

STUDENT ATTENDANCE

I. Purpose.

- 1.1. Raleigh County Schools will provide for input from teachers, principals, attendance officers, parents, and community leaders when developing or revising this policy.
- 1.2. An annual evaluation to determine the effectiveness of this policy will be conducted.
- 1.3. A full copy of this policy shall be available on the school district's website.
- 1.4. Each revision of this 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 July 1st of such year or upon enrolling in a publicly supported kindergarten program and continue to the seventeenth birthday or for as long as the pupil shall continue to be enrolled in a school system after the seventeenth birthday: Provided, that child may be removed from such kindergarten when the parent/guardian determines that the best interest of the child would not be served by requiring further attendance: Provided, however, that the principal shall make the final determination with regard to the compulsory school attendance provision of this article; Provided further, that the compulsory school attendance provision of this article shall be enforced against a person eighteen years of age or older for as long as the person continues to be enrolled in a school system, and shall not be enforced against the parent/guardian/custodian of such person (W. Va. Code §18-8-1(a)).

II. Regular School Attendance.

- 2.1. The Raleigh County Board of Education (RCBOE) believes that regular school attendance is vital to a student's academic program. Students must attend school regularly and be on time to classes in order to realize maximize instructional benefits.
- 2.2. All students must be scheduled for the full instructional day, grades 9-12. Exceptions may be made in accordance with Appendix E of this policy.
- 2.3. Students are expected to attend all classes for which they are registered every day that classes are in session. Absences will be counted on an individual class basis.
- 2.4. 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.
- 2.5. Raleigh County Schools will collaborate with parents/guardians to attempt to improve a child's attendance. Administrators, faculty and counselors as well as the truancy diversion specialist assigned to the school will work with the student and parents/guardians to help solve problems which lead to poor attendance. Ultimately, the student and parents/guardians must assume responsibility for regular school attendance.

2.6. Students and parents/guardians/custodians will be notified of the RCBOE attendance policy as well as their responsibilities and accountability for regular school attendance through the district's website.

III. Definitions.

3.1. Attendance. A measure of exposure to instruction across all modes of learning, including in-person, virtual, and other settings as defined in section 3.11.

3.2. Attendance rate. The number of days present divided by the number of membership days multiplied by 100.

3.3. Chronic absenteeism. Missing 10 percent or more of instructional days for any reason except the allowable deductions identified in section 8.

3.4. Dropout. A student who meets the following:

- (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;
- (b) has not graduated from high school, obtained a high-school equivalency diploma, or completed a state- or county-approved education program; and
- (c) does not meet any of the following conditions:
 - (1) transfer to another in- or out-of-state public school system, private school, homeschool, or state- or county-approved education program;
 - (2) temporary school-recognized absence due to suspension or illness; or
 - (3) death.

3.5. Dropout date. The school day following the dropout's last day of attendance.

3.6. Enrollment. A student who is officially enrolled when one of the following conditions occurs:

- (a) was enrolled the previous year;
- (b) appears at school to enroll with or without a parent/guardian/custodian; or
- (c) appears at school to enroll with or without a parent/guardian/custodian and with or without records.

3.7. Jaycie's Law. A support plan for pregnant and parenting students to stay in school and earn a diploma.

3.8. Meaningful contact. Two-way communication between the school administrator or other school designee and the student's parent/guardian/custodian to discuss the student's attendance record in an effort to prevent subsequent truancy or other legal proceedings relating to compulsory

school attendance and minimize additional absences. Methods of meaningful contact include, but are not limited to, phone calls, video conferencing, home visits, and the use of digital platforms.

3.9. Membership days. The days present plus the days absent.

3.10. School of origin (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, including a preschool.

3.11. Student presence. Students may be present for instruction in the following settings.

- (a) In-school. Participation in educational activities at a school building.
- (b) Alternate setting. Participation in educational activities in a location other than the school building due to specific approved circumstances, such as out of school placement and alternative learning programs.
- (c) Homebound/hospital instruction. Participation in homebound or hospital instruction due to an illness, injury, or other circumstances which warrant home or hospital confinement.
- (d) Virtual learning/engagement. Participation in virtual or remote learning at a location other than a school building, including engagement in a virtual school, a planned hybrid schedule, or a non-traditional learning day as defined by RCBOE policy.
- (e) School approved activity. Participation in school-, county-, or state-approved curricular or extracurricular activities.

3.12. System of Support plan (SOS plan). A plan to be developed by schools which integrate services using a Multi-Tiered System of Support (MTSS) framework. MTSS frameworks utilize evidence-based strategies to promote students' academic success, behavioral and mental health, including social and emotional needs, trauma sensitivity, bullying prevention, dropout prevention, and truancy reduction to ensure a school climate and culture that foster learning and personal-social development. This plan shall include the following tiers and components and additional evidence-based strategies as appropriate.

- (a) Universal prevention. Ensuring positive attendance messaging and campaigns by establishing procedures for:
 - (1) selecting a school-based team or SAT, to support attendance;
 - (2) collecting meaningful and actionable data and determining the protocol for analyzing data;
 - (3) making and documenting meaningful contact with families/guardians/custodians after three and five days of unexcused absences and as needed;
 - (4) implementing school-level motivational strategies based on the needs of the school; and

- (5) recognizing attendance, including improved attendance.
- (b) Targeted intervention. Process of identifying students with a pattern of excessive absenteeism through school-based student support teams or SAT with an attendance focus. Establish procedures for:
 - (1) determining root causes of the absences to select evidence-based interventions based on need;
 - (2) reviewing interventions to determine effectiveness; and
 - (3) reporting all cases of unexcused absences arising within the school that require the services of an attendance director.
- (c) Intensive intervention. Process of collaborating with outside agencies for interagency case management, truancy diversion, and the judicial system when necessary. Establish procedures for:
 - (1) identifying all agencies and stakeholders to assist students based on need;
 - (2) providing adequate counseling for issues related to attendance; and
 - (3) collaborating with truancy diversion and the judicial system when necessary.

3.13. Transfer. A process by which a student ends enrollment or attendance in one location and begins enrollment or attendance in a second location (e.g., within a county, between counties, or out-of-state).

IV. Entry Procedures.

4.1. Preschool students, ages 3 (with an IEP) and 4, may enroll in preschool programs offered by the RCBOE. The preschool student must produce immunization records which reflect required minimum immunizations have been administered to the student after the first birthday.

4.2. Immunization records will be forwarded to the school nurse's office for proper tracking to monitor and verify that the preschooler obtains the minimum required immunizations.

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

4.4. Kindergarten programs shall be provided for all children who have attained the age of five prior to July 1 of the school year in which the student 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.

4.5. Prior to entrance into the first grade, each student must have either (1) successfully completed such public or privately-supported state-approved, Montessori, homeschool, Hope

Scholarship kindergarten programs, or (2) successfully completed an entrance test of basic readiness skills approved by the county only under extraordinary circumstances to be approved by the RCBOE.

4.6. Parents/guardians must provide school authorities a copy of their child's birth certificate and such other records as the school/county may need.

- (a) All children entering an approved WV Pre-K classroom should have on file within 45 days of enrollment or prior to the first day of school attendance a record of a HealthCheck screening, or other comprehensive health screening comparable to the HealthCheck protocol.
- (b) All children entering an approved WV Pre-K classroom should have on file within 45 days of enrollment/entry or prior to the first day of school attendance a record of an oral health examination.
- (c) All children entering school for the first time in the state of West Virginia shall have been immunized against diphtheria, polio, rubeola, rubella, tetanus and whooping cough.

4.7. Kindergarten and first grade students are not required to receive a tuberculin test prior to school.

4.8. Students moving into Raleigh County shall be admitted to school immediately. Records will be requested from the sending school.

V. Exemptions. (W. Va. 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 school district.

1. Instruction in a private, parochial or other approved school
2. Instruction in home or other approved place
3. Physical or mental incapacity (illness)
4. Hazardous conditions
5. High school graduation
6. Granting of work permits
7. Serious illness or death in the immediate family of the student
8. Destitution in the home
9. Church ordinances: observances or regular church ordinances
10. Alternative, private, or religious school instruction

11. Participation in the Hope Scholarship program

VI. Handling of Absences in the Elementary and Secondary Schools.

6.1. In order that principals may make prompt reports to the attendance department on unlawful absences and that all students 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.

6.2. Full-day attendance is being present at least 0.74 of the school day. Half-day attendance is being present at least 0.50 of the school day.

6.3. **Excused absences.** Students will receive excused absences for the following reasons:

- (a) Failure of the bus to run
- (b) Medical or dental appointment with a valid written excuse from a physician or dentist
- (c) Personal illness or injury of the student

Total combined absences permitted under personal illness/injury of a student and personal illness/injury of parent/guardian/custodian or family member must not exceed 10 per school year unless supported by a physician's note

- (d) Personal illness/injury of the student's parent/guardian/custodian or family member, provided; the excuse for such an absence must provide a reasonable explanation for the student's absence caused by the illness or injury in the family

Total combined absences permitted under personal illness/injury of a student and personal illness/injury of parent/guardian/custodian or family member must not exceed 10 per school year unless supported by a physician's note

- (e) 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 Student Assistance Team (SAT), Individualized Education Program (IEP) team, or Section 504 team.
- (f) Documented disabilities consisting of any mental or physical impairments that substantially limit one or more 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 team, or Section 504 team.
- (g) Death in the family

- (h) Judicial obligation or court appearance involving the student;
- (i) Military requirements for students enlisted or enlisting in the military;
- (j) College visits (a maximum of five); or
- (k) Participation in any WVDE-recognized and sanctioned student organization to enhance student enrichment and success as provided for in W. Va. Code §18-8-4.

The total combined absences under (j) and (k) may not exceed 10 per school year.

6.4. It is the responsibility of the parent/guardian to notify the school of each absence. A conference may be arranged at any time to discuss a student's absences.

6.5. Arrangements for makeup work must be made between the teacher and pupil on the first day that the student returns to the specific class. Students who have prior knowledge of any scheduled test or assignment may be required to make up the test or work on the first day of returning to the specific class. This includes both excused and unexcused absences.

VII. Truancy Procedures.

7.1. The county attendance director shall diligently promote regular school attendance. The director shall ascertain reasons for unexcused absences and shall take steps to correct attitudes of parents and students which result in absences from school even though not in violation of law. The director will perform his/her duties in accordance with W. Va. Code §18-8-4.

7.2. It shall be the duty of each school to appoint a designated school attendance coordinator (principal or designee) who will collect attendance data and make appropriate referrals to the county attendance director. Referrals should be made daily. The school attendance coordinator will determine which cases will be reported to the county attendance director.

7.3. Any absence not specifically included in the list of excused absences (see section 6.3) shall be considered unexcused.

VIII. Allowable Deductions.

Allowable deductions include absences that result from failure of the bus to run and students not in attendance due to disciplinary measures which are not included in the chronic absenteeism calculation.

IX. Student Operator's/Driver's License.

If a student is at least 15 but less than 17, his/her driver's license may be restricted for the following:

- (a) Acquiring 10 consecutive or 15 cumulative unexcused absences in an academic year;

- (b) Failing to maintain academic progress, which is defined as attaining and maintaining grades sufficient to allow for graduation in five years or by the age of 19, whichever is earlier; and/or
- (c) Being suspended due to an offense listed in W. Va. Code §18A-5-1a.

X. Responsibilities of Attendance Director.

The attendance director shall:

- 10.1. Ensure the implementation of SOS plans within the district, including encouraging the attendance of students and imparting upon parents/guardians/custodians the importance and the seriousness of failing to do so;
- 10.2. Ensure accurate attendance records and related documentation shall be maintained for every student enrolled in public school;
- 10.3. Cooperate with existing state and federal agencies charged with enforcing child labor laws;
- 10.4. Promote attendance by compiling data for schools and by furnishing recommendations for publication through media or in any manner directed by the superintendent;
- 10.5. Participate in teachers' conferences with parents/guardians/custodians and students, as appropriate;
- 10.6. Assist in other ways as directed by the superintendent to improve attendance;
- 10.7. Make home visits of students who have excessive unexcused absences or if requested by the principal or assistant principal;
- 10.8. Support and require the principal to implement and execute the duties as defined in this policy, West Virginia Board of Education (WVBE) Policy 4110: Attendance, and W. Va. Code §18-8-5;
- 10.9. Serve as the liaison for homeless children and youth as defined in W. Va. Code §18-8-4 and the McKinney-Vento Act. The attendance director shall:
 - (a) Ensure the public notice of the educational rights of students in homeless situations is disseminated in locations frequented by parents/guardians/custodians of such students;
 - (b) Ensure that parents/guardians/custodians 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;
 - (c) Ensure that parents/guardians/custodians are informed of, and assisted in accessing, all transportation services for their children, including to the school of origin;

- (d) Ensure unaccompanied youth are informed of their status and help unaccompanied youth choose and enroll in a school, after considering the youth's wishes, and provide the youth with notice of the right to appeal the county's decision;
- (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;
- (f) Ensure that homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies;
- (g) Ensure that homeless children and youth enroll in, and have a full and equal opportunity to succeed in, schools of the district;
- (h) Ensure that homeless families, children and youth receive educational services for which such families, children and youth are eligible including Head Start and preschool programs administered by Raleigh County Schools, including early intervention services under PL 108-446, IDEA, and referrals to health care services, dental services, mental health services, and other appropriate services; and
- (i) Ensure that enrollment disputes are mediated as outlined in the McKinney-Vento Act.

The attendance director may:

10.10. Assist schools with establishing data practices for collecting meaningful and actionable data, determining the protocol for analyzing data, and selecting a school-based team to support attendance;

10.11. Make complaint against the parent/guardian/custodian before a magistrate of the county in the case of 10 total unexcused absences of a student during a school year. More than one parent/guardian/custodian may be charged in a complaint;

10.12. Require a properly attested birth certificate or an affidavit from the parent/guardian/custodian of the student, stating the age of the student, when any doubt exists as to the age of the student absent from school; and

10.13. Require a student maintain satisfactory attendance (satisfactory being defined as no unexcused absences) during one complete semester following the restriction of the student's driver's license.

XI. Responsibilities of Principal.

The principal/school shall:

11.1. Select a school-based team or SAT with an attendance focus to meet the requirements of W. Va. Code §18-8-5. This team will determine the practices for collecting actionable data, the protocol for analyzing the data, and reporting the findings to the attendance director or his/her assistants. The report should include the following:

- (a) all cases of unexcused absences arising within the school that require the services of an attendance director; and
- (b) documentation of meaningful contact after three and five days of unexcused absences.

11.2. Meet with the parent/guardian/custodian of a student who has accumulated five unexcused absences from school during any quarter of the school year;

- (a) a student whose educational services are guided by an existing SAT plan, IEP or Section 504 plan may warrant special consideration when a pattern of single, multiple, or chronic absences exist. The student's current status should be reviewed by the SAT, IEP team, or Section 504 team as deemed appropriate and in accordance with federal and state laws;

11.3. Create an SOS plan for universal prevention and targeted and intensive interventions to address absenteeism at their school;

11.4. Ensure accurate attendance records and related documentation shall be maintained for every student enrolled in the school;

- (a) An up-to-date record of attendance shall be maintained;
- (b) There shall be written procedures for notifying parents/guardians/custodians about absences, monitoring absences, and notifying the attendance director of unexcused absences when the director's services are required

11.5. Appoint a designated school attendance coordinator (principal or designee) who collects classroom attendance data and makes appropriate referrals to the attendance director;

11.6. Ensure a student may not be suspended solely for failure to attend class;

11.7. Ensure all students shall be scheduled in the defined high school course work, college courses, CTE programs, credit recovery, Option Pathway, experiential learning, or virtual college courses for the full instructional day during grades 9-12; and

11.8. Ensure 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.

XII. 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 A**Absence Reasons**

ANOBUS	Bus failure to run
ANONINST	Noninstructional activity recognized by state, district or school
ALEGAL	Legal or judicial requirement
ABEREAV	Bereavement or family emergency
APARENT	Parent verified illness
AHEALTH	Illness, injury, health treatment, or examination (clinician verified)
ARELIG	Religious observation
ADISCIP	Disciplinary action, not receiving instruction
AUNEXC	Unexcused absence
PNONTRAD	Nontraditional school setting, regular instruction program
PDISS	Disciplinary action, receiving instruction on site (in school suspension)
PDALT	Disciplinary action, receiving instruction off site (alternative location, expelled student)
PALTINST	Out of school, regular instructional program activity
PEXTRACR	Out of school, school-approved extracurricular or co-curricular activity
PRESENT	In school, regular instructional program (optional)

Appendix B

Compulsory Attendance and Conditions Related to Pupil Operator's License

W. Va. Code §18-8-11 – School Attendance and Satisfactory Academic Progress as Conditions of Licensing for Privilege of Operation of Motor Vehicle.

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 submit the Documentation for Restriction of Driver's License form for any student as least fifteen but less than seventeen years of age that has:

- (a) More than ten (10) consecutive or fifteen (15) total days of unexcused absences during a school year.
- (b) Failure to maintain academic progress, which is defined as attaining and maintaining grades sufficient to allow for graduation in five years or by the age of 19, whichever is earlier.
- (c) Suspension or expulsions pursuant to W. Va. 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) Battery on school employees;
 - (2) Possessing and/or using deadly weapons;
 - (3) Illegal substance-related behaviors (narcotic, nonnarcotic); and/or
 - (4) Committing an act of engaging in conduct that would constitute a felony under W. Va. Code if committed by an adult, and/or

1.2. Satisfactory Academic Progress – attaining and maintaining grades sufficient to allow for graduation and coursework 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 West Virginia Board of Education (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 WVBE Policy 2510.

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. Notification shall be provided to the West Virginia Division of Motor Vehicles (WVDMV) using the Documentation for Restriction of Driver's License form in the following situation(s) for a student who is at least 15 but less than 17 years of age:

- (a) 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.
- (b) When a student fails to maintain academic progress, which is defined as attaining and maintaining grades sufficient to allow for graduation in five years or by the age of 19, whichever is earlier.
- (c) When a student is suspended due to an offense listed in W. Va. Code §18A-5-1a.

2.3. Right of Appeal (W. Va. Code §18-8-11) – any student allegedly in violation of W. Va. Code §18-8-11 shall have the right of appeal. The district's superintendent, with the assistance of the 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.

2.4. 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 student's participation in school.

III. Identification Documents.

Students should refer to the WVDMV website or contact the division by telephone to determine necessary identification documents.

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.

Appendix C

HOME/HOSPITAL INSTRUCTION (HOMEBOUND INSTRUCTION)

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.

2.1. 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.

2.2. 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:

- (a) Application
- (b) Medical doctor's recommendation for physical ailments or a licensed psychiatrist's recommendation for mental or emotional disorders for homebound. The recommendation must include:
 - (1) Diagnosis (medical)
 - (2) DSM-IV Code from psychiatrist
 - (3) 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.
 - (4) 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.
 - (5) Specific reasons why the student must remain at home or in the hospital for three (3) or more consecutive weeks.
- (c) Signed release authorizing the release of information from the recommending physician.
- (d) 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 at the time the application has been approved. It is the responsibility of the school and the student to make arrangements for work missed prior to approval of homebound.

III. Homebound Services.

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

3.2. 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.

3.3. 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.

3.4. 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.

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APPENDIX D**EDUCATION OF HOMELESS CHILDREN AND YOUTH AND CHILDREN IN FOSTER CARE
POLICY****I. Purpose.**

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

1.5. The RCBOE recognizes further that homeless children and youths as well as children in foster care should have access to the education and other services that children and youths need to ensure that such children and youths have an opportunity to meet the same challenging state and county student academic achievement standards to which all students are held.

II. Definitions.

2.1. **Homeless Children and Youth**². The term "homeless children and youth" is defined in federal legislation as:

An individual who lacks 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 adequate alternative accommodations; are living in emergency or transitional shelters; and/or are abandoned in hospitals or other locations;
- B. 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;
- C. Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- D. Migratory children who qualify as homeless because the children or youth are living in circumstances described in this section.

2.2. Children or youth who are in foster care. Includes 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.

3.1. The RCBOE 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's /guardian's wishes.

3.2. 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.

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

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

IV. Enrollment.

4.1. 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.

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

4.3. If a student does not have immunization or medical records, the student must be enrolled in school in the interim while the liaison assists in obtaining the records.

4.4. Schools must maintain records for students who are homeless so they are available quickly.

V. Resolution of Disputes.

If a student is enrolled in school other than the school of origin or the school requested by parent/guardian, the liaison will provide a written explanation of his/her decision and the right to appeal to the county superintendent of schools, who shall review the facts in the dispute and offer a written decision to both the parent/guardian, unaccompanied youth and the liaison.

VI. Transportation.

6.1. The RCBOE will strive to accommodate the request of a parent/guardian of a homeless/foster care student to and from the school of origin.

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

6.3. 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 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.

6.4. 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.

VII. Comparable Services.

The RCBOE 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 Elementary and Secondary Education Act of 1965 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 Vocational 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
- K. Parent education
- L. Counseling

M. Social work services

N. And other services that may not otherwise have been provided by the public school program

VIII. Liaison.

The West Virginia Board of Education has named county Attendance Directors to be the county liaison for homeless students and youth as defined in W. Va. Code §18-8-4 and the McKinney-Vento Act.

IX. Duties of Liaison.

9.1. 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 RCBOE and referrals to health care services, 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 in locations frequented by parents, guardians, and/or custodians of such students.
- F. Enrollment disputes are mediated in accordance with the McKinney-Vento Act.
- G. Parents/guardians and unaccompanied youth and children in foster care are fully informed of and assisted in accessing all transportation services for their children, including to the school of origin.

9.2. The county 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.

X. Raleigh County Board of Education Responsibility.

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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Revised:	August 27, 2013
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Revised:	September 27, 2022
Revised:	January 23, 2024
Revised:	August 12, 2025

APPENDIX E**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 up to a half-day, based upon the compelling circumstance, during the second half of the school day their senior year. A student's schedule must include 1st period and run consecutively. 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.

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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Appendix F

Jaycie's Law

Responsibilities

County boards shall make reasonable efforts to encourage school-aged parents to remain on track for graduation.	Provide academic support such as, but not limited to: <ul style="list-style-type: none"> • virtual instruction; and • homebound instruction.
<p>Schools shall refer the students to an organization that seeks to provide a range of services to pregnant women and their families.</p> <p>See the suggested definitions of these organizations as defined in W. Va. Code §16-66-1.</p>	<p>Provide a list of pregnancy or postpartum assistance organizations within the county and surrounding counties, such as, but not limited to:</p> <ul style="list-style-type: none"> • organizations traditionally known as pregnancy organizations; • maternity homes; • adoption agencies; and • social service agencies.

Attendance Guidance

Excuse all absences due to pregnancy or parenting-related conditions, including: <ul style="list-style-type: none"> • labor; • delivery recovery; and • prenatal and postnatal medical appointments. 	WVDE will provide guidance on coding these absences.
Provide eight weeks of excused absences for the mother for the birth of the child.	<p>A doctor's excuse must be provided for up to the initial eight weeks.</p> <p>Absences beyond eight weeks after birth shall require separate excuses.</p> <p>WVDE will provide guidance on coding these absences.</p>
Provide two weeks of excused absences for the putative father within the first 10 weeks of the baby's birth.	WVDE will provide guidance on coding these absences.
Provide an excused absence for parenting students whose child is sick.	<p>A doctor's excuse must identify the child's illness requiring the parenting student's absence.</p> <p>Absences will only be excused for one parent unless the child's illness requires hospitalization.</p> <p>WVDE will provide guidance on coding these absences.</p>