



FISCAL NOTE WORKSHEET

HD NO \_\_\_\_\_ DRAFT NO \_\_\_\_\_ BILL NO \_\_\_\_\_ RESOLUTION NO \_\_\_\_\_

SUBJECT County Attendance Policy 4110 FUND General

SOURCE OF REVENUE:  GENERAL  SPECIAL  OTHER (SPECIFY) \_\_\_\_\_

COST ESTIMATE BASED ON:  AN ORIGINAL ESTIMATE  BUDGET BILL  OTHER (SPECIFY) \_\_\_\_\_

INCOME ESTIMATE BASED ON:  AN ORIGINAL ESTIMATE  BUDGET BILL  OTHER (SPECIFY) \_\_\_\_\_

SHOW OVER-ALL EFFECT IN ITEMS 1 AND 2 AND ITEM 3 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	\$	\$	\$		
PERSONAL SERVICES	\$	\$			
CURRENT EXPENSES					
REPAIRS AND ALTERATIONS					
EQUIPMENT					
OTHER					
2. ESTIMATED TOTAL REVENUES	\$	\$	\$	\$	\$

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

No New Cost Included

IMPACTS  
FISCAL:

STATE  
STAFF:

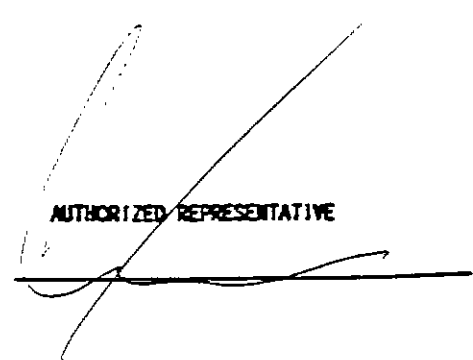
DATE

AGENCY

AUTHORIZED REPRESENTATIVE

9-9-94  
1074c/1

WV Department of Education



**EXECUTIVE SUMMARY  
WEST VIRGINIA BOARD OF EDUCATION**

POLICY NUMBER AND TITLE: Policy 4110  
County Attendance Policy

PUBLIC COMMENT PERIOD ENDS: October 20, 1994 ADOPTED: \_\_\_\_\_

**Purpose:**

In 1989 the West Virginia Board of Education adopted the County Attendance Policy 4110 to promote regular school attendance. Since that time circumstances have occurred which require Department of Health and Human Services and public school officials to cooperate in promoting student attendance and responsible behavior. Policy 4110 is being amended to require county school districts to include the adoption and implementation of the Truancy Diversion Plan developed by the Truancy Task Team.

**Background:**

The Truancy Task Team was chartered in April 1994 by Gretchen O. Lewis, Secretary, Department of Health and Human Resources and Dr. Henry Marockie, State Superintendent of Schools. The mission given to the Task Team was to develop a joint strategy to be used by educators and social services providers to address truancy problems in the schools of West Virginia. In order to meet this charge the Task Team met eight times between April 20 and July 15, 1994.

The problem of truancy has an impact on both education and social services. Teachers cannot teach if children do not attend school. Children not participating in or completing school often have problems which require social services, e.g., substance abuse, child abuse and neglect, delinquency, etc. Educators and social services providers need to work together to address the truancy problems.

Members of the Task Team were selected from the Department of Education, county boards of education, and the Department of Health and Human Resources (Office of Social Services) at the state and county levels to address the truancy issue. The team of eleven members and a facilitator included professionals with extensive knowledge and understanding of their respective areas of responsibility.

**Content:**

A truancy diversion program defines a process in which personnel of schools, the Department of Health and Human Resources, behavioral health agencies, and the courts can address the problem of truancy in the schools. The truancy diversion program may take the following forms: a joint conference with students, parents, and school support service team; referrals within the system; referrals within the community for services; by petition; and is basically designed for "first time offenders".

TITLE 126  
LEGISLATIVE INTERPRETIVE RULE  
WEST VIRGINIA BOARD OF EDUCATION  
CHAPTER 18  
SERIES 81  
POLICY 4110

Title: County Attendance Policy

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Section 1. General

- 1.1 Scope - These rules provide guidelines for the development of local county attendance policies.
- 1.2 Authority - West Virginia Code 18-8-1
- 1.3 Filing Date -
- 1.4 Effective Date -
- 1.5 Repeal of Former Rule - None. This is a revision of former rules filed in 1989.

Section 2. Rationale

~~The West Virginia Board of Education believes that regular attendance is a requirement for the delivery of formal education to the West Virginia public education students. The basic intent of this attendance policy is to promote school attendance and meet the individual needs of students to help them reach their potential. Since programs of study are planned and learning outcomes taught so that each day's work builds on work previously completed, all students are expected to attend school regularly and to be on time for classes. A direct relationship exist between good attendance and student performance, graduation and good work habits in the marketplace.~~

Section ~~3.~~ 2. Responsibility

- ~~3-1~~ 2.1 The State Board has the responsibility to encourage student attendance, motivate daily attendance, and specify components used by the respective counties to develop their attendance policies.
- ~~3-2~~ 2.2 Each county board of education has the responsibility to develop and implement an attendance policy which includes:

- a. appointment of a designated school attendance coordinator (principal, or designee) who collects classroom attendance data and makes appropriate referrals to the county attendance director.
- b. providing students and parents a copy of the policy.
- c. reporting all school dropouts each month to the Department of Education.
- d. the option to appoint a school based attendance committee.
- e. additional components determined by local needs.

Section 4- 3. Guidelines - Each county's attendance policy addresses the following components:

4.1 3.1 Philosophy: A philosophy declaring the board's intent to increase attendance.

- a. creating a positive climate conducive to learning and help students develop responsibility, self-discipline and good work habits.
- b. developing a system enlisting parental support for regular school attendance.

4.2 3.2 Principles of Operation:

- a. preventive and educative procedures including incentives to maintain and improve attendance should be identified using the following definition for excused and unexcused absences.

#### EXCUSED ABSENCES

1. Illness or injury of the student requiring physician's verification.
2. Medical and or dental appointment which cannot be scheduled outside the school day when the absence is verified in writing by the physician or dentist.
3. Illness of student verified by parents/guardian not to exceed three (3) consecutive or five (5) total days per semester. Verification by a physician will be required if absences exceed three (3) consecutive days.
4. Illness or injury in family when student absence verified as essential by physician.
5. Calamity, such as fire in the home, flood, or family emergency upon approval by the school principal.

6. Death in the family, limit three (3) days for each occurrence except in extraordinary circumstances. "Family" defined as mother, father, brother, sister, grandmother, grandfather, aunt, uncle, brother-in-law, sister-in-law, brother's children, sister's children, student's children), or any person living in the same household.
7. Leaves if educational value adhering to these stipulations:
  - prior approval of school administrator
  - prior submission and approval of educational plan detailing objectives and activities
  - leave not to exceed 10 days - verification of implementation of the education plan upon student's return
  - leave to extend more than 10 days requires county board approval.
8. School approved curricular or extra- curricular activities.
9. Legal obligation with verification.
10. Failure of bus to run or extremely hazardous conditions.
11. Observance of religious holidays.
12. Handicapped students' absences should be addressed in accordance with Policy 2419 Regulations for the Education of Exceptional Students, section 1.10 Home/Hospital Instruction.

#### UNEXCUSED ABSENCES

Any absence not meeting the above requirements shall be considered an unexcused absence.

(Parents have the right to appeal the application of this policy through the Appeals Procedure For Citizens (7211) available through the county board of education)

- b. within a given timeline students are responsible for all work missed during an absence. There may be no withholding of credit and/or grades unless the students after given opportunity to make up the work fails to do so.

- 4.3 3.3 Maintenance of Records: accurate attendance records and related documentation should be maintained in each school including:
- a. an up-to-date register/record of attendance for every student in every class.
  - b. procedures for 1) checking with parents about absences 2) checking recorded classroom absences, and 3) notification of county attendance director.

- 4.4 3.4 Corrective Measures: designed to meet the developmental needs of students should be included, such as:
- a. alternative plans and programs that are positive in nature and encourage improved school attendance.
  - b. procedures for notification of parents/guardians of absences and procedures for securing parent involvement for improvement.
  - c. procedures for providing adequate counseling for problems related to attendance.
  - d. procedures for ensuring appropriate academic placement.
  - e. procedures for ensuring that county social services and attendance workers comply with the regulations as outlined in the compulsory school attendance law, School Laws of West Virginia, 18-8-1 to 18-8-9.

~~Section 5.~~ 4. Policy Development Submission of Policy to the State Board of Education

4.1 Each county must seek the assistance of teachers, principals, attendance directors, parents and community leaders in developing the attendance policy.

4.2 Each county must adopt a truancy diversion plan which formalizes 3.4 corrective measures in this policy and submit the plan to the State Department of Education on or before February 28, 1995. The truancy diversion program shall include the following components:

- a. a provision for establishing a school based support team consisting of the county attendance director, teachers, counselors and administrators with the responsibility for identifying students with attendance problems, providing early intervention strategies and family involvement.
- b. provisions for addressing truancy problems with students, parents, and the school support team through joint conferences and/or home visits.
- c. provisions for making referrals within the school system for testing and evaluation, psychological services, health services, special placement, and/or tutoring.
- d. provisions for referring students and parents for services available within the community from the Department of Health and Human Resources, mental health facilities, family services, higher education centers, and private counseling.

- e. a provision for filing a petition with the local court system concerning a student when a pattern of truancy is first established.
- f. a provision for the county school system to work with court officials to develop a contract requiring a truant student to attend school and meet specified behavior and academic requirements.
- g. provisions for scheduling times when school staff, the attendance director, parent and/or guardian, and the appropriate court officials can meet with the student to review and monitor the student's compliance with the prescribed program.
- h. procedures for referring students who do not comply with the contract back to the court.

**RESPONSE FORM**  
**POLICY 4110: COUNTY ATTENDANCE POLICY**

Directions: Please use this form to comment on proposed revision of the County Attendance Policy 4110 Section 4.2.

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Individual/Organization: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

General Comments:

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Comments for Section 4.2

**RETURN BY OCTOBER 20, 1994 to:**

Marsha Carey, Coordinator  
West Virginia Department of Education  
Capitol Complex, Building 6, Room B-057  
1900 Kanawha Boulevard, East  
Charleston, WV 25305-0330

**Impact:**

The county school districts will adopt and implement a truancy diversion plan for addressing truancy problems based on realistic expectations. The plan will decrease truancy and promote school attendance and academic performance by meeting the individual needs of students.

Policy Statement: County Attendance Policy 4110

The West Virginia Board of Education believes that regular attendance is a requirement for the delivery of formal education to the West Virginia public education students. A direct relationship exists between good attendance, student performance, graduation and good work habits in the market place. To foster student attendance and high academic achievement, each county school district must provide an early intervention plan and include family involvement.

WEST VIRGINIA DEPARTMENT OF EDUCATION

Dr. Henry R. Marockie, State Superintendent of Schools  
Building 6/1900 Kanawha Blvd. E./Charleston, West Virginia 25305-0330

Phone: 304-558-2681  
Fax: 304-558-0048



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November 17, 1994

Honorable Ken Hechler  
Secretary of State  
State of West Virginia  
Building 1, Suite 157-K  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305

Attention: Administrative Law Division

Dear Mr. Hechler:

On September 15, 1994, the West Virginia Board of Education filed a "Notice Of A Comment Period On A Proposed Rule", said proposed rule being Title No. 126, Series No. 81 (Policy 4110) entitled "County Attendance Policy". Enclosed herewith is a copy of the notice.

Please be advised that at its official meeting on November 11, 1994, the West Virginia Board of Education voted to withdraw said proposed rule. This letter will serve as notice of withdrawal, and, accordingly we ask that this notice be filed in the state register.

Thank you for your assistance.

Sincerely,

Victor A. Barone  
Director, Legal Services

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

NOV 21 10 26 AM '94

FILED

VAB/vh  
01a/lS93  
Enclosure