this tougher. We have <u>too many absences</u> . Chronic absences should result in mandatory services from the truancy diversion program. Right now these services are voluntary.		
4/30/02	Paul Potter Principal Hayes Jr. High School	5.3.3b - I believe is an unrealistic expectation for principals. Attendance directors could do this work. In a school where attendance is a problem meeting would have to take place on a minute by minute schedules. Little time for instructional leadership would be allowed.		

Date	Individual/Organization	Comments	Action/Type	Rationale
5/20/02	Larry Stinn Principal Pleasant Hill School Calhoun County	<p>§126-81-5. Responsibility (con't.)</p> <p>5.3.2 b. - is too lenient. Parents should be required to come fro a conference after 5 total absences, whether excused or unexcused. I think these earlier interventions would avoid a lot of absences.</p>		
5/21/02	Bryan Thompson Attendance Director Jackson County Schools	<p>5.3.2.d.... This section is not needed. The Director of Attendance under state law must assure all students of school age are properly enrolled.</p>		
5/15/02	Susanna Villers Wetzel County Schools	<p>§126-81-6. County Attendance Policy Components</p> <p>6.1.2.g - I am delighted that the law now dictates that students may not be suspended for skipping school. It is a great disappointment that the policy no longer includes "development procedures for setting acceptable absence limits for earning credit." It has been a great incentive for school attendance. Coupons and pizza parties are not effective incentives for students any more. I strongly encourage that this be included in the current policy.</p> <p>I did not see an effective date on the policy draft. It is too late for counties to write new policies and have them in effect by the beginning of the 2002-03 school year. Schools must have student handbooks sent to printers in June in order to have them back in time for school. It is also too confusing to change attendance policies within a school year. I would recommend that it take effect beginning with the 2003-04 school year.</p>		
5/21/02	Ruth Mooney & Principals Committee to review proposed Policy 4110 Mason County Schools	<p>The second comment is based on County Attendance Policy Component 6.1.5.f. It implies that all attendance issues must go through S.A.T. The principals stated that this is an impossibility. Teachers cannot be taken from their classrooms to have the number of S.A.T. meetings this would require. It was their understanding that the purpose of S.A.T. meetings is to address the needs of students at-risk of academic failure. Not all students who have absences are at-risk of academic failure. Nor are all students who are having academic programs, students who are truant. The committee would like the wording to reflect "may", to address</p>		

Date	Individual/Organization	Comments	Action/ Type	Rationale
		<p>§126-81-6. County Attendance Policy Components (con't.)</p>		
5/21/02	Ruth Mooney & Principals Committee to review proposed Policy 4110 Mason County Schools	those students who do meet both criteria and should be in the S.A.T. process.		
5/8/02	Hugh Johnson	6.1.3.b - Needs to be clarified. Does this mean that students who have unexcused absences are not allowed to make up school work. This is very important because grades are hanging in the balance.		
5/21/02	Bryan Thompson Attendance Director Jackson County Schools	6.1.3.b - Since this policy states excused absences then those with unexcused absences cannot make up school work. Students should be held accountable for making up all work.		
		<p>§126-81-7. School attendance as condition of licensing for privilege of operation of motor vehicle.</p>		
4/29/02	Gary L. Cross Principal Ravenswood Grade School Ravenswood, WV 26164	G R E A T !!!		
Page 10				

Shirley McGraw

From: Damon Hanshaw [dhanshaw@access.k12.wv.us]
Sent: Monday, May 06, 2002 6:56 AM
To: Shirley McGraw
Subject: Re: Attendance

The girl finally decided to withdraw from school, so I don't have a problem now. The major concern of mine is that doctor's excuses can be carried to the extreme. There needs to be a limit and the person is required to go homebound or withdraw.

Thank you for responding. Damon Hanshaw, English 12, Nicholas County High School, 30 Grizzly Road, Summersville, WV 26651

----- Original Message -----

From: Shirley McGraw
To: Damon Hanshaw
Sent: Friday, May 03, 2002 3:35 PM
Subject: RE: Attendance

Damon, please e-mail me your title and address and county. Thanks.

-----Original Message-----

From: Damon Hanshaw [mailto:dhanshaw@access.k12.wv.us]
Sent: Friday, April 26, 2002 9:33 AM
To: smcgraw@access.k12.wv.us
Subject: Attendance

I have a problem concern a female student in my English 12 class who has missed 40 days this term. After being gone for a period of 5 to 10 days, she will return with a doctor's excuse. Although I have given her makeup work in the past which she has failed to do, I am now being asked to give her makeup work for the entire term since I have no grades for her. I refused to do so and the county attendance director says that according to the law I am required to go back and give her the opportunity to make up everything that I have covered this year because she has doctor's excuses. If that is the law, it needs to be changed. I have no control over these doctors who freely pass out excuses to the kids who do not want to be in school but expect to graduate. The law should say if a student misses 15 days of school(excused or unexcused), he/she will fail to receive credit unless he/she is on homebound. Thank you. Damon Hanshaw

Shirley McGraw

From: Damon Hanshaw [dhanshaw@access.k12.wv.us]
Sent: Friday, April 26, 2002 9:33 AM
To: smcgraw@access.k12.wv.us
Subject: Attendance

*revised
4/29/02*

I have a problem concern a female student in my English 12 class who has missed 40 days this term. After being gone for a period of 5 to 10 days, she will return with a doctor's excuse. Although I have given her makeup work in the past which she has failed to do, I am now being asked to give her makeup work for the entire term since I have no grades for her. I refused to do so and the county attendance director says that according to the law I am required to go back and give her the opportunity to make up everything that I have covered this year because she has doctor's excuses. If that is the law, it needs to be changed. I have no control over these doctors who freely pass out excuses to the kids who do not want to be in school but expect to graduate. The law should say if a student misses 15 days of school(excused or unexcused), he/she will fail to receive credit unless he/she is on homebound. Thank you. Damon Hanshaw

4/29/02

4-26-02

Shirley McGraw

From: norma [nhilvers@access.k12.wv.us]
Sent: Sunday, January 12, 2003 6:24 AM
To: smcgraw@access.k12.wv.us
Subject: attendance policy

*responded
4/29/02*

dear Shirley

I have a concern now about preschool absences. since they are not of compulsory school age.should they count against by attendance percent? do they presently since they are entered on WWEIS? if so could there be something in the revised policy that they would not and could that be supported in the calculations made on WWEIS? thanks for your help.

N hilvers

Shirley McGraw

From: norma [nhilvers@access.k12.wv.us]
Sent: Wednesday, May 15, 2002 5:09 PM
To: Shirley McGraw
Subject: Re: attendance policy

Principal, Ellenboro Elementary Po Box 219 Ellenboro WV Ritchie County

-----Original Message-----

From: Shirley McGraw <smcgraw@access.k12.wv.us>
To: norma <nhilvers@access.k12.wv.us>
Date: Wednesday, May 15, 2002 9:26 AM
Subject: RE: attendance policy

Please e-mail your title, address and county to me ASAP.

-----Original Message-----

From: norma [mailto:nhilvers@access.k12.wv.us]
Sent: Sunday, January 12, 2003 6:24 AM
To: smcgraw@access.k12.wv.us
Subject: attendance policy

dear Shirley

I have a concern now about preschool absences. since they are not of compulsory school age.should they count against by attendance percent? do they presently since they are entered on WWEIS? if so could there be something in the revised policy that they would not and could that be supported in the calculations made on WWEIS? thanks for your help.

N hilvers

Shirley McGraw

From: Warren Grace [wgrace@access.k12.wv.us]
Sent: Wednesday, May 08, 2002 1:14 PM
To: smcgraw@access.k12.wv.us
Cc: wgrace@access.k12.wv.us
Subject: Major Changes to WV Policy 4110

Shirley, I have been recently made aware of the major changes in Policy 4110 Attendance. There are many, many problems with this proposed policy. It is not reasonable to accept any person who arrives at your school door and immediately enroll them as a student. Our school, and most other schools, certainly have the responsibility to request and review records of the student. To accept anybody whenever they choose to show up could be a VERY serious mistake. The child might be a runaway or a fugitive from the criminal justice system. There are many other areas of this proposed policy that are equally dangerous and foolish. All school MUST be able to deny academic credit based on attendance. The local businesses and plants have consistently told us that we need to graduate students with a strong work ethic. What message is sent when students can obtain academic credit with unacceptable classroom attendance?? It is becoming extremely difficult to get students to attend class regularly. Many students don't have the traditional mother and father, as did generations past. Many high schools in our state are really struggling to meet current and future OEPA attendance requirements. PLEASE do not pass policies that hinder the efforts that schools are currently making to get students to school everyday. If the state board can't help in this very difficult area, let schools and county school systems handle the problem. Again, most secondary school principals are NOT aware of this proposed change of policy. Don't we deserve some input into the proposed change?? I have not touched on other areas of this proposed change in policy. If you can't help us, please don't make things worse. Approve or disapprove county attendance policies, as you are currently doing, on their own merits. Thank you very much for your consideration in this matter. Warren Lee Grace, Jr. Principal, Paden City High School.

TO: Shirley M.

FROM: Karen H.

SUBJECT: Comment to be added to log for Policy 4110 (Attendance Policy)

DATE: May 3, 2002

Dr. Pam Cain gave me the following comment for Policy 4110 from Board President Sandra Chapman:

In Section 2.1 add to the last sentence after the words "compulsory school attendance" the following: "...and to provide an environment conducive to, and encouraging of, attendance."

Thanks!

Shirley McGraw

From: Paula Potter [ppotter@access.k12.wv.us]
Sent: Monday, May 06, 2002 8:08 AM
To: Shirley McGraw
Subject: Re: attendance polciy comments

Hayes - Kanawha County

----- Original Message -----

From: Shirley McGraw
To: Paula Potter
Sent: Friday, May 03, 2002 4:08 PM
Subject: RE: attendance polciy comments

Paula, I need name of your school and county. Thanks.

-----Original Message-----

From: Paula Potter [mailto:ppotter@access.k12.wv.us]
Sent: Tuesday, April 30, 2002 1:42 PM
To: smcgraw@access.k12.wv.us
Subject: attendance polciy comments

4.1 I don't believe suspensions that follow the code of conduct should be figured into the expectation of 93% attendance rate. School attempt to follow code of conduct policies but are then penalized for attendance

5.3.3b I believe is an unrealistic expectation for principals. Attendance directors could do this work. In a school where attendance is a problem meetings would have to take place on a minute by minute schedules. Little time for instructional leadership would be allowed.

Principal

Shirley McGraw

From: Paula Potter [ppotter@access.k12.wv.us]

Sent: Tuesday, April 30, 2002 1:42 PM

To: smcgraw@access.k12.wv.us

Subject: attendance polciy comments

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Principal

POLICY 4110: ATTENDANCE POLICY
COMMENT/SUGGESTIONS

Directions: Please use this form in commenting on proposed Policy 4110.

Individual/Organization: Gary L. Cross

Title: Principal

Street Address: Rt 2 Box 22A City/State Zip: Ravenwood, WV
26164

Comments/Suggestions

126-81-1. General

126-81-2. Rationale

126-81-3. Policy Development

126-81-4. Definitions

126-81-5. Responsibility

5.3.2 B Please remove consecutive! It should read 5 Absences without doctor's excuses. We have child miss 4 consecutive days return for 1 day, then miss 4 more days. Please make this tougher. We have too many absences. Chronic absences should result in mandatory services from the truancy diversion program. Right now these services are Voluntary.

Page Two - POLICY 4110: ATTENDANCE POLICY

126-81-6. County Attendance Policy Components

126-81-7. School attendance as condition of licensing for privilege of operation of motor vehicle.

Great!!!!

RETURN COMMENTS BY May 21, 2002 TO:

Shirley McGraw
Secretary
West Virginia Department of Education
Office of Student Services and Assessment
Building 6, Room B-722
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0330

Shirley McGraw

Attendance pol.

From: hugh johnson [rhjohnson50@hotmail.com]
Sent: Wednesday, May 08, 2002 9:26 AM
To: smcgraw@access.k12.wv.us
Subject: attendance policy 4110

6.1.3.b needs to be clarified. Does this mean that students who have unexcused absences are not allowed to make up school work. this is very important because grades are hanging in the balance.

Join the world's largest e-mail service with MSN Hotmail.
<http://www.hotmail.com>

Shirley McGraw

From: Ronald Blankenship [rrblank@access.k12.wv.us]
Sent: Wednesday, May 08, 2002 3:37 PM
To: smcgraw@access.k12.wv.us
Cc: Sterns, Bryan; Garza, Emilio; Graham, Sheri; Offutt, Mike; Propst, Roger ; Rentschler, Robert; Stinn, Larry; Simers, Burl; Frederick, Carlene; Berdine, Juanita; Cunningham, Ralph; Fitzwater, Rick
Subject: Policy 4110

West Virginia State Board of Education: Comments regarding WVSBE Policy 4110.
ATTENDANCE.

Section 4.2. I am unable to support or understand an "allowable deduction" that includes absences resulting from the suspension of a student due to a Safe Schools violation! What message is that sending to students? Surely this does not mean this would be treated as an excused absence!?

Section 5.3.2.b. If we wait until a student has five consecutive or ten total unexcused absences....before we serve written notice, it may be too late for many students! I feel we need to serve notice much earlier.

Ronald Blankenship
Superintendent
Calhoun County Schools
RR 1, Box 1E
Grantsville, WV 26147
Phone: (304) 354-7011 ext 14
Fax: (304) 354-7420
Email: rrblank@access.k12.wv.us

Shirley McGraw

From: Susanna Villers [svillers@access.k12.wv.us]
Sent: Wednesday, May 15, 2002 1:24 PM
To: smcgraw@access.k12.wv.us
Cc: sue villers
Subject: Attendance Policy Comments

4.2 Allowable deductions are very reasonable.

4.6 Dropout Date- This definition does not permit attendance workers to pursue measures to try to keep a student from dropping out of school and to pursue the appropriate legal avenues. If a student is considered a dropout, they are not enrolled in our school and the legal authorities will not take any action against them or the parents to prevent a student from being a dropout.

4.7.3 - How can a county upheld enrollment requirements in 5.4 without the parent? For example, the law requires that the parent sign the suspension and expulsion document upon enrolling a student. How would the county know who the guardian of the student is for emergency purposes?

6.1.2.g - I am delighted that the law now dictates that students may not be suspended for skipping school.

It is a great disappointment that the policy no longer includes "development procedures for setting acceptable absence limits for earning credit." It has been a great incentive for school attendance. Coupons and pizza parties are not effective incentives for students any more. I strongly encourage that this be included in the current policy.

I did not see an effective date on the policy draft. It is too late for counties to write new polices and have them in effect by the beginning of the 2002-03 school year. Schools must have student handbooks sent to printers in June in order to have them back in time for school. It is also too confusing to change attendance policies within a school year. I would recommend that it take effect beginning with the 2003-04 school year.

Thank you for the opportunity to submit comments.

Shirley McGraw

From: Bvalenti137@aol.com
Sent: Wednesday, May 15, 2002 6:31 PM
To: smcgraw@access.k12.wv.us
Subject: Attendance Policy/ Tardies

Dear Shirley,

I realize at this time, as in the past, there is nothing in the policy to address tardiness which in most schools is a tremendous problem. Schools have few options for addressing this problem, especially in the elementary school. The morning sets the tone for the day and students are behind all day. Critical instruction is missed daily and even constant reminders during the week of testing do not make a difference. Children are still tardy and makeup testing is very difficult.

Our school attendance team ponders this problem and would like some options. The principals also discuss the problem frequently.

If you have any suggestions, we would sincerely appreciate your feedback.

Sincerely,

Brenda Valentine, (Kanawha City Elementary Principal)

Shirley McGraw

From: Susanna Villers [svillers@access.k12.wv.us]
Sent: Thursday, May 16, 2002 3:51 PM
To: Shirley McGraw
Subject: Re: Attendance Policy Comments

Attendance Director - Wetzel County

----- Original Message -----

From: Shirley McGraw
To: Susanna Villers
Sent: Wednesday, May 15, 2002 2:10 PM
Subject: RE: Attendance Policy Comments

Sue, I need your title, position and county. Thanks.

-----Original Message-----

From: Susanna Villers [mailto:svillers@access.k12.wv.us]
Sent: Wednesday, May 15, 2002 1:24 PM
To: smcgraw@access.k12.wv.us
Cc: sue villers
Subject: Attendance Policy Comments

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Thank you for the opportunity to submit comments.

Shirley McGraw

From: Carol Roberts [croberts@ovnet.com]
Sent: Sunday, May 19, 2002 10:06 PM
To: smcgraw@access.k12.wv.us
Subject: WV Policy 4110

Although I realize the intent of federal policy is to insure that all school age children are enrolled in school, I feel that some safeguards should be in place to protect the students already in our schools. I feel that these students are not being appropriately protected by allowing students to enter who have not been properly immunized or who have been suspended from other school systems. By allowing suspended students to enter schools, we will be putting students in jeopardy. This will be especially true if a student has been suspended for violence. One responsibility that is being overlooked is protecting students who are already in our schools.

I also feel that course credit should not be given to a student who does not attend class. Part of learning evolves from participation in class. Why bother requiring attendance if credit is going to be given to students who do not attend.

Also, successful academic progress should be required before a student is allowed to regain a driver's license. Why should the GED requirement differ from the regular program requirements?

Shirley McGraw

From: Larry Stinn [lstinn@access.k12.wv.us]
Sent: Friday, May 17, 2002 10:40 AM
To: smcgraw@access.k12.wv.us
Subject: Comment on Proposed Policy 4110

5.3.2,b. is too lenient. Parents should be required to come for a conference after 5 total absences, whether excused or unexcused. I think these earlier interventions would avoid a lot of absences.

Larry Stinn
Principal, Pleasant Hill School
Calhoun County

Shirley McGraw

Attendance Not

From: Carol Roberts [croberts@ovnet.com]
Sent: Monday, May 20, 2002 10:43 PM
To: Shirley McGraw
Subject: RE: WV Policy 4110

Long Drain School
Wetzel County
Classroom Teacher - Grades 7-8

*already on Log
add*

-----Original Message-----

From: Shirley McGraw [mailto:smcgraw@access.k12.wv.us]
Sent: Monday, May 20, 2002 10:50 AM
To: Carol Roberts
Subject: RE: WV Policy 4110

Carol, I need your title, school and county. Thanks.

-----Original Message-----

From: Carol Roberts [mailto:croberts@ovnet.com]
Sent: Sunday, May 19, 2002 10:06 PM
To: smcgraw@access.k12.wv.us
Subject: WV Policy 4110

Although I realize the intent of federal policy is to insure that all school age children are enrolled in school, I feel that some safeguards should be in place to protect the students already in our schools. I feel that these students are not being appropriately protected by allowing students to enter who have not been properly immunized or who have been suspended from other school systems. By allowing suspended students to enter schools, we will be putting students in jeopardy. This will be especially true if a student has been suspended for violence. One responsibility that is being overlooked is protecting students who are already in our schools.

I also feel that course credit should not be given to a student who does not attend class. Part of learning evolves from participation in class. Why bother requiring attendance if credit is going to be given to students who do not attend.

Also, successful academic progress should be required before a student is allowed to regain a driver's license. Why should the GED requirement differ from the regular program requirements?

**POLICY 4110: ATTENDANCE POLICY
COMMENT/SUGGESTIONS**

Directions: Please use this form in commenting on proposed Policy 4110.

Individual/Organization: Jackson County Schools - Ronald E. Ray

Title: Superintendent

Street Address: #1 School Street **City/State Zip:** Ripley, WV 25271

Comments/Suggestions
126-81-1. General
126-81-2. Rationale
126-81-3. Policy Development
126-81-4. Definitions SEE ATTACHED.
126-81-5. Responsibility

Policy 4100: Attendance Policy Comments/Suggestions

126-81-4 - Definitions

Students who are where they are supposed to be, should not be counted absent, because they are not physically present in the school facility. Educational opportunities external to the school building are an important part of the education of any child. The policy does not explain how allowable deductions will work. Is a child still absent if he/she is on a field trip? Will the absence recorded simply be reduced on the school attendance rate and will the absence remain on the student's records? This amounts to a tremendous amount of unnecessary work on teachers, principals and attendance directors. The amount of additional time and work required indicates that the fiscal note attached to the policy is misleading when it shows that no additional costs will be incurred. It looks as if attendance clerks will need to be hired to handle the additional work.

Our teachers need to be instructional leaders not clerks. There are current methods in place that require less work and time to achieve the same results. Just because a few issues may become legal issues is not justification to require such tedious and unnecessary work and time. Surely we know whether a child was on a field trip or whether he/she was absent.

FAX TRANSMISSION



JACKSON COUNTY SCHOOLS
BOARD OF EDUCATION

P.O. BOX 770

RIPLEY, WEST VIRGINIA 25271

TELEPHONE: (304)372-7300

FAX: (304)372-7312

TO: WVDE

ATTENTION: Shirley McGraw

FAX NUMBER: 558-1613

SENT BY: Jackson Co.

COMMENTS: Ronald Ray

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**POLICY 4110: ATTENDANCE POLICY
COMMENT/SUGGESTIONS**

Directions: Please use this form in commenting on proposed Policy 4110.

Individual/Organization: Blaine Hess - Jackson County Schools

Title: Director of High Schools and Vocational Education

Street Address: Box 770 **City/State Zip:** Ripley, WV 25271

Comments/Suggestions
126-81-1. General
126-81-2. Rationale
126-81-3. Policy Development
126-81-4. Definitions <p>In defining an absence in a manner in which school related activities must be counted as an absence, then recoded, an additional task is being added which doesn't improve on the current system. This time could be much better spent in calling the homes of students that are actually absent from school.</p>
126-81-5. Responsibility

MASON COUNTY BOARD OF EDUCATION

307 8th STREET
POINT PLEASANT, WEST VIRGINIA 25550
PHONE: 304-675-4540

May 21, 2002

TO:

Shirley McGraw
WVDE
1900 Kanawha Blvd., East
Charleston, WV 25305

FROM:

Mason County Schools
Principals Committee to Review Proposed Policy 4110
Ruth Mooney, Chair
307 8th Street
Point Pleasant, WV 25550
(304) 675-4540

COMMITTEE COMMENTS:

The first comment from the committee relates to: Definitions. 4.1. Absence, 4.2 Allowable deductions, and 4.10."Safe Schools Violation". The committee would like these sections given more clarity. And under 4.2., specifics are needed in how to code the allowable deductions in the WVEIS computer program.

The second comment is based on County Attendance Policy Component 6.1.5.f. It implies that all attendance issues must go through S.A.T. The principals stated that this is an impossibility. Teachers cannot be taken from their classrooms to have the number of S.A.T. meetings this would require. It was their understanding that the purpose of S.A.T. meetings is to address the needs of students at-risk of academic failure. Not all students who have absences are at-risk of academic failure. Nor are all students who are having academic programs, students who are truant. The committee would like the wording to reflect "may", to address those students who do meet both criteria and should be in the S.A.T. process.

The third comment the committee would like the State Board to address is the removing of the section dealing with the withholding of course credit due to excessive absences.

The West Virginia Board of Education (through the Accreditation process) requires schools and counties to have a 93% attendance rate, regardless of whether or not student

absences are due to valid or invalid (legal or illegal) reasons. The counties need a way to require students to maintain a 93% individual attendance rate. Mason County and many other counties were making ground in that area by withholding credit when students had excessive absences. Most counties who had withholding of credit in their policies also allowed students an opportunity to make up the lost instructional time. If students completed the make up time, then students did not receive an Incomplete (withholding of credit). It has been fair and student attendance improved in these counties. That section was 6.1.3.3 in the first draft of the proposed Policy 4110. Now, in the latest version of this attendance policy, that option was taken out. The reason given for taking out the "withholding of credit" section in this proposed Policy 4110 is that it is in conflict with Policy 2510. Mastery of Skills is the only requirement for receiving a credit, therefore attendance cannot play a part, as Policy 2510 reads now. The State Board should consider adding an attendance component to Policy 2510, section 5.35 Graduation Requirements and section 6.4.2., which describes mastery of content standards and objectives in a course to receive a credit.

Now, another rule is proposed to require schools to have 75% of the student population in attendance in order for a day to be considered an "instructional day", (Sections 5.39 and 7.2.12). This is another rule required of schools and counties, but no means to have a similar rule placed on students. If the State Board does not want to hold students accountable for excessive absences then one of two things should be considered: 1) Take the attendance rate out of the accreditation process and/or 2) Change the wording in State Code from "Compulsory School Attendance" to "Compulsory School Enrollment".

Principals Committee to Review Proposed Attendance Policy 4110:

Joe Scites, Principal North Point Elementary School
Vicki Hall, Principal Roosevelt Elementary School
Sharon Numery, Principal Central Elementary School
Michael Lambert, Dean of Students Hannan High School
Rita Cooper, Principal Point Pleasant Middle School
Ruth Caplinger, Principal Mason County Career Center
Ruth Mooney, Attendance Director

FACSIMILE TRANSMITTAL

TO: Shirley M^cGraw
WVDE
FAX: (304) 558-1613

FROM: Ruth Mooney
Attendance Director
Mason County Schools
307 8th Street
Point Pleasant, WV 25550
DATE: 5-21-02
PHONE: 304 675-4540
FAX: 304 675-7226

Number of pages, including this cover sheet: 3

COMMENTS:

Comments on
Proposed 4110

CONFIDENTIAL

Shirley McGraw

From: Bob Glass [bglass@access.k12.wv.us]
Sent: Tuesday, May 21, 2002 3:21 PM
To: smcgraw@access.k12.wv.us
Subject: Attendance Policy

Shirley,

I have had an opportunity to review the some of the changes to the State Attendance Policy (4110) and I have some real concerns.

Item #5 concerning the withholding course credit. Our county (Hancock) just completed its first year with a policy that withheld credit for poor attendance. It has been most successful. Our attendance has improved dramatically. As a former classroom teacher for 26 years I know the importance of students being in their seats so that I may teach them. I have a saying that states: "teachers cannot teach empty desks." That is a constant battlecry when I conference with students and parents. I know that the preception may be that with this type of policy we are taking away the overall philosophy of education. I disagree. The one major improvement with our new policy besides improved attendance was IMPROVED COMMUNICATIONS WITH PARENTS. With an Appeals process as part of the policy this allowed us to get involved with the families to improve attendance. To me this helped to legitimize what education is all about. You must be a participant. To be a participant you must attend. I remember reading a statistic that stated that 7 out of every 10 Americans who lose their job lose it because of lack of attendance on the job. What better way to instill a work ethic than to demand that students attend. I really feel that taking out that part of the policy greatly weakens what we can do to ensure students attend school.

I know that positive reinforcement and positive approaches can be successful. And, at the elementary and middle school levels positive reinforcement activities are very successful. This is not as true at the high school level. I again would welcome State Department members to look at what we do in this county to positively improve school attendance without any mention of lose of credit or promotion.

Another point is the attachment of Driver's license to attendance. Here we have a situation that has nothing to do with education and yet its used as a deterrent. Yet, classroom attendance which has everything to do with education cannot be used as a deterrent.

Bob Glass
Attendance Director
Hancock County Schools

POLICY 4110: ATTENDANCE POLICY
COMMENT/SUGGESTIONS

Directions: Please use this form in commenting on proposed Policy 4110.

Individual/Organization: Bryan Thompson

Title: Director of Attendance / Jackson County Schools

Street Address: PO Box 770 City/State Zip: Ripley WV 25271

Comments/Suggestions
126-81-1. General
126-81-2. Rationale
126-81-3. Policy Development
126-81-4. Definitions ⁴¹¹ The definition of an absence needs to exclude students who are in full compliance with their assigned schedule. Students assigned to college classes and/or field trips should only be reported absent if they did not attend the class or go on the field trip.
126-81-5. Responsibility 5.3.2.d.... This section is not needed. The Director of attendance under state law must assure all students of school age are properly enrolled.