

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
**KEN HECHLER**  
**ADMINISTRATIVE LAW DIVISION**

Form #2

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FILED  
1989 FEB -8 PM 3:55  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE**

AGENCY: West Virginia Board of Education TITLE NUMBER: 126

RULE TYPE: Legislative; CITE AUTHORITY 18-8-1

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 81 (4110.10)

TITLE OF RULE BEING PROPOSED: County Attendance Policy (4110.10)

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON March 10, 1989 AT 9:00 a.m.

ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

West Virginia Department of Education

Bldg. #6, Room B-318

Capitol Complex, Chas., WV 25305

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

*Barbara L. Estep*

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

FILED

TITLE 126  
LEGISLATIVE INTERPRETIVE RULE FEB -8 PM 3:55  
WEST VIRGINIA BOARD OF EDUCATION  
CHAPTER 18  
SERIES 4110-10 \$1 OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

Title: County Attendance Policy 4110.10

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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 -

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 exists between good attendance and student performance, graduation and good work habits in the marketplace.

Section 3. Responsibility

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.

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

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.
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 child(ren), or any person living in the same household.
7. Leaves of 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.)

- c. 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 student after given an opportunity to make up the work fails to do so.
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. 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.

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Leg. Rule, Chapter 18  
Series 4110.10, Sec. 4

- 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. Submission of Policy to the State Board of Education

1. Each county must seek the assistance of teachers, principals, attendance directors, parents and community leaders in developing the attendance policy.
2. Policies are to be submitted to the State Department of Education on or before June 30, 1987.



WVDE

West Virginia Department of Education

Capitol Complex, Charleston 25305

John Pisapia, State Superintendent of Schools

MEMORANDUM

**TO:** Persons Addressed  
**FROM:** John Pisapia  
State Superintendent of Schools  
**RE:** Amendment to County Attendance Policy 4110.10  
**DATE:** January 25, 1989

At its January 1989 meeting the West Virginia Board of Education approved the amendment to the County Attendance Policy 4110.10. This amendment provides a definition of excused/unexcused absences.

Please incorporate this definition in your policy.

JP/pac/1556m

West Virginia's Tomorrow is Education Today!