RALEIGH COUNTY ATTENDANCE POLICY

I. Purpose.

1.1. The Raleigh County School System will provide for input from teachers, principals, attendance directors, parents and community leaders when developing or revising the attendance policy.

1.2. An annual evaluation to determine the effectiveness of the policy will be conducted.

1.3. A full copy of this policy shall be available on the Raleigh County Schools' website.

1.4. Each revision of the county attendance policy will be submitted to the West Virginia Department of Education for approval.

1.5. Compulsory school attendance shall begin with the school year in which the sixth birthday is reached prior to September 1 of such year and continue to the seventeenth birthday or for as long as the pupil is enrolled in the school after the seventeenth birthday.

II. Regular School Attendance.

The Raleigh County Board of Education believes that regular school attendance is vital to a pupil’s academic program. Pupils must attend school regularly and be on time to classes in order to realize maximum instructional benefits. Regular school attendance and punctuality develop self-discipline and responsibility. Based on this philosophy, the following guidelines are adopted:

2.1. All students shall be scheduled for the full instructional day for grades 9-12. Exceptions may be made by county boards for college courses, advanced technical programs and participation in the WV Virtual School.

2.2. Pupils are expected to attend all classes in which they are registered every day that classes are in session. Absences will be counted on an individual class basis.

2.3. Students are expected to follow the provisions of RCBOE Policy D.3.22: Expected Behavior in Safe and Supportive Schools (Student Code of Conduct) which will lead to the creation of a positive, safe environment conducive to learning.

2.4. Raleigh County Schools will cooperate with parents to try to improve their child’s attendance. The administration, faculty and guidance department of the school, as well as the attendance worker assigned to that school, will work with the pupil, in cooperation with the parents, to solve problems which lead to poor attendance. In the final analysis, the pupil and parent must assume responsibility for regular school attendance.
III. Entry Procedures.

3.1. Preschool students, ages 3 and 4, may enroll in preschool programs offered by the Raleigh County Board of Education. The preschool student will need to produce immunization records which reflect that minimum immunization has been administered to the student after the first birthday (Appendix 6).

3.2. The immunization records will be forwarded to the school nurse’s office where tracking will occur to ensure that the preschooler gets the minimum immunization (Appendix 6).

3.3. No allowances from the immunization requirements will be made on behalf of any preschooler for reasons of religion or conscience.

3.4. Kindergarten programs shall be provided for all children who have attained the age of five prior to September 1st of the school year in which the pupil enters such kindergarten program. All children entering public and private schools for the first time in West Virginia shall be given screening tests to determine if they might have vision or hearing impairments or speech and language disabilities. After entering school, these screening tests are required on an annual basis.

See Appendix 7 for Immunization Requirements for New School Enterers.

3.5. Prior to entrance into the first grade, each child must have either (1) successfully completed such public or privately supported, state approved kindergarten program or Montessori kindergarten program, or (2) successfully completed an entrance test of basic readiness skills approved by the county only under extraordinary circumstances to be determined by the Raleigh County Board of Education.

3.6. Parents must provide the school authorities a copy of the child’s birth certificate and such other records as the county may need. Although it is not required, the Board strongly recommends that each child have a complete physical examination prior to entrance in school for the first time. All children entering school for the first time in this State shall have been immunized against diphtheria, polio, rubeola, rubella, tetanus and whooping cough.

3.7. Kindergarten pupils and first grade pupils are not required to receive a tuberculin skin test prior to school.

3.8. Pupils moving into the Raleigh County school district shall be admitted to school immediately. Records will be requested from the sending school. In all cases, the pupil’s progress and performance shall be evaluated by the teachers of this pupil and the building principal who shall have the final responsibility for placing the child in the grade or program which most closely meets the needs of the pupil.

IV. Exemptions – WV Code §18-8-1.

Exemption from the foregoing requirements of compulsory public school attendance shall be made on behalf of any child for the following causes or conditions, each such cause or condition being subject to confirmation by the attendance authority of the county.

   a) Instruction in a private, parochial or other approved school.
   b) Instruction in home or other approved place.
   c) Physical or mental incapacity (illness).
   d) Hazardous conditions.
   e) High school graduation.
   f) Granting of work permits.
   g) Serious illness or death in the immediate family of the pupil.
V. Handling of Absences in the Elementary and Secondary Schools.

5.1. In order that principals may make prompt reports to the attendance department on unlawful absenteees and that all pupils in the school may be fully aware that the principal has a daily check on all absentees, each building principal shall establish a simplified procedure for handling attendance and absentees. The principal or designee will maintain accurate registers/records of attendance on WVEIS. These records will be located in the principal’s office. Students who are physically absent from school must be documented as absent. This record may become a legal document.

5.2. A 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.

5.3. Pupils will receive excused absences for absences identified as Excused Absences in Appendix 1.

5.4. The principal may require verification of sufficient cause for absences (see Appendix 1). Students who are out of school with head lice will be marked unexcused after three (3) days of absences.

5.5. Parents are requested to notify the school for each absence. A conference may be set up at any time to discuss the pupil’s absences.

5.6. Arrangements for make-up work must be made through the joint responsibility and cooperation of the teacher and pupil on the first day that the pupil returns to that class. Pupils having prior knowledge of any scheduled testing or assignment may be required to make up work on the first day of returning to class. This includes both excused and unexcused absences.

VI. Truancy Procedures.

6.1. The county attendance director and assistants shall diligently promote regular school attendance. They shall ascertain reasons for unexcused absences and shall take steps to correct attitudes of parents and pupils which result in absences from school even though not clearly in violation of law. The county attendance director and assistants will perform their duties as outlined in WV Code §18-8-4 (Appendix 2).

6.2. It shall be the duty of each school to appoint a designated school attendance coordinator (principal or designee) who will collect classroom attendance data and make appropriate referrals to the county attendance director. These referrals should be made before 10:00 AM. The school attendance coordinator will determine which cases will be reported to the county attendance director.

6.3. The absence of a student not covered by any exemptions (Appendix 1) should be treated as an unexcused absence or truancy from school.

VII. Allowable Deductions.

Allowable deductions include absences that result from school approved curricular/co-curricular 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.
VIII. Pupil Operator’s License.

If a student is between the age of 15 and 18, the following applies to his/her driving privilege:

a) If a student attains 10 consecutive or 15 cumulative unexcused absences in an academic year, he/she will lose the privilege to operate a motor vehicle.

b) The student must complete one semester following the revocation of his/her driving license with satisfactory attendance (satisfactory being defined as no unexcused absences.)

c) See Appendix 3 for more complete information.

IX. Responsibilities of Principal.

9.1. The principal will monitor student attendance throughout the school year.

9.2. After five (5) total unexcused days absent, the principal will notify the county attendance director.

9.3. After the parent is served with the CA-2 form, the principal must submit, in writing to the attendance department, the date the required conference is held.

9.4. School dropouts are reported to the WV Department of Education through the WVEIS System.

X. Attendance Incentive Plan.

10.1. Pursuant to WVBE Policy 4110, it is the responsibility of each school principal to develop an Attendance Incentive Plan.

10.2. By May 1st of each school year, the School Improvement Council of each secondary school, in cooperation with the designated school attendance coordinator, will submit in writing any amendments to the school’s Attendance Incentive Plan anticipated for the following school year. Proposed amendments must include justification for changing the plan. Elementary schools will compile and have on file their attendance incentives.

10.3. This plan should incorporate the following areas of responsibility:

(a) Faithful attendance, alternative placement, positive student recognition with media, award assemblies, and responsible student program.

(b) The plan shall include alternative plans and/or programs that encourage school attendance. These alternatives may include, but are not limited to: in-school suspension programs, after-school detention, Saturday detention and evening school. Out of school suspension solely for failure to attend class will not be utilized. These alternatives may be used at all offense levels.

(c) The plan shall include procedures for providing adequate counseling for problems related to attendance.

The principal may refer students to the guidance counselor before a referral is made to the Student Assistance Team (SAT). This will give the student an opportunity to have counseling before further referrals are deemed necessary.
If the SAT is unsuccessful in addressing the problems of students who have excessive absences or tardies, the SAT may refer these students to the principal (guidance counselor) for counseling to address attendance issues or to impose disciplinary action.

(d) The plan shall include procedures for interagency involvement.

The principal or assistant principal will request the assistance of appropriate agencies to address needs of students not addressed by school resources. It should be documented that resources of the school have been utilized without evidence of desired outcomes.

The principal will notify the Attendance Worker of his/her school when a case is referred to an agency outside the Raleigh County school system.

(e) The plan shall include procedures for notifying parents/guardians of unexcused absences and procedures for securing parent involvement for improvement.

(f) The plan shall include incentives to improve attendance as well as preventative measures and consequences for student tardies. Schools will not convert tardies to days absent. Each school shall schedule classes with ample time allowed between classes to enable students to move from the furthest point of the building without being tardy for class.

Students are expected to arrive at school within a time frame to allow for all preparation for class without infringing on allotted classroom instruction.

Students who are tardy for class will be referred to the office of the principal. The principal will follow the student handbook regarding how to handle consequences for tardies. The principal or his/her designee may use before school, after school, lunch detention or other consequences for student tardies.

(g) Students and parents will be notified of the county Attendance Policy and their responsibilities and accountability for regular school attendance through each school’s STUDENT HANDBOOK.

XI. Responsibilities of Attendance Director.

11.1. In the case of three (3) total unexcused absences of a student during a school year, the attendance director or assistant may serve written notice to 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.

11.2. At five (5) total unexcused days absent, the attendance director/assistant shall serve written notice to the parent, guardian or custodian of the student that within five 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 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.

11.3. Following seven (7) total unexcused days absent, a diversion contract will be issued to the parent or guardian and student.

11.4. If the parent or guardian does not comply with the CA-2 and after ten (10) unexcused absences, the attendance director/assistant may file a complaint against the parent, guardian or custodian in magistrate court.
11.2. 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 the status of attendance in the county. (WV Code §18-8-4)

11.3. The Attendance Director will serve as the liaison between homeless children and youth and children placed in foster care and the Raleigh County school systems.

XII. School Assistance Team (SAT).

The school shall establish a Student Assistance Team (SAT) to assist in encouraging regular pupil attendance. There will be an ongoing review of these interventions to determine effectiveness. The SAT will be utilized for all parts of the Attendance Policy excluding driver's licenses.

XIII. General Outline for Appeal of Absences.

The following process will be used for the appeal of absences.

   a) First appeal will be to the school’s SAT.
   b) Parent of student may file an appeal with the designated attendance coordinator of the school.
   c) A final appeal may be made to the Attendance Director of Raleigh County Schools.

This process pertains to all parts of the Attendance Policy excluding the driver's license revocation process.

XIV. Severability.

If any provision of this policy or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this policy.
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APPENDIX I

I. Excused Absences.

1.1. Illness or injury of the pupil requiring physician’s verification.

1.2. 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.

1.3. Illness of pupil verified by parents/guardian, not to exceed three (3) consecutive or five (5) total days per semester. When a student is absent from school, a note from the students’ parent/guardian or physician must be presented within three (3) school days after the absence(s) in order for the absence(s) to be excused.

1.4. Illness or injury in family when pupil absence is verified as essential by a physician.

1.5. Documented chronic medical conditions that may require multiple or regular absences. The 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.

1.6. Participation in homebound or hospital instruction due to an illness or injury or other extraordinary circumstances that warrants home or hospital confinement.

1.7. Documented disabilities consisting of any mental or physical impairments 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.

1.8. Calamity, such as fire in the home, flood, or family emergency upon approval by the school principal.

1.9. 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, pupil’s child(ren), or any person living in the same household.

1.10. School approved curricular, co-curricular, or extra-curricular activities.

1.11. Judicial obligation or court appearance involving the student with verification.

1.12. Failure of bus to run or extremely hazardous conditions.

1.13. Observance of religious holidays.

1.14. Absences of students with special needs shall be addressed in accordance with the Individuals with Disabilities Education Improvement Act of 2004 and West Virginia Board of Education Policy 2419, Regulations for the Education of Exceptional Students.

1.15. SAT plan, IEP or 504 plan meetings.

1.16. Military requirements for students enlisted or enlisting in the military.
D. STUDENTS

1.17. Personal or academic circumstances approved by the principal.

1.18. Any and all other absences to be excused will be at the discretion of Raleigh County Board of Education.

II. Unexcused Absences.

Any absence not specifically included in the definition of “excused absence”.

III. Absence Reasons.

A1  Alternative Setting (Full Day)
A2  Alternative Setting (Half Day)
B1  Bus Failure to Run (Full Day)
B2  Bus Failure to Run (Half Day)
C1  Calamity (Fire, Flood, Etc.), (Full Day)
C2  Calamity (Fire, Flood, Etc.), (Half Day)
C3  Health Exclusions (Example: Lice) (Full Day)
C4  Health Exclusions (Example: Lice) (Half Day)
D1  Death in Family (Full Day)
D2  Death in Family (Half Day)
H1  Homebound Instruction (Full Day)
H2  Homebound Instruction (Half Day)
I1  Illness in Family (Full Day)
I2  Illness in Family (Half Day)
I3  Illness Verified by Physician (Full Day)
I4  Illness Verified by Physician (Half Day)
I5  Illness Verified by Parent (Full Day)
I6  Illness Verified by Parent (Half Day)
L1  Leave of Educational Value (Full Day)
L2  Leave of Educational Value (Half Day)
L3  Legal Obligation (w/Verification) (Full Day)
L4  Legal Obligation (w/Verification) (Half Day)
M1  Medical Appointment (Full Day)
M2  Medical Appointment (Half Day)
M3  Military (Full Day)
M4  Military (Half Day)
P1  Parent Note in Excess of Policy (Full Day)
P2  Parent Note in Excess of Policy (Half Day)
P3  Pursuing Judicial Remedies (Full Day)
P4  Pursuing Judicial Remedies (Half Day)
R1  Religious Holiday (Full Day)
R2  Religious Holiday (Half Day)
S1  OSS (Other than Safe Schools) (Full Day)
S2  OSS (Other Than Safe Schools) (Half Day)
S3  OSS for Safe Schools Violations (Full Day)
S4  OSS for Safe Schools Violation (Half Day)
U1  Unexcused (Full Day)
U2  Unexcused (Half Day)
X1  School Approved Curricular/Extra (Full Day)
X2  School Approved Curricular/Extra (Half Day)
EE  Early Dismissal, Excused
EU  Early Dismissal, Unexcused
M5  Medical Chronic Illness (Full Day)
M6  Medical Chronic Illness (Half Day)
TE  Tardy Excused
TU  Tardy Unexcused
IV. Attendance Policy Definitions.

4.1. ABSENCE – Not being physically present in the school facility for any reason.

4.2. ALLOWABLE DEDUCTIONS – Absences that result from school-approved curricular/co-curricular 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.

4.3. ATTENDANCE – For statistical purposes, attendance will be reported and aggregated to the nearest half-day according to the definitions in 4.4 and 4.5.

4.4. FULL-DAY ATTENDANCE – Being present at least .74 of the school day.

4.5. HALF-DAY ATTENDANCE – Being present at least .50 of the school day.

4.6. ATTENDANCE RATE – The number of days present divided by the number of days of membership, multiplied by one hundred, equals attendance rate for students on the attendance registers in grades K-12.

4.7. DROPOUT – A dropout is an individual who:

(a) 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

(b) 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

(c) Has not graduated from high school, obtained a TASC diploma, or completed a state- or district-approved education program; and

(d) Does not meet any of the following exclusionary conditions:

(1) Transfer to another public school district, private school, home school, or state- or district-approved education program;

(2) Temporary school-recognized absence due to suspension or illness;

(3) Death.

4.8. DROPOUT DATE – For students of compulsory school attendance age or older, the dropout date is defined as the school day after the student’s last day of attendance.

4.9. ENROLLMENT – A student is officially enrolled when one of the following conditions occur:

(a) Student was enrolled the previous year;

(b) Student appears at school to enroll with or without a parent/guardian; or

(c) Student and/or parent/guardian appear at school to enroll with or without records.
4.10. **ENROLLMENT COUNT** – A status count that reports the number of students on the attendance register as required by the West Virginia Department of Education.

4.11. **HOMELESS CHILDREN AND YOUTH** – As defined in the McKinney-Vento Act, individuals who lack a fixed, regular and adequate nighttime residence and includes:

(a) Children and youth 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; or are abandoned in hospitals.

(b) Children and youth 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.

(c) Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

(d) Migratory children who qualify as homeless because the children or youth are living in circumstances as described in the above descriptions.

4.12. **CHILDREN IN FOSTER CARE** - Any children or youth who:

(a) Are in the custody of the West Virginia Department of Health and Human Resources,

(b) Have been placed in out-of-home care, and

(c) Are not in a permanent placement.

_This includes, but is not limited to, children and youth in family foster care, kinship care, emergency shelter care, or in a residential group home._

4.13. **MEMBERSHIP DAYS** – The days present plus the days absent.

4.14. **SAFE SCHOOLS VIOLATION** – A violation by a student of any of the provisions in WV Code §18A-5-1(a) for which WV Code requires that a pupil shall be suspended (i.e. possession of deadly weapons or controlled substances on the premises of an educational facility, or assault and battery committed by a student upon a teacher or other school personnel.)

4.15. **SCHOOL OF ORIGIN** – As defined in the McKinney-Vento Act, the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

4.16. **TRANSFER** – A process by which a student ends enrollment or attendance in one location and begins enrollment or attendance in a second location (i.e. 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.

4.17. **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.
4.18. **HOME/HOSPITAL SERVICES** provided for an exceptional student who is unable to attend school temporarily because of an injury, illness or health condition requires a change in the student’s placement to Out-of-School Environment (hereinafter OSE) as defined in WVBE Policy 2419: Regulations for the Education of Students with Exceptionalities (hereinafter WVBE Policy 2419), Chapter 5, Section 2, J – Least Restrictive Environment Consideration and Placement Decisions. The change of placement to OSE must be addressed by the student’s IEP Team and implemented in accordance with the requirements of WVBE Policy 2419.

4.19. **HOMEBOUND** – A student who, due to injury or illness as certified in writing by a licensed physician who specializes in the health condition, that may temporarily confine a student to home or hospital for a period that has lasted or will last more than three consecutive weeks will receive home/hospital services. The written statement from a license physician must include:

(a) The specific reasons and period of time that the student must remain at home or in the hospital; and the criteria or conditions under which the student will return to school, and the expected date of such return.

(b) A written statement by a licensed physician who specializes in the health condition must be resubmitted at least every three months if a student’s temporary home/hospital instruction is prolonged.

(c) The county board of education may require that the parent and/or guardian obtain an opinion from a second licensed physician who specializes in the health condition at the expense of the county board.

(d) Home/hospital services must be designed to provide the student adequate opportunity to continue learning toward mastery of grade level content standards and objectives while they are temporarily confined to home or hospital. These services may not replace full time instruction on an ongoing basis. The expectation is that students will return to the regular classroom.

(e) For one-to-one Teacher-to-Student Homebound, the schedule for home/hospital services must include adequate instructional time and be provided at a location determined by the county (not necessarily the student’s home) when a responsible adult in addition to the teacher is present.

(f) Since home/hospital services are temporary in nature, the home/hospital teachers are responsible for facilitating instruction only for approved content standards and objectives for core courses (i.e., English language arts, mathematics, science and social studies). The home/hospital services are guided by the student’s classroom teacher(s); consequently, the home/hospital teacher must be in regular contact with the classroom teacher(s) to:

(1) Secure and understand units/lessons, instructional plans and instructional resources (including approved online and virtual options), and

(2) Establish procedures for the collection and return of student work to the classroom teacher(s) for feedback and assessment.

(g) Home and/or hospital services may also be provided temporarily at the direction of the county superintendent for students who have not met the immunization requirements of WV Code §16-3-4.

4.20. **DOCUMENTED DISABILITIES** – consist of any mental or physical impairments 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.

4.21. DOCUMENTED CHRONIC MEDICAL CONDITIONS – 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.

V. Responsibility of the WVBE for Attendance in Raleigh County Schools.

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

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

VI. Responsibility of the RCBOE for Attendance.

In accordance with WVBE Policy 4110: Attendance, the Raleigh County Board of Education shall:

6.1. Employ a certified county director of school attendance as required by WV Code §18-8-3.

6.2. Support and require the county attendance director to implement and execute the duties as defined in WV Code §18-8-4:

(a) The county attendance director and his/her assistants shall diligently promote regular school attendance. They shall ascertain reasons for absences from school of students of compulsory school age and students who remain enrolled beyond the compulsory school age.

(b) In the case of three (3) total unexcused absences of a child during a school year, the attendance director/assistant may serve written notice to 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.

(c) In the case of five (5) total unexcused absences, the attendance director or assistant shall serve written notice to 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 or other designated representative 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 upon such meeting.

(d) In the case of ten (10) total unexcused absences of a student during a school year, the attendance director/assistant may make complaint against the parent, guardian, or custodian before a magistrate of the county.

(e) Require the county attendance director and all school administrators to implement and execute the duties defined in WV Code §18-8-11 regarding driver’s eligibility for a license or instruction permit to operate a motor vehicle.
(f) Provide upon request, a Driver's Eligibility Certificate on a form (hard-copy or electronic) approved by the West Virginia Department of Education (hereinafter WVDE) to any student at least fifteen but less than eighteen years of age who is in satisfactory standing with regard to attendance, behavior and academic progress in a school under the jurisdiction of the official for presentation to the West Virginia Department of Motor Vehicles (WVDMV) on application for or reinstatement of an instruction permit or license to operate a motor vehicle.

(g) In accordance with the provisions of WV Code §§17B-2-3 and 17B-2-5, the WVDMV shall deny a license or instruction permit for the operation of a motor vehicle to any person under the age of eighteen who does not at the time of application present a diploma or other certificate of graduation issued to the person from a secondary high school of this state or any other state, or documentation that the person:

1. Is enrolled and making satisfactory progress in a course leading to a high school equivalency diploma from a state approved institution or organization, or has obtained such certificate
2. Is enrolled in a secondary school of this state
3. Is a West Virginia resident enrolled in an out-of-state school
4. Is excused from such requirement due to circumstances beyond his or her control
5. Is enrolled in an institution of higher education as a full-time student in this state or any other state

(h) Provide notification to the WVDMV whenever a student at least fifteen but less than eighteen years of age withdraws from school, is suspended pursuant to WV Code §18A-5-1a and §18A-5-1b and/or fails to maintain satisfactory academic progress, except when the withdrawal or failure to make satisfactory academic progress is due to circumstances outside the control of the student. Notification must be provided to the WVDMV no later than five (5) days from the date of the withdrawal and/or suspension. Notification must be provided to the WVDMV no later than five (5) days from the end of the school year for failure to maintain satisfactory academic progress.

(i) Provide the opportunity, upon request, for a student who has been denied a Driver's Eligibility Certificate or has received a revocation notice, to have a hearing before the county superintendent of schools or his/her designee concerning whether the student withdrawal from school or failure to make satisfactory academic progress was due to a circumstance or circumstances beyond the control of the student. The county superintendent, with the assistance of appropriate staff, shall be the sole judge of whether any of the grounds for denial or suspension of a license or instruction permit are due to a circumstance or circumstances beyond the control of the student.

(j) The attendance director shall serve as the liaison for homeless children and youth as defined in WV Code §18-8-4 and the McKinney-Vento Act as well as children in foster care. As the liaison for homeless children and youth and children in foster care, the attendance director is required to:

1. Ensure that public notice of the educational rights of students in homeless situations and in foster care is disseminated where children and youth receive services.
D. STUDENTS

(2) Ensure that parents or guardians are informed of educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children.

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

(4) Help unaccompanied youth and children in foster care 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.

(5) Immediately assist in obtaining immunizations or record of immunizations or other medical records for those students who do not have them, and assure that students are enrolled in school while the records are being obtained.

(6) Ensure that homeless children and youths as well as children in foster care are identified by school personnel and through coordination activities with other entities and agencies.

(7) Ensure that homeless families, children and youth as well as children in foster care receive educational services for which such families, children and youth 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.

(8) Ensure that enrollment disputes are mediated as outlined in Paragraph (3) (E) of the McKinney Vento Act.

(9) Ensure that homeless children and youths as well as children in foster care enroll in, and have a full and equal opportunity to succeed in, schools of that local educational agency.

(k) The principal shall compare school numbers with school enrollment monthly.

(l) Upon receipt of written notice regarding a student’s five unexcused absences, the parent, guardian, or custodian of the student shall contact the school principal and schedule a meeting with the principal and the student.

(m) It shall be the duty of the principal, administrative head, or other chief administrator of each school, whether public or private, to make prompt report to the county attendance director, or proper assistant, of all cases of unexcused absences arising within the school which require the services of an attendance worker.

VII. Miscellaneous.

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

7.2. Jurisdiction to enforce compulsory school attendance law lies in the county in which a student resides and in the county where the school at which the student is enrolled is located. When the county of residence and
enrollment are different, an action to enforce compulsory school attendance may be brought in either county and the magistrates and circuit courts of either county have noncurrent jurisdiction for the trial of offenses arising under WV Code §18-8-4.

VIII. Severability.

If any provision of this policy or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this policy.
DUTIES OF ATTENDANCE DIRECTOR AND ASSISTANT DIRECTORS: COMPLAINTS, WARRANTS AND HEARINGS

1.1. The county attendance director and the assistant(s) shall diligently promote regular school attendance. They shall ascertain reasons for unexcused absences from school of pupils of compulsory school age and students who remain enrolled beyond the compulsory school age and take such steps as are, in their discretion, best calculated to encourage the attendance of students and to impart upon the parent/guardian the importance of attendance and the seriousness of failing to attend school regularly.

1.2. In the case of three (3) total unexcused absences of a student during a school year, the attendance director or assistant may serve written notice to 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.

1.3. In the case of five (5) total unexcused absences of a student during a year, the attendance director or assistant shall serve written notice to the parent, guardian or custodian of the student that within five (5) days of receipt of such 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, including the adjustment of unexcused absences based upon such meeting;

1.4. In the case of ten (10) unexcused absences of a student during a school year, the attendance director or assistant may make complaint against the parent, guardian or custodian before a magistrate of the county.

1.5. If it appears from the complaint that there is probable cause to believe that an offense has been committed and that the accused has committed it, a summons or a warrant for the arrest of the accused shall issue to any officer authorized by law to serve the summons or to arrest persons charged with offenses against the state. More than one warrant may be issued on the same complaint. Initial service of the summons or warrant issued pursuant to the provisions of WV Code §18-8-4 shall be attempted within ten (10) calendar days of the 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.

1.6. The magistrate court clerk, or the clerk of the circuit court performing the duties of the magistrate court as authorized in WV Code §50-1-8, shall assign the case to a magistrate within ten (10) days of the summons or warrant. The hearing shall be held within twenty (20) days of the assignment to the magistrate, subject to lawful continuance. The magistrate shall provide to the accused at least ten (10) days' advance notice of the date, time and place of the hearing.

1.7. When any doubt exists as to the age of a child absent from school, the attendance director/assistant shall have authority to require a properly attested birth certificate or an affidavit from the parent, guardian or custodian of the student, stating age of the student. The county attendance director or assistant shall, in the performance of his duties, have authority to take, without warrant, any student absent from school and to place the student in the school in which the student is or should be enrolled.

1.8. The county attendance director/assistant shall devote such time as is required to the duties of attendance director during the instructional term and at such other times as the duties of an attendance director are required.
1.9. All attendance directors hired for more than two hundred days may be assigned other duties determined by the superintendent during the period in excess of two hundred days. The county attendance director shall be responsible, under direction of the county superintendent, for the efficient administration of school attendance in the county.

1.10. In addition to those duties directly relating to the administration of attendance, the county attendance director and assistant directors shall also perform the following duties:

(a) Assist in taking the school census to assure that it is taken at the time and in the manner provided by the law;

(b) Confer with principals and teachers on the comparison of school census and enrollment for the detection of possible non-enrollees;

(c) Cooperate with existing state and federal agencies charged with enforcement of child labor laws;

(d) Prepare a report for submission by the county superintendent to the state superintendent of schools on school attendance, at such times and in such detail as may be required; also 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 the status of attendance in the county at the time;

(e) Promote attendance in the county by the compilation of data for schools and by furnishing suggestions and recommendations for publication through school bulletins and the press, or in such manner as the county superintendent may direct;

(f) Participate in school teachers' conferences with parents and students;

(g) Assist in such other ways as the county superintendent may direct for improving school attendance; and

(h) Make home visits of students who have excessive unexcused absences, as provided above, or if requested by the chief administrator, principal or assistant principal.
I. Definitions Related to Pupil Operator’s License.

1.1. Withdrawal – For the purpose of driver’s license eligibility, withdrawal is defined as the following reasons for which the county shall deny or revoke a Driver’s Eligibility Certificate from any student as least fifteen but less than eighteen years of age:

   (a) More than ten (10) consecutive or fifteen (15) total days of unexcused absences during a school year.

   (b) Suspension or expulsions pursuant to WV Code §18A-5-1a and §18A-5-1b which include the following Level IV behaviors when committed on the premises of an educational facility, at a school-sponsored function, or on a school bus:

      (1) Assault and/or battery on school employees;

      (2) Possessing deadly weapons;

      (3) Sale of a narcotic drug;

      (4) Committing an act of engaging in conduct that would constitute a felony under WV Code if committed by an adult, and/or

      (5) Unlawfully possessing a controlled substance governed by the uniform controlled substances act as described in WV Code §60A-1.1 et. seq.

1.2. Driver’s Eligibility Certificate – documentation provided by the county to the student verifying that the student has met the attendance, behavioral and academic expectations set forth by WV Code §18-8-11 that are required to obtain a license or instruction permit to drive a motor vehicle.

1.3. Satisfactory Academic Progress – attaining and maintaining grades sufficient to allow for graduation and course-work in an amount sufficient to allow graduation in five years or by age nineteen, whichever is earlier (beginning with the completed 2008-09 school year.)

   (a) This would calculate in the minimum annual earning of five (5) credits to allow graduation in five (5) years based on the graduation requirements set forth in WV 126CSR42, WVBE Policy 2510: Assuring the Quality of Education, Regulations for Education Programs.

   (b) Three (3) of the five (5) credits earned annually must be from the core requirements identified in WV 126CSR42, WVBE Policy 2510: Assuring the Quality of Education, Regulations for Educations Programs.
II. General.

2.1. All pupils from kindergarten through and after age 17 who are enrolled in school shall comply with the compulsory attendance laws (K-12).

2.2. Any pupil 15 years of age to 18 years of age, who needs to apply for a driver’s license or instruction permit shall request a form (WVDE 25-24-03) from the principal or Attendance Director, and shall cause the form to be completed with the necessary information.

2.3. The principal shall sign the form (WVDE 25-24-03) and the pupil shall become responsible for sending the form to the West Virginia Department of Motor Vehicles for proper processing of license or instructional permit.

2.4. In cases where a pupil has accumulated ten (10) consecutive, fifteen (15) unexcused days absence in a year or dropped out of school, notification will be made to the Department of Motor Vehicles by the Attendance Director.

2.5. Right of Appeal (WV Code §18-8-11) – any pupil allegedly in violation of WV Code §18-8-11 shall have the right of appeal. The county school 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 such withdrawal is due to circumstances beyond the control of such person.

2.6. Upon request for a reinstatement form, the principal will check the attendance record for attendance compliance before affixing a signature to the form.

2.7. Provide a review process that allows students to have their Driver’s Eligibility Certificate reinstated upon demonstration of satisfactory progress as follows:

(a) As outlined in WV126CSR81, WVBE Policy 4110: Attendance, reinstatement requests related to withdrawal for unexcused absences shall be at the end of the semester following that in which the withdrawal occurred.

(b) Reinstatement requests related to failure to make satisfactory academic progress shall be reviewed at the end of each school year for the purpose of reinstating the Driver’s Eligibility Certificate.

(c) Reinstatement requests related to withdrawal for suspension pursuant to WV Code §§18A-5-1a and 18A-5-1(b) shall be reviewed after all disciplinary sentences have been served for the purpose of reinstating the Driver’s Eligibility Certificate.

2.8. All of the above procedures refer only to “school attendance as a condition of licensure for the privilege of the operation of motor vehicles.” These procedures do not refer to the regular attendance dropout reporting procedures and do not preclude a pupil’s participation in school.

III. Graduated Driver’s License Requirements.

Any person under the age of 18, who did not obtain a Junior Driver’s License or Full License before January 1, 2011, will fall under the new GDL law.

1.4. Level One Instruction Permit – Fee $5.00 (2 attempts) An instruction permit allows an individual to operate a motor vehicle in order to learn to drive.
(a) Requirements:

1. Age 15 years old and less than 18 years old.

2. Application signed by a parent, single parent having custody or legal guardian.

3. Expiration date: 18th birthday with 30-day grace period.

4. This permit is not renewable. If the permit expires, the permit must be held for another 180 consecutive days before the Level II license exam will be given. If the Level I permit has expired, the individual must obtain a new permit and wait another 180 consecutive day's infraction fee before applying for the Level II license.

5. If an individual is under the age of 18, a parent, single parent having custody or legal guardian must sign application before the individual can be tested.

6. Parental consent is not required for married applicants under the age of 18; however, the individual must present a certified copy of his/her marriage certificate. The individual must have a current Student Eligibility Form.

(b) Privileges/Conditions/Restrictions:

1. May only drive with a licensed driver age 21 or older, who will be the only other occupant of the front seat.

2. May only drive between the hours of 5:00 AM and 10:00 PM.

3. May only operate the vehicle if all passengers are properly using safety belts. All occupants must use safety belts in accordance with state law.


5. Must maintain enrollment in school.

6. May not use a wireless communication device while operating a motor vehicle, unless use of the wireless communication device is for contacting a 911 system.

1.5. Level Two Intermediate Driver's License – Fee $5.00

(a) Requirements:

1. Be at least 16 years of age.

2. Must have held Level I permit for a period of 180 days.

3. Must be infraction free for six months immediately preceding date of application for Level II.

4. Must have 50-hour certification form completed, of which 10 hours must be at night and certified by parent or legal guardian or Driver's Education Card.

5. Pass Road Skills Test.
6. Present current Driver’s Eligibility Certificate.

(b) Expiration Date – 18th birthday with 30-day grace period or until the licensee qualifies for a level three full class E license, whichever comes first. If an individual receives two moving violations on a Level II, his/her license will be suspended until his/her 18th birthday. Once the individual turns 18, he/she must pay a reinstatement fee and retake the test. Married applicants under the age of 18 are not required to have parental consent, however, they must present a copy of their marriage certificate.

(c) Issuance Period: One to two years (until licensee reaches age 18)

(d) Privileges/Conditions/Restrictions:

1. May drive without a supervising adult driver between the hours of 5:00 AM and 10:00 PM.

2. Must drive with a supervising adult driver, age 21 or older, between the hours of 10:00 PM and 5:00 AM except when participating in or returning from the following:

   (a) Employment

   (b) A school-sanctioned activity

   (c) A religious activity

   (d) An emergency situation requiring the licensee to operate a motor vehicle to prevent bodily injury or death of another.

3. All occupants must use safety belts in accordance with state law.

4. No unrelated passengers under the age of 20 during the first 6 months.

5. One unrelated passenger under the age of 20 during the second 6 months.


7. Must maintain school enrollment.

8. May not use a wireless communication device while operating a motor vehicle, unless use of the wireless communication device is for contacting a 911 system.

1.6. Level Three Full Fee: $2.50 for each year until the month of the applicant’s 21st birthday (plus $0.50 Motor vehicle fee). (Class E License).

(a) Requirements:

1. Must have at least 1 year with Level II.

2. Must be infraction free for 1 year (excludes head lamp violation and improper backing violation).
3. Must be at least 17 years of age.

4. Expiration date: 21st birthday with 30-day grace period

(b) Issuance Period: Date of qualification until month of 21st birthday (currently a new license is issued at age 21).

(c) Restriction for Level III:

1. Zero alcohol tolerance.

2. All occupants must use safety belts in accordance with state law.


4.1. The WV Division of Motor Vehicles does not transfer permits from any state. If the state a transfer applicant currently holds a permit in is a GDL state, the Division will give the applicant driving time credit. The permit must be issued more than 30 days and non-expired. The applicant must provide a certified driving record from that state with no infractions or moving violations. The applicant is required to take the written test, and provide all documents as a first time applicant.

4.2. If a transfer applicant has a Level II Intermediate Driver's License, the applicant needs to apply for a transfer. If the applicant has been infraction free for 6 months, the issue date will be the same as the out-of-state issue date, meaning the one-year period with a Level II would start from the day the applicant received his/her out-of-state Level II. If the applicant has infractions, the issue date will be the date the Level II is issued in West Virginia.

4.3. If an applicant has a Level III, the applicant will be issued a Level III license in West Virginia.

V. Identification Documents.

Students should refer to the West Virginia Division of Motor Vehicles website or contact the division by telephone to determine necessary identification documents.

VI. Severability.

If any provision of this policy or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this policy.
I. **Purpose.**

Homebound instruction shall be offered to those pupils who are unable to attend school due to mental or physical illness or injury.

II. **Application Process.**

A. Application forms for children desiring homebound instruction must be obtained at the office of the Home/Hospital Coordinator located in the Board of Education Administration Building, 105 Adair Street in Beckley.

B. Parents/guardians or students applying for homebound instruction must submit each of the following documents to the Home/Hospital Coordinator prior to any consideration for homebound instruction services:

   1. Application
   2. Medical doctor’s recommendation for physical ailments or a licensed Psychiatrist’s recommendation for mental or emotional disorders for homebound. The recommendation must include:
      a. Diagnosis (medical)
      b. DSM-IV Code from psychiatrist
      c. Recommended length of homebound instruction (not to exceed three months). If greater than three months of homebound instruction is needed, an additional letter of recommendation from the attending medical doctor or licensed psychiatrist is required. After the letter of recommendation for homebound services has expired, homebound services will not be provided until an updated letter of recommendation has been submitted.
         Homebound instruction will not be provided during the time between expiration of the original letter of recommendation and updated letter. The student is responsible for obtaining class work from his/her school during that time period.
      d. Specific reasons why the student must remain at home or in the hospital for three (3) or more consecutive weeks.
   3. Signed release authorizing the release of information from the recommending physician.
   4. The application, physician’s letter and signed release must be submitted to the Home/Hospital Coordinator before a student may be assigned homebound instruction. Homebound teachers do not go back and assist the student in making up past assignments. Homebound instruction begins
III. Homebound Services.

A. Any student approved for homebound instruction may not be employed (neither part-time nor full-time employment) while receiving homebound services.

B. One-to-One Teacher-to-Student Homebound Instruction. Attendance of all scheduled homebound instruction sessions is essential. Therefore, an accumulation of three (3) unexcused absences for the duration of the homebound instruction period may result in the loss of services. Further, any homebound instruction student who accumulates three (3) unexcused absences will be considered truant and the appropriate attendance personnel will be notified.

C. Blended (Computer-Based with Teacher Support) Homebound Instruction. Students are required to attend orientation upon approval of homebound services. Consistent participation, as determined by the Home/Hospital Coordinator, in the computer-based homebound courses is required. Lack of consistent participation in assigned courses may result in the loss of services.

D. The homebound program is not intended to provide help/tutorial services for students who have fallen behind in their academic studies. Too often parents have been instructed by teachers and counselors to seek homebound instruction for these purposes.

IV. Severability.

If any provision of this policy or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this policy.

APPROVED: May 25, 2004

REVISED: July 26, 2016

REVISED: January 24, 2017

REVISED: January 9, 2018
APPENDIX 5

EDUCATION OF HOMELESS CHILDREN AND YOUTH AND CHILDREN IN FOSTER CARE

I. Philosophy.

1.1. The Raleigh County Board of Education strives to ensure that each child of a homeless individual and each homeless youth, as well as children in foster care, have equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youth of the county.

1.2. The Raleigh County Board of Education will review the compulsory residency requirement that is a component of the county’s and state’s compulsory attendance laws and policies or other laws, regulations, practices, or policies that may act as a barrier to the enrollment, attendance or success in school of homeless children and youth as well as children in foster care.

1.3. The Raleigh County Board of Education will undertake steps to revise such rules, regulations, practices or policies to ensure that homeless children and youth and children in foster care are afforded the same free, appropriate public education as provided to other children and youth.

1.4. The Raleigh County Board of Education recognizes that homelessness and foster care placement alone are not sufficient reasons to separate students from the mainstream school environment.

1.5. The Raleigh County Board of Education recognizes further that homeless children and youth as well as children in foster care should have access to the education and other services that children and youth need to ensure that such children and youth have an opportunity to meet the same challenging State and County student academic achievement standards to which all students are held.

II. Definition of the Term “Homeless Children and Youth”.

The term “homeless children and youth” is defined in federal legislation as:

A. An individual who lacks a fixed, regular and adequate nighttime residence and includes:

(1) Children and youth 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 accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals.

(2) Children and youth who have primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

(3) Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;

(4) Migratory children who qualify as homeless for the purposes of this subtitle because the children or youth are living in circumstances described in clauses (1) through (3);
B. Children or youth who are in foster care include those who:

   (1) Are in the custody of the West Virginia Department of Health and Human Resources

   (2) Have been placed in out-of-home care

   (3) Are not in permanent placement.

This includes, but is not limited to, children and youth in family foster care, kinship care, emergency shelter care or in a residential group home.

III. Selection.

4.1. The Raleigh County Board of Education shall, to the extent feasible, keep students in homeless situations and foster care placement in their school of origin (defined as the school attended when permanently housed or the school in which they were last enrolled), unless it is against the parent or guardian’s wishes.

4.2. Students can stay in their school of origin the entire time they are homeless or placed in foster care and until the end of any academic year in which they move into permanent housing.

4.3. Students may also choose to enroll in any public school that students living in the same attendance area are eligible to attend.

4.4. The homeless liaison must help unaccompanied youth (youth who are not in the physical custody of a parent or guardian) and children placed in foster care choose and enroll in a school, after considering the youth’s wishes, and provide youth with notice of their right to appeal an enrollment choice that goes against their wishes.

V. Enrollment.

5.1. Schools must immediately enroll students in homeless situations and in foster care, even if they do not have required documents, such as school records, medical records, proof of residency, or other documents.

5.2. Enrolling schools must obtain school records from the previous school, and students must be enrolled in school while records are obtained.

5.3. If a student does not have immunization records, the student must be enrolled in school in the interim while the liaison assists with the records. Students enrolling in Raleigh County who previously attended school in another WV county are presumed to have received all previously required immunizations and shall be permitted to attend school. Students enrolling in Raleigh County who previously attended school outside of WV are required to submit documentation of required immunizations prior to attending school.

5.4. Schools must maintain records for students who are homeless and in foster care so they are available quickly.

VI. Resolution of Disputes.

6.1. Homeless/Unaccompanied Youth. In the event a dispute occurs regarding the placement of a homeless/unaccompanied youth, the disputing party may appeal the decision to the WVDE McKinney-Vento Coordinator. During the dispute resolution process, the homeless/unaccompanied student should be enrolled in the
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school the family has chosen. A formal resolution shall be provided by the state superintendent’s office within ten (10) business days of receiving the dispute notification.

6.2. Children Placed in Foster Care. A foster child should remain in his/her school of origin during the resolution process (to the extent feasible and appropriate). When a dispute cannot be resolved at the local level, a formal resolution shall be provided by the state’s Deputy Commissioner of Program Resource Development within ten (10) business days of receiving the dispute notification.

VII. Transportation.

7.1. The Raleigh County Board of Education will strive to accommodate the request of a parent or guardian of a homeless/foster care student to and from the school of origin.

7.2. For unaccompanied/foster care youth, transportation to and from the school of origin must be provided at the liaison’s request.

7.3. If the student’s temporary residence and the school of origin are in Raleigh County, the county will provide transportation. If the student is living outside the school of origin’s county, Raleigh County Schools and the county school system where the school of origin is located must determine how to divide the responsibility and cost of providing transportation, or they must share the responsibility and cost equally.

7.4. In addition to providing transportation to the school of origin, Raleigh County Schools will provide students in homeless/foster care situations with transportation services comparable to those provided to other students.

VIII. Comparable Services.

The Raleigh County Board of Education will assist each homeless child or youth as well as children in foster care in accessing services comparable to services offered to other students in the school selected, including the following:

A. Transportation services

B. Educational services for which the child or youth meets the eligibility criteria, such as services provided under Title I of the Every Student Succeeds Act or similar state or local programs, educational programs for children with disabilities and educational programs for students with limited English proficiency.

C. Head Start, Even Start programs

D. Programs in Career and Technical Education

E. Programs for gifted and talented students

F. School nutrition programs

G. Before school and after school programs

H. Tutoring programs

I. Referrals for medical and mental health services

J. Pre-school programs
IX. Liaison.

In accordance with WV Code §18-8-4 and WVBE Policy 4110, the county Attendance Director is identified as the county liaison for homeless students and youth as well as children in foster care. The county liaison must ensure that:

A. Children and youth in homeless situations as well as children in foster care are identified by school personnel and through coordinated activities with other entities and agencies.

B. Children and youth enrolling, have full and equal opportunity to succeed in Raleigh County Schools.

C. Families, children and youth receive educational services for which they are eligible, including Head Start, Even Start and Pre-school programs administered by the Raleigh County Board of Education and referrals to health, mental health, dental and other appropriate services.

D. 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.

E. Public notice of the educational rights of students in homeless situations and children in foster care is disseminated where children and youth receive services under the McKinney-Vento Homeless Assistance Act (such as schools, family shelters, and soup kitchens).

F. Enrollment disputes are mediated in accordance with the Resolution of Disputes section.

G. Parents and guardians and unaccompanied youth and children in foster care are fully informed of all transportation services, including to the school of origin, and are assisted in accessing transportation services.

H. Liaison must collaborate and coordinate with state coordinators and community and school personnel responsible for the provision of education and related services to children and youth in homeless situations and children in foster care.

I. Assist in obtaining immunizations or records 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.

J. Help unaccompanied youth and children in foster care 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.

X. Raleigh County Board of Education Responsibility.

County school systems must inform school personnel, service providers and advocates who work with families in homeless situations of the duties of the liaison.
XI. Severability.

If any provision of this policy or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this policy.

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APPENDIX 8
EXCEPTION TO FOUR YEAR ATTENDANCE REQUIREMENT

I. Purpose.

West Virginia Board of Education Policy 2510 states that: "Attendance for the school day for all four years during grades 9-12 is important so that students obtain the full benefit from the educational programs offered in the schools of West Virginia. Therefore, all students shall be scheduled in the defined high school curriculum, college courses, career and technical programs, credit recovery, Option Pathway, experiential learning, or virtual courses for the full instructional day for all four years.” Exceptions may be made by the Board to accommodate other compelling under which students may attend school for fewer than four full years and/or may be scheduled for courses for less than the instructional day. West Virginia Board of Education Policy 4110 defines an excused student absence as, among other things, “absences that result from . . . other county board approved excused absences.” This policy sets forth several specific county board approved excused absences from school.

II. Exemptions.

A. Exceptions for Educational Reasons. The Raleigh County Board of Education shall make the following educational exceptions available to its students. A student may be granted an exception during his/her senior year to attend college or a post-secondary technical program provided that:

1. The student maintains an acceptable grade point average (GPA) and no lower than a 2.75 during his/her high school career and/or achieves an ACT composite score of 19 and/or an SAT composite of 1380 (certain exceptions may be granted due to special circumstances);

2. The student has a cumulative average daily attendance rate of 95% or above during his/her high school career, unless extraordinary circumstances exist (i.e. long term injury or illness);

3. The student will meet or has met the county graduation requirements; and

4. The student has been accepted by a college or technical school. If requesting a half-day exception, the student must be registered for at least three (3) credit hours per semester for which the exception is granted.

B. County Board Approved Excused Absences/Exceptions for Compelling Circumstances. The Raleigh County Board of Education has defined the compelling circumstances listed below under which students may attend school fewer than four years and/or may be scheduled for less than the full school day as defined by state policy. The exception may be granted for a half-day, based upon the compelling circumstance, during the second half of the school day their senior year. The student must be on track to meet or has met the county graduation requirements. The specific exceptions are as follows:

1. 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.

2. 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.
D. STUDENTS

3. Financial Need - Students who must work to support themselves or assist their parents in meeting the family’s financial obligations.

4. Health - Students who have to modify their educational program upon the recommendation of the attending physician.

5. Other Demonstrated Compelling Circumstance - The Raleigh County Board of Education may consider a compelling circumstance not listed above as a qualified exception, if the circumstance is adequately demonstrated.

Option Pathway - A student may be granted an exception based upon their completion of the Option Pathway program. Please refer to Policy 2444.4, Section 6.2.a.7 for additional guidance.

C. Academic Requirements for Graduation Not Waived

Nothing in this policy should be interpreted as a waiver from the mandatory number of credits required by the West Virginia Board of Education for graduation.

III. Severability.

If any provision of this policy or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this policy.

Legal Reference: West Virginia Board of Education Policy 2444.4
                West Virginia Board of Education Policy 2510
                West Virginia Board of Education Policy 4110

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