

KANAWHA COUNTY BOARD OF EDUCATION POLICY

Series: J19 – Student Attendance

Policy Purpose. The fundamental purpose of the attendance policy is to assure and increase attendance. The Kanawha County Board of Education recognizes that a direct relationship exists between daily school attendance, student performance, graduation, and work habits in the workplace. All students are expected to attend school regularly and be on time for class. To facilitate acceptable attendance levels, the schools will provide a positive climate, safe environment conducive to learning and support parental connection to their child's school. Students will have the opportunity to develop responsibility, self-discipline, and good work habits.

19.1 Definitions

- **Absence** – means not being physically present in the school facility for any reason.
- **Excused Absences** – means absences from school or individual classes due to:
 - School-approved or county-approved curricular/co-curricular/extra-curricular activities; failure of the bus to run in hazardous conditions, SAT Plan, IEP or 504 Plan meetings; and other county board approved excused absences.
 - Personal illness or injury of the student.
 - Personal illness or injury of the student's parent, guardian, custodian, or family member, provided that the excuse must provide a reasonable explanation for why the student's absence was necessary and caused by the illness or injury in the family.
 - Medical or dental appointment with written excuse from physician or dentist.
 - Documented chronic medical conditions that may require multiple or regular absences. These conditions 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 W. Va. 126-81-5.3.c.4.).
 - Participation in medical homebound or hospital instruction due to an illness or injury or other extraordinary circumstances that warrants home or hospital confinement.
 - Documented disabilities consisting of any mental or physical impairment that substantially limit one or more major life activities and are documented annually with a valid physician's note that explains the disability and the anticipated impact on attendance. The necessity for the absences must be approved and reviewed quarterly by the SAT, IEP, OR 504 team (See W. Va. 126-81-5.3.c.4.).
 - Calamity, such as fire or flood.
 - Death in the family.
 - Judicial obligation or court appearance involving the student.
 - Military requirements for students enlisted or enlisting in the military.
 - Personal or academic circumstances approved by the principal.

- Such other situations as may be further determined by the county board: Provided, that absences with disabilities shall be in accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) and the federal and state regulations adopted in compliance therewith.
- **Unexcused absences** - means any absence from school or an individual class not specifically included in the definition of “excused absence”.
- **Tardy** - means arrival by a student after the appointed time for the commencement of school or an individual class which a student is scheduled to attend.
- **Student** - means any student enrolled in Kanawha County Schools including any Pre-K student.
- **Homebound** – Instruction given to a student deemed to be incapacitated and unable to attend school which is provided outside of the school environment.
- **Suspension** – A disciplinary removal by a school administrator of a student under the provisions of W.Va. Code §18A-5-1a or any other violation listed in the County Student Code of Conduct.
- **Expulsion** – a disciplinary removal by a school administrator of a student under the provisions of W.Va. Code §18A-5-1a. When a student is suspended pending expulsion, the school shall make provision for the class work to be picked up by the parent/guardian or designee so that the student may continue pursuing education either until the student returns to school or the student is assigned an alternative placement. The student shall not be dropped from the school attendance record but shall be assigned the allowable WVEIS deduction code as defined by the WVDE.
- **Enrollment** – means when one of the following conditions occur: 1) the student was enrolled the previous year and did not graduate; 2) the student appears at the school to enroll with or without a parent or guardian; or 3) the student and/or parent/guardian appears at school to enroll with or without records.
- **Alternative Placement** – Educational programs where instruction is provided to students that have been removed from the student’s home school to another environment by Expulsion, County SAT, or through a change in the student’s IEP.
- **Early Departure** – means leaving prior to the end of the school day or end of the class that the student should be in.
- **Homeless** – means, for purposes of this policy, individuals who lack a fixed, regular, and adequate nighttime residence, as defined in the Federal definition for homeless children and youth under the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) 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;
 - 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 of the children or youth are living in circumstances as described in the above descriptions
- **School of origin** - means the school that a child or youth, who is now classified as homeless, as defined, attended when last permanently housed or the school in which the child or youth was last enrolled (defined in Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.)).

19.2 Records and Reporting

Each school shall appoint a designated school attendance coordinator, principal or designee, who monitors and collects attendance data on a regular and ongoing basis. Student attendance data will be recorded on WVEIS on a daily basis using the allowable deductions, as defined by the West Virginia Department of Education. WVEIS codes shall be uniform in recording absences in all schools. Absence reason codes and five-day unexcused notification shall be current at all times.

The coordinator will meet at a regularly scheduled time with the County Attendance Director/Assistant Attendance Director or Truancy Diversion Specialist and make appropriate referrals for services and/or legal action in accordance with W.Va. Code 18-8-1. The attendance director shall file with the county superintendent and county board of education, at the close of each month, a report showing activities of the school attendance office and status of attendance in the county at the time due to provisions in W.VA. Code § 18-8-4.

The County Attendance Director will provide each school with handbook containing information on referral procedures and referral forms. The County Attendance Director shall also monitor absenteeism reporting through the WVEIS system for the purpose of maintaining an accurate account of daily attendance for every student.

The following are considerations for recording and reporting absences:

19.2.a. Allowable Deductions for Schools – Schools shall not be held accountable for absences resulting from “allowable deductions.” These absences shall not be calculated in the school’s/county’s attendance rate. Beginning with the 2016-2017 school year, the only allowable deductions will be absences that result from school-approved curricular/co-curricular/extracurricular activities, failure of the bus to run/hazardous conditions, students not in attendance due to disciplinary measures and school/county directed placements outside the traditional classroom environment including but not limited to homebound placement and in-school suspension.

19.2.b. Attendance Calculation for absences– for statistical purposes, attendance will be reported and aggregated to the nearest half day, as follows:

- Full day attendance means being present at least .74 of the school day.
- Half day attendance means being present at least .50 of the school day.

19.2.c. Drop Out Reporting – The County Attendance Director shall monitor the reporting of dropouts to the State Department of Education.

19.3 School-based Attendance Procedures

The Board recognizes that a variety of approaches may be successful in maintaining acceptable attendance levels and those individual schools should be free to develop innovative methods within the requirements of this policy. Each school shall develop and maintain a written attendance procedure which should include incentives to maintain and improve attendance. This procedure should be filed with and monitored by the County Attendance Director.

19.3.a. Parental Notification Requirements – School-based attendance procedures shall contain at least the following notification components:

- At the commencement of each school year parents/guardians and students shall be provided with a copy of the county attendance policy and school procedures. New arrivals during the school year shall also be provided with a copy of the same information.
- Parents/guardians shall be advised of their responsibility to report the absence of their children and their accountability for the regular school attendance of their children.
 - Each day a student is absent, the parent shall contact the school to advise that the student will not be in attendance.
 - A written note with parent signature or any allowable excuse documentation, as defined in this policy, should be sent to the school when the student returns with the reason for absence.
 - Upon a student's return, the student will have three days to turn in his/her excuse for their absence.
 - A signed note from a parent may be use as documentation to verify a student's absence due to illness, however, it may only be used for five days of absences during a school year.
- The school will notify the parent promptly, if a call is not received from the home, to notify of the student's absence.
- Parents shall be notified, and invited to attend, Student Assistance Team (SAT) meetings wherein a recommendation concerning attendance is to be considered with respect to their child.
- The principal shall contact, by letter, any parent, guardian, or custodian of the student and hold a meeting with such person and the student when the student has accumulated five unexcused absences.
- Student whose educational services are guided by an existing SAT plan, IEP OR 504 plan may warrant special consideration when a pattern of single, multiple or chronic absences exists. The student's current status should be reviewed quarterly by the SAT, IEP or 504 team and in accordance with state and federal laws.

19.4 Absentee Prevention and Absenteeism Education

Schools shall educate students and parents regarding the effects of absenteeism.

19.4.a. Early prevention of absenteeism shall include educative brochures from the county attendance office being sent to the home with the student at the start of each school year. New enrollees throughout the year will be provided these brochures, as well as new kindergarten enterers at spring roundup.

19.4.b. The County attendance director and assistants shall develop incentives and recognition for those students who are showing and maintaining improved attendance. A county wide perfect attendance award for high school seniors shall be implemented. Partnerships with local businesses will be sought to be of assistance in providing the rewards. Additionally, schools shall develop attendance incentives for perfect and faithful attendance and use school wide recognition programs for students attaining these accomplishments. Perfect attendance shall be awarded to those students who have been present every day of the school year for at least .74 of each school day. Faithful attendance shall be awarded to those students who have been absent no more than five days of the school year.

19.4.c. Preventive In-School Resources shall also be utilized in order to prevent or correct student absenteeism. Students may be referred to the school counselor, other student support personnel, student assistance team (SAT), mentoring program, or peer program for students with excessive absences. Incentives may be included as a part of the interventions used to address the absenteeism.

19.4.d. Interagency Resources shall be used for alternative plans and programs that are positive in nature and encourage improved school attendance. The County Attendance Director and assistants shall maintain contact and utilize these outside resources. Parents and students shall be made aware of counseling, mentoring, behavioral, mental health, substance abuse, domestic violence, health, and other services available.

19.5 Make Up Work and Evaluation

All students are expected to make up work missed due to absences.

19.5.a. Requesting and picking up make-up work

- Absences of Two Days or Less. For students in grades K – 8, it is the teacher's responsibility to provide makeup work within two school days of the return of the student to school. For students in grades 9 – 12 it is the responsibility of the student to request makeup work within two school days of return to school.
- Absences of More than Two Days. After a student has been absent for more than two consecutive days, the school will make provision for the class work to be picked up by the parent/guardian or designee so that the student may continue pursuing education until the student returns to school.

19.5.b. Completing and Grading Make-up Work. Upon receiving makeup work from the teacher, student must submit the work within a time line designated by the teacher or school policy. Students will be afforded the opportunity to learn missed concepts occasioned by excused or unexcused absences in order to progress through their program of studies.

Teachers are responsible for providing a minimum of one day for each day's absence for students to make up missed work assignments and/or evaluation that are occasioned by excused or unexcused absences. Teachers may, in their discretion, require alternative work assignments and/or evaluation procedures.

19.5.c. In all cases, credit shall be based upon completion of assigned instructional activities and academic performance as defined by established evaluation procedures. Failure to Make up Work and/or Evaluations within the guidelines established in in this policy will result in loss of credit for that work or evaluation and could result in failing the class.

19.6 Excessive Unexcused Absences/ Tardies

The school-based attendance procedures may include reasonable penalties for the accumulation of unexcused absences or tardiness. Excessive absenteeism and tardiness shall be referred to the County Attendance Director or Assistant Attendance Director for appropriate legal action.

19.6.a. Addressing Unexcused Absences.

- In the case of three (3) total unexcused absences of a student during a school year, the attendance director, assistant attendance director, or principal shall make meaningful contact with the parent, guardian, or custodian of the student that the attendance of the student at school is required and that if the student has five (5) unexcused absences, a conference with the principal or other designated representative will be required.
- In the case of five (5) total unexcused absences, the attendance director or assistant, or principal shall again make meaningful contact with the parent, guardian or custodian of the student that within five (5) 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, administrative head, or other chief administrator of the school in order to discuss and correct the circumstances causing the unexcused absences of the student, including the adjustment of unexcused absences based on the meeting.
- In the case of ten (10) total unexcused absences of a student during a school year, the attendance director or assistant may make complaint against the parent, guardian, custodian, or student (18 years old or older) before a magistrate of the county. More than one parent, guardian or custodian may be charged in the complaint.

19.6.b. When calculating unexcused absences for the purpose of making complaints against a parent, guardian, custodian, or student (18 years old or older) before a magistrate, unexcused absences resulting from suspensions or expulsions from school shall not be considered.

19.6.c. Excessive tardiness shall be addressed by schools using the following procedures:

- Five (5) tardies – phone call from the teacher or other designated school representative;
- Seven (7) – eight (8) tardies – letter via U.S. mail;

- Ten (10) tardies – conference with student, teacher, principal and parent;
- Eleven (11) tardies – refer to SAT;
- Fifteen (15) tardies – refer to central office.

19.6.d. Parents must come in to the school office and sign the student in if tardy. Tardiness due to medical and dental appointments must have a written excuse from the doctor's office. Each school may adopt such additional procedures as it may deem appropriate in order to address tardiness, which shall not be in conflict with this policy or any other provision of law. Schools may impose corrective/disciplinary action in accordance with the individual school policy. Schools may refer to the information provided by the County Tardy Committee for additional strategies on addressing tardiness.

19.6.f. Students may not be suspended solely for tardiness, early departures or absences. The County Board of Education assures that a student may not be suspended solely for failure to attend class. Some methods of discipline for failure to attend class may include, but are not limited to, detention, extra class time, or alternative class settings. Absences resulting from the suspension of a student are unexcused and make-up work shall be provided.

19.7 Attendance Appeal Procedure – An appeal of an attendance decision may be made by a student or parent to the school principal or the county Attendance Director. An appeals committee which shall include the principal, County Attendance Director/Assistant Attendance Director, school counselor, or other school personnel as needed will address the appeals.

19.8 Homeless Reporting

The County Attendance Director shall serve as the liaison for homeless children and youth. As the liaison for homeless children and youth, the attendance director is required to:

19.8.a. Ensure that public notice of the educational rights of students in homeless situations is disseminated where children and youth receive services.

19.8.b. 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.

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

19.8.d. 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.

19.8.e. 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.

19.8.f. Ensure that homeless children and youths are identified by school personnel and

through coordination activities with other entities and agencies.

19.8.g. Ensure that homeless children and youths enroll in, and have a full and equal opportunity to succeed in, schools of that local educational agency.

19.8.h. 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 the local educational agency, and referrals to health care services, dental services, mental health services, and other appropriate services.

19.8.i. 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.).

19.9 Attendance in an Alternative Placement

19.9.a. Middle and high school students who attend a day program attend in an educational setting with smaller classes and support provided by a psychologist, counselor, and assistant attendance director in addition to the educational team. Attendance is taken by the day report program.

19.9.b. Chandler Academy is the county's alternative school for students who are referred there via the expulsion process or through County SAT. Chandler Academy is designed for grades six (6) through twelve (12). The classes are small and meet during the regular school day. Attendance is taken at Chandler Academy and placed in WVEIS the same way it is taken at any county school.

19.9.c. Homebound instructors are assigned to meet with students at an assigned site for up to four (4) hours of instruction weekly. This type of instruction requires an IEP placement change and, if the reason for the placement change is medical, written documentation from a physician defining those extenuating medical circumstances requiring homebound instruction for a student. The school will provide work until the placement is approved. Upon approval an education shall be provided and the student will then be classified as no longer in the building and shall not be counted absent using the state approved WVEIS code. If the student does not meet with the educational plan prescribed as scheduled, and there is not a medical reason for not keeping the scheduled instruction time, truancy action will be pursued when deemed appropriate by the County Attendance Director.

19.9.d. The student's home school shall provide work until the alternative educational placement instruction is in place.

19.10 Instructional Day Guidelines and Exceptions – All students shall be scheduled for the full instructional day including all four years of high school. Exceptions made by the County Board for college courses, advanced technical programs, and participation in the WV Virtual School are included in Kanawha County Board of Education Policy, Series J20, pursuant to State Board Policy 2510.

19.11 Documentation for Restriction of Driver's License

19.11.a. If a student is between the ages of 15 and 16 years old and is not in satisfactory standing with regard to attendance, school behavior, and academic progress, as described below, the Attendance Director will issue documentation for the restriction of the student's driver's license. That restriction will only permit the student to drive for work or medical purposes or educational or religious pursuits.

- Unsatisfactory standing with attendance means the student has had either ten (10) consecutive days or a total of fifteen (15) days of unexcused absences in a school year. Once the student misses the ten consecutive days or 15 days due to unexcused absences, it will be, for purposes of this policy, considered a "withdrawal." Excuses for absences must be turned in to the attendance clerk within three days of student's return. Any excuse(s) turned in after the allotted time will not be accepted for driver's eligibility approval.

Unsatisfactory academic standing means the student fails to attain and maintain grades that are sufficient to allow from the student to graduate in five years or by the age of 19, whichever is earlier. Satisfactory academic progress includes all courses required for graduation as outlined in West Virginia Board of Education Policy 2510. Upon a determination that a student does not have satisfactory attendance/has withdrawn or academic standing, the Attendance Director shall notify the Division of Motor Vehicles (DMV) that the student's attendance or academic standing is not in good standing. The DMV will notify the student from there about the status of their permit or license. The DMV will also provide the student with notice that they are entitled to a hearing before the KCBOE Superintendent. The purpose of the hearing will be to determine whether the student's withdrawal from school was due to a circumstance or circumstances beyond the control of the student.

- "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.
- The school district superintendent (or the appropriate school official of any private secondary school) with the assistance of the county attendance director and any other staff or school personnel shall be the sole judge of whether any of the grounds for restriction of a license as provided by this section are due to a circumstance or circumstances beyond the control of the student.

19.12 Restatement of a Restricted Driver's License

In order to remove the restrictions from a student's license that was restricted due to attendance, the student shall have no unexcused absences during the rest of the semester where the withdrawal occurred.

In order to remove the restrictions from a student's license that was restricted due to a withdrawal based on school behavior, the student shall be reviewed after all disciplinary action has been

served.

In order to remove the restrictions from a student's license that was restricted due to academic progress, the student will be reviewed at the end of each school year.

Release of Restriction forms require the signature of the principal and the County Attendance Director.

Reference: W. Va. Code §18-8-1 et seq.; 126 CSR 18; 126 CSR 84

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