

<p>PRESTON COUNTY BOARD OF EDUCATION</p> <p>FILE: 11 - STUDENTS</p> <p>File: 11-12 Student Attendance</p>	<p>Last Reviewed: 8-9-10</p> <p>Next Review: 7-1-12</p>
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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. To that end, the Preston County Board of Education promulgates the procedures and regulations that are contained in the following pages. (WVC §18-2-5, §18-8-1, §18-8-4, §18-8-6, SBP 4110)

R 11-12-1 Philosophy

The Preston County Board of Education recognizes that a direct relationship exists between students' daily school attendance and academic performance, graduation, and good work habits. Daily attendance is necessary for students to meet their schools' academic program standards as each day's learning builds on the work previously completed. The Board also realizes that absenteeism often leads to higher delinquency, a higher dropout rate and unproductive adults with few or no marketable skills. Absenteeism can touch the total community spreading from the schools into industry, business and government.

Realizing the importance of good attendance, the Preston County Board of Education will enlist the help of many segments of society responsible for promoting good school attendance. This will include school personnel, parents, and community organizations such as Mental Health, Department of Human Services, Health Department and local law enforcement officials.

The Board will further endeavor to promote good attendance by creating a positive, safe learning environment that is committed to helping students develop responsibility, self-discipline and good work habits. The instructional program will be designed to offer instructional opportunities designed to meet student needs, to satisfy high school graduation requirements, to identifying potential dropouts and to develop preventative programs, and to provide programs of instruction for dropouts to continue their education.

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R 11-12-2 Policy Development

It shall be the practice of the Preston County Board of Education to seek input from teachers, principals, the Attendance Coordinator, parents, and community leaders when developing or revising a county attendance policy. A part of that process will be an annual attendance evaluation to determine the effectiveness of the policy. Each revision of the county attendance policy will be submitted to the WVDE for approval.

Students and their parents/guardians shall be made aware of the county attendance policy and their responsibilities and accountability for regular school attendance through student/parent handbooks, newsletters, the news media, internet websites and other appropriate means of communication.

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R 11-12-3 Definitions

- ❖ **Absence:** Not being physically present in the school facility for any reason.
- ❖ **Allowable deductions:** Absences that result from school-approved curricular/co-curricular activities; failure of the bus to run/hazardous conditions; excused student absences; students not in attendance due to disciplinary measures; and absent students for whom the Attendance Coordinator has pursued judicial remedies to compel attendance (filed a criminal complaint or juvenile petition) due to provisions in WVC §18-8-4.
- ❖ **Attendance:** For statistical purposes, attendance will be reported and aggregated to the nearest half day according to the following definitions:
 - Full-day attendance is being present at least .74 of the school day.
 - Half-day attendance is being present at least .50 of the school day.
- ❖ **Attendance Rate:** The number of days present divided by the number of days of membership, multiplied by 100, equals attendance rate for students on the attendance registers in classes K-12.
- ❖ **Awaiting Foster Care Placement** - Any child or youth who: 1) is in the custody of the West Virginia Department of Health and Human Resources, 2) has been placed in out-of-home care, and 3) is not in a permanent placement. This includes, but is not limited to, children and youth in family foster care, kinship care, and emergency shelter care or in group home care.
- ❖ **Dropout:** A dropout is an individual who:
 - 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
 - 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
 - Has not graduated from high school, obtained a GED diploma, or completed a state or district-approved education program; and
 - Does not meet any of the following exclusionary conditions:
 - Transfer to another public school district, private school, registered home school, or state or district-approved education program; or
 - Temporary school-recognized absence due to suspension or illness; or
 - Death.
- ❖ **Dropout Date:** For students 17 or older, the dropout date is defined as the school day after the student's last day of attendance.
- ❖ **Enrollment:** A student is officially enrolled when one of the following conditions occurs:
 - Student was enrolled the previous year;
 - Student appears at school to enroll with or without a parent/guardian; or
 - Student and/or parent/guardian appear at school to enroll with or without records.

- ❖ **Enrollment Count:** A status count that reports the number of students on the attendance register as required by the West Virginia Department of Education.
- ❖ **Excused Student Absences** - Absences that result from school-approved curricular/co-curricular activities; failure of the bus to run because of hazardous conditions, and other county Board approved excused absences.
 - “Documented chronic medical condition” means any physical or mental condition that may require multiple or regular absences. This condition must be documented annually with a valid physician’s note that explains the condition and anticipated impact on attendance. The necessity for the absences must be approved and reviewed quarterly by the SAT, IEP or 504 team (See §5.3.3.d). Such absence(s) shall be considered an allowable deduction for purposes of §126-81-5.2 of this policy.
 - “Documented disability” means any mental or physical impairment that substantially limits one or more major life activities and is documented annually with a valid physician’s note that explains the disability and anticipated impact on attendance. The necessity for the absences must be approved and reviewed quarterly by the SAT, IEP, or 504 team (See §5.3.3.d). Such absence(s) shall be considered an allowable deduction for purposes of §126-81-5.2 of this policy.
- ❖ **Homeless Children and Youths** - as defined in Subtitle B of Title VII of McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) means individuals who lack a fixed, regular, and adequate nighttime residence and includes:
 - Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
 - Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
 - Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - Migratory children who qualify as homeless because the children or youth are living in circumstances as described in the above descriptions.
- ❖ **Membership Days:** The days present plus the days absent.
- ❖ **School of Origin** - As defined in Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) is the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.
- ❖ **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.
(SBP 4110)

R 11-12-4 County Coordinator of Attendance Responsibilities

The County Coordinator of Attendance and his/her assistants shall diligently promote regular school attendance by performing the following tasks:

- ❖ The County Coordinator of Attendance, in the performance of his or her duties, has authority to take without warrant any student absent from school in violation of the provisions of the code and to place such student in the school in which such student s/he is or should be enrolled.
- ❖ S/he shall ascertain reasons for absences from school of students of compulsory school age and students who remain enrolled beyond the compulsory school age birthday.
- ❖ In the case of five total unexcused absences of a student during a school year, the Coordinator of Attendance or his/her assistant shall serve written notice to the parent, guardian, or custodian of such student that the attendance of such student at school is required and that within ten days of receipt of the notice the parent, guardian, or custodian, accompanied by the student, shall report in person to the school the student 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 student.
- ❖ If the parent, guardian, or custodian does not comply, then the Coordinator of Attendance or assistant shall make complaint against the parent, guardian, or custodian before a magistrate of the county.
- ❖ More than one parent, guardian, or custodian may be charged in a complaint.
- ❖ The initial service of a summons or warrant issued pursuant to the provisions of WVC §18-8-4 shall be attempted within 10 calendar days of receipt of the summons or warrant and subsequent attempts at service shall continue until the summons or warrant is executed or until the end of the school term during which the complaint is made, whichever is later.
- ❖ The Coordinator is responsible for reporting all school dropouts each month to the WV Department of Education and to the WV Department of Motor Vehicles, when applicable.
- ❖ The Coordinator is responsible to make a monthly attendance report to the Superintendent of Schools and the Board showing the activities of the school attendance office and the status of attendance in the county at the time due to provisions in WVC §18-8-4.
- ❖ The Coordinator shall provide each school principal with a current copy of the state regulations as outlined in the compulsory attendance law and driver's license revocation law.
- ❖ Serve on the county's Dropout Prevention Committee comprised of principals, teacher/counselors, parents and community leaders.
- ❖ Develop a countywide good attendance recognition program.
- ❖ The Coordinator shall serve as the liaison for homeless children and youth as defined in WVC §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:
 - Ensure that public notice of the educational rights of students in homeless situations is disseminated where children and youth receive services.

- 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.
 - Ensure that parents or guardians are informed of, and assisted in accessing, all transportation services for their children, including to the school of origin.
 - 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.
 - 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.
 - Ensure that homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies.
 - Ensure that homeless children and youths enroll in, and have a full and equal opportunity to succeed in, the schools of Preston County.
 - Ensure that homeless families, children, and youths receive educational services for which such families, children, and youths are eligible, including Head Start and Even Start programs and preschool programs administered by Preston County Schools and referrals to health care services, dental services, mental health services, and other appropriate services.
 - Ensure that enrollment disputes are mediated as outlined in Paragraph (3)(E) of Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).
- ❖ Support and require the school principal to implement and execute the duties as defined in WVC §18-8-5.

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R 11-12-5 Principal Responsibilities

The principal shall be the local school attendance coordinator and as such s/he shall:

- ❖ Take an active role in the promoting of school attendance;
- ❖ Make the final determination concerning the classification of an absence, within the limits of state code and county policy;
- ❖ Keep details of truancy cases in the Principal's Attendance Log (WVEIS);
- ❖ The principal shall compare school numbers with school enrollment monthly and report any discrepancies to the Coordinator of Attendance;

- ❖ It shall be the duty of the principal, administrative head, or other chief administrator of each school to make prompt reports to the Coordinator of Attendance, or proper assistant, of all cases of unexcused absences arising within the school which require the services of an attendance worker
- ❖ Contrast excused and unexcused absences and articulates such to parents, teachers, and students;
- ❖ Collect and maintains attendance records including daily attendance records;
- ❖ Review student data and determine potential truancy problems;
- ❖ Will notify the parent after three unexcused absences;
- ❖ The principal or a designated assistant 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 three unexcused absences from attendance;
- ❖ Provide a copy of the County Attendance Policy to each student at the beginning of each school year, or includes policy sections which apply to students in the Student Handbook;
- ❖ Provide information periodically to all parents via newsletters or memos regarding attendance policy and the procedure for reporting absences;
- ❖ Make prompt reports to the Coordinator of Attendance, or proper assistant, of all cases of students residing in the attendance area who appear to be of school age but do not appear to be attending a private school, are not enrolled in the local school and have not been approved for home instruction
- ❖ A student whose educational services are guided by an existing SAT plan, IEP or 504 Plan may warrant special consideration when a pattern of multiple single or chronic absences exist. The child's current status should be reviewed by the SAT, IEP, or 504 Team as deemed appropriate and in accordance with state and federal laws.
- ❖ Conduct an annual attendance evaluation to determine the effectiveness of this policy.
- ❖ Perform other duties as may be required.
(WVC §18-8-3, §18-8-4 and §18-8-5)

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R 11-12-6 Teacher Responsibilities

- ❖ Encourage student attendance
 - Shows genuine concern for individual students;
 - Discuss absenteeism with students to determine if there is a problem of which the school is unaware;
 - Notify students of excessive absences when information is given to him/her by the principal;
- ❖ Keep a classroom record of tardy and absent students from each class during the day and report those absences immediately to the office.

- ❖ Demonstrate a willingness to serve on the Dropout Prevention Committee.
- ❖ Share ideas to incorporate in a school-level Dropout Prevention Plan.
- ❖ Develop positive public relations with parents.

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R 11-12-7 Parent or Guardian Responsibilities

- ❖ Each parent, guardian, or custodian shall have the responsibility of fully cooperating in and completing the enrollment process by providing: immunization documentation (WVC §16-3-4), copy of a certified birth certificate or affidavit (WVC §18-2-5c), signed suspension and expulsion document (WVC §18-5-15), and any other documents required by federal, state, and/or local policies or code.
- ❖ Encourage his/her children to attend school.
- ❖ Know the difference between an excused and an unexcused absence.
- ❖ Support his/her children in excused absences only.
- ❖ Write notes to school explaining each absence within five days of student's return to school. (WVC §18-8-2 and §18-8-7)

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R 11-12-8 Student Responsibilities

- ❖ Know the difference between an excused and an unexcused absence.
- ❖ Upon his/her return from an absence the student shall promptly submit to the designated personnel in the school office a note from home explaining the absence.
- ❖ Avoid putting parents into legal difficulty by willfully not attending school.
- ❖ Accept the responsibility for the results of his/her own truant behavior, such as driver's license revocation and warrants served on parent or self, if eighteen years of age. (SBP 4373)

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R 11-12-9 Absences

Enrolled students may be lawfully absent from school for the causes or conditions listed below. Each cause or condition shall be subject to confirmation by the Coordinator of Attendance.

❖ Excused Absences

- 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;

- Illness of the student verified by parent/guardian not to exceed three consecutive or five total days per semester. Verification by a physician will be required if absences exceed three consecutive days. In the event of a major outbreak of a particular illness, such as the flu, occurs within the school population, the Superintendent may exercise his/her emergency powers and issue a county-wide waiver of the required physician's verification of absences extending beyond three days.
- Illness or injury in the family when student absence verified as essential by a physician;
- Illness of the infant child of an enrolled student who is the child's primary caretaker, not to exceed five days per semester. Verification must be from physician, student's parent/guardian, or student 18 years of age or older.
- Calamity, such as fire in the home, flood, or family emergency upon approval by the school principal;
- Death in the family, limit three days for each occurrence except in extraordinary circumstances. "Family" is defined as mother, father, brother, sister, grandmother, grandfather, aunt, uncle, brother-in-law, brother's children, sister-in-law, sister's children, student's children, or any person living in the same household;
- Leaves of educational value. (Example: family educational trips, 4-H educational activities, serving as a Page, etc.) Parent must fill out county forms and the leave must adhere to the following stipulations: Obtain prior approval of school administrator;
 - The parent must submit an obtain prior approval of the educational plan detailing objectives and activities;
 - The leave may not exceed five days, and there must be verification of implementation of the education plan upon the student's return;
 - A leave that extends more than five days requires County Board of Education approval.
- School approved extracurricular activities;
- Legal obligation with verification;
- Failure of bus to run or extremely hazardous conditions;
- Observance of religious holidays;
- Handicapped students' absences should be addressed in accordance with SBP 2419, Regulations for the Education of Students with Exceptionalities.

❖ **Unexcused Absences**

Any absence not meeting the above requirements shall be considered an unexcused absence, including out-of-school suspensions. Parents have the right to appeal the application of this policy.

❖ **Other Out-of-Class School Related Activities**

A student absent who attends class field trips, math field day and other approved curricular activities and approved extracurricular school sponsored activities (i.e., leave early or for full day for an FFA conference, sporting event, etc., as a participant, not as a spectator) will be reported absent; however, the absence will not count against the school or student's ADA.

❖ **Unexcused Tardiness/Unexcused Leaving School Grounds**

Leaving school grounds anytime throughout the day will be reported to the office as excused or unexcused. Each school will determine and post times of the day according to what time constitutes a full day (.74) or one-half day (.50) present. A student is tardy when s/he arrives at school or class after the time designated as the beginning of instruction.

At the beginning of each school year and throughout the school term, each principal will communicate to the parents the importance of the students arriving at school on a punctual basis. Each teacher will periodically explain to the students and parents, when possible the inconvenience and disruption that a late student causes. This disruptive factor will also be explained in each student's school handbook. The principal or designee will notify the parent/student in writing when a student has been tardy to school six times. Excessive tardiness that cannot be remedied at the school level shall be referred to the Coordinator of Attendance.

As deterrents to tardiness, the schools may use, but are not limited to, after school detention, behavior improvement programs, loss of certain privileges, etc. Excessive tardiness will be addressed through each school's discipline policy-

❖ **Makeup Work for Excused and Unexcused Absences**

- Students who are not in attendance for regular classroom instruction for any reason shall be provided the opportunity to make up any missed class work.
- Elementary students will be assigned make-up work upon their return to school.
- Any student in grades 6-12 shall be responsible for obtaining a contract or approved alternative for make-up work from the Principal or designee and to present said contract or approved alternative to each teacher for make-up assignments.
- The student shall be allowed the number of days absent plus one day to complete the make-up work. Teachers may grant an extension to a student if the request is based upon justifiable reasons; however, failure to complete the work assigned by the teacher will result in the student receiving a zero as the grade for the make-up work in that class.
- Depending upon the circumstances, students may be expected to report to class early or to stay late to make up exams and other missed assignments. If a student has missed a test announced in advance or work assigned prior to his/her absence, the test or work will be made up or turned in on the day that the student returns to class.
- Students who have been absent for an extended period of time may receive an incomplete on their report card until the make-up work timeline, which shall be the number of days absent plus one, has expired. The incomplete shall then be changed to the grade earned.

❖ **Procedural Steps in Dealing With Unexcused Absences:**

- After three unexcused absences, the principal or the principal's designee (i.e., secretary, home-room teacher, etc.) may telephone the parent to check on suspected absences, particularly if it appears a pattern of unnecessary absences is beginning to develop. If the parent has no phone or there is no answer, above person should send a written communication or make a home visit.

- When contact with the parent has been attempted by phone call, note or home visit and the student has accumulated five unexcused absences, then the school will notify the parent by mail that a conference with the parent, principal or a designated assistant principal and other appropriate members of the school staff is required.
 - The principal or a designated assistant principal shall hold the conference with the parents and appropriate school personnel to develop an Attendance Plan of Action. The Coordinator of Attendance may attend the meeting as appropriate and he/she shall be included when possible and appropriate.
 - If the parent does not come for the conference or the APA does not improve attendance, the school will make an official referral to the Coordinator of Attendance.
 - When the student has accumulated five unexcused absences, the Coordinator of Attendance will initiate Form CA-2, West Virginia "Notice of Unexcused Absence from School", certified mail, return receipt requested.
 - The Coordinator of Attendance shall hold a parent conference as mandated by CA-2 and include the student. The principal may also attend. The group shall make an Attendance Plan of Action or revise the current APA.
 - If the parent refuses to pick up the registered letter at the post office, or if the parent does not come to the parent conference, the Coordinator of Attendance shall make one more attempt to meet with parent (i.e., phone, letter, home visit).
 - If APA does not improve attendance, the Coordinator will take a further legal step, which may include the filing of a complaint in magistrate or circuit court. This may require a court appearance for the Coordinator of Attendance, principal and possibly other members of the faculty.
- ❖ A student may not be suspended solely for failure to attend class.
(WVC §18-8-4; §18-8-5 and SBP 4110)

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R 11-12-10 Dropout Prevention

The Preston County Board of Education believes that a high school diploma signifies minimum preparation for life and that the experiences and educational programs offered in the schools are essential for all students. Consequently, those students who withdraw prior to high school graduation may not have gained the essential knowledge for a productive life and may have limited their success in employment.

Early identification of students who are potential drop outs is essential. These students may exhibit social and behavior maladjustments, absenteeism and suspensions may occur frequently, s/he may exhibit a significant change in academic achievement and s/he may express disinterest in school. Personnel who observe such behaviors should follow a referral process that includes, but is not limited to the following;

- ❖ Referrals may be made to the guidance counselors (or principals in schools without counselors); and/or
- ❖ To the SAT (School Assistance Team) for discussion and intervention.

All actual drop outs should be referred immediately to the Coordinator of Attendance. (Use Social Services Referral Form). Upon receipt of the referral form, the Coordinator of Attendance shall make a home visit when appropriate. When it has been determined that the student is an actual drop out, a student/parent/school conference should be scheduled in order that an appropriate alternative program may be considered.

Attendance shall be supported and encouraged for all students so that they may complete the entire educational program that leads to high school graduation. Toward this end, dropout prevention shall be considered a vital component of the overall education program. The following programs and procedures shall be considered for students identified as potential dropouts, or those who may formally withdraw from school.

Corrective and preventative measures include:

- ❖ The County will develop and provide alternative programs to encourage the improvement of school attendance, such as:
 - Alternative Educational Programs;
 - Preston County Technical and Career Center;
 - Early Childhood Education Program;
 - Co-op program;
 - Career education classes;
 - Other alternatives, which may come from the school or County committees.
 - School Guidance Counselor and SAT referral.
- ❖ Attendance Plan of Action:
 - Developed by school personnel, parent and often the student.
 - Contains student-parent data and attendance information.
 - States problems, goals and strategies to reach goals.
 - Dated, signed and agreed upon by all parties involved.
- ❖ School dropout prevention committee: Each school has a committee, appointed by the principal, to develop a plan which would include:
 - Preventative procedures to maintain attendance and avoid truants/dropouts;
 - Incentives to improve attendance (examples: rewards for home-room with the best monthly attendance, perfect attendance, certificates, etc.)
 - Other innovative ideas that best meet the needs of the individual school. (i.e. exam exemption, other privileges)
 - The plan is to be developed and submitted to county office by October 31 of each school year.
- ❖ Utilizing school SAT and other agencies to aid in dropout prevention:

- When the Coordinator of Attendance and or the student's teacher have identified a student as having attendance problems, the student will be referred to the school counselor. Referrals for follow-up procedures may be made to the Coordinator of Attendance, school psychologist, school based mental health counselor, school nurse, SAT, and any other person or agency deemed necessary to resolve the student's attendance problem. The school may utilize outside agencies such as local mental health services and the Department of Health and Human Resources.
- The SAT may refer a student to other services whenever such referral is deemed to be in the best interest of the student. Any recommendation of the SAT will be discussed with the parent and student and appropriate changes in the student's program will be made. The SAT shall review suggested interventions to determine their effectiveness. Interventions may include but are not limited to:
 - School-wide positive behavior support system (Elementary and Middle Schools and Preston High);
 - Responsible student program; or
 - Peer mediation.
- ❖ Dissemination of information by the Coordinator of Attendance through:
 - Media;
 - PTO or classroom presentations; or
 - Materials developed to educate and inform parents and students concerning attendance laws.
(SBP 4110)

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R 11-12-11 Encouraging Good Attendance

Each school will develop and implement a program that is designed to promote good attendance habits for all students. These programs may include but are not limited to any of the following:

- ❖ Awarding certificates or pins for perfect or faithful attendance.
- ❖ Principals may reward students on a monthly basis with pencils, T-shirts, or any appropriate reward for perfect attendance.
- ❖ Principals may contact the Superintendent in order to recognize students with good attendance at a Board meeting at the end of each grading period.
- ❖ Special recognition for classrooms with the best average daily attendance each month.
- ❖ Recognition in local newspapers and other media outlets.

School personnel are encouraged to utilize flexibility and creativity to develop programs specifically suited to the needs of their students.

High School Final Exams Exemptions for Good Attendance

High school Comprehensive Examination Exemption may be used at Preston High School to promote good attendance and good grades. High school students may qualify for an exemption to final exams at the end of a course if they have met the following criteria:

- ❖ The student is carrying an “A” average and has three or fewer excused absences; or
- ❖ The student is carrying a “C” or “B” average and has two or fewer excused absences.

Students who meet the above qualifications are exempt for school on the days final exams are given. The only exception to this policy is a failure of the bus to run or absences for school-sponsored activities. Please note that Education Leave is NOT a school-sponsored activity.

Students who have one or more unexcused absences shall NOT be exempt from exams regardless of the grade point average.

All students will be required to take End of Course Exams to meet Certification and Benchmark requirements in certain required courses.

Students who do not meet the exemption criteria shall be required to take Comprehensive Exams which will count as 15% of the final grade to demonstrate competency for the granting of course credit.

NOTE: If for some reason an exam is required prior to the designated exam days, the test will not count as 15% of the students' grade.

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R 11-12-12 Compulsory Attendance Ages

Pursuant to the State statutes, compulsory school attendance shall begin for students whose sixth birthday is prior to September 1st or upon enrolling in a public school kindergarten program. Attendance shall continue to the 16th birthday or for as long as the student shall continue to be enrolled.

Beginning with the 2011-2012 high school freshman cohort class of students, compulsory school attendance begins with the school year in which the sixth birthday is reached prior to September 1 of such year or upon enrolling in a publicly supported kindergarten program and continues to the 17th birthday or for as long as the student continues to be enrolled in a school system after the 17th birthday.

This policy does not apply to students who are exempt from compulsory attendance under WV Code 18-8-1. Exemptions from compulsory attendance as defined in the code are:

- ❖ Instruction in a private or home school setting;
- ❖ Physical or mental capacity as confirmed in writing by a doctor or school nurse;
- ❖ The existence of conditions that render school attendance hazardous to the life, health or safety of the child;

- ❖ A child shall be exempt from the compulsory school attendance requirement upon regular graduation from a standard senior high school or alternate secondary program completion as determined by the state board.
- ❖ A child shall be exempt from the compulsory school attendance requirement if s/he is granted a work permit pursuant to this code. The Superintendent may, after due investigation, grant work permits to youths under 17 years of age, subject to state and federal labor laws and regulations: *Provided*, That a work permit may not be granted on behalf of any youth who has not completed the eighth grade of school;
- ❖ Serious illness or death in the immediate family of the student. It is expected that the county Attendance Director will ascertain the facts in all cases of such absences about which information is inadequate and report the facts to the Superintendent;
- ❖ Destitution in the home which shall be verified in writing by the Attendance Director;
- ❖ A child is exempt from the compulsory school attendance requirement if the requirements relating to church ordinances and observances of regular church ordinances are met. The county board may approve exemption for religious instruction upon written request of the person having legal or actual charge of a child or children: *Provided*, that the. This exemption shall be is subject to the rules prescribed by the county superintendent and approved by the county board; and
- ❖ The completion of the eighth grade shall not exempt any child under 17 years of age from the compulsory attendance provision of this code.

Special Circumstances for Kindergarten Students

It should be noted that a child who was five years old prior to September 1 of the current school year and who are enrolled in a kindergarten program may be withdrawn from that program during the school term when the principal, teacher and parent or guardian concur that the best interest of the child would not be served by requiring further attendance: *Provided*, however, That the principal shall make the final determination with regard to compulsory school attendance in a publicly supported kindergarten program.

It should also be noted that the option of withdrawal from a kindergarten program is not available to students who are six years of age prior to September 1 of the current school term and who are enrolled in a kindergarten program. Compulsory attendance laws require that all six year old children must be enrolled in an appropriate public education, private school or home instruction program.
(WVC §18-8-1a)

Special Circumstances for Students 18 Years of Age and Older

The compulsory school attendance provision of WVC §18-8-1a and §18-8-2 shall be enforced against a person 18 years of age or older for as long as the person continues to be enrolled in a school system, and shall not be enforced against the parent, guardian, or custodian of such person.

Any person 18 years of age or older who is enrolled in school who, after receiving due notice, fails to attend school in violation of the provisions of WVC §18-8-2 or without just cause, shall be guilty

of a misdemeanor and shall, upon conviction of a first offense, be fined not less than \$50 nor more than \$100 together with the costs of prosecution and required to attend school and remain throughout the school day.

Upon conviction of a second offense, a fine may be imposed of not less than \$50 nor more than \$100 together with the costs of prosecution and the person may be required to go to school and remain throughout the school day until such time as the person graduates or withdraws from school.

Upon conviction of a third offense, any person 18 years of age or older who is enrolled in school shall be withdrawn from school during the remainder of that school year. Enrollment of that person in school during the next school year or years thereafter shall be conditional upon all absences being excused as defined in law, state board policy and county board of education policy. More than one unexcused absence of such a student shall be grounds for the director of attendance to authorize the school to withdraw the person for the remainder of the school year.
(WVC §18-8-2)

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R 11-12-13 Individual Exception to Four-Year Attendance Requirement

Attendance for all four years during grades 9-12 is important to attain full benefit from the educational programs offered in the schools of Preston County. Therefore, all students shall be scheduled for the full school day for all four years. Exceptions may be made by the Preston County Board of Education to accommodate placement into college courses, advanced vocational/technical programs, participation in the WV Virtual School, or for other compelling circumstances.

The Preston County Board of Education establishes the following regulations and guidelines for parents and students who are seeking an exception to the four-year attendance requirement. Requests for exceptions must be presented to the Coordinator of Attendance.

Exceptions for Educational Reasons:

A student may be granted an educational exception during his/her senior year one or more of the required daily instructional periods in order to enroll in college courses that are the equivalent or in excess of the content of high school courses or to attend a post-secondary technical program. Evidence of enrollment will be required. Three college/post secondary hours will equal one high school unit. The following conditions must be met:

- ❖ The principal and guidance counselor must recommend the student for an educational exception;
- ❖ The student must establish a planned high school program by the end of his/her sophomore year;
- ❖ The student's high school record must show the potential for success. Information to be reviewed shall include grades (3.0 GPA), achievement test scores, ability test scores, etc.;
- ❖ The student must have an average daily attendance rate of 95% or above during his/her high school career, unless extraordinary circumstances exist (i.e. long-term illness or injury);

- ❖ The student will meet or has met the county graduation requirements;
- ❖ The student must present evidence of enrollment and continued attendance at college or post-secondary technical school as either a full or part-time student;
- ❖ Seniors may be excused for an entire semester or school year if they provide evidence that they have been accepted and are enrolled as full-time college or post-secondary students. A minimum of four high school units must be taken to qualify as a full-time student;
- ❖ Students may substitute college credit for the senior year of high school including courses required for graduation provided the substitution fulfills state requirements and has prior approval of the high school principal;
- ❖ Only those college and post secondary programs recognized by the State of West Virginia, and those granting a recognized degree and/or certification shall be considered by the Board for approved placement;
- ❖ Students are required to submit a copy of their grades to the high school counselor at the end of each semester. The student shall also schedule a conference with the Coordinator of Attendance to review his/her attendance patterns;
- ❖ Diplomas shall be awarded to students who complete the graduation requirements in the manner described above.

Exceptions for Compelling Circumstances:

Sometimes students find themselves faced with circumstances beyond their control that make it impossible for them to attend school for a full instructional day for four years; therefore students who can demonstrate a compelling circumstance may be excused from part or all of the requirement.

- ❖ Students must present documentation verifying the uniqueness of their case.
- ❖ The Coordinator of Attendance, and/or other appropriate personnel will investigate all requests for such exemptions.
- ❖ The principal and guidance counselor must recommend the exemption.
- ❖ Compelling circumstances include:
 - **Parenthood**—Students who are also parents may be granted an exception if their parental responsibilities are such that they cannot fulfill the high school attendance requirements in the prescribed manner;
 - **Family responsibilities**—Students who are married and must work to support a family; or students, who because of disability to their parents, must be available to assist in the home;
 - **Financial need**—Students must work to support themselves or assist their parents in meeting the family's financial obligations;
 - **Health reasons**—Students who have to modify their educational program upon the recommendation of an attending physician;
 - **Travel abroad** as an exchange student.

- **Other compelling circumstances.** In the event of a request for early graduation based on compelling circumstances not considered above, the Board of Education shall make their decision based upon the recommendation of the Superintendent after careful investigation by the Superintendent and/or his/her designee.

Special Conditions That Do Not Require Exceptions:

- ❖ Students receiving homebound instruction as prescribed by Board Policy;
- ❖ Students participating in supervised work-study programs for one or more of their instructional periods;
- ❖ Students who have already attended four years in grades 9-12 may be allowed to enroll in only those classes needed to meet graduation requirements.
(WVC §18-2-5, §18-8-1, SBP 2320, 2510)

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R 11-12-14 Releasing Students during the School Day

No student shall be released during school hours excepting into the custody of a parent, guardian, or other known responsible person, and then only after securing approval of the principal.

When release is made to anyone other than the parent or guardian, written permission from the parent or legal guardian is required prior to release. All students leaving school during school hours must notify and secure permission of the principal or his/her designee. Those failing to do so shall be treated as unexcused.

R 11-12-15 Work Permits

Fourteen and 15 year old students may be issued work permits if they comply with the conditions set forth in state code. Students under the age of 14 may not be employed except in certain jobs such as agriculture, domestic services, family businesses, performances, and newspaper delivery. Students under the age of 17, even though they are legally employed, may not work during school hours except in work experiences and career exploration programs approved by the U.S. Secretary of Labor. The Superintendent's Office shall be responsible for the taking and issuing of work permits.
(WVC §21-6-3 thru 10)

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R 11-12-16 Maintenance of Student Attendance Records

An up-to-date daily register/record of attendance for every student must be maintained. From these records a periodic report, or reports as requested by the County Office in compliance with regulations of the West Virginia Department of Education, shall be electronically sent by use of the WVEIS system.

Data pertaining to absences should be accurately recorded by the teacher(s) each school day for each class, reported daily to the school offices, and should be checked regularly by the school principal. From this data, any monthly term or other attendance report as required by the Preston County Board of Education and/or West Virginia Department of Education may be compiled. The WVEIS file shall carry an attendance record of each student. Attendance data should also be reported on the report cards to inform parents about their children's absences.

- ❖ Maintenance of Records:
 - Each school will keep a daily, computerized record of attendance for each student. The record should include classification of absences.
 - Parental notes for all absences must be presented to the school within two days of the last day absent. Otherwise the absence will automatically be classified as "unexcused".
 - ❖ The principal and/or his/her designee will determine the classification of the absence according to definition.
 - The principal will have a procedure to inform the student of the category of each absence.
 - The appropriate reports on county-provided forms are to be sent to the Coordinator of Attendance.
 - ❖ State Attendance Reports must be made through the WVEIS in the following manner:
 - First month - net enrollment of students by grade;
 - Second month - net enrollment by grade, verification of certified list of all students by name and grade, and total days present to date;
 - Tenth Month – Verification of grade; number of promotions, retentions, and withdrawals; number of students enrolled in other states; accumulated days present; and number of days school was in session.
- (SBP 4110)

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R 11-12-17 Exclusions for Health Reasons

A student may be excluded from the school by the principal for health reasons. Extended or permanent exclusion may be made only by the action of the Superintendent following consultation with the School Nurse. Exclusion as used here shall mean an action brought by school officials in order to prevent a child's attendance for reasons of having an infectious disease. Any student so excluded shall not be readmitted to school until such time as the student has complied with all requirements set by the Superintendent or has presented a certificate of health signed by the medical examiner or other proper health officer. The student may not ride the school bus until approved as "disease-free" by trained school personnel or the Health Department. A letter of information and instruction will be provided when the student is identified.

(WVC §18A-5-1)

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R 11-12-18 Non-compulsory School Age Student Withdrawal

Any student 17 years of age or older who wishes to withdraw from school, having parental approval, is to contact the school counselor/principal to set up an exit interview for the purpose of formally withdrawing. The parent should be included in this conference unless the student is eighteen years of age or older. The exit interview will be used to fill out the West Virginia Department of Education Student Dropout Report, as well as to collect any school-owned books, lunch money, fines, etc. Students above the age of sixteen who are not attending school, and have not declared their intention to withdraw, shall be notified by certified letter of their need to do so. Students who fail to respond to this notification shall be identified as withdrawn.

(WVC §18-8-1 and SBP 4110)

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R 11-12-19 School Attendance and Satisfactory Academic Progress as Conditions of Licensing for Privilege of Operation of Motor Vehicle

Any student at least 15, but less than 18 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 of enrollment/attendance status. This documentation must be provided on a form approved by the WVDE for presentation to the West Virginia Division of Motor Vehicles (hereinafter WVDVM) when making application for, or reinstatement of, an instruction permit or license to operate a motor vehicle.

In accordance with the provisions of WVC §17B-2-3 and §17B-2-5, the WVDVM shall deny a license or instruction permit for the operation of a motor vehicle to any person under the age of 18 whom 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:

- ❖ is enrolled and making satisfactory progress in a course leading to a GED from a state approved institution or organization, or has obtained such certificate; or
- ❖ is enrolled in a secondary school of this state and making satisfactory academic progress; or
- ❖ is a West Virginia resident enrolled in an out-of-state school; or
- ❖ is excused from such requirement due to circumstances beyond his or her control; or
- ❖ is enrolled in an institution of higher education as a full-time student in this state or any other state.

Definitions:

- ❖ **Circumstances Outside the Control of the Student**—shall include, but not be limited to, medical reasons, familial responsibilities and the necessity of supporting oneself or another. Suspension or expulsion from school or imprisonment in a jail or a West Virginia correctional facility is not a circumstance beyond the control of the student, and for purposes of this policy shall be considered an unexcused absence.

- ❖ **Driver's Eligibility Certificate**—documentation provided by the county to the student verifying that he/she has met the attendance, behavioral and academic expectations set forth by WVC §18-8-11 that are required to obtain a license or instruction permit to drive a motor vehicle.
- ❖ **Satisfactory Academic Progress** – means the attaining and maintaining of grades sufficient to allow for graduation and course-work in an amount sufficient to allow graduation in five years or by age 19, whichever is earlier (beginning with the completed 2008-2009 school year).
 - A student must earn a minimum of five credits each year to allow graduation in five years based upon the graduation requirements set forth in SBP 2510.
 - Three of the five credits earned annually must be from the core requirements identified in SBP 2510.
- ❖ **Withdrawal**—for the purpose of driver's license eligibility, withdrawal is defined as the following reasons for which the school system shall deny or revoke a Driver's Eligibility Certificate from any student at least 15 but less than 18 years of age:
 - More than 10 consecutive or 15 total days unexcused absences during a school year; or
 - Suspension pursuant to WVC §18A-5-1a and §18A-5-1b which includes the following behaviors when committed on the premises of an educational facility, at school-sponsored function, or on a school bus:
 - Assault and/or battery on school employees;
 - Possessing deadly weapons;
 - Sale of a narcotic drug;
 - Committing an act or engaging in conduct that would constitute a felony under West Virginia Code if committed by an adult; and/or
 - Unlawfully possessing a control substance governed by the uniform controlled substances act as described in WVC §60A-1-1 et seq.

Issuing a Driver's Eligibility Certificate:

The Coordinator of Attendance or Superintendent shall upon request provide a Driver's Eligibility Certificate on a form approved by the Department of Education to any student at least 15 but less than 18 years of age who is properly enrolled and is making satisfactory academic progress in the Preston County School system. The student's record must also verify that s/he is maintaining a satisfactory standing with regard to attendance. The student may use the Certificate to apply to the Division of Motor Vehicles for or reinstatement of an instruction permit or a license to operate a motor vehicle.

Consequences for Withdrawal from School or Failure to Maintain Satisfactory Academic Progress:

The Coordinator of Attendance or the Superintendent shall notify the WVDMV whenever a student at least 15 but less than 18 years of age withdraws from school (more than 10 consecutive or 15 total days unexcused absences during a school year), is suspended pursuant to WVC §18A-5-1a and §18A-5-1b, and/or fails to maintain satisfactory academic progress, except when the situation is owing to

circumstances outside the control of the student. Notification must be provided to the WVDMV no later than five days from the date of the withdrawal or determination of failure to maintain satisfactory academic progress.

The Board may not include attainment by a student of any certain grade point average as a measure of satisfactory progress toward graduation

Whenever the withdrawal from school of the student, the student's failure to enroll in a course leading to or to obtain a GED or high school diploma is due to a circumstance or circumstances beyond the control of the student, or the withdrawal from school is for the purpose of transfer to another school as confirmed in writing by the student's parent or guardian, no notice shall be sent to the Division of Motor Vehicles to suspend the student's motor vehicle operator's license and if the student is applying for a license, the Coordinator of Attendance or the Superintendent shall provide the student with documentation to present to the Division of Motor Vehicles to excuse the student from the provisions of this section.

Student's Right to a Hearing before the Superintendent:

Within five days of receipt of a withdrawal notice, the Division of Motor Vehicles shall send notice to the student that his/her instruction permit or license to operate a motor vehicle will be suspended under the provisions WVC §17B-3-6 on the 30th day following the date the notice was sent unless documentation of compliance with the provisions of WVC §18-8-11 is received by the Division of Motor Vehicles before that time. The notice shall also advise the student that he or she is entitled to a hearing before the Superintendent or his/her designee concerning whether the student's withdrawal from school or failure to maintain satisfactory academic progress was due to a circumstance or circumstances beyond the control of the student. If suspended, the division may not reinstate an instruction permit or license until such time as the student returns to school and shows satisfactory academic progress or until such time as the student attains 18 years of age.

The Superintendent with the assistance of the Attendance Coordinator and any other staff or school personnel shall be the sole judge of whether any of the grounds for denial or suspension of a license as provided by this section are due to a circumstance or circumstances beyond the control of the student.

Hearing before the WVDMV:

Upon written request of a student, within 10 days of receipt of a notice of suspension as provided by the code, the Division of Motor Vehicles shall afford the student the opportunity for an administrative hearing. The scope of the hearing shall be limited to determining if there is a question of improper identity, incorrect age, or some other clerical error.

Reinstatement of Driver's Eligibility Certificate:

Students may have their Driver's Eligibility Certificate reinstated by the Preston County Board of Education upon demonstration of satisfactory progress as follows:

- ❖ Reinstatement requests related to withdrawal for unexcused absences shall be reviewed, as outlined in *SBP 4110: Attendance*, at the end of the semester following that in which the withdrawal occurred;
- ❖ Reinstatement requests related to withdrawal for failure to make satisfactory academic progress shall be reviewed at the end of each school year;
- ❖ Reinstatement requests related to withdrawal for suspension pursuant to WVC §18A-5-1a and §18A-5-1b shall be reviewed after all disciplinary sentences have been served.
(WVC §18-8-11, §17B-2-3, §17B-2-5; SBP 4110; SBP 4150 and SBP 4372)

R 11-12-20 Appeals Process for Absences

Students who believe the attendance policy has been misapplied regarding their absences are entitled to appeal the decision of the local school officials. The student or the custodial parent/guardian may make a written appeal to the school principal/designee to have his/her case reviewed. The review shall include the presentation of documents and evidence from both the school and the student. Students whose custodial parents/guardians are unsuccessful in their appeal at the school level may make a written appeal to the Superintendent and the Board in that order.

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