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**CONSEQUENCES FOR PUBLIC SCHOOL TRUANCY
AND WHETHER THEY AFFECT STUDENT ATTENDANCE
IN WEST VIRGINIA COUNTIES: A COMPREHENSIVE STUDY**

A dissertation submitted to
the Graduate College
of Marshall University
In partial fulfillment of
the requirements for the degree of
Doctor of Education

In
Educational Leadership
by

Matthew Jacob Messer

Approved by
Dr. Barbara Nicholson, Committee Chairperson
Dr. Tom Hisiro
Dr. Lisa Beck

Marshall University
May 2020

APPROVAL OF DISSERTATION

We, the faculty supervising the work of **Matthew Jacob Messer**, affirm that the dissertation, *Legal Consequences for Public School Truancy and Whether they Affect Student Attendance in West Virginia Counties: A Comprehensive Study*, meets the high academic standards for original scholarship and creative work established by the EdD Program in **Leadership Studies** and the College of Education and Professional Development. This work also conforms to the editorial standards of our discipline and the Graduate College of Marshall University. With our signatures, we approve the manuscript for publication.

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DEDICATION

I dedicate this dissertation (and all of the assignments and classes that led to it and my doctoral degree) to my family.

To my wife, Amanda, thanks for your never-ending encouragement, love, and support. You took many family responsibilities and household chores off my shoulders so I could have the time to do the necessary researching, reading, analyzing, writing, synthesizing, and editing to complete this culminating product for this terminal degree. I could not have done it without you. I love and appreciate you more than you know, darling.

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ABSTRACT

Compulsory attendance for school-aged children began in Massachusetts in 1852 and spread to every state in America by 1918. More than 100 years later, educators and other stakeholders continue to struggle to get many students to attend school on a consistent basis and at the desired rate. Failure to do so has significant short- and long-term effects for those students, their schools, their communities, and their future families. There are two types of problematic student attendance: truancy and chronic absenteeism. Truancy counts only unexcused absences and focuses on judicial implications; chronic absenteeism, on the other hand, counts all absences and focuses on educational ramifications. This study focused on truancy. One of the ways educators and other stakeholders combat that academic epidemic is legal consequences for truant students and/or their parents or guardians. The purpose of this descriptive, non-experimental study was two-fold. The first purpose was to examine the effectiveness of the use of legal consequences against truant students and/or their parents or guardians and the denial or revocation of driving privileges for truant students in improving student attendance in all 55 West Virginia counties. The second purpose was to compare the perceptions of attendance directors in all 55 West Virginia counties on the effectiveness of the use of legal consequences against truant students and/or their parents or guardians and the denial or revocation of driving privileges for truant students. While there have been many studies about truancy nationwide and worldwide, few have focused on that problem in West Virginia. A web-based survey was distributed to attendance directors from all 55 counties in the state. Also, attendance rate data from all 55 counties for the past five school years were collected from the West Virginia Department of Education. Statistical analysis for this study was largely impossible because the sample was dominated by the district description variable (i.e., rural, suburban, or urban). The findings of

this study, therefore, are suggestive rather than conclusive. The data suggest there may be relationships between counties' use of legal consequences against truant students and parents or guardians of truant students and their attendance rates. The attendance directors who participated in this study also believe legal consequences for truant students are more effective than legal consequences for parents or guardians of truant students, and they reported the denial or revocation of drivers' licenses and learners' permits is the most effective punitive measure they can use against truant students. The significance of this study is it may lead West Virginia policymakers to tighten the policies and strengthen the consequences in regard to student attendance and truancy.

CHAPTER ONE

INTRODUCTION

Student attendance is an educational crisis throughout America, especially in West Virginia. According to McConnell and Kubina (2014), 10% of public-school students are absent on any given day in America. Blad (2018) reported that one in seven students (14.3%) nationwide was chronically absent with 15 or more absences during the 2015-2016 school year, which is the most recent year for which nationwide data are available. The numbers were worse in West Virginia, where one in five students (19.8%) was chronically absent that year — and those absences continue to worsen. Adams (2018) reported approximately 54,000 of West Virginia's 240,882 students — or 22% — had 19 or more absences during the 2017-2018 school year. Student attendance is a necessary component of student success. Chang and Romero (2008) wrote, "At the core of school improvement and education reform is an assumption so widely understood that it is rarely invoked: Students have to be present and engaged in order to learn" (p. 3). Kearney and Graczyk (2014) called school absenteeism "a common, serious, and highly vexing problem" (p. 1), and it has been one since the inception of compulsory attendance more than 150 years ago. Goldstein (2015) noted that compulsory attendance began in Massachusetts in 1852 and was implemented in every state in America by 1918. Allen-Meaers (2010) defined compulsory attendance as a legal requirement that students between certain ages attend public schools unless their parents or guardians can prove they are receiving equivalent instruction elsewhere; the beginning and ending ages of compulsory attendance differ from state to state.

The two central components of student attendance are truancy and chronic absenteeism. Attendance Works (2018) noted the differences between truancy — which counts only unexcused absences, emphasizes compliance with school rules, and relies on legal and

administrative solutions — and chronic absenteeism — which counts all absences (i.e., excused, unexcused, and suspensions), emphasizes the academic impact of missed days, and uses community-based, positive strategies. The two often go hand in hand, however. Students who are truant almost always are chronically absent, but chronically absent students are not always truant because their absences could be excused for medical or other reasons. Although chronic absenteeism will be mentioned in this study, truancy will be the focus because of its reliance on the judicial system and legal consequences. Mallett (2016) defined truancy as “the habitual, unexcused absences from school, exceeding the maximum set by state law” (p. 339). Research shows that truancy has short- and long-term effects that can have negative impacts on those students’ lives (Alexander, Entwisle, & Horsey, 1997; Allen-Meares, 2010; Altman & Meis, 2012-2013; Arthurs, Patterson, & Bentley, 2014; Baker, Sigmon, & Nugent, 2001; Balfanz, 2016; Balfanz & Byrnes, 2012a; Balfanz, Herzog, & MacIver, 2007; Barrington & Hendricks, 1989; Birioukov, 2016; Blad, 2017; Chang & Romero, 2008; Davie, Butler, & Goldstein, 1972; DeKalb, 1999; *Educational Leadership*, 2018; Ensminger & Slusarcick, 1992; Epstein & Sheldon, 2002; Fowler, 2015; Garry, 1996; Gleich-Bope, 2014; Goldstein, 2015; Gottfried, 2009, 2010, 2011; Hoachlander, Dykman, & Godowsky, 2001; Huck, 2011; Johnson, 2000; Kaplan, Peck, & Kaplan, 1995; Kieffer, Marinell, & Stephenson, 2011; Landis & Reschly, 2011; Mahoney, 2015; Mallett, 2016; Martin & Halpern, 2006; McConnell & Kubina, 2014; McCray, 2006; Messacar & Oreopoulos, 2013; National Association of Elementary School Principals, 2001; National Behavior and Attendance Review, 2008; Paredes & Ugarte, 2011; Phi Delta Kappan, 2016; Ready, 2010; Reeves, 2008; Reid, 2005; Reid, 2012; Roby, 2004; Rumberger, 1987; Rumberger, 1995; Rumberger, Ghatak, Poulos, Ritter, & Dornbusch, 1990; Schagen & Benton, 2006; Schagen, Benton, & Rutt, 2004; Schoeneberger, 2012; Seeley, 2008; Sheldon,

2007; Sheppard, 2009; Sparks, 2010; Spencer, 2009; Vedder, 1979; Wallace, Goodkind, Wallace, & Bachman, 2008; Wright, 2009). Truant students typically have lower levels of student achievement than their peers, including their performances on standardized tests. They also have a higher dropout rate and a lower graduation rate than their peers, which often results in lower average incomes, higher rates of unemployment, increased likelihood of health issues, and increased likelihood of incarceration. Truant students are more likely to engage in self-destructive behavior, such as alcoholism, crime, and drug abuse.

RELATED LITERATURE

The related literature for this study emphasizes seven themes — the history of compulsory attendance and the purpose of education; the factors that affect truancy; the short- and long-term effects of truancy on people and society; truancy in West Virginia; truancy and its legal consequences, including the denial or revocation of driving privileges; and truancy interventions and attendance initiatives — that will be introduced here and thoroughly examined and explicated in the next chapter. This study focuses on the legal consequences for public school truancy and whether they affect student attendance in West Virginia counties. It drew from seven similar studies — three in the United Kingdom, two in West Virginia, one in Australia, and one in Missouri.

Donoghue (2011) examined thousands of cases in England and Wales from 2002 through 2006 in which parents — most of them mothers — were fined or imprisoned by the court system because their children were truant. Donoghue found that the rate of unauthorized absences remained unchanged from 2000 to 2010, with an average of 68,000 pupils absent each day, despite the number of parents prosecuted because of their children's truancy rising from 1,961 prosecutions in 2001 to 9,506 prosecutions in 2008. Donoghue claimed those legal

consequences turned those parents into scapegoats for a multi-faceted problem that has economic, educational, and social factors; those legal consequences also disproportionately targeted mothers, which had the detrimental effect of criminalizing and stigmatizing those women. Donoghue called punitive sanctions counter-productive and suggested the use of other interventions, including parenting support, home tuition, and family welfare projects.

Zhang (2004) conducted a study in which 43 local education agencies in England and Wales completed surveys that required them to provide detailed data of prosecution and truancy from 1999 to 2002. Zhang then analyzed the data using the Pearson correlation coefficient, which showed there is no relationship between the number of prosecutions and the levels of school absenteeism. Zhang concluded local education agencies should not rely on more legal consequences against parents in their efforts to fight truancy. He did, however, suggest they consider more legal consequences against secondary students.

Reid (2006) interviewed 160 secondary school educators from two school districts in England to learn their views of school attendance issues. He interviewed 40 headteachers (the equivalent of principals in America), 40 deputy head teachers (the equivalent of assistant principals in America), middle managers (the equivalent of department leaders in America), and form tutors (a combination of a teacher, counselor, and mentor or tutor in America). Reid reported the educators interviewed did not have confidence in the court system and felt it was too lenient on the parents of truant students; this only made their jobs more difficult in trying to fix their schools' attendance problems. The participants of the study also believed alternative curriculum and vocational opportunities are needed for truant students, a change they believe would lead to increased student engagement and, as a result, increased student attendance.

Corley (2012) conducted a study in which she examined the effects of truancy-related legislation on the attendance of all students in one West Virginia county (i.e., Barbour) during the 2007-2008, 2008-2009, 2009-2010 and the 2010-2011 school years. There were 2,533 students enrolled in the county in 2007; 2,537 students in 2008; 2,496 students in 2009; 2,478 students in 2010; and 2,512 students in 2011. Corley analyzed data before and after the West Virginia legislature (2019a) in 2010 changed the law stating that compulsory attendance meetings must be held when a student reaches five unexcused absences rather than the previous threshold of 10 unexcused absences. Using a time series plot and a paired samples t-test, she determined that the change in the state code had no significant change on student attendance, which slightly decreased the year after the law was implemented.

Comer (2017) studied eight West Virginia counties — Barbour, Cabell, Fayette, Greenbrier, Mercer, Nicholas, Raleigh, and Taylor — that used a judicial-based truancy program with a multi-disciplinary approach. She surveyed the eight county attendance directors and 15 circuit court judges participating in the Judges' Truancy Program Model, and she gathered and analyzed non-survey data from the West Virginia Department of Education. Comer examined the graduation rates, dropout rates, and attendance rates in those eight counties, comparing three years of data with the program to two years of data without the program. Comer learned the attendance rates for those counties were consistent for the two years without the program and the first two years with it, but they decreased by 4.23% in the third year with it. The dropout rate decreased steadily and the graduation rate increased steadily during the study's five-year period. Comer also asked the attendance directors, judges, and building-level administrators in those eight West Virginia counties to rate their perceptions of the overall effectiveness of the program on a scale of one (little or no effect) to six (great effect) and their perceptions of the effectiveness

of the program on a scale of one (little or no effect) to six (great effect) for five categories: increasing attendance, increasing academic performance, increasing graduation rate, decreasing dropout rates, and changing student attitudes about attending school. Comer learned there were no significant differences in the frequencies of the responses, but there were some patterns, with 12 of 18 participants indicating the program had some effect on increasing attendance, 10 of 18 participants indicating the program had some effect on increasing academic performance, 13 of 18 participants indicating the program had some effect on increasing graduation rate, 11 of 17 participants indicating the program had some effect on decreasing the dropout rate, and 11 of 18 participants indicating the program had some effect on changing student attitude about school.

Mazerolle, Antrobus, Bennett, and Eggins (2017) studied a collaborative police-school partnership approach in 11 schools located within highly disadvantaged metropolitan areas of Queensland, Australia. The study used a one-to-one parallel design in which 51 students comprised the control group and 51 students comprised the experimental group. For the control group, the school administration handled truancy as it normally did (i.e., meeting with parents, sending warning letters to parents, and sending letters of pending prosecution to parents). For the experimental group, the school administration handled truancy as it normally did, but there was a pre-conference in which the student and other pertinent stakeholders created a child-focused action plan, a police officer monitored the plan to ensure its action steps were completed, and there was a post-conference. Mazerolle et al. learned that absenteeism decreased significantly for students in the experimental group, but not in the control group; students in the experimental group also increased their willingness to attend school and improved their perceptions about school attendance, according to survey responses.

Hendricks, Sale, Evans, McKinley, and Carter (2010) studied the effectiveness of a school-based truancy court intervention in four middle schools in a mid-sized school district in Missouri. They analyzed cumulative data from 185 truant students from 2004 through 2008. The data for their study came from school records for student attendance, demographics, and discipline offenses and a survey that measured student attachment toward school and truancy court. Hendricks et al. created a survey that asked the participants to rate how much they agreed with a list of statements, such as “School is a waste of time,” “I feel like I belong at my school,” and “I really want to graduate high school.” Hendricks et al. learned the program had significant effects on severe cases of truancy, but insignificant effects on mild to moderate cases of truancy. They also determined only the students with extreme cases of truancy maintained their attendance gains after the program ended; the students with mild and moderate cases of truancy reverted to their baseline attendance data. Their study prompted Hendricks et al. to recommend a multi-disciplinary approach that educates and empowers the parents and students because they believe this approach can have a significant impact on student attendance.

PROBLEM STATEMENT

Researchers have conducted many studies about truancy and the short- and long-term problems that accompany it, but few have focused on that ever-worsening educational issue in West Virginia. Corley (2012) and Comer (2017) conducted West Virginia-based studies, but the scope of their research was limited; Corley looked at only one county and focused on only one piece of truancy-related legislation, and Comer looked at only eight counties and focused on only one truancy-related judicial program. All 55 counties must abide by the legislation on which Corley focused, and all 55 counties use the judicial system to issue legal consequences to truant students and/or their parents or guardians. This study is based on the narrowness of existing

research and the need for further investigation, specifically the need for a comprehensive study that examines attendance issues and analyzes attendance data for all 55 counties in West Virginia.

PURPOSE OF STUDY

The purpose of this research is to add to the body of literature that addresses truancy and chronic absenteeism, specifically as they relate to the effectiveness of legal consequences. Those legal consequences include placing truant students on probation, sending them to juvenile detention centers, denying or revoking their driving privileges, fining their parents or guardians, and jailing their parents or guardians.

RESEARCH QUESTIONS

In order to execute a comprehensive study that investigates attendance issues in all 55 counties in West Virginia, the following questions will be asked.

1. What effect, if any, do legal consequences (e.g., fines, jail sentences, and probation) for parents or guardians of truant students have on improving the attendance rates in West Virginia counties?
2. What effect, if any, do legal consequences (e.g., improvement plans, alternative placements, and home confinement) for truant students have on improving the attendance rates in West Virginia counties?
3. What effect, if any, does the denial or revocation of driving privileges for truant students have on improving the attendance rates in West Virginia counties?
4. What are the perceptions of the effectiveness of truancy-related legal consequences (e.g., fines, jail sentences, and probation) for parents or guardians of truant students as held by attendance directors in West Virginia counties?

5. What are the perceptions of the effectiveness of truancy-related legal consequences (e.g., improvement plans, alternative placements, and home confinement) for truant students as held by attendance directors in West Virginia counties?

6. What are the perceptions of the effectiveness of truancy-related denial or revocation of driving privileges for truant students as held by attendance directors in West Virginia counties?

METHODS

This investigation was a descriptive, non-experimental study that measured changes in attendance generated by the imposition of legal consequences for truant students or for their parents or guardians as well as increases in attendance generated by the denial or revocation of driving privileges for truant students. Perceptions of the effects that legal consequences for parents or guardians of truant students have on improving student attendance rates, of the effects that legal consequences for truant students have on improving student attendance rates, and of the effects that denying or revoking driving privileges of truant students have on improving student attendance rates were asked.

DATA COLLECTION

Data for this study was collected in two ways. First, a survey was distributed to attendance directors from all 55 counties via Qualtrics. Second, attendance rate data from all 55 counties for the past five school years were collected from the West Virginia Department of Education.

SIGNIFICANCE OF STUDY

The significance of this study is its connection to the educational crisis of student attendance. As mentioned above, truancy and chronic absenteeism are connected because truant students almost always are chronically absent, although chronically absent students are not

always truant because their excessive absences often are excused for multiple reasons. District- and school-level leaders continue to search for answers to a question that has perplexed educators for decades: How do we improve student attendance? This study will examine the effectiveness of the use of legal consequences against truant students and their parents or guardians and the denial or revocation of driving privileges of truant students in improving student attendance in all 55 West Virginia counties by analyzing attendance data and surveying attendance directors from all 55 West Virginia counties.

DATA ANALYSIS

Data will be analyzed using the current version of the Statistical Package for the Social Sciences (SPSS) software. For research questions one, two, and three, descriptive analyses will be employed to examine student attendance data in all 55 West Virginia counties for the past five school years (2017-2018, 2016-2017, 2015-2016, 2014-2015, and 2013-2014). For research questions four, five, and six, descriptive analyses as well as comparisons of measures of central tendency and correlational tests will be conducted.

DELIMITATIONS

The findings will be limited to the perceptions of attendance directors who respond to the survey rather than being generalizable to their larger population. Those who respond may do so out of a particular bias, either positive or negative, about the effectiveness of consequences imposed in their respective counties, and the potential for socially desirable responses to the survey items is perhaps increased given the absence of anonymity (i.e., the researcher will need to identify the attendance director in each county in order to distribute the survey to them). The researcher's own professional experience as a school principal may constitute a source of empathy and provide an experiential background that enhances effectiveness in eliciting and

understanding respondents' perceptions; it may also, however, be viewed as a limitation in that it is a potential source of bias.

LIMITATIONS

Limitations to this study are largely those associated with all non-experimental research. Among them are that a non-experimental study precludes random assignment to groups for manipulation or for the manipulation of independent variables and self-reporting questionnaires may be both subject to contamination and limited by participant response (Johnson & Christensen, 2007). The limitations to this study also include the inability to account for inconsistent practices among school districts and attendance directors. Some may file truancy charges against students or their parents or guardians at 10 unexcused absences, whereas others might file at 15 or 20 unexcused absences. Moreover, some may allow more or fewer numbers of excused absences for calamity, death in family, educational value, and other reasons. Those factors easily could affect the consistency and effectiveness of the use of legal consequences against truant students and/or their parents or guardians and the denial or revocation of driving privileges for truant students. Another limitation to this study includes the inability to account for other programs schools and counties are using to increase student attendance; those initiatives could account for increases in student attendance, but they are not mentioned or measured in this study.

SUMMARY

The main purpose of this study is to examine the effectiveness of the use of legal consequences against truant students and/or their parents or guardians and the denial or revocation of driving privileges for truant students in improving student attendance in all 55 West Virginia counties. A second purpose of this study is to compare the perceptions of

attendance directors in all 55 West Virginia counties on the effectiveness of the use of legal consequences against truant students and/or their parents or guardians and the denial or revocation of driving privileges for truant students. Student attendance is an educational crisis throughout America, especially in West Virginia. Schools in West Virginia now are evaluated annually on the number of students who are chronically absent. Reducing the number of truant students will help West Virginia schools not only improve their accountability ratings, but also help them improve their and their students' academic achievements; more importantly, it could help those young men and women avoid the short- and long-term negative effects associated with truancy. For those reasons, this study is an important one for district- and school-level leaders, such as superintendents, attendance directors, principals, and assistant principals. The data and conclusions it provides could be valuable to those educators as they continue the decades-long struggle to improve student attendance. The conclusions produced by this study and the recommendations for further research generated by this study also could help those educators devise plans and action steps to help their truant students.

CHAPTER TWO

LITERATURE REVIEW

This chapter examines the literature relevant to student attendance in general and truancy in particular. The literature review is divided into seven sections. Section 1 will examine the history of compulsory attendance and the purpose of education; Section 2 will discuss the factors affecting truancy; Section 3 will review the short- and long-term effects of truancy on people and society; Section 4 will examine truancy in West Virginia; Sections 5 and 6 will discuss truancy and its legal consequences, including the denial or revocation of driving privileges; Section 7 will review truancy interventions and attendance initiatives.

HISTORY OF COMPULSORY ATTENDANCE AND PURPOSE OF PUBLIC EDUCATION

Allen-Meares (2010) defined compulsory attendance as a legal requirement that students between certain ages attend public schools unless their parents or guardians can prove they are receiving equivalent instruction elsewhere. The beginning and ending ages of compulsory attendance differ from state to state, with 15 requiring compulsory attendance until the age of 16: Alaska, Arizona, Delaware, Florida, Georgia, Idaho, Iowa, Massachusetts, Montana, New Jersey, New York, North Carolina, North Dakota, Vermont, and Wyoming (National Center for Education Statistics, 2018). Ten states require compulsory attendance until the age of 17: Alabama, Colorado, Illinois, Maine, Minnesota, Mississippi, Missouri, Pennsylvania, South Carolina, and West Virginia (National Center for Education Statistics, 2018). Twenty-four states and the District of Columbia require compulsory attendance until the age of 18: Arkansas, California, Connecticut, Hawaii, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Nebraska, Nevada, New Hampshire, New Mexico, Ohio, Oklahoma, Oregon, Rhode Island, South Dakota, Tennessee, Utah, Virginia, Washington, and Wisconsin (National Center for

Education Statistics, 2018). One state requires compulsory attendance until the age of 19: Texas (National Center for Education Statistics, 2018). President Barack Obama in his 2012 State of the Union address said all states should require students to remain in school until they graduate or turn 18 (Maxwell, 2012). In that same speech, President Obama said, “When students don't walk away from their education, more of them walk the stage to get their diploma. When students are not allowed to drop out, they do better” (Messacar & Oreopoulos, 2013, p. 57).

Compulsory attendance began in Massachusetts in 1852 and spread to every state in America by 1918 (Goldstein, 2015). The Common Schools Reform Movement led to the establishment of compulsory attendance with the goal of creating a more educated and moral electorate (Goldstein, 2015). Chicago Board of Education members in 1889 described truant students as “little beggars, loafers, and vagabonds that infest our city” (Goldstein, 2015, para. 7) and believed they should have the power to “take them from the streets and place them in schools where they are compelled to receive an education and learn moral principles” (Goldstein, 2015, para. 7). This belief is founded in functionalism, which features a two-pronged approach to education — the manifest function and the latent function (Nicholson, 2017). Nicholson noted the manifest function refers to the teaching of academic subjects, and the latent function refers to the teaching of society’s economic, political, and cultural norms. School is where students learn to obey authority, follow rules, and socialize with others. They also learn about their civic duties and government. They also develop knowledge and skills that allow them to pursue careers after high school, trade school, or college. Students cannot learn those lessons and develop those skills if they are not in school. According to Allen-Meares (2010), *Goss vs. Lopez* (1975) and *Brown v. Board of Education of Topeka* (1954) are two court cases that emphasized the role of

education and the importance of compulsory attendance in America. Chief Justice Earl Warren in delivering the opinion of the Supreme Court in the latter case wrote this:

Today, education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms. (Justia, 2018, p. 493)

Scholars throughout history concur with Warren. Hodge (2011) contended that education is “perhaps the most important function of state and local governments” (p. 24) and called it “the very foundation of good citizenship” (p. 24). According to Dreeben (1968), school is where students learn integral life lessons through experiences that teach them about the following concepts: achievement, independence, specificity, and universalism. Conant (1940) noted all future citizens attend public schools, which means those institutions have unparalleled opportunities to shape and mold the young people of America. Schools are used to meet economic, political, and social goals, specifically by creating productive, law-abiding citizens who work, vote, and interact with their peers in society. Nicholson (2003; 2017) used a biological analogy to explain functionalism and its role in education, comparing it to an organ

that contributes to the survival of an organism. According to functionalists, the primary goal of public schooling (an organ) is meeting the needs of a capitalist society (the organism); those needs include teaching America's K-12 students the educational skills and social norms they need to be productive members of society. Again, students cannot learn those lessons and develop those skills if they are not in school.

Those lessons and skills are becoming increasingly important as social issues worsen throughout America, especially in West Virginia. With the ever-increasing issues of alcoholism, crime, domestic violence, drug abuse, and generational poverty, and the growing number of grandparents or other relatives having to take the place of absent, dead, or imprisoned parents, educators now more than ever are responsible for meeting all of the needs of students, which can include providing them with necessities such as clothes, food, and school supplies and providing them with support such as tutoring and mentoring. Conant (1940) claimed meeting students' physical needs is an essential part of an effective educational system and many educators do whatever it takes to ensure students have what they need to reach their potential and not be limited by their socioeconomic statuses or other related factors. One of the primary goals of West Virginia educators is to ensure students are college and career ready when they graduate from high school. Developing strategies and establishing initiatives that increase student attendance is a critical component of that overarching objective, the attainment of which will enable students to achieve educational and professional success and gain financial and social independence. Chang and Romero (2008) wrote, "At the core of school improvement and education reform is an assumption so widely understood that it is rarely invoked: Students have to be present and engaged in order to learn" (p. 3).

FACTORS OF TRUANCY

Multiple factors affect truancy, but most of them can be classified in three categories: personal factors, family factors, and school factors. As this section illustrates, truancy often is the result of circumstances in one, two, or all three categories.

Balfanz and Byrnes (2012a) divided truant students into three groups: students who *cannot* attend school, students who *will not* attend school, and students who *do not* attend school. Members of the first group are absent because of “illness, family responsibilities, housing instability, the need to work, or involvement with the juvenile justice system”; members of the second group are absent to avoid “bullying, unsafe conditions, harassment, and embarrassment”; members of the third group are absent because they or their parents or guardians “do not see the value in being there, they have something else they would rather do, or nothing stops them from skipping school” (Balfanz & Byrnes, 2012a, p. 7).

Personal Factors

Student factors that affect truancy include underdeveloped social and academic skills, trauma, race, age, problematic relationships with authority figures, pregnancy, low self-esteem, history of absenteeism, learning-based reinforcers of absenteeism, grade retentions, and externalizing symptoms or psychopathology (Kearney, 2008).

Students also can be influenced by their peers. Peer factors that affect truancy include participation in gangs and gang-related activities, peer pressure, proximity to deviant peers, victimization from bullies, and support for alluring activities outside of school (Kearney, 2008).

Other personal-related risk factors for truancy include alcohol and/or drug abuse, lack of social competence, poor physical health, learning problems, mental health issues, poor academic performance, experiences of alienation or bullying at school, and lack of positive peer relations

(Abram, Teplin, King, Longworth, Emanuel, & Romero, 2013; Baker et al., 2001; Center for Mental Health in Schools at UCLA, 2008; Cuevas, Finkelhor, Shattuck, Turner, & Hamby, 2013; Heilbrunn, 2007; Leone & Weinberg, 2010; Mallett, 2016; McKinney, 2013; National Center for School Engagement, 2007; Sedlak & McPherson, 2010; Yeide & Kobrin, 2009; Ziesemer, 1984).

Family Factors

Students' families also play an important role in their attendance, particularly parental interest in and value of education (Henderson & Mapp, 2002; McConnell & Kubina, 2014; Mortimore & Whitty, 2000; Sheldon, 2007). Corville-Smith, Ryan, Adams, and Dalicandro (1998) noted that three of the six factors that accurately determine students' absences are family related: parents' discipline, parents' control, and family conflict. Additional studies cite a lack of interest in school, a lack of value for education, and a lack of supervision or control by parents as contributing factors for truancy (DeKalb, 1999; Epstein & Sheldon, 2002; Gump, 2006; Kube & Ratigan, 1992; McCarthy, 2002; Roby, 2004; Roderick et al., 1997; Steward, 2008). Additional family factors that affect truancy include inadequate parenting skills, single-parent homes, low expectations of school performance and attendance, poor communication with school officials, and poor involvement and supervision (Kearney, 2008).

Students' socioeconomic status often contributes to their attendance. Mallett (2016) noted that truancy disproportionately affects "vulnerable and already at-risk children and adolescents" (p. 337). Citing data from the National Center for Education Statistics, Ready (2010) reported that children who live in poverty are 25% more likely to miss three or more days of school each month. Balfanz and Byrnes (2012b) wrote, "Chronic absenteeism is most prevalent among low-income students" (p. 5).

Other family-related risk factors for truancy include alcohol and/or drug abuse, domestic violence, family dysfunction, lack of parental support, unstable and/or unsafe homes and neighborhoods, transportation issues, maltreatment, a need for the student to work to support the family, a lack of childcare, transient families, and parents who have multiple jobs (Abram et al., 2013; Baker et al, 2001; Center for Mental Health in Schools at UCLA, 2008; Cuevas et al., 2013; Heilbrunn, 2007; Leone & Weinberg, 2010; Mallett, 2016; McKinney, 2013; National Center for School Engagement, 2007; Sedlak & McPherson, 2010; Yeide & Kobrin, 2009; Ziesemer, 1984).

School Factors

Van Eck, Johnson, Bettencourt, and Lindstrom-Johnson (2017) conducted a study in which 25,776 students in grades 6-12 from 121 schools within a large, urban public-school system completed a survey about school climate. The data from the study revealed a link between school climate and chronic absences, with schools that had more negative school climates more likely to have higher rates of chronic absences among their student enrollments. Van Eck et al. concluded improving school climate is critical to improving student attendance, and they emphasized the need for school staffs to find ways to foster and strengthen the teacher-student and school-home relationships.

Corville-Smith et al. (1998) noted that students often develop attendance issues in elementary school, but those issues typically worsen when they transition into secondary school because they often experience an increase in their academic demands and a loss of their previously established peer relationships. Balfanz and Byrnes (2012b) wrote, “The youngest and the oldest students tend to have the highest rates of chronic absenteeism, with students attending most regularly in third through fifth grades” (p. 5).

Other school-related risk factors for truancy include inconsistent procedures, meaningless consequences, school climate, school size, staff attitudes, violence, unsafe schools and neighborhoods, transportation issues, experiences of alienation or bullying at school, maltreatment, and lack of positive peer relations (Abram et al., 2013; Baker et al., 2001; Center for Mental Health in Schools at UCLA, 2008; Cuevas et al., 2013; Heilbrunn, 2007; Leone & Weinberg, 2010; Mallett, 2016; McKinney, 2013; National Center for School Engagement, 2007; Sedlak & McPherson, 2010; Yeide & Kobrin, 2009; Ziesemer, 1984).

SHORT- AND LONG-TERM EFFECTS OF TRUANCY

Truancy affects the individual and society because of its short- and long-term ramifications, which are outlined in this section. Truancy can be an accurate indicator of individuals' success in school and life, which can alter the paths they take and the choices they make. Their actions and decisions can be costly not only for them, but also for their families and communities.

Truancy negatively affects students' academic achievement, including their performances on standardized tests (Arthurs et al., 2014; Balfanz, 2016; Balfanz & Byrnes, 2012a; Blad, 2017; Davie et al., 1972; Goldstein, 2015; Gottfried, 2009, 2010, 2011; Hoachlander et al., 2001; Johnson, 2000; Kieffer et al., 2011; National Behavior and Attendance Review, 2008; Paredes & Ugarte, 2011; Ready, 2010; Reeves, 2008; Reid, 2012; Roby, 2004; Schagen & Benton, 2006; Schagen et al., 2004; Sheldon, 2007; Sheppard, 2009; Wallace et al., 2008). Truant students have lower levels of academic ability and self-esteem; their literacy and numeracy levels are well below their grade levels, and the gaps widen as they progress from elementary school to middle school to high school (Davie et al., 1972; National Behavior and Attendance Review, 2008; Reid, 2012). DeKalb (1999) wrote, "Absenteeism is detrimental to students' achievement,

promotion, graduation, self-esteem, and employment potential” (p. 2). According to the National Association of Elementary School Principals (2001), truancy not only affects the learning of truant students, but also affects the learning of their peers because their teachers have to take away from instruction to the rest of the class to provide reteaching and/or remediation to them. Mahoney (2015) wrote, “Teachers cannot teach students who are not in attendance, and making up missed assignments is nearly impossible in the fast-paced and time-sensitive classrooms of today’s society” (p. 125).

Roby (2004) examined school building proficiency test and attendance averages for 3,171 schools in Ohio, where schools were evaluated based on how well their students performed on proficiency tests in grades 4, 6, 9, and 12. Of the 3,171 schools, there were 1,946 schools for Grade 4 data; 1,292 schools for Grade 6 data; 711 schools for Grade 9 data; and 691 schools for Grade 12 data. Using the Pearson’s r correlation statistic, Roby determined there were moderate positive relationships between student achievement and student attendance in the fourth grade ($r = 0.57$), sixth grade ($r = 0.54$), and 12th grade ($r = 0.55$), and there was a strong positive relationship between student achievement and student attendance in the ninth grade ($r = 0.78$). Roby calculated the coefficient of determination to indicate the percentage of variance held in common by the proficiency test and attendance and determined that student attendance accounts for 32% of the variance with student achievement in the fourth grade, 29% in the sixth grade, 60% in the ninth grade, and 29% in the 12th grade. Roby noted higher attendance results in more instructional hours for students and, conversely, lower attendance results in fewer instructional hours for students.

Borland and Howsen (2001) contended that students’ innate ability and schools’ education market competition are as important to consider as their attendance when looking at

their academic achievement. They examined data for 170 school districts in Kentucky using the following model: $sa = f(a, p, iq, hi, u, exp)$, with sa representing an unidentified measure of student achievement, a representing the student attendance rate, p representing the pupil-to-teacher ratio, iq representing an unidentified measure of student innate ability, hi representing an unidentified measure of educational competition, u representing the presence of a teachers' union, and exp representing the expenditure per pupil. Borland and Howsen took the average values for the respective variables by district. They determined innate ability has a positive and highly significant effect on student performance, whereas attendance, pupil-to-teacher ratio, and expenditures per student had positive but insignificant effects on student performance; the presence of a teachers' union had a negative and insignificant effect on student performance.

Truant students have higher dropout rates than their peers (Alexander et al., 1997; Balfanz, 2016; Balfanz et al., 2007; Barrington & Hendricks, 1989; Blad, 2017; Chang & Romero, 2008; DeKalb, 1999; Ensminger & Slusarcick, 1992; Epstein & Sheldon, 2002; Fowler, 2015; Garry, 1996; Goldstein, 2015; Kaplan et al., 1995; Landis & Reschly, 2011; Mahoney, 2015; Mallett, 2016; Phi Delta Kappan, 2016; Roby, 2004; Rumberger, 1987; Rumberger, 1995; Rumberger et al., 1990; Seeley, 2008; Sparks, 2010). High school dropouts typically have lower average incomes, higher rates of unemployment, increased likelihood of health issues, and increased likelihood of incarceration than high school graduates (Baker et al., 2001; Messacar & Oreopoulos, 2013; Schoeneberger, 2012).

Allensworth and Easton (2007) conducted a study of and analyzed data from 24,894 first-time ninth-graders in the 2004-2005 school year in Chicago Public Schools. Their analysis revealed that students who had 0-4 absences as freshmen graduated at an 87% rate, students who had 5-9 absences as freshmen graduated at a 63% rate, students who had 10-14 absences as

freshmen graduated at a 41% rate, students who had 15-19 absences as freshmen graduated at a 21% rate, students who had 20-24 absences as freshmen graduated at a 9% rate, students who had 25-29 absences as freshmen graduated at a 5% rate, students who had 30-34 absences as freshmen graduated at a 2% rate, students who had 35-39 absences as freshmen graduated at a 1% rate, and students who had 40 or more absences as freshmen graduated at a 0% rate.

Allensworth and Easton determined that attendance is a vital component of high school graduation.

According to Allen-Meares (2010), at least three-fourths of students involved in the juvenile justice system have histories of chronic absenteeism. Mallett (2016) described this phenomenon as “the school-to-prison pipeline” (p. 337). Truant students are more likely to engage in self-destructive behavior, such as alcoholism, crime, and occupational difficulty (Baker et al., 2001; Chang & Romero, 2008; Fowler, 2015; Garry, 1996; Gleich-Bope, 2014; Goldstein, 2015; Huck, 2011; Mallett, 2016; McConnell & Kubina, 2014; McCray, 2006; Ready, 2010; Reid, 2005; Seeley, 2008; Spencer, 2009; Wright, 2009). Truant students also run a significant risk of encountering employment problems (Chang & Romero, 2008; Fowler, 2015; Huck, 2011; Mallett, 2016; Seeley, 2008). They also tend to have underdeveloped social skills (*Educational Leadership*, 2018).

Birioukov (2016) noted that truancy and its repercussions can negatively affect and limit students’ opportunities and success in life. In an interview with Chorneau (2012), California politician Tem Steinberg compared truancy to a gateway drug because its short-term effects lead to more severe long-term effects. Researchers contend those consequences affect not only the individuals, but also the communities in which they live. Increases in delinquency and criminality, for example, lead to increases in fear and suffering and increases in financial costs

for police, courts, detention facilities, hospitalizations, and insurance costs for property and personal damages (Allen-Meares, 2010). Vedder (1979) conducted a study of 258 adult recidivists in which he learned 78% of them showed truancy as the first entry on their arrest records. Vedder also learned 67% of the other inmates admitted to being truant but were not charged with the offense. Citing data from the U.S. Department of Education, the U.S. Department of Labor, and the U.S. Department of Justice, Schoeneberger (2012) noted the negative consequences linked to dropping out of school: lower average incomes, higher rates of unemployment, increased likelihood of health issues, and increased likelihood of incarceration. High school dropouts must settle for lower-paying jobs because of their limited education and skills, which results in a reduced contribution to the nation's tax base (Shoeneberger, 2012). High school dropouts contribute approximately half the amount of tax contributions of high school graduates, which equals approximately \$60,000 less in their lifetimes (Shoeneberger, 2012). Messacar and Oreopoulos (2013) reported 16% of recent dropouts are unemployed and 32% live below the poverty line; their average earnings are only \$12.75 per hour, and they typically work in the construction, food services, and landscaping industries. According to McConnell and Kubina (2014), only 55% of high school dropouts are employed. Many of them receive public assistance, health insurance, and other subsistence benefits, all of which account for additional costs for society (Allen-Meares, 2010). Altman and Meis (2012-2013) reported that high school dropouts make \$10,000 less annually than high school graduates and they cost the United States approximately \$240,000 in lost lifetime economic activity. According to Martin and Halpern (2006), male dropouts between the ages of 25 and 34 account for approximately \$944 billion in lost lifetime revenue; the costs associated with their poor health and criminal activity adds approximately \$24 billion to that total. Mahoney (2015) wrote,

“Absenteeism in schools is a community, city, district, state, and nation’s problems.

Absenteeism affects everyone. We all pay for each dropout” (p. 127).

TRUANCY IN WEST VIRGINIA

Chronic absenteeism is an educational epidemic throughout America, especially in West Virginia, which means truancy also is an educational epidemic in this country and state as the two issues are connected. Attendance Works (2018) noted the differences between *truancy* — which counts only unexcused absences, emphasizes compliance with school rules, and relies on legal and administrative solutions — and *chronic absenteeism* — which counts all absences (i.e., excused, unexcused, and suspensions), emphasizes academic impact of missed days, and uses community-based, positive strategies. The two, however, often go hand in hand. Students who are truant almost always are chronically absent, but chronically absent students are not always truant because their absences could be excused for medical reasons. Truancy is a status offense. Status offenses are crimes only when they are committed by minors. To be charged with a status offense for truancy in Boone County, West Virginia, for example, a student must miss at least 16 days because each student receives six excused absences via parent notes per year, and 10 unexcused absences are required to necessitate a juvenile pre-petition. Goldstein (2015) reported that nearly one in three students in West Virginia is considered to be truant based on existing laws. Although chronic absenteeism will be mentioned in this study, truancy will be the focus because of its reliance on the judicial system and legal consequences. This study, however, could help district- and school-level leaders in West Virginia learn ways to improve the attendance of their truant students, which also could help them improve the attendance of their chronically absent students. That potential is a critical component of this study because West

Virginia districts and schools now are evaluated annually by the West Virginia Department of Education (WVDE) based on the number of their students who are chronically absent.

Kearney and Graczyk (2014) called students' failure to attend school "a common, serious, and highly vexing problem" (p. 1). Blad (2018) reported that one in seven students (14.3%) nationwide was chronically absent with 15 or more absences during the 2015-2016 school year, which is the most recent year for which nationwide data are available. The numbers were worse in West Virginia, where one in five students (19.8%) was chronically absent that year — and they continue to worsen. Adams (2018) reported approximately 54,000 of West Virginia's 240,882 students — or 22% — had 19 or more absences during the 2017-2018 school year. Attendance Works (2018) defined chronic absenteeism as missing 10% or more of the school year. In West Virginia, for example, where students attend 180 days of school each year, that is the equivalent of 18 or more excused and/or unexcused absences. The U.S. Department of Education's Office for Civil Rights uses 15 or more excused and/or unexcused absences as its metric for measuring chronic absenteeism (Balfanz, 2016). According to Attendance Works (2018), "More than 8 million students [in America] are missing so many days of school that they are academically at risk. [Chronic absenteeism] can translate into third-graders unable to master reading, sixth-graders failing subjects, and ninth-graders dropping out of high school" (para. 1).

The WVDE in September 2018 released its inaugural Balanced Scoreboard, which outlines the accountability ratings for all 633 elementary, middle, and high schools as part of its accountability system. Elementary and middle schools are evaluated based on the following indicators: academic performance in English language arts and mathematics, benchmark scores in English language arts and mathematics, progress by English language learners, and student success ratings for attendance and behavior (WVDE, 2018b). High schools are evaluated based

on the following indicators: academic performance in English language arts and mathematics, graduation rates for four- and five-year cohorts, progress by English language learners, and student success ratings for attendance, progress toward graduation, and post-secondary achievement (WVDE, 2018b). Schools receive a color-based rating in each category: green for exceeding standards, blue for meeting standards, yellow for partially meeting standards, and red for not meeting standards (WVDE, 2018b). Schools were evaluated on four indicators: academic performance, English learner proficiency, student success, and a benchmark indicator at the elementary and middle school levels and graduation rates at the high school level (WVDE, 2018b).

When the WVDE adopted its current accountability system, with the baseline data collected from the 2017-2018 school year and the initial ratings released before the 2018-2019 school year, its attendance measure switched from each school's total attendance rate to a rating based on the number of each school's students who attended 90% or more of the school year. Students must attend 162 or more of the 180 days in the school year to meet that standard, and excused absences and unexcused absences (i.e., chronic absenteeism) both count against students and their schools in this measurement. According to *Educational Leadership* (2018), 36 states and the District of Columbia use chronic absenteeism as the non-academic indicator to measure school performance in compliance with the Every Student Succeeds Act (ESSA). West Virginia is one of those states. Many education groups consider chronic absenteeism to be an important measure of school quality, Blad (2017) reported, because it is based on objective data and it is affected by multiple factors that are connected to student success, including student engagement, school climate, use of exclusionary disciplinary measures, and ability to meet students' non-academic needs.

The WVDE scorecard revealed 53% of the state’s high schools, 35.5% of its middle schools, and 20% of its elementary schools failed to meet the attendance standard during the 2017-2018 school year (WVDE, 2018a). To receive a rating of green for exceeding attendance standards, a school had to have 95-100% of its students attend 90% or more of the 180 school days (WVDE, 2018a). To receive a rating of blue for meeting attendance standards, a school had to have 90-95% of its students attend 90% or more of the 180 school days (WVDE, 2018a). To receive a rating of yellow for partially meeting attendance standards, a school had to have 80-90% of its students attend 90% or more of the 180 school days (WVDE, 2018a). To receive a rating of red for not meeting attendance standards, a school had to have less than 80% of its students attend 90% or more of the 180 school days (WVDE, 2018a). Adams (2018) reported approximately 54,000 of West Virginia’s 240,882 students — or 22% — had 19 or more absences during the 2017-2018 school year, with high schools having the worst attendance problem. High schools had a 75.86% attendance rate and were rated red for not meeting attendance standards on the state scorecard; elementary schools and middle schools had 84.61% and 80.7 % attendance rates, respectively, and were rated yellow for partially meeting attendance standards. Out of 116 high schools in West Virginia, only one was rated green for exceeding attendance standards, six were rated blue for meeting attendance standards, 48 were rated yellow for partially meeting attendance standards, and 61 were marked red for not meeting attendance standards (Adams, 2018).

In an interview with Jenkins (2018), State Schools Superintendent Dr. Steve Paine said he was “shocked” (para. 4) by the attendance data and called the numbers “unacceptable” (para. 14). Paine said, “We have to place an emphasis on going to school and being there on time and learning” (Jenkins, 2018, para. 2). Paine said a department analysis of first-year accountability

system data found a direct correlation between attendance and achievement; he believes improving the former will lead to improving the latter (Adams, 2018). Paine noted the schools with the worst high school attendance are in southern West Virginia, particularly Boone, Lincoln, and Logan counties (Adams, 2018).

West Virginia is not the only state experiencing this problem. Blad (2017) reported at 11% of public schools nationwide — about 10,000 — more than 30% of students missed at least 15 days during the 2015-2016 year for any reason, including suspensions and excused absences. At another 11% of public schools nationwide — an additional 10,000 schools — between 20% and 29% of students missed at least 15 days.

According to Burdette (2015), the West Virginia Legislature via House Bill 2550 increased the truancy threshold from five unexcused absences to 10 unexcused absences in 2015 in an effort to reduce the number of truants and decrease the cost for taxpayers.

The following are considered excused absences under West Virginia Code §18-8-4:

(i) Personal illness or injury of the student or in the family; (ii) medical or dental appointment with written excuse from physician or dentist; (iii) chronic medical condition or disability that impacts attendance; (iv) participation in home or hospital instruction due to an illness or injury or other extraordinary circumstance that warrants home or hospital confinement; (v) calamity, such as a fire or flood; (vi) death in the family; (vii) school-approved or county-approved curricular or extra-curricular activities; (viii) judicial obligation or court appearance involving the student; (ix) military requirement for students enlisted or enlisting in the military; (x) personal or academic circumstances approved by the principal; and (xi) such other situations as may be further determined by the county board: Provided, That absences of students with disabilities

shall be in accordance with the Individuals with Disabilities Education Improvement Act of 2004 and the federal and state regulations adopted in compliance therewith (West Virginia Legislature, 2019b, para. 47-57).

According to West Virginia Code §18-8-4, an unexcused absence “shall be any absence not specifically included in the definition of excused absence” (West Virginia Legislature, 2019b, para. 58). The code requires attendance directors or designees to notify parents, guardians, or custodians when their children accumulate three unexcused absences and reminding them that their children are required to attend school. The code also requires attendance directors or designees to serve written notice to parents, guardians, or custodians when their children accumulate five unexcused absences; the written letter instructs parents, guardians, or custodians they and their children are required to meet with their children’s principal or another designated school representative within five days “to discuss and correct the circumstances causing the unexcused absences of the student, including the adjustment of unexcused absences based upon such meeting” (West Virginia Legislature, 2019b, para. 60). The code also requires attendance directors or designees to file complaints against parents, guardians, or custodians with magistrate courts in their counties when their children accumulate 10 unexcused absences; this act starts the truancy-related judicial process with parents, guardians, or custodians and/or their children.

According to West Virginia Code §18-8-11, the Division of Motor Vehicles shall deny a driver’s license or learner’s permit for the operation of a motor vehicle to students between the ages of 15 and 17 if they cannot present a diploma or certificate of graduation from a secondary high school or a general education development certificate from a state-approved institution or organization. If they cannot do so, the code requires them to provide documentation that shows

they are enrolled and making satisfactory progress in a course leading to a general education development certificate from a state-approved institution or organization, enrolled and making satisfactory academic progress in a secondary school, excused from the requirement because of circumstances beyond their control, or enrolled in an institution of higher education as a full-time student. Student attendance is a part of the requirements for satisfactory academic progress, which West Virginia Code §18-8-11 defines as “the attaining and maintaining of grades sufficient to allow for graduation and course-work in an amount sufficient to allow graduation in five years or by age 19, whichever is earlier” (West Virginia Legislature, 2019c, para. 160). Students who withdraw from school are not making satisfactory academic progress. West Virginia Code §18-8-11 defines withdrawal as “more than 10 consecutive or 15 total days unexcused absences during a school year or suspension” (West Virginia Legislature, 2019c, para. 159). Students must apply for enrollment forms to give to the Division of Motor Vehicles before they can test to attain their driver’s licenses or learner’s permits; attendance directors or chief administrators, such as principals, cannot give enrollment forms to students if they accumulate more than 10 consecutive unexcused absences or 15 total unexcused absences during a school year or suspension. The code also requires attendance directors or chief administrators, such as principals, to notify the Division of Motor Vehicles within five days when students withdraw from school. The Division of Motor Vehicles then will revoke those students’ driver’s licenses or learner’s permits; they cannot regain their driver’s licenses or learner’s permits until they return to school and show satisfactory academic progress or until they turn 18 years of age.

Corley (2012) conducted a study in which she examined the effects of truancy-related legislation on the attendance of all students in one West Virginia county (Barbour) during the 2007-2008, 2008-2009, 2009-2010 and the 2010-2011 school years. There were 2,533 students

in 2007; 2,537 students in 2008; 2,496 students in 2009; 2,478 students in 2010; and 2,512 students in 2011. Corley analyzed data before and after the West Virginia Legislature (2019a) in 2010 changed the law stating mandatory compulsory attendance meetings must be held when a student reaches five unexcused absences rather than the previous threshold of 10 unexcused absences. Using a time series plot and a paired samples t-test, she determined the change in the state code had no significant change on student attendance, which slightly decreased the year after the law was implemented.

Comer (2017) studied eight West Virginia counties — Barbour, Cabell, Fayette, Greenbrier, Mercer, Nicholas, Raleigh, and Taylor — that used a judicial-based truancy program with a multi-disciplinary approach. She surveyed the eight county attendance directors and 15 circuit court judges participating in the Judges' Truancy Program Model, and she gathered and analyzed non-survey data from the West Virginia Department of Education. Comer examined the graduation rates, dropout rates, and attendance rates in eight West Virginia counties that implemented the Judges' Truancy Program, comparing three years of data with the program to two years of data without the program. Comer learned the attendance rates for those counties were consistent for the two years without the program and the first two years with it, but they decreased by 4.23% in the third year with it. The dropout rate decreased steadily and the graduation rate increased steadily during the study's five-year period.

Using a one-way analysis of variance (ANOVA) to analyze these data and the Bonferroni post hoc to determine where the differences occurred, Comer (2017) discovered there was no significant difference in the attendance rate between the first and second years without the program, the first year without the program and the first year with the program, the first year without the program and the second year with the program; there was a significant difference in

the attendance rate between the first year without the program and the third year with the program. The average attendance rates for the counties included in the study were 96.89% in 2010-2011, 97.05% in 2011-2012, 96.91% in 2012-2013, 96.60% in 2013-2014, and 92.37% in 2014-2015. There was no significant difference in the attendance rate between the second year without the program and the first year with the program or the second year without the program and the second year with the program; there was a significant difference in the attendance rate between the second year without the program and the third year with the program. There was no significant difference in the attendance rate between the first year with the program and the second year with the program; there was a significant difference in the attendance rate between the first and second years with the program and the third year with the program.

Comer (2017) learned there was no significant difference in the dropout rate between the first and second years without the program; there were significant differences, however, in the dropout rate between the first year without the program and the first, second, and third years with the program. The average dropout rates for the counties included in the study were 2.58% in 2010-2011, 1.81% in 2011-2012, 1.55% in 2012-2013, 1.26% in 2013-2014, and 1.18% in 2014-2015. There were no significant differences in the dropout rate between the second year without the program and the first, second, and third years with the program. There were no significant differences in the dropout rate between the first, second, and third years with the program.

Comer (2017) discovered there was no significant difference in the graduation rate between the first and second years without the program. There was no significant difference in the graduation rate between the first year without the program and the first year with the program; there were significant differences between the first year without the program and the second and third years with the program. The average graduation rates for the counties included

in the study were 74.23% in 2010-2011, 76.93% in 2011-2012, 80.89% in 2012-2013, 85.10% in 2013-2014, and 86.69% in 2014-2015. There was no significant difference in the graduation rate between the second year without the program and the first year with the program; there were significant differences in the graduation rate between the second year without the program and the second and third years with the program. There were no significant differences in the graduation rate between the first, second, and third years with the program.

Comer (2017) also surveyed attendance directors, judges, and building-level administrators in those eight West Virginia counties to determine their perspectives on the effectiveness of the program and the perceived influence of multiple stakeholders on students' attendance. Only four of eight attendance directors, six of 15 judges, and nine of 21 building-level administrators responded to her survey. Comer used the Kruskal-Wallis test to analyze the data from the participants' survey responses. Comer asked the participants to rate their perception of the overall effectiveness of the program on a scale of one (little or no effect) to six (great effect). There were no significant differences among the perceptions of the participants. She also asked them to rate their perceptions of the effectiveness of the program on a scale of one (little or no effect) to six (great effect) for five categories: increasing attendance, increasing academic performance, increasing graduation rate, decreasing dropout rates, and changing student attitude about attending school. There were no significant differences among the perceptions of the participants. Comer used a Chi-square test to determine whether there were possible areas of agreement in the participants' survey responses. There were no significant differences in the frequencies of the responses, but there were some patterns, with 12 of 18 participants indicating the program had some effect on increasing attendance, 10 of 18 participants indicating the program had some effect on increasing academic performance, 13 of

18 participants indicating the program had some effect on increasing graduation rate, 11 of 17 participants indicating the program had some effect on decreasing the dropout rate, and 11 of 18 participants indicating the program had some effect on changing student attitudes about school. Comer also asked the participants to rate their perceptions of the relative level of influence multiple stakeholders have on attendance by truant students on a scale of one (little or no influence) to six (great influence). The participants rated the influence of principals, assistant principals, counselors, teachers, parents, juvenile probation officers, guardians ad litem, attendance directors, and judges. There were no significant differences among the perceptions of the participants. Comer used a Chi-square test to determine whether there were significant differences in the frequencies of responses concerning the influences of certain stakeholders, and she discovered significant differences for five of the nine stakeholders: principals, counselors, teachers, parents, and juvenile probation officers. According to the participants' responses, parents have the most influence on student attendance, followed by juvenile probation officers with the second-most influence, teachers with the third-most influence, and principals and counselors tied with the fourth-most influence.

TRUANCY AND LEGAL CONSEQUENCES

Truancy is a status offense, which by definition are crimes only when they are committed by minors. Gleich-Bope (2014) wrote of status offenses, "They involve restrictions placed on minors so they will be more likely to attend school, return home at a safe hour, or avoid using or becoming addicted to nicotine, alcohol, or illegal drugs" (p. 111). Huck (2011) noted truancy must be viewed as a significant status offense because of its proven short-term and long-term consequences. Allen-Meares (2010) cited *Commonwealth of Virginia v. May* (2003) as an important legal precedent for punishing truant students and *State v. Self* (2005) as an important

legal precedent for punishing truant students' parents or guardians. Allen-Meares reported that juvenile court petitions can be filed against parents or guardians in truancy cases, which allows the juvenile court system to provide additional oversight or pressure on them to ensure they send their children to school; juvenile court petitions also can be filed against older students in truancy cases. Allen-Meares wrote, "Juvenile court involvement has the added benefit of ordering the provision of social services, including counseling, skills training, budgeting, and other needed services to parents and children" (p. 259). The use of the court system to combat truancy, however, is a controversial issue among researchers; some claim it is effective in improving student attendance, and others claim it is not effective in improving student attendance.

Effectiveness of Court Intervention

Donoghue (2011) examined thousands of cases in England and Wales from 2002 through 2006 in which parents — most of them mothers — were fined or imprisoned by the court system because their children were truant. Donoghue found the rate of unauthorized absences remained unchanged from 2000 to 2010, with an average of 68,000 pupils absent each day, despite the number of parents prosecuted because of their children's truancy rising from 1,961 prosecutions in 2001 to 9,506 prosecutions in 2008. Donoghue claimed those legal consequences turned those parents into scapegoats for a multi-faceted problem that has economic, educational, and social factors; those legal consequences also disproportionately targeted mothers, which had the detrimental effect of criminalizing and stigmatizing those women. Donoghue called punitive sanctions counter-productive and suggested the use of other interventions, including parenting support and family welfare projects.

Zhang (2004) found prosecuting the parents or guardians of truant students was not effective. Using correlational analyses correlation study methods to examine the statistical

significance of the impact of parental prosecution on truancy, he surveyed 43 local education agencies in England and Wales to collect detailed data of prosecution and truancy from 1999 to 2002. Using the Pearson correlation coefficient, Zhang determined there is no relationship between the number of prosecutions and the levels of school absenteeism; he also determined there is no link between the number of court cases against parents and the improvement or reduction in school attendance rates. Zhang wrote, “We therefore should not rush towards the approach of reliance on more court cases, more fines, or even more jailing of truants’ parents in our efforts to combat truancy” (p. 32). Zhang suggested prosecuting older truant students, particularly those who attend secondary schools, would be more effective than prosecuting their parents or guardians because they are old enough to be held accountable for their actions and they could benefit from the support of the educational and judicial systems.

Mazerolle et al. (2017) studied a collaborative police-school partnership approach in 11 schools located within highly disadvantaged metropolitan areas of Queensland, Australia. The study used a one-to-one parallel design in which 51 students comprised the control group and 51 students comprised the experimental group. For the control group, the school administration handled truancy as it normally did (i.e., meeting with parents, sending warning letters to parents, and sending letters of pending prosecution to parents). For the experimental group, the school administration handled truancy as it normally did, but there was a pre-conference in which the student and other pertinent stakeholders created a child-focused action plan, a police officer monitored the plan to ensure its action steps were completed, and there was a post-conference. Mazerolle et al. learned absenteeism decreased significantly for students in the experimental group, but not in the control group; students in the experimental group also increased their

willingness to attend school and improved their perceptions about school attendance, according to survey responses.

Reid (2006) interviewed 160 secondary school educators from two school districts in England to learn their views of school attendance issues. He interviewed 40 headteachers (the equivalent of principals in America), 40 deputy head teachers (the equivalent of assistant principals in America), middle managers (the equivalent of department leaders in America), and form tutors (a combination of a teacher, counselor, and mentor or tutor in America). Reid reported the educators interviewed did not have confidence in the court system and felt it was too lenient on the parents of truant students; this only made their jobs more difficult in trying to fix their schools' attendance problems. The participants of the study also believed alternative curriculum and vocational opportunities are needed for truant students, a change they believe would lead to increased student engagement and, as a result, increased student attendance.

Based on her review of seven community programs intended to improve student attendance in seven states, Garry (1996) contended parents must be held accountable for their children's attendance and must be involved in the process to improve it. She examined the Truancy Habits Reduced Increasing Valuable Education program in Oklahoma City, Oklahoma; the At School, On Time, Ready to Work program in Neosho County, Kansas; the Project Helping Hand in Atlantic County, New Jersey; the Ramsey County Truancy and Curfew Violation Center program in St. Paul, Minnesota; the Truancy Reduction Program in Kern City, California; the Save Kids Partnership in Peoria, Arizona; and the Roswell Daytime Curfew program in Chaves County, New Mexico. Garry wrote, "All of the initiatives emphasize the need to intensively monitor, counsel, and strengthen the families and communities of truant and delinquent youth" (p. 2).

Multiple studies have revealed the effectiveness of the prosecution of students, parents, or guardians is linked to the severity of the truancy of the students. Ekstrand (2015) learned prosecutions against students and/or parents is fairly successful in cases of chronic truancy, but not as successful in cases of mild truancy. Hendricks et al. (2010) studied the effectiveness of a school-based truancy court intervention in four middle schools in a mid-sized school district in Missouri. They analyzed cumulative data from 185 truant students from 2004 through 2008. The data for their study came from school records for student attendance, demographics, and discipline offenses and a survey that measured student attachment toward school and truancy court. Hendricks et al. created a survey that asked the participants to rate how much they agreed with a list of statements, such as “School is a waste of time,” “I feel like I belong at my school,” and “I really want to graduate high school.” Hendricks et al. learned the program had significant effects on severe cases of truancy, but insignificant effects on mild to moderate cases of truancy. They also determined only the students with extreme cases of truancy maintained their attendance gains after the program ended; the students with mild and moderate cases of truancy reverted to their baseline attendance data. Their study prompted Hendricks et al. to recommend a multi-disciplinary approach that educates and empowers the parents and students because they believe this approach can have a significant impact on student attendance.

The court process can effectively reduce truancy but only if that process is a collaborative effort that emphasizes social welfare over punishment (Huck, 2011; Richtman, 2007; Shoenfelt & Huddleston, 2006). Gavin (1997) reported most of the truancy interdiction efforts nationwide have produced significant reductions in crimes traditionally associated with juvenile offenders. Gavin also noted truancy interdiction efforts can serve as a preventive measure to stop students from dropping out of school. Baker et al. (2001) contended using the court system to prosecute

parents and students can have positive benefits because of the relationships built among the students, parents, educators, law enforcement officials, and juvenile court members. It results in a coordinated and collaborative approach among the homes, the schools, and the courts. DeKalb (1999) claims using the court system to fight truancy is “a means of breaking the truant-to-criminal evolution” (p. 3).

Balfanz (2016) contended punitive responses have limited effects on truancy. Hoyles (1998) claimed the use of the court systems with truant students does not predict better attendance in high schools. Epstein and Sheldon (2002) contended using truant officers or the court system to work with students who have serious attendance problems may help increase daily student attendance, but it will not help decrease chronic absenteeism. Mallett (2016) claimed punitive-based approaches toward truancy are ineffective because adolescents have a lower appreciation of long-term consequences, which negatively affects their decision-making process. Birioukov (2016) noted Great Britain, Canada, and the United States have implemented criminal justice initiatives to deal with truancy, including detaining students who are truant during school hours and fining or jailing parents of students who are truant. Birioukov, however, contended that these approaches have not had positive results and cites studies in which students who are truant displayed higher absence rates after they were prosecuted. Goldstein (2015) acknowledged that dealing with truancy in the court system helps those students improve their attendance, but she contends that it does not help them graduate from high school or avoid criminal behavior.

One of the positive effects of court intervention for truancy is the implementation of long-term approaches with multi-disciplinary teams, which tend to be the most successful strategy in dealing with truancy (Baker et al., 2001; Donoghue, 2011; Ekstrand, 2015; Gleich-

Bope, 2014; Hendricks et al., 2010; Huck, 2011; Kearney & Graczyk, 2014; Mallett, 2016; McCray, 2006; Pellegrini, 2007; Richtman, 2007; Shoenfelt & Huddleston, 2006; Sprick, Alabiso, & Yore, 2015). Truancy teams should include students, families, educators, administrators, peers, community members, business owners, social service agencies, medical and mental health professionals, judges, lawyers, and law enforcement or probation officers (Baker et al., 2001; Donoghue, 2011; Ekstrand, 2015; Gleich-Bope, 2014; Hendricks et al., 2010; Huck, 2011; Kearney & Graczyk, 2014; Mallett, 2016; McCray, 2006; Richtman, 2007; Shoenfelt & Huddleston, 2006; Sprick et al., 2015). Donoghue (2011) wrote, “A range of interventions, including parenting support, home tuition and family welfare projects, are much more likely to be effective at reducing truancy than draconian penalties” (p. 244). Baker et al., however, said using the court system to prosecute parents and students can have positive benefits because of the relationships built among the students, parents, educators, law enforcement officials, and juvenile court members. It also results in a coordinated and collaborative approach between the homes, the schools, and the courts. Baker et al. said such programs allow the multi-disciplinary teams to approach truancy from a carrot-and-stick perspective. They wrote, “Students and families need both the incentive to attend school (the carrot) and meaningful consequences for chronic nonattendance (the stick)” (p. 13).

Unintended Consequences of Court Intervention

Multiple researchers have reported using legal consequences to address truancy has undesired effects on youth offenders and their parents or guardians. Some school systems have stopped or reduced prosecuting truancy, citing concerns that criminalizing it can lead to worse problems for those students in the future (Jordan & Miller, 2017). Gage, Sugai, Lunde, and DeLoreto (2013) noted zero-tolerance policies may produce undue consequences for students in

need of assistance and not improve the targeted behavior. Donoghue (2011) claimed using punitive sanctions against truant students' parents or guardians is counter-productive. Donoghue wrote, "Truancy laws fail to perform the functions they strive to address, and they have negative implications for society, especially on economically and socially disadvantaged single mothers" (p. 244). According to Petrosino, Turpin-Petrosino, and Guckenburg (2010), youth who are referred to juvenile courts are more likely to be detained and/or incarcerated.

Mallett (2016) reported approximately 150,000 status offenses are processed annually in America, with truancy accounting for 36% of those. Mallett wrote, "Once adjudicated via a status offense, a juvenile court judge or magistrate can do little other than to court order a young person to not repeat the offense or behavior" (p. 338). Mallett noted truancy is the most frequent charge in status offense cases in juvenile courts. He wrote, "Of particular concern, 16% of youthful offenders were incarcerated for technical violations, which includes not following court orders, probation expectations, or not attending school regularly" (Mallett, 2016, p. 338).

Mallett reported between 1995 and 2011 the number of truancy cases in juvenile court increased 155% for 17-year-olds and 99% for 16-year-olds. Goldstein (2015) reported there typically are more than 150,000 truancy cases in America each year, and they commonly result in fines, loss of custody, and probation for both students and parents or guardians. Goldstein noted more than 1,000 youth are removed from their homes and placed in foster homes, group homes, or juvenile detention centers for truancy, and more than 15,000 others are placed on juvenile probation for truancy. The families that most often appear in court for truancy are single-parent households, families with low socioeconomic status, and families in which members hold multiple jobs (Butler, Reed, & Robles-Pina, 2005; Donoghue, 2011; Zhang, 2004). This only compounds the

problems for those families. Zhang (2004) wrote, “Poor parenting itself is very often a symptom of the circle of poverty and disadvantage that proves difficult to break” (p. 34).

Legislative Action on Truancy

Zhang (2007) reported legislative changes within the past decades have resulted in a more punitive approach to dealing with student truancy. In West Virginia, for example, the legislature in 2010 changed the compulsory attendance meeting requirements from 10 days of unexcused absences to five days of unexcused absences (Corley, 2012). Goldstein (2015) wrote of the legislation, “The law requires school employees to refer truancy cases directly to the courts after five days of unexcused absences if parents do not attend a conference with school officials” (para. 19). Goldstein noted the No Child Left Behind Act of 2001 (NCLB) was the first legislation to require schools to report truancy data to the federal government along with high school graduation rates and summative assessment scores for reading and math. This led state-level lawmakers, prosecutors, and judges to take a strong stand against truancy because they feared the low-performing schools in their districts and states would be labeled as failing, and they believed truancy was the primary reason for those unsatisfactory academic outcomes (Goldstein, 2015). West Virginia was one of the states where that occurred. In 2011, West Virginia Supreme Court Justice Robin Davis traveled around the state giving a series of lectures on what she called a major driver of crime, incarceration, and joblessness: school truancy (Goldstein, 2015). Davis encouraged circuit court judges to remove truant older students from their homes or send truant younger students’ parents or guardians to jail, calling the judges “the persons with the big hammer” (Goldstein, 2015, para. 17).

TRUANCY AND DRIVING PRIVILEGES

Another way to deal with truancy is to link driving privileges to student attendance, which Colasanti (2007) believed is an effective strategy. She wrote, “For many teenagers, driving is real currency. Promoting this privilege as a reward for attending and succeeding in school resonates with many students” (p. 1). There are 17 states that condition driving on compliance with attendance requirements: Alabama, Arkansas, California, Delaware, Florida, Georgia, Idaho, Iowa, Nevada, New Mexico, Ohio, Oklahoma, Rhode Island, South Carolina, Texas, Virginia, and Wisconsin (Colasanti, 2007). Four states condition driving on compliance with attendance requirements and/or satisfactory progress in school: Kentucky, North Carolina, Mississippi, and West Virginia (Colasanti, 2007). Another three states condition driving on compliance with student behavior (i.e., suspensions, expulsions, or other safety infractions): Kansas, Louisiana, and Oregon (Colasanti, 2007). There are two states that condition driving on compliance with attendance requirements and/or student behavior (i.e., suspensions, expulsions or other safety infractions): Illinois and Indiana (Colasanti, 2007). Only Tennessee conditions driving on compliance with attendance requirements and/or satisfactory progress in school and/or student behavior (Colasanti, 2007). According to West Virginia State Code §18-8-11, the Division of Motor Vehicles shall deny or revoke a license or instruction permit for the operation of a motor vehicle to individuals under the age of 18 if they accumulate 10 or more consecutive unexcused absences or 15 or more total unexcused absences in a school year; those totals include suspension or expulsion from school or imprisonment in a jail or correctional facility (West Virginia Legislature, 2019c).

TRUANCY INTERVENTIONS AND ATTENDANCE INCENTIVES

Developing truancy interventions and attendance incentives is a must if educators in America and West Virginia are to improve student attendance. Existing research has suggested that educators should incorporate collaboration and communication among all stakeholders, including and especially students' families (Balfanz & Byrnes, 2012b; Hendricks et al., 2010; Mahoney, 2015; McConnell & Kubina, 2014). McConnell and Kubina (2014) wrote, "Because family dynamics are important existing factors resulting in absenteeism, and because most times students are reinforced by activities in the home, family support could be a logically supportive system in improving attendance" (p. 250). Educators also should be proactive rather than reactive and positive rather than punitive in their approaches (Balfanz & Byrnes, 2012b; Epstein & Sheldon, 2002; Hendricks et al., 2010; Mallett, 2016; Sprick et al., 2015). Epstein and Sheldon (2002) suggested schools use the following strategies to increase student attendance and decrease chronic absenteeism: take a comprehensive approach with activities that involve students, families, and community members; use more positive or rewarding activities than negative or punishing activities; and commit to improving attendance over time.

Balfanz and Byrnes (2012a) encouraged the use of schoolwide attendance incentives as part of a comprehensive approach that includes outreach to families with more significant challenges to attendance, such as single-parent and/or low-socioeconomic households. Balfanz and Byrnes noted incentives can be inexpensive and should be given to students who make attendance improvements, not only the ones who have perfect or faithful attendance; incentives also could be for families, not only students, by inviting parents or guardians to participate in classroom or schoolwide celebrations. They also reported interclass competition is a powerful motivator for students. Balfanz and Byrnes suggested creating and distributing communications

to families that highlight the incentives of good attendance and the consequences of poor attendance.

The earlier attendance initiatives begin, the better (Chorneau, 2012; Epstein & Sheldon, 2002; National Association of Elementary School Principals, 2001; Sheldon, 2007). Chorneau (2012) noted Attendance Works Director Hedy Chang implores school officials to make concentrated efforts to improve attendance in the primary grades, which are kindergarten through second. Chorneau reported many states have heeded Chang's advice by establishing and using early warning systems to identify at-risk students during their formative years, which will help parents and educators work with them and solve their chronic absenteeism before it negatively affects their academic performance and progress. According to Chorneau, most of the early-warning systems use the ABC approach developed by Robert Balfanz of John Hopkins University and focus on attendance (A), behavior (B), and course performance (C). The National Association of Elementary School Principals (2001) suggested the following strategies to improve chronic absenteeism: analyzing attendance patterns, reviewing attendance policies, consistently enforcing those policies, communicating with stakeholders, reaching out to families of truant students, using automated phone calls, assigning student or teacher mentors to truant students, collaborating with law enforcement and businesses, having special activities on Mondays and Fridays, reviewing student attendance data each year prior to the beginning of school to plan interventions for the previous year's truant students, utilizing a home-school coordinator, giving special jobs to truant students, providing counseling services to truant students, modeling the behavior of acceptable attendance, and determining truant students' needs and meeting those needs.

Kearney and Graczyk (2014) also supported a long-term, multi-disciplinary approach to deal with chronic absenteeism; they suggested utilizing a Response to Intervention (RTI) model combined with a Positive Behavioral Interventions and Support (PBIS) framework. The former “can account for the many contextual variables that surround absenteeism and be designed to provide additive interventions depending on the severity of student needs” (p. 4). According to the National Center for Learning Disabilities (2019), RTI is a multi-tiered approach in which educators identify students who have learning needs and support them with three levels of interventions (i.e., group, targeted, and intensive). According to Positive Behavioral Interventions and Supports (2019), PBIS is also a multi-tiered approach in which educators identify students who have behavior needs and support them with three levels of interventions (i.e., universal, targeted, and intensive). Both RTI and PBIS require high-quality, research-based practices and ongoing assessment for frequent progress monitoring to be successful. Kearney and Graczyk (2014) claimed the well-known RTI model is advantageous because many educators are familiar with its multi-tiered framework. According to Kearney and Graczyk, the severity of the absenteeism and the intensity of the interventions increase from Tier 1 to Tier 2 to Tier 3. Kearney and Graczyk suggested the following strategies and programs in Tier 1, which provides universal interventions to all students to promote school attendance: school climate strategies, safety-oriented strategies, health-based strategies, character education, parental involvement, orientation activities, summer bridge and school readiness programs, culturally responsive approaches, and policy review. Kearney and Graczyk suggested the following strategies and programs in Tier 2, which provides targeted interventions to the 25-35% of students who demonstrate emerging absenteeism problems: psychological approaches for anxiety- and non-anxiety-based absenteeism, student engagement approaches, and peer and

mentoring programs. Kearney and Graczyk suggested the following strategies and programs in Tier 3, which provides intensive interventions to the 5-10% of students who demonstrate severe absenteeism problems: expansion of Tier 2 approaches, alternative educational programs, and legal strategies.

Other options for dealing with truancy also are available (Wilkins, 2008; Wisconsin Legislative Audit Bureau, 2000). Like differentiated instruction, different students have different needs, and educators and administrators must consider those needs when looking at ways to solve these problems. The Wisconsin Legislative Audit Bureau (2000), for example, considered the use of truancy abatement centers as a best practice in dealing with the issue. The Wisconsin Legislative Audit Bureau suggested the following steps before referring a student to the court system for truancy: meet with parents or guardians; provide an opportunity for educational counseling and determine whether a change in the student's curriculum would resolve the truancy; evaluate the student to determine whether learning problems are contributing to the truancy; and determine whether social problems are contributing to the truancy and take appropriate action if necessary. Wilkins (2008), on the other hand, found that truant high school students' attendance improved when they transferred to an alternative school that featured a positive school climate, one with a close-knit environment in which students felt comfortable and safe; an academic environment in which teachers were more flexible and classrooms were more relaxed; a disciplinary system in which teachers and administrators listened and talked to students about their behaviors; and a supportive and nurturing atmosphere in which teachers demonstrated they cared about students and developed appropriate relationships with them.

CHAPTER THREE

RESEARCH METHODS

Student attendance is a nationwide problem in America and a statewide conundrum in West Virginia, and political and educational leaders continue to search for solutions. Although it is only one component, truancy is a part of this problem that can be and is addressed through largely punitive consequences. This study examined those consequences, the practices and processes that precede them, and whether they affect student attendance.

RESEARCH DESIGN

This investigation was a descriptive, non-experimental study that measured increases in attendance generated by the imposition of legal consequences for truant students or for their parents or guardians as well as increases in attendance generated by the denial or revocation of driving privileges for truant students. Perceptions of the effects legal consequences for parents or guardians of truant students have on improving student attendance rates, of the effects legal consequences for truant students have on improving student attendance rates, and of the effects denying or revoking driving privileges of truant students have on improving student attendance rates were asked. Six questions were developed to collect this information:

1. What effect, if any, do legal consequences (e.g., fines, jail sentences, and probation) for parents or guardians of truant students have on improving the attendance rates in West Virginia counties?

2. What effect, if any, do legal consequences (e.g., improvement plans, alternative placements, and home confinement) for truant students have on improving the attendance rates in West Virginia counties?

3. What effect, if any, does the denial or revocation of driving privileges for truant students have on improving the attendance rates in West Virginia counties?

4. What are the perceptions of the effectiveness of truancy-related legal consequences (e.g., fines, jail sentences, and probation) for parents or guardians of truant students as held by attendance directors in West Virginia counties?

5. What are the perceptions of the effectiveness of truancy-related legal consequences (e.g., improvement plans, alternative placements, and home confinement) for truant students as held by attendance directors in West Virginia counties?

6. What are the perceptions of the effectiveness of truancy-related denial or revocation of driving privileges for truant students as held by attendance directors in West Virginia counties?

For research questions one, two, and three, descriptive analyses were employed to examine student attendance data in all 55 West Virginia counties for the past five school years (i.e., 2017-2018, 2016-2017, 2015-2016, 2014-2015, and 2013-2014) and survey answers from attendance directors in all 55 West Virginia counties. For research questions four, five, and six, responses were entered into the current version of SPSS software and analyzed via descriptive measures as well as comparisons of measures of central tendency and correlational tests.

DATA COLLECTION

The survey began with 20 questions that provided the researcher with data to divide the counties into groups for comparing and contrasting: name of county, number of students in the county, number of years of experience as an attendance director, number of parent excuses allowed by the county each year, number of calamity excuses allowed by the county each year, number of educational leave excuses allowed by the county each year, number of death in the family excuses allowed by the county each year, number of military excuses allowed by the county each year, number of legal excuses allowed by the county each year, number of extra-curricular excuses allowed by the county each year, and number of religious holiday excuses

allowed by the county each year. The next 16 questions focused on the procedures and processes each county uses to deal with truancy through the judicial system: who monitors student attendance and files student juvenile petitions for truancy in each county, which court or courts each county uses for truancy cases, the process by which each county uses the judicial system for truancy cases, which counties file juvenile petitions for truancy against parents or guardians, how many unexcused absences each county uses as the benchmark to file juvenile petitions for truancy against parents or guardians, an estimate of the percentage of eligible parents or guardians of truant students who have juvenile petitions filed against them, a rank in order of the most common legal consequences that result from truancy petitions against parents or guardians, which counties file juvenile petitions for truancy against students, how many unexcused absences each county uses as the benchmark to file juvenile petitions for truancy against students, at what age does each county stop filing juvenile petitions against parents or guardians and start filing juvenile petitions against students, an estimate of the percentage of eligible truant students who have juvenile petitions filed against them, a rank in order of the most common legal consequences that result from truancy petitions against students, the process by which each county denies or revokes drivers' licenses and learners' permits based on student attendance, and an estimate of the percentage of eligible truant students who have their drivers' licenses or learners' permits denied or revoked based on student attendance. The data from those questions also were used to divide the counties into groups for comparing and contrasting. Four of the next eight questions asked the attendance director to use a six-point Likert scale to evaluate the effectiveness of legal consequences for parents or guardians of truant students, the effectiveness of legal consequences for truant students, the effectiveness of the denial of driving privileges, and the effectiveness of the revocation of driving privileges in improving student attendance; the

other four questions asked the attendance director to provide comments about his or her rankings for those four questions. County-by-county attendance data from the five most recent school years — 2017-2018, 2016-2017, 2015-2016, 2014-2015, and 2013-2014 — were collected from the West Virginia Department of Education and analyzed to determine if there were correlations to the counties' practices, procedures, and processes and their attendance rates.

POPULATION

The population surveyed was attendance directors from school districts in West Virginia's 55 counties. All 55 attendance directors were invited to participate in the survey.

CHAPTER FOUR

PRESENTATION AND ANALYSIS OF DATA

This chapter contains the findings and statistical analysis of data related to this study. The purpose of this research is to add to the body of literature that addresses truancy and chronic absenteeism, specifically as they relate to the effectiveness of legal consequences. Those legal consequences include placing truant students on probation, sending them to juvenile detention centers, denying or revoking their driving privileges, fining their parents or guardians, and jailing their parents or guardians.

This investigation was a descriptive, non-experimental study that measured increases in attendance generated by the imposition of legal consequences for truant students or for their parents or guardians, as well as increases in attendance generated by the denial or revocation of driving privileges for truant students. Perceptions of the effects legal consequences for parents or guardians of truant students have on improving student attendance rates, of the effects legal consequences for truant students have on improving student attendance rates, and of the effects denying or revoking driving privileges of truant students have on improving student attendance rates were sought. Descriptive analyses were employed to examine student attendance data in all 55 West Virginia counties for the past five school years (i.e., 2017-2018, 2016-2017, 2015-2016, 2014-2015, and 2013-2014) and survey answers from attendance directors in all 55 West Virginia counties. SPSS Statistics 24 software was used to analyze these data. The research was designed to answer the following questions:

1. What effect, if any, do legal consequences (e.g., fines, jail sentences, and probation) for parents or guardians of truant students have on improving the attendance rates in West Virginia counties?

2. What effect, if any, do legal consequences (e.g., improvement plans, alternative placements, and home confinement) for truant students have on improving the attendance rates in West Virginia counties?

3. What effect, if any, does the denial or revocation of driving privileges for truant students have on improving the attendance rates in West Virginia counties?

4. What are the perceptions of the effectiveness of truancy-related legal consequences (e.g., fines, jail sentences, and probation) for parents or guardians of truant students as held by attendance directors in West Virginia counties?

5. What are the perceptions of the effectiveness of truancy-related legal consequences (e.g., improvement plans, alternative placements, and home confinement) for truant students as held by attendance directors in West Virginia counties?

6. What are the perceptions of the effectiveness of truancy-related denial or revocation of driving privileges for truant students as held by attendance directors in West Virginia counties?

POPULATION AND SAMPLE

The 55 attendance directors who were employed by the 55 school districts in West Virginia during the 2019-2020 school year were the target population for this study. Of the 55 attendance directors, 51 responded to the survey for a participation rate of 92.72%. One of the responders, however, declined to participate in the survey, lowering the true participation rate to 90.90%. Of the 50 attendance directors who answered the survey questions, 43 provided the names of their counties; seven did not provide the names of their counties, but four of those seven counties later were identified through follow-up conversations with the participating attendance directors. The identifiable participating counties were Barbour, Berkeley, Boone, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Grant, Greenbrier,

Hancock, Hardy, Harrison, Jackson, Jefferson, Lincoln, Logan, McDowell, Marion, Marshall, Mason, Mineral, Mingo, Monongalia, Monroe, Morgan, Nicholas, Ohio, Pendleton, Pleasants, Pocahontas, Preston, Putnam, Ritchie, Roane, Tucker, Tyler, Upshur, Wayne, Webster, Wetzel, Wirt, Wood, and Wyoming.

The last three questions of the survey focused on demographic information about the attendance directors and the counties they served. They were asked to select a range of how many students were in their counties from the following options: 0-1,000; 1,001-2,500; 2,501-5,000; 5,001-7,500; 7,501-10,000; 10,001-12,500; 12,501-15,000; 15,001-17,500; 17,501-20,000; or 20,001 or more. These figures are reported in Table 1.

Table 1

Number of Students in Each County

Student Enrollment	<i>N</i>	Percent
0-1,000	9	18.0%
1,001-2,500	14	28.0%
2,501-5,000	15	30.0%
5,001-7,500	4	8.0%
7,501-10,000	2	4.0%
10,001-12,500	3	6.0%
12,501-15,000	1	2.0%
15,001-17,500	0	0.0%
17,501-20,000	1	2.0%
20,001 or More	0	0.0%
No Response	1	2.0%
Total	50	100.0%

Nine of the respondents work in counties with 0-1,000 students. Fourteen of the respondents work in counties with 1,001-2,500 students. Fifteen of the respondents work in

counties with 2,501-5,000 students. Four of the respondents work in counties with 5,001-7,500 students. Two of the respondents work in counties with 7,501-10,000 students. Three of the respondents work in counties with 10,001-12,500 students. One of the respondents works in a county with 12,501-15,000 students. None of the respondents work in counties with 15,001-17,500 students. One of the respondents works in a county with 17,501-20,000 students. None of the respondents work in counties with 20,001 or more students.

The attendance directors also were asked to pick a range of how many years of experience they have as an attendance director from the following options: 0-5 years, 6-10 years, 11-15 years, 16-20 years, 21-25 years, or 26 years or more. These data are displayed in Table 2.

Table 2

Years of Experience for Each Attendance Director

Years of Experience	<i>N</i>	Percent
0-5	24	48.0%
6-10	12	24.0%
11-15	6	12.0%
16-20	5	10.0%
21-25	0	0.0%
26 or More	2	4.0%
No Response	1	2.0%
Total	50	100.0%

Twenty-four of the respondents have 0-5 years of experience as an attendance director. Twelve of the respondents have 6-10 years of experience as an attendance director. Six of the respondents have 11-15 years of experience as an attendance director. Five of the respondents have 16-20 years of experience as an attendance director. None of the respondents have 21-25

years of experience as an attendance director. Two of the respondents have 26 or more years of experience as an attendance director.

Respondents also were asked to provide a description of their counties (i.e., rural, suburban, and urban). Table 3 reflects those descriptions.

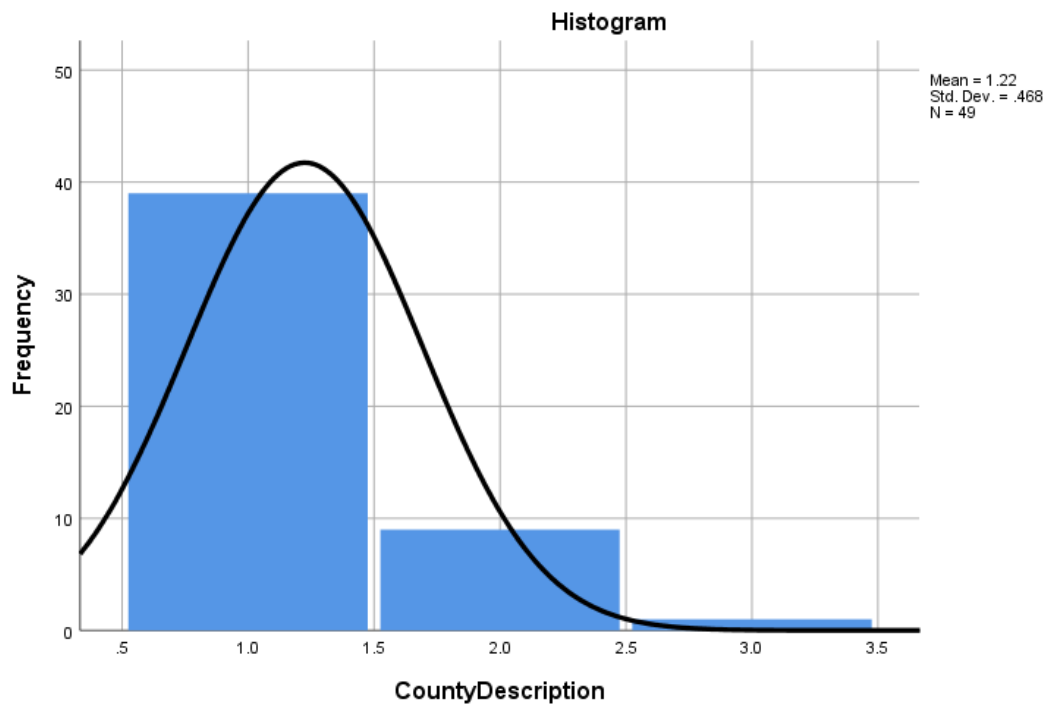
Table 3

Demographic Description of Each County

Description	<i>N</i>	Percent
Rural	39	78.0%
Suburban	9	18.0%
Urban	1	2.0%
No Response	1	2.0%
Total	50	100.0%

As Table 3 shows, 39 of the 50 respondents described their counties as rural. Nine of the respondents described their counties as suburban, while only one described his or her county as urban. One of the respondents did not answer the question. Although West Virginia is a rural state, there are suburban and urban areas in it relatively speaking, and there certainly are more than the nine suburban counties and one urban county that were reported by the respondents. The large number of rural responses in response to the district location variable skewed the sample, making it difficult to find any statistical relationships among the data through SPSS analysis. Therefore, the findings of this study are suggestive rather than conclusive.

Figure 1



SURVEY FINDINGS

The first 17 questions of the survey focused on the counties' policies and practices in regard to excused and unexcused absences, including how many home excuses they allow students to submit each year and whether they limit the number of excused absences for calamity, educational leave, death in the family, military reasons, legal reasons, extra-curricular activities, and religious reasons. This information is important to know because it illustrates the many ways students can miss large numbers of school days and be chronically absent, but not truant.

Home Excuses

Eighty percent of the counties, for example, allow students to submit 10 or more home excuses each year. That means students must have at least 20 absences in a school year to be truant (i.e., 10 excused absences and 10 unexcused absences). That number could increase even

more because students can have unlimited numbers of excused absences for calamity in at least 45 of the state's 55 counties, unlimited numbers of excused absences for educational leave in at least 25 counties, unlimited numbers of excused absences for death in the family in at least 30 counties, unlimited numbers of excused absences for military reasons in at least 48 counties, unlimited numbers of excused absences for legal reasons in at least 49 counties, unlimited numbers of excused absences for extra-curricular activities in at least 48 counties, and unlimited numbers of excused absences for religious reasons in at least 48 counties. Each of those numbers could be higher because five counties did not participate in the study.

Again, that number could increase even more because students can have unlimited excuses from medical professionals for health reasons. Theoretically, a student could miss all 180 days of a school year and not be truant as long as his or her absences were covered by one of those categories that are considered excused absences.

Each county's daily student attendance rates for the past five school years (i.e., 2017-2018, 2016-2017, 2015-2016, 2014-2015, and 2013-2014) were collected from the West Virginia Department of Education and averaged together to determine a five-year rate and rank the 55 counties from highest to lowest during that time frame.

Table 4 shows the counties that rank in the top third of the state (Nos. 1-18 out of 55) for the five-year student attendance rate for the past five school years (i.e., 2017-2018, 2016-2017, 2015-2016, 2014-2015, and 2013-2014).

Table 4

Five-Year Student Attendance Rates and State Rank for Each County (Top Third)

County	State Rank	Attendance Rate
Morgan	1 st	95.664%
Monongalia	2 nd	94.956%
Ohio	3 rd	94.43%
Randolph	4 th	94.424%
Jefferson	5 th	94.414%
Marion	6 th	94.326%
Clay	7 th	94.274%
Pendleton	8 th	94.15%
Gilmer	9 th	93.962%
Mineral	10 th	93.932%
Putnam	11 th	93.92%
Tyler	12 th	93.68%
Hancock	13 th	93.676%
Grant	14 th	93.652%
Upshur	15 th	93.628%
Hardy	16 th	93.482%
Kanawha	17 th	93.454%
Webster	18 th	93.426%

Table 5 shows the counties that rank in the middle third of the state (Nos. 19-37 out of 55) for the five-year student attendance rate for the past five school years (i.e., 2017-2018, 2016-2017, 2015-2016, 2014-2015, and 2013-2014).

Table 5

Five-Year Student Attendance Rates and State Rank for Each County (Middle Third)

County	State Rank	Attendance Rate
Taylor	19 th	93.368%
Nicholas	20 th	93.362%
Harrison	21 st	93.294%
Wetzel	22 nd	93.28%
Doddridge	23 rd	93.248%
Pleasants	24 th	93.238%
Berkeley	25 th	93.186%
Wood	26 th	93.136%
Ritchie	27 th	93.084%
Roane	28 th	92.956%
Jackson	29 th	92.894%
Mason	30 th	92.836%
Brooke	31 st	92.834%
Marshall	32 nd	92.79%
Preston	33 rd	92.784%
Fayette	34 th	92.698%
Hampshire	35 th	92.662%
Lewis	36 th	92.63%
Mercer	37 th	92.604%

Table 6 shows the counties that rank in the bottom third of the state (Nos. 38-55 out of 55) for the five-year student attendance rate for the past five school years (i.e., 2017-2018, 2016-2017, 2015-2016, 2014-2015, and 2013-2014).

Table 6

Five-Year Student Attendance Rates and State Rank for Each County (Bottom Third)

County	State Rank	Attendance Rate
Pocahontas	38 th	92.574%
Tucker	39 th	92.538%
Calhoun	40 th	92.51%
Raleigh	41 st	92.436%
Wirt	42 nd	92.284%
Cabell	43 rd	92.22%
Braxton	44 th	92.176%
Barbour	45 th	92.128%
Greenbrier	46 th	91.966%
Monroe	47 th	91.892%
Wayne	48 th	91.822
Summers	49 th	91.8%
Mingo	50 th	91.396%
Wyoming	51 st	90.256%
Boone	52 nd	90.14%
Lincoln	53 rd	90.09%
Logan	54 th	89.882%
McDowell	55 th	89.064%

Combining counties' attendance data with their attendance directors' survey responses allowed for the analysis of counties' five-year attendance rates alongside their attendance policies and practices and their attendance directors' estimates and perceptions to determine if

there were any relationships. Identifiable data were not available for nine counties that rank fourth, fifth, 17th, 19th, 35th, 36th, 37th, 41st, and 49th in the highest five-year attendance rates for all 55 counties because their attendance directors did not respond to the survey or did not provide their names.

Of the 50 attendance directors who responded to the survey, 40 of their counties allow 10 or more home excuses per year; that group includes 18 of the 28 counties with the highest five-year attendance rates. Nine allow 4-6 home excuses per year; that group includes five of the 28 counties with the highest five-year attendance rates. One allows 7-9 home excuses per year; that county is among the 28 counties with the highest five-year attendance rates. These data are displayed in Table 7.

Table 7

Home Excuses Allowed per Year by Each County

Home Excuses	<i>N</i>	Percent
1-3	0	0.0%
4-6	9	18.0%
7-9	1	2.0%
10 or More	40	80.0%
Total	50	100.0%

The range of the 36 identifiable counties that allow 10 or more home excuses per year extends from first to 55th in the highest five-year attendance rate for all 55 counties. The county that allows 7-9 home excuses per year ranks seventh in the highest five-year attendance rates for all 55 counties. The range of the counties that allow 4-6 home excuses per year extends from eighth to 52nd in the highest five-year attendance rates for all 55 counties. With at least 72.7% (i.e., 40 of 55) of the counties allowing the same number of home excuses, it is not possible to

determine whether there is a relationship between the number of home excuses a county allows and its student attendance rate because the sample was skewed in favor of rural districts.

Excuses for Calamity

Only five of the 50 attendance directors said their counties limit the number of excused absences a student can get for calamity (e.g., flood, fire, power outage, etc.) each year. The limits were 1-3 in two counties and 4-6 in two counties; one attendance director did not provide his or her county's range. These figures are reported in Table 8.

Table 8

Does the County Limit the Number of Excused Absences for Calamity?

Limit for Calamity Excuses	<i>N</i>	Percent
Yes	5	10.0%
No	45	90.0%
Total	50	100.0%

The range of the counties that limit the number of excuses for calamity extends from second to 47th in the highest five-year attendance rates for all 55 counties. With at least 81.8% (i.e., 45 of 55) of the counties allowing unlimited excused absences for calamity, it was not possible to determine whether there is a relationship between the number of excused absences a county allows for calamity and its student attendance rates because the sample was dominated by the district location variable (i.e., rural districts). These data are displayed in Table 9.

Table 9

What is the Limit for the Number of Excused Absences for Calamity?

Limit for Calamity Excuses	<i>N</i>	Percent
1-3	2	40.0%
4-6	2	40.0%
7-9	0	0.0%
10 or More	0	0.0%
No Response	1	20.0%
Total	5	100.0%

Excuses for Educational Leave

Of the 50 attendance directors who responded to the survey, 25 said their counties limit the number of excused absences a student can get for educational leave (e.g., family trips, college visits, etc.) each year, while the other 25 said their counties do not limit the number of excused absences for educational leave each year. These figures are reported in Table 10.

Table 10

Does the County Limit the Number of Excused Absences for Educational Leave?

Limit for Educational Leave Excuses	<i>N</i>	Percent
Yes	25	50.0%
No	25	50.0%
Total	50	100.0%

The limits were 1-3 in five counties, 4-6 in nine counties, 7-9 in three counties, and 10 or more in seven counties. These data are displayed in Table 11.

Table 11

What is the Limit for the Number of Excused Absences for Educational Leave?

Limit for Educational Leave Excuses	<i>N</i>	Percent
1-3	5	20.0%
4-6	9	36.0%
7-9	3	12.0%
10 or More	7	28.0%
No Response	1	4.0%
Total	25	100.0%

The range of the five counties that limit educational leave excuses to 1-3 per year extends from seventh to 55th in the highest five-year attendance rates for all 55 counties. The range of the nine counties that limit educational leave excuses to 4-6 per year extends from second to 50th in the highest five-year attendance rates for all 55 counties. The three counties that limit educational leave excuses to 7-9 per year rank 14th, 22nd, and 33rd in the highest five-year attendance rates for all 55 counties. The range of the seven counties that limit educational leave excuses to 10 or more per year extends from first to 38th in the highest five-year attendance rates for all 55 counties. The range of the 22 identifiable counties that do not limit educational leave excuses extends from third to 54th in the highest five-year attendance rates for all 55 counties.

There does not appear to be a significant difference between the attendance rates of the counties that limit the number of excused absences for educational leave and the attendance rates of the counties that do not limit the number of excused absences for educational leave, with 12 of the 24 identifiable counties that limit the number of excused absences for educational leave falling in the top half of the highest five-year attendance rates for all 55 counties and 12 of the 22 identifiable counties that do not limit the number of excused absences for educational leave also falling in the top half of the highest five-year attendance rates for all 55 counties. There does not

appear to be a correlation between the number of excused absences a county allows for educational leave and its student attendance rate.

Excuses for Death in the Family

Of the 49 attendance directors who responded to the question regarding excuses for a death in the family, 19 said their counties limit the number of excused absences a student can get for a death in the family each year; the other 30 said their counties do not limit the number of excused absences a student can get for a death in the family each year. These figures are reported in Table 12.

Table 12

Does the County Limit the Number of Excused Absences for Death in the Family?

Limit for Death in the Family Excuses	<i>N</i>	Percent
Yes	19	38.0%
No	30	60.0%
No Response	1	2.0%
Total	50	100.0%

The limits were 1-3 for each death in 15 counties and 4-6 for each death in three counties; one attendance director did not put the limit for his or her county. See Table 13 for these data.

Table 13

What is the Limit for the Number of Excused Absences for Death in the Family?

Limit for Death in the Family Excuses	<i>N</i>	Percent
1-3	15	79.0%
4-6	3	15.8%
7-9	0	0.0%
10 or More	0	0.0%
No Response	1	5.2%
Total	19	100.0%

The range of the 15 counties that limit death in the family excuses to 1-3 per death extends from first to 55th in the highest five-year attendance rates for all 55 counties. The three counties that limit death in the family excuses to 4-6 per death rank seventh, 20th, and 39th in the highest five-year attendance rates for all 55 counties. The range of the 28 identifiable counties that do not limit death in the family excuses extends from second to 54th in the highest five-year attendance rates for all 55 counties.

There does not appear to be a significant difference between the attendance rates of counties that limit the number of excused absences for death in family and the attendance rates of counties that do not limit the number of excused absences for death in family, with nine of the 19 counties that limit the number of excused absences for death in family falling in the top half of the highest five-year attendance rates for all 55 counties and 15 of the 28 identifiable counties that do not limit the number of excused absences for death in family also falling in the top half of the highest five-year attendance rates for all 55 counties. There does not appear to be a relationship between the number of excused absences a county allows for death in family and its student attendance rate. Of the 46 attendance directors who responded to the question, all but two said their counties provide a student with excused absences for each death if his or her family has multiple deaths in the same school year. One county caps the number of death in the family excuses at 7-9 per year; that county ranks 53rd in the highest five-year attendance rate for all 55 counties. The other county caps the number of death in the family excuses at 4-6 per year; that county ranks 55th in the highest five-year attendance rate for all 55 counties.

Excuses for Military Reasons

Only two of the 50 attendance directors who responded to the survey said their counties limit the number of excused absences a student can get for military reasons each year. These figures are reported in Table 14.

Table 14

Does the County Limit the Number of Excused Absences for Military Reasons?

Limit for Military Excuses	<i>N</i>	Percent
Yes	2	4.0%
No	48	96.0%
Total	50	100.0%

The limit for both counties is 1-3 per year; those counties rank second and 32nd in the highest five-year attendance rates for all 55 counties. These data are displayed in Table 15.

Table 15

What is the Limit for the Number of Excused Absences for Military Reasons?

Limit for Military Excuses	<i>N</i>	Percent
1-3	2	100.0%
4-6	0	0.0%
7-9	0	0.0%
10 or More	0	0.0%
Total	2	100.0%

With at least 87.3% (i.e., 48 of 55) of the counties allowing unlimited excused absences for military reasons, it is not possible to determine whether there is a relationship between the number of excused absences a county allows for military reasons and its student attendance rate, again because the sample was skewed toward rural districts.

Excuses for Legal Reasons

All 49 of the attendance directors who responded said their counties do not limit the number of excused absences a student can get for legal reasons each year. These figures are reported in Table 16.

Table 16

Does the County Limit the Number of Excused Absences for Legal Reasons?

Limit for Legal Excuses	<i>N</i>	Percent
Yes	0	0.0%
No	49	98.0%
No Response	1	2.0%
Total	50	100.0%

With at least 89.1% (i.e., 49 of 55) of the counties allowing unlimited excused absences for legal reasons, it is not possible to determine whether there is a relationship between the number of excused absences a county allows for legal reasons and its student attendance rate, again because the sample was overwhelmingly dominated by rural districts.

Excuses for Extra-Curricular Activities

Only two of the 50 attendance directors who responded to the question said their counties limit the number of excused absences a student can get for extra-curricular activities each year. The limits were 1-3 in one county and 10 or more in one county. See Table 17 for these data.

Table 17

Does the County Limit the Number of Excused Absences for Extra-Curricular Activities?

Limit for Extra-Curricular Excuses	<i>N</i>	Percent
Yes	2	4.0%
No	48	96.0%
Total	50	100.0%

The county that caps the number of extra-curricular excuses at 1-3 per year ranks second in the highest five-year attendance rates for all 55 counties, while the county that caps the number of extra-curricular excuses at 10 or more ranks 38th in the highest five-year attendance rates for all 55 counties. These figures are reported in Table 18.

Table 18

What is the Limit for the Number of Excused Absences for Extra-Curricular Activities?

Limit for Extra-Curricular Excuses	<i>N</i>	Percent
1-3	1	50.0%
4-6	0	0.0%
7-9	0	0.0%
10 or More	1	50.0%
Total	2	100.0%

With at least 87.3% (i.e, 48 of 55) of the counties allowing unlimited excused absences for extra-curricular activities, it is not possible to determine whether there is a relationship between the number of excused absences a county allows for extra-curricular activities and its student attendance rate because the sample was skewed.

Excuses for Religious Reasons

Only two of the 50 attendance directors who responded said their counties limit the number of excused absences a student can get for religious reasons each year. The limit was 1-3 per year in one county; the attendance director from the other county did not provide his or her county's range. These data are displayed in Table 19.

Table 19

Does the County Limit the Number of Excused Absences for Religious Reasons?

Limit for Religious Excuses	<i>N</i>	Percent
Yes	2	4.0%
No	48	96.0%
Total	50	100.0%

The county that caps the number of excused absences for religious reasons at 1-3 per year ranks second in the highest five-year attendance rates for all 55 counties. The county that did not provide a range ranks 33rd in the highest five-year attendance rates for all 55 counties. These figures are reported in Table 20.

Table 20

What is the Limit for the Number of Excused Absences for Religious Reasons?

Limit for Religious Excuses	<i>N</i>	Percent
1-3	1	50.0%
4-6	0	0.0%
7-9	0	0.0%
10 or More	0	0.0%
No Response	1	50.0%
Total	2	100.0%

With at least 87.3% (i.e., 48 of 55) of the counties allowing unlimited excused absences for religious reasons, it is not possible to determine whether there is a relationship between the number of excused absences a county allows for religious reasons and its student attendance rate.

Attendance Monitoring

Attendance directors monitor student attendance and file juvenile petitions in 42 of the 49 counties that answered the question; truancy diversion workers were responsible for those tasks

in the other seven counties. None of the participating counties use principals, assistant principals, probation officers, or other employees for those tasks. These data are displayed in Table 21.

Table 21

Who Monitors Attendance and Files Truancy Petitions?

Role	<i>N</i>	Percent
Attendance Directors	42	84.0%
Truancy Diversion Workers	7	14.0%
Principals	0	0.0%
Assistant Principals	0	0.0%
Probation Officers	0	0.0%
Other Employees	0	0.0%
No Response	1	2.0%
Total	50	100.0%

The five identifiable counties that use truancy diversion workers to complete the aforementioned duties rank ninth, 14th, 20th, 25th, and 45th in the highest five-year attendance rates for all 55 counties. Considering four of those five counties rank in the top half of the highest five-year attendance rates for all 55 counties, it appears there could be a relationship between a county's use of truancy diversion workers and its student attendance rate. With at least 76.4% (i.e., 42 of 55) of the counties using attendance directors to complete the aforementioned duties, however, it is not possible to determine whether there is a relationship between the person a county uses to monitor student attendance and file juvenile petitions and its student attendance rate because the sample was dominated by a single variable.

Court Involvement

Attendance directors use both circuit court and magistrate court for truancy cases in 30 of the 49 counties that answered the question, with only circuit court used in six of the remaining counties and only magistrate court used in 13 of the remaining counties. These figures are reported in Table 22.

Table 22

Which Court is Used to Deal with Truancy Cases?

Court	<i>N</i>	Percent
Circuit Court	6	12.0%
Magistrate Court	13	26.0%
Both Courts	30	60.0%
Neither Court	0	0.0%
No Response	1	2.0%
Total	50	100.0%

The range of the 29 identifiable counties that use both circuit court and magistrate court extends from first to 55th in the highest five-year attendance rates for all 55 counties. The range of the 13 identifiable counties that use only magistrate court extends from second to 51st in the highest five-year attendance rates for all 55 counties. The four identifiable counties that use only circuit court rank ninth, 46th, 52nd, and 54th in the highest five-year attendance rates for all 55 counties. Considering 19 of the 29 identifiable counties that use both courts rank in the top half of the highest five-year attendance rates for all 55 counties and only seven of the 17 identifiable counties that use one court or the other rank in the top half of the highest five-year attendance rates for all 55 counties, it appears there could be a relationship between a county's use of both courts and its student attendance rate. With at least 54.5% (i.e., 30 of 55) of the counties using both courts to deal with truancy cases, however, it is not possible to determine whether there is a

correlation between the court a county uses to deal with truancy cases and its student attendance rate, again because the sample was dominated by the district location variable.

Attendance directors were asked how their counties use the court system to deal with truancy cases, with 41 providing responses to the question. Most counties file against parents or guardians in magistrate court and against students in circuit court. These data are displayed in Table 23.

Table 23

At What Age Are Truancy Petitions Filed Against Students?

Age	<i>N</i>	Percent
12	13	26.0%
13	2	4.0%
14	2	4.0%
15	2	4.0%
16	1	2.0%
17	1	2.0%
18	22	44.0%
No Response	7	14.0%
Total	50	100.0%

The age at which counties begin filing juvenile petitions for truancy against students varies, with 13 counties filing against them when the students are 12 years old, two counties at 13 years old, two counties at 14 years old, two counties at 15 years old, one county at 16 years old, one county at 17 years old, and 22 counties at 18 years old. Most attendance directors exhaust all other options, such as truancy diversion efforts, improvement plans, probationary periods, etc., before they file against parents or guardians and students, especially the latter. Some attendance directors noted parents or guardians often pay the fines or opt to home-school

their children to avoid additional legal consequences. Some attendance directors noted cooperation from the court system is often a problem. One wrote, “Our prosecutor will not file juvenile petitions for status offenses. When the law changed and took away the consequence of residential placement for status offenses, our prosecutor feels it is a waste of time to pursue juvenile status offenses.” Another wrote, “We file truancy, but the judges refuse to do anything to help the school system.”

FINDINGS RELATED TO RESEARCH QUESTIONS

There were six research questions that guided this study.

1. What effect, if any, do legal consequences (e.g., fines, jail sentences, and probation) for parents or guardians of truant students have on improving the attendance rates in West Virginia counties?
2. What effect, if any, do legal consequences (e.g., improvement plans, alternative placements, and home confinement) for truant students have on improving the attendance rates in West Virginia counties?
3. What effect, if any, does the denial or revocation of driving privileges for truant students have on improving the attendance rates in West Virginia counties?
4. What are the perceptions of the effectiveness of truancy-related legal consequences (e.g., fines, jail sentences, and probation) for parents or guardians of truant students as held by attendance directors in West Virginia counties?
5. What are the perceptions of the effectiveness of truancy-related legal consequences (e.g., improvement plans, alternative placements, and home confinement) for truant students as held by attendance directors in West Virginia counties?

6. What are the perceptions of the effectiveness of truancy-related denial or revocation of driving privileges for truant students as held by attendance directors in West Virginia counties?

Findings to each of those questions will be reported in this section.

Findings Related to Research Question One: What effect, if any, do legal consequences (e.g., fines, jail sentences, and probation) for parents or guardians of truant students have on improving the attendance rates in West Virginia counties?

Attendance directors were asked whether their counties file juvenile petitions for truancy against parents or guardians of truant students. Of the 49 attendance directors who responded, 38 said their counties file juvenile petitions for truancy against parents or guardians of truant students; the other 11 said their counties do not. These figures are reported in Table 24.

Table 24

Does the County File Truancy Petitions Against Parents or Guardians of Truant Students?

Truancy Petitions Against Parents or Guardians	<i>N</i>	Percent
Yes	38	76.0%
No	11	22.0%
No Response	1	2.0%
Total	50	100.0%

The range of the 36 identifiable counties that do file juvenile petitions against parents or guardians extends from first to 55th in the highest five-year attendance rates for all 55 counties. Considering 20 of the 36 identifiable counties that file juvenile petitions against parents or guardians of truant students rank in the top half of the highest five-year attendance rates for all 55 counties, it appears there could be a relationship between a county's decision to file juvenile petitions against parent or guardians of truant students and its student attendance rate. Considering six of the 10 identifiable counties that do not file juvenile petitions against parents

or guardians of truant students rank in the bottom half of the highest five-year attendance rates, it appears there could also be a relationship between a county's decision to file juvenile petitions against parent or guardians of truant students and its student attendance rate. With at least 69.1% (i.e., 38 of 55) of the counties filing juvenile petitions against parents or guardians of truant students, however, it is not possible to determine whether there is a relationship between a county's decision to file juvenile petitions against parent or guardians of truant students and its student attendance rate because the sample was skewed toward rural districts.

Of the 38 counties that file juvenile petitions against parents or guardians, 15 of them do it after 10-13 unexcused absences, 17 of them do it after 14-16 unexcused absences, two of them do it after 17-19 unexcused absences, one does it after 20 or more unexcused absences, and 12 of them rarely file. These data are displayed in Table 25.

Table 25

When Does the County File Truancy Petitions Against Parents or Guardians of Truant Students?

Unexcused Absences	<i>N</i>	Percent
10-13	15	30.6%
14-66	17	34.7%
17-19	2	4.1%
20 or More	1	2.0%
Rarely	12	24.5%
No Response	2	4.1%
Total	49	100.0%

Note: Some attendance directors who said their counties do not file truancy petitions against parents or guardians of truant students still answered the question that provided these data.

The range of the 14 identifiable counties that file truancy petitions against parents or guardians after 10-13 unexcused absences extends from first to 52nd in the highest five-year attendance rates for all 55 counties. The range of the 14 identifiable counties that file truancy

petitions against parents or guardians after 14-16 unexcused absences extends from sixth to 55th in the highest five-year attendance rates for all 55 counties. Considering 16 of those 28 identifiable counties rank in the top half of the highest five-year attendance rates for all 55 counties, it appears there could be a relationship between a county's decision to file juvenile petitions against parents or guardians of truant students as soon as possible and its student attendance rate.

The two identifiable counties that file truancy petitions against parents or guardians after 17-19 unexcused absences rank 43rd and 51st in the highest five-year attendance rates for all 55 counties, and the one identifiable county that files truancy petitions against parents or guardians after 20 or more unexcused absences ranks 40th in the highest five-year attendance rates for all 55 counties. The four identifiable counties that rarely file truancy petitions against parents or guardians rank ninth, 15th, 28th, and 44th in the highest five-year attendance rates for all 55 counties. Considering five of those seven schools rank in the bottom half of the highest five-year attendance rates for all 55 counties, it appears there could be a relationship between a county's decision to file juvenile petitions against parents or guardians of truant students as soon as possible and its student attendance rate. One attendance director said his or her county files truancy petitions against parents or guardians, but did not say when it files against them; that county ranks 11th in the highest five-year attendance rates for all 55 counties.

Attendance directors were asked to estimate the percentage of parents or guardians who qualify for truancy petitions in their counties each year that actually incur those consequences (i.e., truancy petitions are filed against them). Their responses are reported in Table 26.

Table 26

What Percentage of Parents or Guardians of Truant Students Have Truancy Petitions Filed Against Them?

Percentage	<i>N</i>	Percent
0-20	20	40.0%
21-40	7	14.0%
41-60	4	8.0%
61-80	9	18.0%
81-100	6	12.0%
No Response	4	8.0%
Total	50	100.0%

Of the 46 attendance directors who responded to the question, 20 said 0-20% of the qualifying parents or guardians incur those consequences (i.e., truancy petitions are filed against them); the range of the 14 identifiable counties from that group extends from first to 55th in the highest five-year attendance rate for all 55 counties. Seven attendance directors said 21-40% of the qualifying parents or guardians incur those consequences; the range of those counties extends from second to 51st in the highest five-year attendance rate for all 55 counties. Four attendance directors said 41-60% of the qualifying parents or guardians incur those consequences; the range of those counties extends from third to 47th in the highest five-year attendance rate for all 55 counties. Nine attendance directors said 61-80% of the qualifying parents or guardians incur those consequences; the range of the five identifiable counties from that group extends from 14th to 48th in the highest five-year attendance rate for all 55 counties. Six attendance directors said 81-100% of the qualifying parents or guardians incur those consequences; the range of those six counties extends from sixth to 42nd in the highest five-year attendance rates for all 55 counties.

Eleven of the 21 identifiable counties in which 0-40% of the qualifying parents or guardians incur those consequences rank in the top half of the highest five-year attendance rates for all 55 counties; conversely, the other 10 rank in the bottom half of the highest five-year attendance rates for all 55 counties. Nine of the 15 identifiable counties in which 41-100% of the qualifying parents or guardians incur those consequences rank in the top half of the highest five-year attendance rates for all 55 counties; conversely, the other six rank in the bottom half of the highest five-year attendance rates for all 55 counties. Given these findings, there does not appear to be a relationship between a county's prevalence of legal consequences for parents or guardians of truant students and its student attendance rate.

Attendance directors were asked to select on a scale of 1 (never) to 4 (always) how often the legal consequences that result from truancy petitions for parents or guardians of truant students are used. The first option to rate was "improvement plan and/or probationary period." Ten attendance directors gave it a rating of 1 for "never"; 10 attendance directors gave it a rating of 2; 12 attendance directors gave it a rating of 3; and 14 attendance directors gave it a rating of 4 for "always." Four attendance directors did not respond. Their responses are shown in Table 27.

Table 27

*How Often Are Improvement Plans or Probationary Periods
Used Against Parents or Guardians of Truant Students?*

Rating	<i>N</i>	Percent
1 (Never)	10	20.0%
2	10	20.0%
3	12	24.0%
4 (Always)	14	28.0%
No Response	4	8.0%
Total	50	100.0%

Attendance directors were asked to select on a scale of 1 (never) to 4 (always) how often the legal consequences that result from truancy petitions for parents or guardians of truant students are used. The second option to rate was “monetary fine.” Ten attendance directors gave it a rating of 1 for “never”; 11 attendance directors gave it a rating of 2; 14 attendance directors gave it a rating of 3; and nine attendance directors gave it a rating of 4 for “always.” Six attendance directors did not respond. Their ratings are reported in Table 28.

Table 28

How Often Are Monetary Fines Used Against Parents or Guardians of Truant Students?

Rating	<i>N</i>	Percent
1 (Never)	10	20.0%
2	11	22.0%
3	14	28.0%
4 (Always)	9	18.0%
No Response	6	12.0%
Total	50	100.0%

Attendance directors were asked to select on a scale of 1 (never) to 4 (always) how often the legal consequences that result from truancy petitions for parents or guardians of truant students are used. The third option to rate was “jail sentence.” Twenty-five attendance directors gave it a rating of 1 for “never”; 14 attendance directors gave it a rating of 2; two attendance directors gave it a rating of 3; and no attendance director gave it a rating of 4 for “always.” Nine attendance directors did not respond. Their responses are reported in Table 29.

Table 29

How Often Are Jail Sentences Used Against Parents or Guardians of Truant Students?

Rating	<i>N</i>	Percent
1 (Never)	25	50.0%
2	14	28.0%
3	2	4.0%
4 (Always)	0	0.0%
No Response	9	18.0%
Total	50	100.0%

Attendance directors were asked to select on a scale of 1 (never) and 4 (always) how often the legal consequences that result from truancy petitions for parents or guardians of truant students are used. The fourth and final option to rate was “other.” Twelve attendance directors gave it a rating of 1 for “never”; three attendance directors gave it a rating of 2; four attendance directors gave it a rating of 3; and two attendance directors gave it a rating of 4 for “always.” Twenty-nine attendance directors did not respond. Their ratings are reported in Table 30.

Table 30

How Often Are Other Consequences Used Against Parents or Guardians of Truant Students?

Rating	<i>N</i>	Percent
1 (Never)	12	24.0%
2	3	6.0%
3	4	8.0%
4 (Always)	2	4.0%
No Response	29	58.0%
Total	50	100.0%

The attendance directors also were asked to explain what “other” meant to them in terms of legal consequences. According to their responses, the legal consequences under “other”

include placing students in alternate settings or programs, such as Mountaineer Challenge Academy or Option Pathway. Another option is requiring parents or guardians to attend school with their children. Home confinement also is used by some counties in some cases.

Findings Related to Research Question Two: What effect, if any, do legal consequences (e.g., improvement plans, alternative placements, and home confinement) for truant students have on improving the attendance rates in West Virginia counties?

Attendance directors were asked whether their counties file juvenile petitions for truancy against truant students. Of the 48 attendance directors who responded to the question, 38 said their counties file juvenile petitions for truancy against students; the other 10 said their counties do not. These data are displayed in Table 31.

Table 31

Does the County File Truancy Petitions Against Truant Students?

Truancy Petitions Against Truant Students	<i>N</i>	Percent
Yes	38	76.0%
No	10	20.0%
No Response	2	4.0%
Total	50	100.0%

The range of the 37 identifiable counties that do file juvenile petitions for truancy against students extends from first to 54th in the highest five-year attendance rates for all 55 counties. Considering 20 of those counties rank in the top half of the highest five-year attendance rates for all 55 counties, it appears there could be a relationship between a county's decision to file juvenile petitions for truancy against students and its student attendance rate. The range of the eight identifiable counties that do not file juvenile petitions for truancy against students extends from seventh to 55th in the highest five-year attendance rate for all 55 counties. Considering four

of those counties rank in the bottom half of the highest five-year attendance rates for all 55 counties, it appears there could be a relationship between a county's decision to file juvenile petitions for truancy against students and its student attendance rate. With at least 69.1 percent (38 of 55) of the counties filing juvenile petitions for truancy against students, it is not possible to determine if there is a correlation between a county's decision to file juvenile petitions for truancy against students and its student attendance rate, again because the sample was so dominated by the district description variable (i.e., in favor of rural counties).

Of the 38 counties that file juvenile petitions for truancy against students, 13 of them do it after 10-13 unexcused absences; 12 of them do it after 14-16 unexcused absences; six of them do it after 17-19 unexcused absences; seven of them do it after 20 or more unexcused absences; and seven of them rarely file juvenile petitions for truancy against students. These figures are reported in Table 32.

Table 32

When Does the County File Truancy Petitions Against Truant Students?

Unexcused Absences	<i>N</i>	Percent
10-13	13	26.5%
14-66	12	24.5%
17-19	6	12.2%
20 or More	7	14.3%
Rarely	7	14.3%
No Response	4	8.2%
Total	49	100.0%

Note: Some attendance directors who said their counties do not file truancy petitions against truant students still answered the question that provided these data.

The range of the 12 identifiable counties that file juvenile petitions for truancy against students after 10-13 unexcused absences extends from first to 52nd in the highest five-year

attendance rates for all 55 counties. The range of the 11 identifiable counties that file juvenile petitions for truancy against students after 14-16 unexcused absences extends from 12th to 53rd in the highest five-year attendance rates for all 55 counties. Considering 14 of those 23 identifiable counties rank in the top half of the highest five-year attendance rates for all 55 counties, it appears there could be a relationship between a county's decision to file juvenile petitions for truancy against students as soon as possible and its student attendance rate.

The range of the six identifiable counties that file juvenile petitions for truancy against students after 17-19 unexcused absences extends from third to 54th in the highest five-year attendance rates for all 55 counties. The range of the six identifiable counties that file juvenile petitions for truancy against students after 20 or more unexcused absences extends from 18th to 46th in the highest five-year attendance rates for all 55 counties. The four identifiable counties that rarely file juvenile petitions for truancy against students rank 15th, 23rd, 32nd, and 55th in the highest five-year attendance rates for all 55 counties. Considering 10 of those 16 schools rank in the bottom half of the highest five-year attendance rates for all 55 counties, it appears there could be a relationship between a county's decision to file juvenile petitions for truancy against students as soon as possible and its student attendance rate. One attendance director said his or her county files juvenile petitions for truancy against truant students, but did not say when it files against them; that county ranks 11th in the highest five-year attendance rates for all 55 counties.

Attendance directors were asked to estimate the percentage of students who qualify for juvenile petitions for truancy in their counties each year that actually incur those consequences (i.e., juvenile petitions for truancy are filed against them). Of the 47 attendance directors who responded, 17 said 0-20% of the qualifying students incur those consequences; the range of the

16 identifiable counties from that group extends from first to 55th in the highest five-year attendance rate for all 55 counties. These data are displayed in Table 33.

Table 33

What Percentage of Truant Students Have Truancy Petitions Filed Against Them?

Percentage	N	Percent
0-20	17	34.0%
21-40	5	10.0%
41-60	6	12.0%
61-80	11	22.0%
81-100	8	16.0%
No Response	3	6.0%
Total	50	100.0%

Five attendance directors said 21-40% of the qualifying students incur those consequences; the four identifiable counties from that group rank 26th, 43rd, 44th, and 51st in the highest five-year attendance rate for all 55 counties. Six attendance directors said 41-60% of the qualifying students incur those consequences; the range of those counties extends from 20th to 52nd in the highest five-year attendance rate for all 55 counties. Eleven attendance directors said 61-80% of the qualifying students incur those consequences; the range of those counties extends from 12th to 54th in the highest five-year attendance rate for all 55 counties. Eight attendance directors said 81-100% of the qualifying students incur those consequences; the range of the seven identifiable counties from that group extends from third to 46th in the highest five-year attendance rates for all 55 counties.

Ten of the 20 identifiable counties in which 0-40% of the qualifying students incur those consequences (i.e., juvenile petitions for truancy are filed against them) rank in the top half of the highest five-year attendance rates for all 55 counties; conversely, the other 10 rank in the

bottom half of the highest five-year attendance rates for all 55 counties. Fourteen of the 24 identifiable counties in which 41-100 percent of the qualifying students incur those consequences rank in the top half of the highest five-year attendance rates for all 55 counties; conversely, the other 10 rank in the bottom half of the highest five-year attendance rates for all 55 counties. Given these findings, it appears there could be a relationship between a county's prevalence of legal consequences for truant students and its student attendance rate.

Attendance directors were asked to select on a scale of 1 (never) to 4 (always) how often the legal consequences that result from juvenile petitions for truant students are used. The first option to rate was "improvement plan and/or probationary period." Six attendance directors gave it a rating of 1 for "never"; four attendance directors gave it a rating of 2; 13 attendance directors gave it a rating of 3; and 23 attendance directors gave it a rating of 4 for "always." Four attendance directors did not respond. Their responses are reported in Table 34.

Table 34

How Often Are Improvement Plans or Probationary Periods Used Against Truant Students?

Rating	N	Percent
1 (Never)	6	12.0%
2	4	8.0%
3	13	26.0%
4 (Always)	23	46.0%
No Response	4	8.0%
Total	50	100.0%

Attendance directors were asked to select on a scale of 1 (never) to 4 (always) how often the legal consequences that result from juvenile petitions for truant students are used. The second option to rate was "monetary fines." Twenty-eight attendance directors gave it a rating of 1 for "never"; 10 attendance directors gave it a rating of 2; three attendance directors gave it a

rating of 3; and two attendance directors gave it a rating of 4 for “always.” Seven attendance directors did not respond. Their ratings are reported in Table 35.

Table 35

How Often Are Monetary Fines Used Against Truant Students?

Rating	<i>N</i>	Percent
1 (Never)	28	56.0%
2	10	20.0%
3	3	6.0%
4 (Always)	2	4.0%
No Response	7	14.0%
Total	50	100.0%

Attendance directors were asked to select on a scale of 1 (never) to 4 (always) how often the legal consequences that result from juvenile petitions for truant students are used. The third option to rate was “alternative placements.” Eighteen attendance directors gave it a rating of 1 for “never”; 21 attendance directors gave it a rating of 2; four attendance directors gave it a rating of 3; and no attendance director gave it a rating of 4 for “always.” Seven attendance directors did not respond. Their responses are reported in Table 36.

Table 36

How Often Are Alternative Placements Used Against Truant Students?

Rating	<i>N</i>	Percent
1 (Never)	18	36.0%
2	21	42.0%
3	4	8.0%
4 (Always)	0	0.0%
No Response	7	14.0%
Total	50	100.0%

Attendance directors were asked to select on a scale of 1 (never) to 4 (always) how often the legal consequences that result from juvenile petitions for truant students are used. The fourth and final option to rate was “other.” Eleven attendance directors gave it a rating of 1 for “never”; two attendance directors gave it a rating of 2; one attendance director gave it a rating of 3; and one attendance director gave it a rating of 4 for “always.” Thirty-five attendance directors did not respond. Their ratings are reported in Table 37.

Table 37

How Often Are Other Consequences Used Against Truant Students?

Rating	<i>N</i>	Percent
1 (Never)	11	22.0%
2	2	4.0%
3	1	2.0%
4 (Always)	1	2.0%
No Response	35	70.0%
Total	50	100.0%

The attendance directors also were asked to explain what “other” meant to them in terms of legal consequences. According to their responses, the legal consequences under “other” include placing students in alternate settings or programs, such as Mountaineer Challenge Academy or Option Pathway. Sending students to shelters or residential placement facilities is another option.

The age at which counties begin filing juvenile petitions for truancy against students varies, with 13 counties filing against them when the students are 12 years old, two counties at 13 years old, two counties at 14 years old, two counties at 15 years old, one county at 16 years old, one county at 17 years old, and 22 counties at 18 years old. These figures are reported in Table 23.

Table 23

At What Age Are Truancy Petitions Filed Against Students?

Age	<i>N</i>	Percent
12	13	26.0%
13	2	4.0%
14	2	4.0%
15	2	4.0%
16	1	2.0%
17	1	2.0%
18	22	44.0%
No Response	7	14.0%
Total	50	100.0%

The range of the 12 identifiable counties that file juvenile petitions for truancy against students at 12 years old extends from 10th to 54th in the highest five-year attendance rates for all 55 counties. The two counties that file juvenile petitions for truancy against students at 13 years old rank 27th and 44th in the highest five-year attendance rates for all 55 counties. The two counties that file juvenile petitions for truancy against students at 14 years old rank third and 29th in the highest five-year attendance rates for all 55 counties. The two counties that file juvenile petitions for truancy against students at 15 years old rank sixth and 51st in the highest five-year attendance rates for all 55 counties. The one county that files juvenile petitions for truancy against students at 16 years old ranks 38th in the highest five-year attendance rates for all 55 counties. The one county that files juvenile petitions for truancy against students at 17 years old was not identifiable. The range of the 22 counties that file juvenile petitions for truancy against students at 18 years old extends from first to 55th in the highest five-year attendance rates for all 55 counties.

Nine of the 18 identifiable counties that file juvenile petitions for truancy against students between the ages of 12 and 15 years old rank in the top half of the highest five-year attendance rates for all 55 counties. Conversely, 12 of the 23 identifiable counties that file juvenile petitions for truancy against students between the ages of 16 and 18 years old rank in the top half of the highest five-year attendance rates for all 55 counties. Given those findings, there does not appear to be a relationship between a county's decision to file a juvenile petition for truancy against a student at a younger age or an older age and its student attendance rate.

Findings Related to Research Question Three: What effect, if any, does the denial or revocation of driving privileges for truant students have on improving the attendance rates in West Virginia counties?

Attendance directors were asked to describe the process their counties use for the denial or revocation of drivers' licenses and learners' permits based on student attendance, with 40 providing responses. Most of the attendance directors indicated they follow the West Virginia code, which outlines the criteria for denial or revocation of drivers' licenses and learners' permits (see Appendix P). One notable discovery is some counties use not only attendance, but also academic progress to deny or revoke drivers' licenses and learners' permits. At least six attendance directors said they contact the Department of Motor Vehicles to revoke students' driving privileges if the students do not gain at least five credits per year, including three credits in core classes (i.e., math, reading, science, and social studies), and/or fail two core classes in one semester. School-level administrators (i.e., principals and assistant principals) often help district-level attendance directors with this process. Two attendance directors said they also incorporate discipline data to deny proof of enrollment forms; they did not specify, but they

likely are referring to expulsions and out-of-school suspensions, both of which could result in 10 consecutive absences or contribute to 15 overall unexcused absences.

Attendance directors were asked to estimate the percentage of students who qualify for denial or revocation of drivers' licenses or learners' permits in their counties each year that actually incur those consequences. These data are displayed in Table 38.

Table 38

What Percentage of Truant Students Have Their Driving Privileges Denied or Revoked?

Percentage	<i>N</i>	Percent
0-20	13	26.0%
21-40	4	8.0%
41-60	2	4.0%
61-80	4	8.0%
81-100	20	40.0%
No Response	7	14.0%
Total	50	100.0%

Of the 43 attendance directors who responded to the question, 13 said 0-20% of the qualifying students incur those consequences (i.e., have their driving privileges denied or revoked); the range of those counties extend from first to 55th in the highest five-year attendance rate for all 55 counties. Four attendance directors said 21-40% of the qualifying students incur those consequences; those counties rank third, seventh, 31st, and 53rd in the highest five-year attendance rate for all 55 counties. Two attendance directors said 41-60% of the qualifying students incur those consequences; those counties rank second and 13th in the highest five-year attendance rate for all 55 counties. Four attendance directors said 61-80% of the qualifying students incur those consequences; those counties rank 24th, 25th, 27th, and 52nd in the highest five-year attendance rate for all 55 counties. Twenty attendance directors said 81-100% of the

qualifying students incur those consequences; the range of those counties extend from sixth to 54th in the highest five-year attendance rates for all 55 counties.

Seven of the 17 counties in which 0-40% of the qualifying students incur those consequences (i.e., have their driving privileges denied or revoked) rank in the top half of the highest five-year attendance rates for all 55 counties; conversely, the other 10 rank in the bottom half of the highest five-year attendance rates for all 55 counties. Fifteen of the 26 identifiable counties in which 41-100% of the qualifying students incur those consequences rank in the top half of the highest five-year attendance rates for all 55 counties; conversely, the other 11 rank in the bottom half of the highest five-year attendance rates for all 55 counties. Given these findings, it appears there could be a relationship between a county's prevalence of denying or revoking drivers' licenses and learners' permits and its student attendance rate.

Findings Related to Research Question Four: What are the perceptions of the effectiveness of truancy-related legal consequences (e.g., fines, jail sentences, and probation) for parents or guardians of truant students as held by attendance directors in West Virginia counties?

Attendance directors were asked the following question: "On a scale of 1-6, with 1 being 'extremely ineffective' and 6 being 'extremely effective,' how effective do you find the legal consequences for parents or guardians of truant students (e.g., improvement plans, probationary periods, monetary fines, jail sentences, etc.) in improving student attendance?" Eight attendance directors gave a rating of 1 for "extremely ineffective"; nine attendance directors gave a rating of 2; 10 attendance directors gave a rating of 3; 15 attendance directors gave a rating of 4; four attendance directors gave a rating of 5; and one attendance director gave a rating of 6 for "extremely effective." Three attendance directors did not respond. Their responses are reported in Table 39.

Table 39

How Effective Are Legal Consequences for Parents or Guardians of Truant Students in Improving Student Attendance?

Rating	<i>N</i>	Percent
1 (Extremely Ineffective)	8	16.0%
2	9	18.0%
3	10	20.0%
4	15	30.0%
5	4	8.0%
6 (Extremely Effective)	1	2.0%
No Response	3	6.0%
Total	50	100.0%

Twenty-five of the 50 attendance directors who responded to the survey gave a rating of 3 or 4, which suggests half of them believe the effectiveness of legal consequences against parents or guardians of truant students falls in the average or middle range. Seventeen of the remaining 25 attendance directors, however, gave a rating of only 1 or 2, indicating they believe the effectiveness of legal consequences against parents or guardians of truant students falls in the below average range. Five of the remaining 25 attendance directors gave a rating of 5 or 6, indicating they believe the effectiveness of legal consequences against parents or guardians of truant students falls in the above average range. Three of the remaining 25 attendance directors did not respond.

Attendance directors were asked to provide comments about their ratings of the effectiveness of legal consequences against parents or guardians of truant students, with 23 providing responses. Most attendance directors agreed the legal consequences are not “tough enough.” One attendance director wrote, “The state attendance policy has zero teeth. Parents do not care about fines, and the courts cannot do more.” Two attendance directors said many of the

parents or guardians involved in truancy cases have faced or are facing more severe criminal charges, so they do not care about or fear legal consequences for truancy charges.

Cooperation from the court system is a problem in multiple counties. One attendance director wrote, “The legal system in our county does not take truancy seriously ... so it becomes almost futile for us to even file as we have no teeth to enforce consequences.” Another attendance director described the court system and its dealings with truancy-related cases as a “vicious cycle that is looked upon as a joke.” The attendance directors’ biggest complaint about the court system is the lengthy process through which it deals with truancy cases. One attendance director wrote, “The main concern is that the process is so slow and inconsistent. If it were run efficiently and consistently, it would be much more effective.”

There are counties, however, in which the court system helps the school system improve student attendance. Seven attendance directors said student attendance tends to increase after legal consequences, although they acknowledged there are families with chronic cases year after year that do not benefit. One attendance director wrote, “The court system does make a difference for most.” Another wrote, “The court system is a wake-up call for some families.” Two more attendance directors confirmed this, noting they do not have to refile on most parents or guardians and students because the students’ attendance improves after the initial process.

Findings Related to Research Question Five: What are the perceptions of the effectiveness of truancy-related legal consequences (e.g., improvement plans, alternative placements, and home confinement) for truant students as held by attendance directors in West Virginia counties?

Attendance directors were asked the following question: “On a scale of 1-6, with 1 being ‘extremely ineffective’ and 6 being ‘extremely effective,’ how effective do you find the legal

consequences for truant students (e.g., improvement plans, probationary periods, monetary fines, jail sentences, etc.) in improving student attendance?” Nine attendance directors gave a rating of 1 for “extremely ineffective”; four attendance directors gave a rating of 2; 15 attendance directors gave a rating of 3; eight attendance directors gave a rating of 4; eight attendance directors gave a rating of 5; and two attendance directors gave a rating of 6 for “extremely effective.” Four attendance directors did not respond. Their ratings are reported in Table 40.

Table 40

How Effective Are Legal Consequences for Truant Students in Improving Student Attendance?

Rating	<i>N</i>	Percent
1 (Extremely Ineffective)	9	18.0%
2	4	8.0%
3	15	30.0%
4	8	16.0%
5	8	16.0%
6 (Extremely Effective)	2	4.0%
No Response	4	8.0%
Total	50	100.0%

Twenty-three of the 50 attendance directors who responded to the survey gave a rating of 3 or 4, which suggests nearly half of them believe the effectiveness of legal consequences against truant students falls in the average or middle range. Thirteen of the remaining 27 attendance directors gave a rating of only 1 or 2, indicating they believe the effectiveness of legal consequences against truant students falls in the below average range. Ten of the remaining 27 attendance directors gave a rating of 5 or 6, indicating they believe the effectiveness of legal consequences against truant students falls in the above average range. Four of the remaining 27 attendance directors did not respond. Based on their ratings and responses, the 50 attendance

directors who responded to the survey believe legal consequences are more effective for truant students than for parents or guardians of truant students.

Attendance directors were asked to provide comments about their ratings of the effectiveness of legal consequences against truant students, with 16 providing responses.

Attendance directors expressed similar frustrations with the court system in regard to its dealings with students, much like its dealings with parents or guardians. One attendance director wrote, “No teeth and no consequences.” Another attendance director called it “a very broken system.”

Attendance directors praised their counties’ diversion and probation programs for improving student attendance; they noted that those programs are more successful when they get support from the students’ families. One attendance director noted positive interventions typically are more successful than punitive consequences. He or she wrote, “When consequences are viewed as assistance in a positive light, [they] yield far better results than consequences with little to no assistance and [that] are seen only as punitive in nature.”

Attendance directors noted some students drop out of school or go to home school to avoid the court system and its legal consequences for truancy. Two attendance directors noted students’ behaviors are more difficult to change than parents’ or guardians’ behaviors. One attendance director wrote, “Unfortunately, some of these students have been allowed to develop poor attendance habits early, and it comes back when they get a little independence.”

Findings Related to Research Question Six: What are the perceptions of the effectiveness of truancy-related denial or revocation of driving privileges for truant students as held by attendance directors in West Virginia counties?

Attendance directors were asked the following question: “On a scale of 1-6, with 1 being ‘extremely ineffective’ and 6 being ‘extremely effective,’ how effective is the denial of driving

privileges of truant students in improving student attendance?” Four attendance directors gave a rating of 1 for “extremely ineffective”; six attendance directors gave a rating of 2; 11 attendance directors gave a rating of 3; eight attendance directors gave a rating of 4; 14 attendance directors gave a rating of 5; and two attendance directors gave a rating of 6 for “extremely effective.”

Five attendance directors did not respond. Their responses are reported in Table 41.

Table 41

How Effective is the Denial of Driving Privileges of Truant Students in Improving Student Attendance?

Rating	<i>N</i>	Percent
1 (Extremely Ineffective)	4	8.0%
2	6	12.0%
3	11	22.0%
4	8	16.0%
5	14	28.0%
6 (Extremely Effective)	2	4.0%
No Response	5	10.0%
Total	50	100.0%

Nineteen of the 50 attendance directors who responded to the survey gave a rating of 3 or 4, which suggests nearly two-fifths of them believe the effectiveness of denial of drivers’ licenses and learners’ permits of truant students falls in the average or middle range. Ten of the remaining 31 attendance directors gave a rating of only 1 or 2, indicating they believe the effectiveness of denial of drivers’ licenses and learners’ permits of truant students falls in the below average range. Sixteen of the remaining 31 attendance directors, however, gave a rating of 5 or 6, indicating they believe the effectiveness of denial of drivers’ licenses and learners’ permits of truant students falls in the above average range. Five of the remaining 31 attendance directors did not respond.

Attendance directors were asked to provide comments about their ratings of the effectiveness of denial of drivers' licenses and learners' permits of truant students, with 17 providing responses. The perceived effectiveness of this consequence revealed disparities between and among attendance directors who answered the question, with some attendance directors seeing positive results and others seeing no results. One attendance director from the former group wrote, "These kids want to drive. It's a privilege that matters." Attendance directors from the latter group, however, noted not being able to get a permit or a license is not a deterrent for many students because they will drive without one. One attendance director wrote, "For those who drive without a license, [it has] no effect." One attendance director noted truancy charges can be filed after students have 10 or more unexcused absences, but drivers' licenses and learners' permits cannot be denied or revoked until students have 15 or more unexcused absences. He or she wrote, "I would like for those numbers to be reconciled," with students being eligible for both sets of consequences after 10 or more unexcused absences.

Attendance directors were asked the following question: "On a scale of 1-6, with 1 being 'extremely ineffective' and 6 being 'extremely effective,' how effective is the revocation of driving privileges of truant students in improving student attendance?" Four attendance directors gave a rating of 1 for "extremely ineffective"; six attendance directors gave a rating of 2; 11 attendance directors gave a rating of 3; six attendance directors gave a rating of 4; 12 attendance directors gave a rating of 5; and two attendance directors gave a rating of 6 for "extremely effective." Nine attendance directors did not respond. Their responses are reported in Table 42.

Table 42

How Effective is the Revocation of Driving Privileges of Truant Students in Improving Student Attendance?

Rating	<i>N</i>	Percent
1 (Extremely Ineffective)	4	8.0%
2	6	12.0%
3	11	22.0%
4	6	12.0%
5	12	24.0%
6 (Extremely Effective)	2	4.0%
No Response	9	18.0%
Total	50	100.0%

Seventeen of the 50 attendance directors who responded to the survey gave a rating of 3 or 4, which suggests one-third of them believe the effectiveness of revocation of drivers' licenses and learners' permits of truant students falls in the average or middle range. Ten of the remaining 33 attendance directors gave a rating of only 1 or 2, indicating they believe the effectiveness of revocation of drivers' licenses and learners' permits of truant students falls in the below average range. Fourteen of the remaining 33 attendance directors gave a rating of 5 or 6, indicating they believe the effectiveness of revocation of drivers' licenses and learners' permits of truant students falls in the above average range. Nine of the remaining 33 attendance directors did not respond. Based on their ratings and responses, the 50 attendance directors who responded to the survey believe denial of drivers' licenses and learners' permits is more effective than revocation of drivers' licenses and learners' permits.

Attendance directors were asked to provide comments about their ratings of the effectiveness of revocation of drivers' licenses and learners' permits of truant students, with 13 providing responses. Again, the effectiveness of this consequence lies in the perspectives of the

attendance directors who answered the question, with some attendance directors seeing positive results and others seeing no results. One attendance director from the former group wrote, “Most students work hard on getting their licenses reinstated. To do that, they must have one full semester with zero unexcused absences.” Another attendance director alluded to the accountability factor and noted, “I think it being in place keeps an unwritten stat for those who know they will lose privileges if days are missed.” Again, attendance directors from the latter group noted that losing a license is not a deterrent for many students because they will drive without one. One attendance director wrote, “It’s ineffective since most don’t have a license to begin with.” Another attendance director noted there often are unwanted side effects of this consequence, such as making it more difficult for students to get to school, work, and practices or games.

SUMMARY

The sample of this study was dominated by the district description variable (i.e., rural, suburban, or urban), which rendered statistical analysis largely impossible. As Table 3 shows, 39 of the 50 respondents, or 78%, described their counties as rural. Nine of the respondents described their counties as suburban, while only one described his or her county as urban. One of the respondents did not answer the question. Although West Virginia is a rural state, there are suburban and urban areas in it relatively speaking, and there certainly are more than the nine suburban counties and one urban county that were reported by the respondents. Also, the range of results within the sample — in many cases, for example, results range from first or second to 54th or 55th in the ranking of highest five-year attendance rates for all 55 counties — suggests an absence of uniformity that cannot be accounted for solely by the skewness of that variable.

Despite the absence of a normal distribution in the sample, statistical analyses were attempted using the independent variables of location and size of the districts, attendance directors' years of experience, and type of court handling truancy violations against the dependent variables of legal consequences and denial or revocation of driving privileges, but there were no significant findings. Most findings, therefore, are measures of central tendency.

For Research Question One — “What effect, if any, do legal consequences (e.g., fines, jail sentences, and probation) for parents or guardians of truant students have on improving the attendance rates in West Virginia counties?” — the attendance directors' responses to the related survey questions and their counties' five-year attendance rates suggested legal consequences for parents or guardians of truant students do have an effect on improving attendance rates.

For Research Question Two — “What effect, if any, do legal consequences (e.g., improvement plans, alternative placements, and home confinement) for truant students have on improving the attendance rates in West Virginia counties?” — the attendance directors' responses to the related survey questions and their counties' five-year attendance rates suggested legal consequences for truant students do have an effect on improving attendance rates.

For Research Question Three — “What effect, if any, does the denial or revocation of driving privileges for truant students have on improving the attendance rates in West Virginia counties?” — the attendance directors' responses to the related survey questions and their counties' five-year attendance rates suggested the denial or revocation of the driving privileges of truant students does have an effect on improving attendance rates.

For Research Question Four — “What are the perceptions of the effectiveness of truancy-related legal consequences (e.g., fines, jail sentences, and probation) for parents or guardians of truant students as held by attendance directors in West Virginia counties?” — the attendance

directors' responses to the related survey questions suggested most of them believe legal consequences for parents or guardians of truant students are average or below average in effectiveness.

For Research Question Five — “What are the perceptions of the effectiveness of truancy-related legal consequences (e.g., improvement plans, alternative placements, and home confinement) for truant students as held by attendance directors in West Virginia counties?” — the attendance directors' responses to the related survey questions suggested most of them believe legal consequences for truant students are average or below average in effectiveness.

For Research Question Six — “What are the perceptions of the effectiveness of truancy-related denial or revocation of driving privileges for truant students as held by attendance directors in West Virginia counties?” — the attendance directors' responses to the related survey questions suggested most of them believe the denial or revocation of the driving privileges of truant students are average or above average in effectiveness.

The outcomes of the research questions and potential directions for further research will be discussed in the next chapter.

CHAPTER FIVE

DISCUSSION

This chapter contains discussion related to this study and suggestions for future research. The purpose of this research was to add to the body of literature that addresses truancy and chronic absenteeism, specifically as they relate to the effectiveness of legal consequences. Those legal consequences include placing truant students on probation, sending them to juvenile detention centers, denying or revoking their driving privileges, fining their parents or guardians, and jailing their parents or guardians.

This investigation was a descriptive, non-experimental study that examined increases in attendance generated by the imposition of legal consequences for truant students or for their parents or guardians, as well as increases in attendance generated by the denial or revocation of driving privileges for truant students. Perceptions of the effects legal consequences for parents or guardians of truant students have on improving student attendance rates, of the effects legal consequences for truant students have on improving student attendance rates, and of the effects denying or revoking driving privileges of truant students have on improving student attendance rates were sought.

Descriptive analyses were employed to examine student attendance data in all 55 West Virginia counties for the past five school years (i.e., 2017-2018, 2016-2017, 2015-2016, 2014-2015, and 2013-2014) and survey answers from attendance directors in all 55 West Virginia counties. SPSS Statistics 24 software was used to analyze these data. The research was designed to answer the following questions:

1. What effect, if any, do legal consequences (e.g., fines, jail sentences, and probation) for parents or guardians of truant students have on improving the attendance rates in West Virginia counties?
2. What effect, if any, do legal consequences (e.g., improvement plans, alternative placements, and home confinement) for truant students have on improving the attendance rates in West Virginia counties?
3. What effect, if any, does the denial or revocation of driving privileges for truant students have on improving the attendance rates in West Virginia counties?
4. What are the perceptions of the effectiveness of truancy-related legal consequences (e.g., fines, jail sentences, and probation) for parents or guardians of truant students as held by attendance directors in West Virginia counties?
5. What are the perceptions of the effectiveness of truancy-related legal consequences (e.g., improvement plans, alternative placements, and home confinement) for truant students as held by attendance directors in West Virginia counties?
6. What are the perceptions of the effectiveness of truancy-related denial or revocation of driving privileges for truant students as held by attendance directors in West Virginia counties?

INTERPRETATION OF FINDINGS

Research Question One asked, “What effect, if any, do legal consequences (e.g., fines, jail sentences, and probation) for parents or guardians of truant students have on improving the attendance rates in West Virginia counties?” This was addressed through multiple questions in the survey for this study. Attendance directors were asked if their counties file juvenile petitions for truancy against parents or guardians of truant students (i.e., yes or no); when their counties file juvenile petitions for truancy against parents or guardians of truant students (i.e., after 10-13

unexcused absences, 14-16 unexcused absences, 17-19 unexcused absences, or 20 or more unexcused absences); and the estimated percentage of parents or guardians who qualify for juvenile petitions for truancy that actually have petitions filed against them (i.e., 0-20%, 21-40%, 41-60%, 61-80%, or 81-100%). The attendance directors' responses and changes in their counties' five-year attendance rates suggested (1) there may be a connection between a county's decision to file juvenile petitions against parent or guardians of truant students and its student attendance rate, (2) there may be a connection between a county's decision to file juvenile petitions against parents or guardians of truant students as soon as possible and its student attendance rate, and (3) there does not appear to be a connection between a county's prevalence of legal consequences for parents or guardians of truant students and its student attendance rate. These potential connections could not be confirmed via statistical analysis, however, because the sample was overwhelmingly dominated by the district description variable, which essentially held that variable constant.

These potential connections are consistent with Garry's (1996) support for the use of punitive measures for parents or guardians of truant students. Based on her review of seven community programs intended to improve student attendance in seven states, Garry contended parents must be held accountable for their children's attendance and must be involved in the process to improve it. Garry wrote, "All of the initiatives emphasize the need to intensively monitor, counsel, and strengthen the families and communities of truant and delinquent youth" (p. 2).

Research Question Two asked, "What effect, if any, do legal consequences (e.g., improvement plans, alternative placements, and home confinement) for truant students have on improving the attendance rates in West Virginia counties?" This question also was addressed

through multiple items in the survey for this study. Attendance directors were asked if their counties file juvenile petitions for truant students (i.e., yes or no); when their counties file juvenile petitions for truancy against truant students (i.e., after 10-13 unexcused absences, 14-16 unexcused absences, 17-19 unexcused absences, or 20 or more unexcused absences); the estimated percentage of students for juvenile petitions for truancy that actually have petitions filed against them (i.e., 0-20%, 21-40%, 41-60%, 61-80%, or 81-100%); and the age at which their counties file juvenile petitions for truancy against truant students (i.e., 12 years old, 13 years old, 14 years old, 15 years old, 16 years old, 17 years old, or 18 years old). The attendance directors' responses and increases in their counties' five-year attendance rates suggested (1) there may be a connection between a county's decision to file juvenile petitions against truant students and its student attendance rate, (2) there may be a connection between a county's decision to file juvenile petitions against truant students as soon as possible and its student attendance rate, (3) there may be a connection between a county's prevalence of legal consequences for parents or guardians of truant students and its student attendance rate, and (4) there does not appear to be a connection between a county's decision to file a truancy petition against a truant student at a younger age or an older age and its student attendance rate. These potential connections could not be confirmed via statistical analysis, however, because the sample was overwhelmingly dominated by the district description variable, which essentially held that variable constant.

Based on their ratings and responses, the 50 attendance directors who responded to the survey for this study believe legal consequences are more effective for truant students than for parents or guardians of truant students. Zhang (2004) came to a similar conclusion in his study, advising that local education agencies should not rely on more legal consequences against

parents or guardians in their efforts to fight truancy, but rather they consider more legal consequences against secondary students.

Research Question Three asked, “What effect, if any, does the denial or revocation of driving privileges for truant students have on improving the attendance rates in West Virginia counties?” Attendance directors were asked to estimate the percentage of truant students who qualify for denial or revocation of drivers’ licenses or learners’ permits in their counties each year that actually have their drivers’ licenses or learners’ permits denied or revoked. The attendance directors’ responses and changes in their counties’ five-year attendance rates suggested that there may be a connection between a county’s practice of denying or revoking drivers’ licenses and learners’ permits and its student attendance rate. Likewise, Colasanti (2007) believes linking driving privileges to student attendance is an effective strategy. She wrote, “For many teenagers, driving is real currency. Promoting this privilege as a reward for attending and succeeding in school resonates with many students” (p. 1).

Research Question Four asked, “What are the perceptions of the effectiveness of truancy-related legal consequences (e.g., fines, jail sentences, and probation) for parents or guardians of truant students as held by attendance directors in West Virginia counties?” Attendance directors were asked to rank on a scale of 1 (extremely ineffective) to 6 (extremely effective) the effectiveness of legal consequences for parents or guardians of truant students (e.g., improvement plans, probationary periods, monetary fines, jail sentences, etc.) in improving student attendance. Fifty percent of the respondents (i.e., 25 of 50) gave a rating that indicates they believe the effectiveness of legal consequences against parents or guardians of truant students falls in the average or middle range, while 34% (i.e., 17 of 50) gave a rating in the below average range and 10% (i.e., 5 of 50) gave a rating in the above average range.

Based on their ratings and responses, most of the 50 attendance directors who responded to the survey for this study believe legal consequences are not effective for parents or guardians of truant students. Most attendance directors agreed the legal consequences are not “tough enough.” One attendance director wrote, “The state attendance policy has zero teeth. Parents do not care about fines, and the courts cannot do more.” Two attendance directors said many of the parents or guardians involved in truancy cases have faced or are facing more severe criminal charges, so they do not care about or fear legal consequences for truancy charges.

Cooperation from the court system is a problem in multiple counties. One attendance director wrote, “The legal system in our county does not take truancy seriously ... so it becomes almost futile for us to even file as we have no teeth to enforce consequences.” Another attendance director described the court system and its dealings with truancy-related cases as a “vicious cycle that is looked upon as a joke.” The attendance directors’ biggest complaint about the court system is the lengthy process through which it deals with truancy cases. One attendance director wrote, “The main concern is that the process is so slow and inconsistent. If it were run efficiently and consistently, it would be much more effective.” This supports Reid’s (2006) reporting that the educators interviewed for his study did not have confidence in the court system and felt it was too lenient on the parents or guardians of truant students; this only made their jobs more difficult in trying to fix their schools’ attendance problems.

Research Question Five asked, “What are the perceptions of the effectiveness of truancy-related legal consequences (e.g., improvement plans, alternative placements, and home confinement) for truant students as held by attendance directors in West Virginia counties?” Attendance directors were asked to rank on a scale of 1 (extremely ineffective) to 6 (extremely effective) the effectiveness of these consequences for truant students in improving student

attendance. Forty-six percent of the respondents (i.e., 23 of 50) gave a rating that indicates they believe the effectiveness of legal consequences against truant students falls in the average or middle range, while 26% (i.e., 13 of 50) gave a rating in the below average range and 20% (i.e., 10 of 50) gave a rating in the above average range.

Based on their ratings and responses, the attendance directors who responded to the survey for this study believe legal consequences are more effective for truant students than for parents or guardians of truant students. One attendance director wrote, “The court system does make a difference for most.” Another attendance director wrote, “Usually, if kids get into the court system, they get their diplomas.”

Not all attendance directors agree, however. Some attendance directors expressed similar frustrations with the court system in regard to its dealings with students, much like its dealings with parents or guardians. One attendance director wrote, “No teeth and no consequences.” Another attendance director called it “a very broken system.” Some attendance directors noted that students often drop out of school or go to home school to avoid the court system and its legal consequences for truancy. Two attendance directors noted students’ behaviors are more difficult to change than parents’ or guardians’ behaviors. One attendance director wrote, “Unfortunately, some of these students have been allowed to develop poor attendance habits early, and it comes back when they get a little independence.”

Researchers also have expressed concerns about legal consequences for truant students. Balfanz (2016) contended punitive responses have limited effects on truancy, and Hoyles (1998) claimed the use of the court systems with truant students does not predict better attendance in high schools. Mallett (2016) claimed punitive-based approaches toward truancy are ineffective

because adolescents have a lower appreciation of long-term consequences, which negatively affects their decision-making process.

Other attendance directors praised their counties' diversion and probation programs for improving student attendance; they noted those programs are more successful when they get support from the students' families. One attendance director noted positive interventions typically are more successful than punitive consequences. He or she wrote, "When consequences are viewed as assistance in a positive light, [they] yield far better results than consequences with little to no assistance and [that] are seen only as punitive in nature."

Research Question Six asked, "What are the perceptions of the effectiveness of truancy-related denial or revocation of driving privileges for truant students as held by attendance directors in West Virginia counties?" Attendance directors were asked to rank on a scale of 1 (extremely ineffective) to 6 (extremely effective) the effectiveness of denying driving privileges of truant students in improving student attendance; they also were asked to rank on a scale of 1 (extremely ineffective) to 6 (extremely effective) the effectiveness of revoking driving privileges of truant students in improving student attendance. Thirty-eight percent of the respondents (i.e., 19 of 50) gave a rating that indicates they believe the effectiveness of denying driving privileges of truant students falls in the average or middle range, while 20% (i.e., 10 of 50) gave a rating in the below average range and 32% (i.e., 16 of 50) gave a rating in the above average range. Thirty-four percent of the respondents (i.e., 17 of 50) gave a rating that indicates they believe the effectiveness of denying driving privileges of truant students falls in the average or middle range, while 20% (i.e., 10 of 50) gave a rating in the below average range and 28% (i.e., 14 of 50) gave a rating in the above average range.

Based on their ratings and responses, the attendance directors who responded to the survey believe denying driving privileges to truant students is more effective than revoking their already earned driving privileges of truant students. According to Colasanti (2007), who believes linking driving privileges to student attendance is an effective strategy, 17 states condition driving on compliance with attendance requirements; four condition driving on compliance with attendance requirements and/or satisfactory progress in school; three condition driving on compliance with student behavior; two condition driving on compliance with attendance requirements and/or student behavior; and one conditions driving on compliance with attendance requirements, satisfactory progress in school, and/or student behavior.

IMPLICATIONS OF FINDINGS

This study's findings may lead West Virginia policymakers to tighten the policies and strengthen the consequences in regard to student attendance and truancy. Based on respondents' answers to this study's survey questions, attendance policies throughout West Virginia enable students to miss many days of school without violating truancy laws. Eighty percent of the counties, for example, allow students to submit 10 or more home excuses each year. That means students must have at least 20 absences in a school year to be truant (i.e., 10 excused absences and 10 unexcused absences). That number could increase even more because students can have unlimited numbers of excused absences for calamity in at least 45 of the state's 55 counties, unlimited numbers of excused absences for educational leave in at least 25 counties, unlimited numbers of excused absences for death in the family in at least 30 counties, unlimited numbers of excused absences for military reasons in at least 48 counties, unlimited numbers of excused absences for legal reasons in at least 49 counties, unlimited numbers of excused absences for

extra-curricular activities in at least 48 counties, and unlimited numbers of excused absences for religious reasons in at least 48 counties.

Each of those numbers could be higher because five counties did not participate in the study. Moreover, that number could increase even more because students can have unlimited excuses from medical professionals for health reasons. Theoretically, a student could miss all 180 days of a school year and not be truant as long as his or her absences were covered by one of those categories that are considered excused absences. The student, however, would be chronically absent, which is a more important issue in regard to student achievement and school success. Chang and Romero (2008) wrote, “At the core of school improvement and education reform is an assumption so widely understood that it is rarely invoked: Students have to be present and engaged in order to learn” (p. 3).

This study’s findings may shift researchers’ focus from truancy to chronic absenteeism when examining student attendance, which is an educational crisis throughout America and especially in West Virginia. Attendance Works (2018) noted the differences between truancy — which counts only unexcused absences, emphasizes compliance with school rules, and relies on legal and administrative solutions — and chronic absenteeism — which counts all absences (i.e., excused, unexcused, and suspensions), emphasizes the academic impact of missed days, and uses community-based, positive strategies to mitigate the problem. The two often go hand in hand, however. Students who are truant almost always are chronically absent, but chronically absent students are not always truant because their absences could be excused for medical or other reasons. According to *Educational Leadership* (2018), 36 states and the District of Columbia use chronic absenteeism as the non-academic indicator to measure school performance in compliance with the Every Student Succeeds Act (ESSA). West Virginia is one of those states.

Many education groups consider chronic absenteeism an important measure of school quality, Blad (2017) reported, because it is based on objective data and is affected by multiple factors that are connected to student success, including student engagement, school climate, use of exclusionary disciplinary measures, and ability to meet students' non-academic needs.

Adams (2018) reported approximately 54,000 of West Virginia's 240,882 students — or 22% — had 19 or more absences during the 2017-2018 school year, which means they were chronically absent. West Virginia schools must find ways to reduce the number of chronically absent and truant students not only to improve their accountability ratings, but also to help them improve their and their students' academic achievements; more importantly, improvements in those areas of attendance could help those young men and women avoid the short- and long-term negative effects associated with chronic absenteeism and truancy.

Poor attendance negatively affects students' academic achievement, including their performances on standardized tests (Arthurs et al., 2014; Balfanz, 2016; Balfanz & Byrnes, 2012a; Blad, 2017; Davie et al., 1972; Goldstein, 2015; Gottfried, 2009, 2010, 2011; Hoachlander et al., 2001; Johnson, 2000; Kieffer et al., 2011; National Behavior and Attendance Review, 2008; Paredes & Ugarte, 2011; Ready, 2010; Reeves, 2008; Reid, 2012; Roby, 2004; Schagen & Benton, 2006; Schagen et al., 2004; Sheldon, 2007; Sheppard, 2009; Wallace et al., 2008). DeKalb (1999) wrote, "Absenteeism is detrimental to students' achievement, promotion, graduation, self-esteem, and employment potential" (p. 2). High school dropouts, who often have poor attendance, typically have lower average incomes, higher rates of unemployment, increased likelihood of health issues, and increased likelihood of incarceration than high school graduates (Baker et al., 2001; Messacar & Oreopoulos, 2013; Schoeneberger, 2012).

Future researchers and policymakers, as well as district- and school-level leaders, such as superintendents, attendance directors, principals, and assistant principals, should take an in-depth look at chronic absenteeism to create plans and action steps in an effort to address it and prevent its short- and long-term effects on students, their families, and their communities. Mahoney (2015) wrote, “Absenteeism in schools is a community, city, district, state, and nation’s problems. Absenteeism affects everyone. We all pay for each dropout” (p. 127).

LIMITATIONS AND RECOMMENDATIONS FOR FUTURE RESEARCH

One of the limitations of this study is the sample. It was dominated by the district description variable (i.e., rural, suburban, or urban), which rendered statistical analysis largely impossible. As Table 3 shows, 39 of the 50 respondents described their counties as rural. Nine of the respondents described their counties as suburban, while only one described his or her county as urban. One of the respondents did not answer the question. Although West Virginia is a rural state, there are suburban and urban areas in it relatively speaking, and there certainly are more than the nine suburban counties and one urban county that were reported by the respondents. The range of results within the sample, however — in many cases, for example, attendance rates that range from first or second to 54th or 55th in the ranking of highest five-year attendance rates for all 55 counties — suggests an absence of uniformity that cannot be accounted for solely by the skewness of the district description variable. Future studies should perhaps focus on a region rather than a single state to ensure the researchers have a more evenly distributed and representative population.

Another limitation of this study is the lack of responses by the attendance directors to some of the survey’s open-ended questions. According to Johnson and Christensen (2007), low participant response is a common limitation of self-reporting questionnaires. Attendance

directors who participated in this study were asked to explain how their counties use the court system to deal with truancy cases; only 41 responded to that question. Attendance directors were asked to describe the process their counties use for the revocation or denial of drivers' licenses and learners' permits based on student attendance; only 40 responded to that question. Although those numbers (i.e., 40 and 41 responses) are not poor from a participation standpoint, they do not allow the researcher to paint an across-the-board picture of the policies and practices throughout the state.

The most disappointing data came near the end of the survey, where attendance directors were asked to rate the effectiveness of certain punitive measures and then explain their ratings in follow-up prompts. Explanations, however, were lacking. Attendance directors were asked on a scale of 1 (extremely ineffective) to 6 (extremely effective) to rate the effectiveness of legal consequences for parents or guardians (e.g., improvement plans, probationary periods, monetary fines, jail sentences, etc.) in improving student attendance. Then they were encouraged, but not required, to provide comments about their ratings for that question; only 23 responded to that prompt.

Attendance directors were asked on a scale of 1 (extremely ineffective) to 6 (extremely effective) to rate the effectiveness of legal consequences for students (e.g., improvement plans, probationary periods, monetary fines, alternative placements, etc.) in improving student attendance. They also were invited, but not required, to provide comments about their ratings for that question; only 16 responded to that prompt. Attendance directors also were asked on a scale of 1 (extremely ineffective) to 6 (extremely effective) to rate the effectiveness of the denial of driving privileges of truant students in improving student attendance. Again, they were asked,

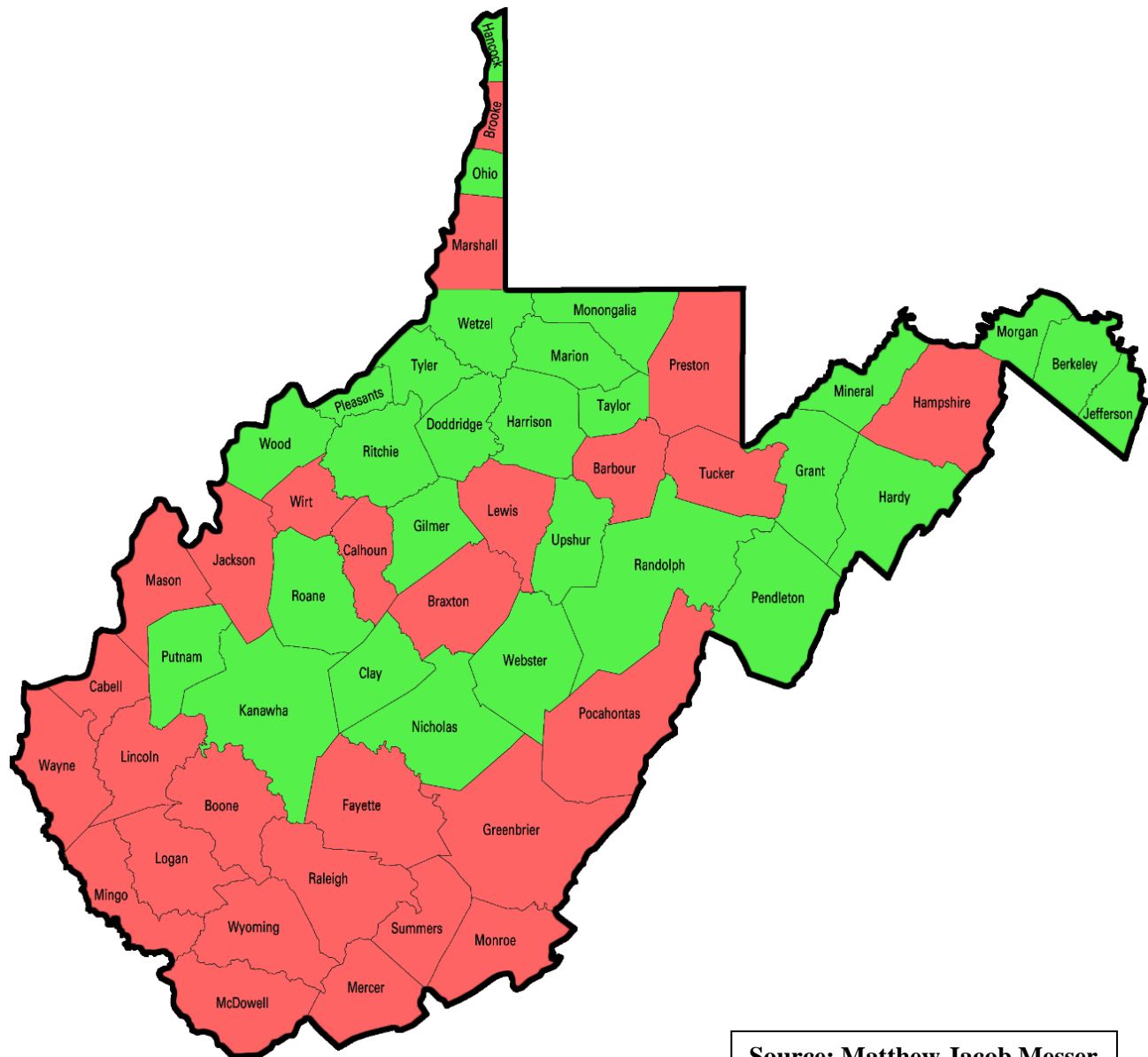
but not required, to provide comments about their ratings for that question; only 17 responded to that prompt.

Attendance directors were asked on a scale of 1 (extremely ineffective) to 6 (extremely effective) to rate the effectiveness of the revocation of driving privileges of truant students in improving student attendance. They were encouraged, but not required, to provide comments about their ratings for that question; only 13 responded to that prompt. Those numbers (i.e., 23, 16, 17, and 13 responses) are poor from a participation standpoint, but are also disappointing because they represent a missed opportunity for attendance directors across the state to address problems with the ways in which truancy is addressed by courts, districts, schools, etc. Their feedback is invaluable because they are the ones on the frontlines fighting this problem and trying to find solutions for it. Future studies may want to require respondents answer similar open-ended questions before they can proceed with a survey, but even that does not guarantee they will.

Another limitation to this study includes the inability to account for other programs that schools and counties are using to increase student attendance, such as student incentive and reward programs; those initiatives could account for increases in student attendance, but they are not mentioned or measured in this study.

Figure 2

A County-By-County Look at Five-Year Attendance Rates in West Virginia



Source: Matthew Jacob Messer

KEY

- Counties highlighted in green rank in the top half of student attendance for the five-year period starting in 2013-2014 and ending in 2017-2018.
- Counties highlighted in red rank in the bottom half of student attendance for the five-year period starting in 2013-2014 and ending in 2017-2018.

As Figure 2 shows, 14 of the 27 counties that rank in the bottom half of student attendance for the five-year period starting in the 2013-2014 school year and ending in the 2017-2018 school year are located in southern West Virginia, where socioeconomic factors (i.e., education levels, employment rates, poverty levels, median incomes, drug abuse, and health and wellness) are the worst in the state. An attendance director who participated in this study wrote, “I strongly believe that chronic absenteeism is a symptom of the social crises in the home.”

Previous studies support that claim, as they have shown that students’ socioeconomic status often contributes to their attendance. Mallett (2016) noted truancy disproportionately affects “vulnerable and already at-risk children and adolescents” (p. 337). Citing data from the National Center for Education Statistics, Ready (2010) reported that children who live in poverty are 25% more likely to miss three or more days of school each month. Balfanz and Byrnes (2012b) wrote, “Chronic absenteeism is most prevalent among low-income students” (p. 5). Other family-related risk factors for truancy include alcohol and/or drug abuse, domestic violence, family dysfunction, lack of parental support, unstable and/or unsafe homes and neighborhoods, transportation problems, maltreatment, a need for the student to work to support the family, a lack of childcare, transient families, and parents who have multiple jobs (Abram et al., 2013; Baker et al., 2001; Center for Mental Health in Schools at UCLA, 2008; Cuevas et al., 2013; Heilbrunn, 2007; Leone & Weinberg, 2010; Mallett, 2016; McKinney, 2013; National Center for School Engagement, 2007; Sedlak & McPherson, 2010; Yeide & Kobrin, 2009; Ziesemer, 1984).

Shifting from a focus on legal consequences for truancy and their effects on student attendance to a focus on socioeconomic factors in communities and their effects on student attendance would allow researchers to build on the work of Donoghue (2011), who examined

thousands of cases in England and Wales from 2002 through 2006 in which parents — most of them mothers — were fined or imprisoned by the court system because their children were truant. Donoghue found the rate of unauthorized absences remained unchanged from 2000 to 2010, with an average of 68,000 pupils absent each day, despite the number of parents prosecuted because of their children's truancy rising from 1,961 prosecutions in 2001 to 9,506 prosecutions in 2008. Donoghue claimed those legal consequences turned those parents into scapegoats for a multi-faceted problem that has economic, educational, and social dimensions. Donoghue called punitive sanctions counter-productive and suggested the use of other interventions, including parenting support and family welfare projects.

Another potential future study could examine which counties use pre-petition diversion programs and which counties do not in an effort to determine whether those programs have an effect on student attendance. The researchers could build on the study by Comer (2017), who examined eight West Virginia counties — Barbour, Cabell, Fayette, Greenbrier, Mercer, Nicholas, Raleigh, and Taylor — that used a judicial-based truancy program with a multi-disciplinary approach. She surveyed the eight county attendance directors and 15 circuit court judges participating in the Judges' Truancy Program Model, and she gathered and analyzed non-survey data from the West Virginia Department of Education. Comer examined the graduation rates, dropout rates, and attendance rates in those eight counties, comparing three years of data with the program to two years of data without the program. Comer learned the attendance rates for those counties were consistent for the two years without the program and the first two years with it, but they decreased by 4.23% in the third year with it. The dropout rate decreased steadily and the graduation rate increased steadily during the study's five-year period.

Comer also asked the attendance directors, judges, and building-level administrators in those eight West Virginia counties to rate their perceptions of the overall effectiveness of the program on a scale of one (little or no effect) to six (great effect) and their perceptions of the effectiveness of the program on a scale of one (little or no effect) to six (great effect) for five categories: increasing attendance, increasing academic performance, increasing graduation rate, decreasing dropout rates, and changing student attitudes about attending school. Comer learned there were no significant differences in the responses, but there were some patterns, with 12 of 18 participants indicating the program had some effect on increasing attendance; 10 of 18 participants indicating the program had some effect on increasing academic performance; 13 of 18 participants indicating the program had some effect on increasing graduation rate; 11 of 17 participants indicating the program had some effect on decreasing the dropout rate; and 11 of 18 participants indicating the program had some effect on changing student attitudes about school.

It would be interesting to see how many counties are using judicial-based truancy programs with multi-disciplinary approaches now as compared to 2017, when Comer completed her study. One attendance director who participated in the survey for this study believes that is the best strategy for improving student attendance. He wrote, “Consequences that provide assistance and resources are far more effective.” Previous studies support that statement. Mazerolle et al. (2017) found a collaborative police-school partnership approach resulted in decreases in students’ absenteeism, increases in their willingness to attend school, and improvements in their perceptions about school attendance. Hendricks et al. (2010) determined a school-based truancy court intervention program had significant effects on severe cases of truancy involving middle school students, but insignificant effects on mild to moderate cases. McConnell and Kubina (2014) wrote, “Because family dynamics are important existing factors

resulting in absenteeism, and because most times students are reinforced by activities in the home, family support could be a logically supportive system in improving attendance” (p. 250).

SUMMARY

Although the findings of this study are suggestive rather than conclusive, the data indicate there could be relationships between counties’ use of legal consequences against truant students and parents or guardians of truant students and their attendance rates. The composition of the sample, however, made it difficult, if not impossible, to determine how significant those effects might be. It appears the attendance directors who participated in this study believe legal consequences for truant students are more effective than legal consequences for parents or guardians of truant students. Also, the denial or revocation of drivers’ licenses and learners’ permits appears to be the most effective punitive measure that attendance directors feel can be used against truant students. These findings might have implications for state-, district-, and school-level education leaders because they are the ones who have the power, influence, and ability to tighten the policies and strengthen the consequences in regard to student attendance and truancy. Given the lenient practices that enable students to miss dozens of days each school year without legal repercussions, those leaders should strongly consider doing exactly that.

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APPENDIX A: APPROVAL LETTER



Office of Research Integrity
Institutional Review Board
One John Marshall Drive
Huntington, WV 25755

FWA 00002704

IRB1 #00002205

IRB2 #00003206

February 6, 2020

Barbara Nicholson
Leadership Studies

RE: IRBNet ID# 1558305-1

At: Marshall University Institutional Review Board #2 (Social/Behavioral)

Dear Dr. Nicholson:

Protocol Title: [1558305-1] Legal Consequences for Public School Truancy and Whether They Affect Student Attendance in West Virginia Counties: A Comprehensive Study

Site Location: MU

Submission Type: New Project APPROVED

Review Type: Exempt Review

In accordance with 45CFR46.104(d)(2), the above study was granted Exempted approval today by the Marshall University Institutional Review Board #2 (Social/Behavioral) Designee. No further submission (or closure) is required for an Exempt study unless there is an amendment to the study. All amendments must be submitted and approved by the IRB Chair/Designee.

This study is for student Matthew Messer.

If you have any questions, please contact the Marshall University Institutional Review Board #2 (Social/Behavioral) Coordinator Anna Robinson at (304) 696-2477 or robinsonn1@marshall.edu. Please include your study title and reference number in all correspondence with this office.

Sincerely,

Bruce F. Day, ThD, CIP
Director, Office of Research Integrity

APPENDIX B: DISSERTATION SURVEY

Start of Block: Block 1

Q1 Dear Colleague:

You are invited to participate in a statewide research project entitled *Legal Consequences for Public School Truancy and Whether They Affect Student Attendance in West Virginia Counties: A Comprehensive Study*. This research project is being conducted to determine whether enforcing legal consequences for truancy against truant students or their parents or guardians is effective in the intended purpose of improving student attendance and whether denying or revoking driving privileges of truant students is effective in the intended purpose of improving student attendance. The study is being conducted by Matthew J. Messer, EdD candidate, and his faculty advisor, Dr. Barbara Nicholson from the College of Education and Professional Development at Marshall University; it has been approved by the Marshall University Institutional Review Board (IRB). The study is being conducted in partial fulfillment of the requirements for the degree of Doctor of Education in Leadership Studies at Marshall University. Participation in this study is completely anonymous and voluntary. The survey is comprised of a series of yes-no, rank order, multiple choice, open ended, and Likert-scale questions; it should take approximately 30 minutes to complete. Do not enter your name on the survey. Your IP address will not be collected, and once you complete the survey, you can delete your browsing history for added security. Results will be reported only in aggregate form. There will be no reporting of individual responses.

There are no known risks involved in participating in this study. Participation is completely voluntary, and there will be no penalty or loss of benefits if you choose not to participate or to withdraw from the research study. If you choose not to participate, you may leave the survey site. You may also choose to not answer any question by simply leaving it blank. Once you begin the survey, you may end your participation at any time by simply closing your browser. Completion of the online survey indicates your consent to use your responses as part of this study. If you have questions about the study, you may contact Dr. Barbara Nicholson at 304-746-2094 or bnicholson@marshall.edu, or Matthew Messer at 304-881-3093 or mjmesser@k12.wv.us. If you have questions concerning your rights as a research participant, you may contact the Marshall University Office of Research Integrity at 304-696-4303.

By completing this survey, you are confirming that you are 18 years of age or older.

Please print this page for your records.

If you choose to participate in this study, please answer the next question with "yes, I consent" and complete the survey that follows.

Thanks in advance for your participation in and contribution to this study.

Q2 Do you consent to participate in this study?

- ☐ Yes, I consent.
- ☐ No, I do not consent.

End of Block: Block 1

Start of Block: Default Question Block

Q3 How many parent notes does your county accept from each student each year?

- ☐ 1-3
 - ☐ 4-6
 - ☐ 7-9
 - ☐ 10 or more
-

Q4 Does your county limit the number of excused absences a student can get for calamity (e.g., flood, fire, power outage, etc.) each year?

- ☐ Yes
- ☐ No

Skip To: Q6 If Does your county limit the number of excused absences a student can get for calamity (e.g., flood... = No

Q5 If your county limits the number of excused absences a student can get for calamity each year, what is the limit?

- ☐ 1-3
 - ☐ 4-6
 - ☐ 7-9
 - ☐ 10 or more
-

Q6 Does your county limit the number of excused absences a student can get for educational leave (e.g., family trips, college visits, etc.) each year?

- ☐ Yes
- ☐ No

Skip To: Q8 If Does your county limit the number of excused absences a student can get for educational leave (e.... = No

Q7 If your county limits the number of excused absences a student can get for educational leave each year, what is the limit?

- ☐ 1-3
 - ☐ 4-6
 - ☐ 7-9
 - ☐ 10 or more
-

Q8 Does your county limit the number of excused absences a student can get for a death in the family each year?

☐ Yes

☐ No

Skip To: Q10 If Does your county limit the number of excused absences a student can get for a death in the family... = No

Q9 If your county limits the number of excused absences a student can get for a death in the family each year, what is the limit?

☐ 1-3

☐ 4-6

☐ 7-9

☐ 10 or more

Q10 If a student's family has multiple deaths in the same school year, do you provide the student with excused absences for each death?

☐ Yes

☐ No

Skip To: Q12 If a student's family has multiple deaths in the same school year, do you provide the student wit... = No

Q11 If your county limits the number of deaths in the family for which students can request excused absences, what is the limit?

- ☐ 1-3
 - ☐ 4-6
 - ☐ 7-9
 - ☐ 10 or more
-

Q12 Does your county limit the number of excused absences a student can get for military reasons each year?

- ☐ Yes
- ☐ No

Skip To: Q14 If Does your county limit the number of excused absences a student can get for military reasons each... = No

Q13 If your county limits the number of excused absences a student can get for military reasons each year, what is the limit?

- ☐ 1-3
 - ☐ 4-6
 - ☐ 7-9
 - ☐ 10 or more
-

Q14 Does your county limit the number of excused absences a student can get for legal reasons (e.g., court appearances) each year?

☐ Yes

☐ No

Skip To: Q16 If Does your county limit the number of excused absences a student can get for legal reasons (e.g.,... = No

Q15 If your county limits the number of excused absences a student can get for legal reasons (e.g., court appearances) each year, what is the limit?

☐ 1-3

☐ 4-6

☐ 7-9

☐ 10 or more

Q16 Does your county limit the number of excused absences a student can get for extra-curricular reasons each year?

☐ Yes

☐ No

Skip To: Q18 If Does your county limit the number of excused absences a student can get for extra-curricular reas... = No

Q17 If your county limits the number of excused absences a student can get for extra-curricular reasons each year, what is the limit?

- ☐ 1-3
 - ☐ 4-6
 - ☐ 7-9
 - ☐ 10 or more
-

Q18 Does your county limit the number of excused absences a student can get for religious holidays each year?

- ☐ Yes
- ☐ No

Skip To: Q20 If Does your county limit the number of excused absences a student can get for religious holidays ea... = No

Q19 If your county limits the number of excused absences a student can get for religious holidays each year, what is the limit?

- ☐ 1-3
 - ☐ 4-6
 - ☐ 7-9
 - ☐ 10 or more
-

Q20 Who monitors student attendance and files juvenile petitions for truancy in your county?

- ☐ Attendance Director
 - ☐ Principals
 - ☐ Assistant Principals
 - ☐ Probation Officers
 - ☐ Truancy Diversion Workers
 - ☐ Other Employees
-

Q21 Which court does your county use for truancy cases?

- ☐ Circuit
 - ☐ Magistrate
 - ☐ Both
 - ☐ Neither
-

Q22 Please explain how your county uses the court system to deal with truancy cases.

Q23 Does your county file juvenile petitions for truancy against parents or guardians?

- ☐ Yes
- ☐ No

Q24 When does your county typically file juvenile petitions for truancy against *parents or guardians*?

- ☐ 10-13 unexcused absences
 - ☐ 14-16 unexcused absences
 - ☐ 17-19 unexcused absences
 - ☐ 20 or more unexcused absences
 - ☐ My county rarely files juvenile petitions against parents or guardians.
-

Q25 Of the *parents or guardians* who qualify for truancy petitions in your county each year, what percentage of them do you estimate actually incur those consequences?

- ☐ 0-20 percent
 - ☐ 21-40 percent
 - ☐ 41-60 percent
 - ☐ 61-80 percent
 - ☐ 81-100 percent
-

Q26 Please select how often the following legal consequences that result from truancy petitions for *parents or guardians* are used (1 represents Never and 4 represents Always).

	1	2	3	4
Improvement plan and/or probationary period	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Monetary fine	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Jail sentence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q27 If you selected "other" for the previous question, please describe what "other" means.

Q28 Does your county file juvenile petitions for truancy against students?

☐ Yes

☐ No

Q29 When does your county typically file juvenile petitions for truancy against *students*?

- ☐ 10-13 unexcused absences
 - ☐ 14-16 unexcused absences
 - ☐ 17-19 unexcused absences
 - ☐ 20 or more unexcused absences
 - ☐ My county rarely files juvenile petitions against students.
-

Q30 At what age does your county stop filing truancy petitions against parents or guardians and start filing truancy petitions against *students*?

- ☐ 12
 - ☐ 13
 - ☐ 14
 - ☐ 15
 - ☐ 16
 - ☐ 17
 - ☐ 18
-

Q31 Of the *students* who qualify for truancy petitions in your county each year, what percentage of them do you estimate actually incur those consequences?

- ☐ 0-20 percent
- ☐ 21-40 percent
- ☐ 41-60 percent
- ☐ 61-80 percent
- ☐ 81-100 percent

Q32 Please select how often the following legal consequences that result from truancy petitions for *students* are used (1 represents Never and 4 represents Always).

	1	2	3	4
Improvement plan and/or probationary period	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Monetary fine	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Alternative placement (i.e., juvenile detention center)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q33 If you selected "other" for the previous question, please describe what "other" means.

Q34 Describe the process that your county uses for the revocation or denial of driver's licenses and learner's permits based on student attendance.

Q35 Of the students who qualify for revocation or denial of drivers' licenses and learners' permits in your county each year, what percentage of them do you estimate actually incur those consequences?

- ☐ 0-20 percent
 - ☐ 21-40 percent
 - ☐ 41-60 percent
 - ☐ 61-80 percent
 - ☐ 81-100 percent
-

Q36 On a scale of 1-6, with 1 being "extremely ineffective" and 6 being "extremely effective," how effective do you find the legal consequences for *parents or guardians* (e.g., improvement plans, probationary periods, monetary fines, jail sentences, etc.) in improving student attendance?

☐ 1 (Extremely Ineffective)

☐ 2

☐ 3

☐ 4

☐ 5

☐ 6 (Extremely Effective)

Q37 Please use this box to provide comments about your rating for the previous question. It is encouraged, but not required.

Q38 On a scale of 1-6, with 1 being "extremely ineffective" and 6 being "extremely effective," how effective do you find the legal consequences for *students* (e.g., improvement plans, probationary periods, monetary fines, alternative placements, etc.) in improving student attendance?

- ☐ 1 (Extremely Ineffective)
- ☐ 2
- ☐ 3
- ☐ 4
- ☐ 5
- ☐ 6 (Extremely Effective)
-

Q39 Please use this box to provide comments about your rating for the previous question. It is encouraged, but not required.

Q40 On a scale of 1-6, with 1 being "extremely ineffective" and 6 being "extremely effective," how effective is the denial of driving privileges in improving student attendance?

- ☐ 1 (Extremely Ineffective)
- ☐ 2
- ☐ 3
- ☐ 4
- ☐ 5
- ☐ 6 (Extremely Effective)

Q41 Please use this box to provide comments about your rating for the previous question. It is encouraged, but not required.

Q42 On a scale of 1-6, with 1 being "extremely ineffective" and 6 being "extremely effective," how effective is the revocation of driving privileges in improving student attendance?

- ☐ 1 (Extremely Ineffective)
- ☐ 2
- ☐ 3
- ☐ 4
- ☐ 5
- ☐ 6 (Extremely Effective)

Q43 Please use this box to provide comments about your rating for the previous question. It is encouraged, but not required.

Q44 In which county do you work?

Q45 How many students are in your county?

- ☐ 0-1,000
 - ☐ 1,001-2,500
 - ☐ 2,501-5,000
 - ☐ 5,001-7,500
 - ☐ 7,501-10,000
 - ☐ 10,001-12,500
 - ☐ 12,501-15,000
 - ☐ 15,001-17,500
 - ☐ 17,501-20,000
 - ☐ 20,001 or more
-

Q46 Please pick the best description of your county.

- ☐ Urban
 - ☐ Suburban
 - ☐ Rural
-

Q47 How many years of experience do you have as an attendance director?

- ☐ 0-5 years
- ☐ 6-10 years
- ☐ 11-15 years
- ☐ 16-20 years
- ☐ 21-25 years
- ☐ 26 years or more

End of Block: Default Question Block

**APPENDIX C: NUMBER OF HOME EXCUSES
ALLOWED BY EACH COUNTY IN WEST VIRGINIA**

Appendix C			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	How Many Home Excuses Are Allowed Per Year?
Morgan	95.664%	1 st	10 or more
Monongalia	94.956%	2 nd	10 or more
Ohio	94.43%	3 rd	10 or more
Randolph	94.424%	4 th	Unavailable
Jefferson	94.414%	5 th	Unavailable
Marion	94.326%	6 th	10 or more
Clay	94.274%	7 th	7-9
Pendleton	94.15%	8 th	4-6
Gilmer	93.962%	9 th	10 or more
Mineral	93.932%	10 th	10 or more
Putnam	93.92%	11 th	10 or more
Tyler	93.68%	12 th	10 or more
Hancock	93.676%	13 th	10 or more
Grant	93.652%	14 th	4-6
Upshur	93.628%	15 th	4-6
Hardy	93.482%	16 th	10 or more
Kanawha	93.454%	17 th	Unavailable
Webster	93.426%	18 th	4-6
Taylor	93.368%	19 th	Unavailable
Nicholas	93.362%	20 th	10 or more
Harrison	93.294%	21 st	4-6
Wetzel	93.28%	22 nd	10 or more
Doddridge	93.248%	23 rd	10 or more
Pleasants	93.238%	24 th	10 or more
Berkeley	93.186%	25 th	10 or more
Wood	93.136%	26 th	10 or more
Ritchie	93.084%	27 th	10 or more
Roane	92.956%	28 th	10 or more
Jackson	92.894%	29 th	10 or more
Mason	92.836%	30 th	4-6
Brooke	92.834%	31 st	4-6
Marshall	92.79%	32 nd	10 or more
Preston	92.784%	33 rd	10 or more
Fayette	92.698%	34 th	10 or more
Hampshire	92.662%	35 th	Unavailable
Lewis	92.63%	36 th	Unavailable
Mercer	92.604%	37 th	Unavailable
Pocahontas	92.574%	38 th	10 or more
Tucker	92.538%	39 th	10 or more
Calhoun	92.51%	40 th	10 or more
Raleigh	92.436%	41 st	Unavailable
Wirt	92.284%	42 nd	10 or more
Cabell	92.22%	43 rd	4-6
Braxton	92.176%	44 th	10 or more
Barbour	92.128%	45 th	10 or more

Appendix C			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	How Many Home Excuses Are Allowed Per Year?
Greenbrier	91.966%	46 th	10 or more
Monroe	91.892%	47 th	10 or more
Wayne	91.822%	48 th	10 or more
Summers	91.8%	49 th	Unavailable
Mingo	91.396%	50 th	10 or more
Wyoming	90.256%	51 st	10 or more
Boone	90.14%	52 nd	4-6
Lincoln	90.09%	53 rd	10 or more
Logan	89.882%	54 th	10 or more
McDowell	89.064%	55 th	10 or more

**APPENDIX D: NUMBER OF EXCUSES FOR CALAMITY
ALLOWED BY EACH COUNTY IN WEST VIRGINIA**

Appendix D			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County Limit Excuses for Calamity, Yes or No?
Morgan	95.664%	1 st	No
Monongalia	94.956%	2 nd	Yes (1-3 per year)
Ohio	94.43%	3 rd	No
Randolph	94.424%	4 th	Unavailable
Jefferson	94.414%	5 th	Unavailable
Marion	94.326%	6 th	No
Clay	94.274%	7 th	Yes (4-6 per year)
Pendleton	94.15%	8 th	No
Gilmer	93.962%	9 th	No
Mineral	93.932%	10 th	No
Putnam	93.92%	11 th	No
Tyler	93.68%	12 th	No
Hancock	93.676%	13 th	No
Grant	93.652%	14 th	No
Upshur	93.628%	15 th	No
Hardy	93.482%	16 th	No
Kanawha	93.454%	17 th	Unavailable
Webster	93.426%	18 th	No
Taylor	93.368%	19 th	Unavailable
Nicholas	93.362%	20 th	Yes (no range given)
Harrison	93.294%	21 st	No
Wetzel	93.28%	22 nd	No
Doddridge	93.248%	23 rd	No
Pleasants	93.238%	24 th	No
Berkeley	93.186%	25 th	No
Wood	93.136%	26 th	No
Ritchie	93.084%	27 th	No
Roane	92.956%	28 th	No
Jackson	92.894%	29 th	No
Mason	92.836%	30 th	No
Brooke	92.834%	31 st	No
Marshall	92.79%	32 nd	No
Preston	92.784%	33 rd	No
Fayette	92.698%	34 th	No
Hampshire	92.662%	35 th	Unavailable
Lewis	92.63%	36 th	Unavailable
Mercer	92.604%	37 th	Unavailable
Pocahontas	92.574%	38 th	Yes (1-3 per year)
Tucker	92.538%	39 th	No
Calhoun	92.51%	40 th	No
Raleigh	92.436%	41 st	Unavailable
Wirt	92.284%	42 nd	No
Cabell	92.22%	43 rd	No
Braxton	92.176%	44 th	No

Appendix D			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County Limit Excuses for Calamity, Yes or No?
Barbour	92.128%	45 th	No
Greenbrier	91.966%	46 th	No
Monroe	91.892%	47 th	Yes (4-6 per year)
Wayne	91.822%	48 th	No
Summers	91.8%	49 th	Unavailable
Mingo	91.396%	50 th	No
Wyoming	90.256%	51 st	No
Boone	90.14%	52 nd	No
Lincoln	90.09%	53 rd	No
Logan	89.882%	54 th	No
McDowell	89.064%	55 th	No

**APPENDIX E: NUMBER OF EXCUSES FOR EDUCATIONAL
LEAVE ALLOWED BY EACH COUNTY IN WEST VIRGINIA**

Appendix E			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County Limit Excuses for Educational Leave, Yes or No?
Morgan	95.664%	1 st	Yes (10 or more per year)
Monongalia	94.956%	2 nd	Yes (4-6 per year)
Ohio	94.43%	3 rd	No
Randolph	94.424%	4 th	Unavailable
Jefferson	94.414%	5 th	Unavailable
Marion	94.326%	6 th	No
Clay	94.274%	7 th	Yes (1-3 per year)
Pendleton	94.15%	8 th	No
Gilmer	93.962%	9 th	No
Mineral	93.932%	10 th	Yes (10 or more per year)
Putnam	93.92%	11 th	Yes (4-6 per year)
Tyler	93.68%	12 th	No
Hancock	93.676%	13 th	Yes (4-6 per year)
Grant	93.652%	14 th	Yes (7-9 per year)
Upshur	93.628%	15 th	No
Hardy	93.482%	16 th	Yes (10 or more per year)
Kanawha	93.454%	17 th	Unavailable
Webster	93.426%	18 th	Yes (4-6 per year)
Taylor	93.368%	19 th	Unavailable
Nicholas	93.362%	20 th	Yes (10 or more per year)
Harrison	93.294%	21 st	No
Wetzel	93.28%	22 nd	Yes (7-9 per year)
Doddridge	93.248%	23 rd	No
Pleasants	93.238%	24 th	Yes (4-6 per year)
Berkeley	93.186%	25 th	No
Wood	93.136%	26 th	No
Ritchie	93.084%	27 th	No
Roane	92.956%	28 th	No
Jackson	92.894%	29 th	Yes (10 or more per year)
Mason	92.836%	30 th	No
Brooke	92.834%	31 st	Yes (4-6 per year)
Marshall	92.79%	32 nd	Yes (10 or more per year)
Preston	92.784%	33 rd	Yes (7-9 per year)
Fayette	92.698%	34 th	No
Hampshire	92.662%	35 th	Unavailable
Lewis	92.63%	36 th	Unavailable
Mercer	92.604%	37 th	Unavailable
Pocahontas	92.574%	38 th	Yes (10 or more per year)
Tucker	92.538%	39 th	Yes (1-3 per year)
Calhoun	92.51%	40 th	No
Raleigh	92.436%	41 st	Unavailable
Wirt	92.284%	42 nd	No
Cabell	92.22%	43 rd	N
Braxton	92.176%	44 th	Yes (4-6 per year)

Appendix E			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County Limit Excuses for Educational Leave, Yes or No?
Barbour	92.128%	45 th	No
Greenbrier	91.966%	46 th	No
Monroe	91.892%	47 th	Yes (1-3 per year)
Wayne	91.822%	48 th	Yes (4-6 per year)
Summers	91.8%	49 th	Unavailable
Mingo	91.396%	50 th	Yes (4-6 per year)
Wyoming	90.256%	51 st	Yes (1-3 per year)
Boone	90.14%	52 nd	No
Lincoln	90.09%	53 rd	No
Logan	89.882%	54 th	No
McDowell	89.064%	55 th	Yes (1-3 per year)

**APPENDIX F: NUMBER OF EXCUSES FOR DEATH IN THE
FAMILY ALLOWED BY EACH COUNTY IN WEST VIRGINIA**

Appendix F			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County Limit Excuses for Death in the Family, Yes or No?
Morgan	95.664%	1 st	Yes (1-3 per death)
Monongalia	94.956%	2 nd	No
Ohio	94.43%	3 rd	No
Randolph	94.424%	4 th	Unavailable
Jefferson	94.414%	5 th	Unavailable
Marion	94.326%	6 th	No
Clay	94.274%	7 th	Yes (4-6 per death)
Pendleton	94.15%	8 th	Yes (1-3 per death)
Gilmer	93.962%	9 th	No
Mineral	93.932%	10 th	Yes (1-3 per death)
Putnam	93.92%	11 th	No
Tyler	93.68%	12 th	No
Hancock	93.676%	13 th	No
Grant	93.652%	14 th	No
Upshur	93.628%	15 th	Yes (1-3 per death)
Hardy	93.482%	16 th	No
Kanawha	93.454%	17 th	Unavailable
Webster	93.426%	18 th	No
Taylor	93.368%	19 th	Unavailable
Nicholas	93.362%	20 th	Yes (4-6 per death)
Harrison	93.294%	21 st	Yes (1-3 per death)
Wetzel	93.28%	22 nd	No
Doddridge	93.248%	23 rd	No
Pleasants	93.238%	24 th	Yes (1-3 per death)
Berkeley	93.186%	25 th	No
Wood	93.136%	26 th	Yes (1-3 per death)
Ritchie	93.084%	27 th	No
Roane	92.956%	28 th	No
Jackson	92.894%	29 th	Yes (1-3 per death)
Mason	92.836%	30 th	Yes (1-3 per death)
Brooke	92.834%	31 st	No
Marshall	92.79%	32 nd	No
Preston	92.784%	33 rd	Yes (1-3 per death)
Fayette	92.698%	34 th	No
Hampshire	92.662%	35 th	Unavailable
Lewis	92.63%	36 th	Unavailable
Mercer	92.604%	37 th	Unavailable
Pocahontas	92.574%	38 th	Yes (1-3 per death)
Tucker	92.538%	39 th	Yes (4-6 per death)
Calhoun	92.51%	40 th	No
Raleigh	92.436%	41 st	Unavailable
Wirt	92.284%	42 nd	No
Cabell	92.22%	43 rd	No
Braxton	92.176%	44 th	No

Appendix F			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County Limit Excuses for Death in the Family, Yes or No?
Barbour	92.128%	45 th	No
Greenbrier	91.966%	46 th	Yes (1-3 per death)
Monroe	91.892%	47 th	No
Wayne	91.822%	48 th	Yes (1-3 per death)
Summers	91.8%	49 th	Unavailable
Mingo	91.396%	50 th	No
Wyoming	90.256%	51 st	No
Boone	90.14%	52 nd	No
Lincoln	90.09%	53 rd	Yes (1-3 per death and 7-9 per year)
Logan	89.882%	54 th	No
McDowell	89.064%	55 th	Yes (1-3 per death and 4-6 per year)

APPENDIX G: NUMBER OF EXCUSES FOR MILITARY

REASONS ALLOWED BY EACH COUNTY IN WEST VIRGINIA

Appendix G			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County Limit Excuses for Military Reasons, Yes or No?
Morgan	95.664%	1 st	No
Monongalia	94.956%	2 nd	Yes (1-3 per year)
Ohio	94.43%	3 rd	No
Randolph	94.424%	4 th	Unavailable
Jefferson	94.414%	5 th	Unavailable
Marion	94.326%	6 th	No
Clay	94.274%	7 th	No
Pendleton	94.15%	8 th	No
Gilmer	93.962%	9 th	No
Mineral	93.932%	10 th	No
Putnam	93.92%	11 th	No
Tyler	93.68%	12 th	No
Hancock	93.676%	13 th	No
Grant	93.652%	14 th	No
Upshur	93.628%	15 th	No
Hardy	93.482%	16 th	No
Kanawha	93.454%	17 th	Unavailable
Webster	93.426%	18 th	No
Taylor	93.368%	19 th	Unavailable
Nicholas	93.362%	20 th	No
Harrison	93.294%	21 st	No
Wetzel	93.28%	22 nd	No
Doddridge	93.248%	23 rd	No
Pleasants	93.238%	24 th	No
Berkeley	93.186%	25 th	No
Wood	93.136%	26 th	No
Ritchie	93.084%	27 th	No
Roane	92.956%	28 th	No
Jackson	92.894%	29 th	No
Mason	92.836%	30 th	No
Brooke	92.834%	31 st	No
Marshall	92.79%	32 nd	Yes (1-3 per year)
Preston	92.784%	33 rd	No
Fayette	92.698%	34 th	No
Hampshire	92.662%	35 th	Unavailable
Lewis	92.63%	36 th	Unavailable
Mercer	92.604%	37 th	Unavailable
Pocahontas	92.574%	38 th	No
Tucker	92.538%	39 th	No
Calhoun	92.51%	40 th	No
Raleigh	92.436%	41 st	Unavailable
Wirt	92.284%	42 nd	No
Cabell	92.22%	43 rd	No
Braxton	92.176%	44 th	No

Appendix G			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County Limit Excuses for Military Reasons, Yes or No?
Barbour	92.128%	45 th	No
Greenbrier	91.966%	46 th	No
Monroe	91.892%	47 th	No
Wayne	91.822%	48 th	No
Summers	91.8%	49 th	Unavailable
Mingo	91.396%	50 th	No
Wyoming	90.256%	51 st	No
Boone	90.14%	52 nd	No
Lincoln	90.09%	53 rd	No
Logan	89.882%	54 th	No
McDowell	89.064%	55 th	No

**APPENDIX H: NUMBER OF EXCUSES FOR LEGAL REASONS
ALLOWED BY EACH COUNTY IN WEST VIRGINIA**

Appendix H			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County Limit Excuses for Legal Reasons, Yes or No?
Morgan	95.664%	1 st	No
Monongalia	94.956%	2 nd	No
Ohio	94.43%	3 rd	No response
Randolph	94.424%	4 th	Unavailable
Jefferson	94.414%	5 th	Unavailable
Marion	94.326%	6 th	No
Clay	94.274%	7 th	No
Pendleton	94.15%	8 th	No
Gilmer	93.962%	9 th	No
Mineral	93.932%	10 th	No
Putnam	93.92%	11 th	No
Tyler	93.68%	12 th	No
Hancock	93.676%	13 th	No
Grant	93.652%	14 th	No
Upshur	93.628%	15 th	No
Hardy	93.482%	16 th	No
Kanawha	93.454%	17 th	Unavailable
Webster	93.426%	18 th	No
Taylor	93.368%	19 th	Unavailable
Nicholas	93.362%	20 th	No
Harrison	93.294%	21 st	No
Wetzel	93.28%	22 nd	No
Doddridge	93.248%	23 rd	No
Pleasants	93.238%	24 th	No
Berkeley	93.186%	25 th	No
Wood	93.136%	26 th	No
Ritchie	93.084%	27 th	No
Roane	92.956%	28 th	No
Jackson	92.894%	29 th	No
Mason	92.836%	30 th	No
Brooke	92.834%	31 st	No
Marshall	92.79%	32 nd	No
Preston	92.784%	33 rd	No
Fayette	92.698%	34 th	No
Hampshire	92.662%	35 th	Unavailable
Lewis	92.63%	36 th	Unavailable
Mercer	92.604%	37 th	Unavailable
Pocahontas	92.574%	38 th	No
Tucker	92.538%	39 th	No
Calhoun	92.51%	40 th	No
Raleigh	92.436%	41 st	Unavailable
Wirt	92.284%	42 nd	No
Cabell	92.22%	43 rd	No
Braxton	92.176%	44 th	No

Appendix H			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County Limit Excuses for Legal Reasons, Yes or No?
Barbour	92.128%	45 th	No
Greenbrier	91.966%	46 th	No
Monroe	91.892%	47 th	No
Wayne	91.822%	48 th	No
Summers	91.8%	49 th	Unavailable
Mingo	91.396%	50 th	No
Wyoming	90.256%	51 st	No
Boone	90.14%	52 nd	No
Lincoln	90.09%	53 rd	No
Logan	89.882%	54 th	No
McDowell	89.064%	55 th	No

**APPENDIX I: NUMBER OF EXCUSES FOR EXTRA-CURRICULAR
ACTIVITIES ALLOWED BY EACH COUNTY IN WEST VIRGINIA**

Appendix I			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County Limit Excuses for Extra-Curricular Activities, Yes or No?
Morgan	95.664%	1 st	No
Monongalia	94.956%	2 nd	Yes (1-3 per year)
Ohio	94.43%	3 rd	No
Randolph	94.424%	4 th	Unavailable
Jefferson	94.414%	5 th	Unavailable
Marion	94.326%	6 th	No
Clay	94.274%	7 th	No
Pendleton	94.15%	8 th	No
Gilmer	93.962%	9 th	No
Mineral	93.932%	10 th	No
Putnam	93.92%	11 th	No
Tyler	93.68%	12 th	No
Hancock	93.676%	13 th	No
Grant	93.652%	14 th	No
Upshur	93.628%	15 th	No
Hardy	93.482%	16 th	No
Kanawha	93.454%	17 th	Unavailable
Webster	93.426%	18 th	No
Taylor	93.368%	19 th	Unavailable
Nicholas	93.362%	20 th	No
Harrison	93.294%	21 st	No
Wetzel	93.28%	22 nd	No
Doddridge	93.248%	23 rd	No
Pleasants	93.238%	24 th	No
Berkeley	93.186%	25 th	No
Wood	93.136%	26 th	No
Ritchie	93.084%	27 th	No
Roane	92.956%	28 th	No
Jackson	92.894%	29 th	No
Mason	92.836%	30 th	No
Brooke	92.834%	31 st	No
Marshall	92.79%	32 nd	No
Preston	92.784%	33 rd	No
Fayette	92.698%	34 th	No
Hampshire	92.662%	35 th	Unavailable
Lewis	92.63%	36 th	Unavailable
Mercer	92.604%	37 th	Unavailable
Pocahontas	92.574%	38 th	Yes (10 or more)
Tucker	92.538%	39 th	No
Calhoun	92.51%	40 th	No
Raleigh	92.436%	41 st	Unavailable
Wirt	92.284%	42 nd	No
Cabell	92.22%	43 rd	No
Braxton	92.176%	44 th	No

Appendix I			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County Limit Excuses for Extra-Curricular Activities, Yes or No?
Barbour	92.128%	45 th	No
Greenbrier	91.966%	46 th	No
Monroe	91.892%	47 th	No
Wayne	91.822%	48 th	No
Summers	91.8%	49 th	Unavailable
Mingo	91.396%	50 th	No
Wyoming	90.256%	51 st	No
Boone	90.14%	52 nd	No
Lincoln	90.09%	53 rd	No
Logan	89.882%	54 th	No
McDowell	89.064%	55 th	No

**APPENDIX J: NUMBER OF EXCUSES FOR RELIGIOUS
REASONS ALLOWED BY EACH COUNTY IN WEST VIRGINIA**

Appendix J			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County Limit Excuses for Religious Reasons, Yes or No?
Morgan	95.664%	1 st	No
Monongalia	94.956%	2 nd	Yes (1-3 per year)
Ohio	94.43%	3 rd	No
Randolph	94.424%	4 th	Unavailable
Jefferson	94.414%	5 th	Unavailable
Marion	94.326%	6 th	No
Clay	94.274%	7 th	No
Pendleton	94.15%	8 th	No
Gilmer	93.962%	9 th	No
Mineral	93.932%	10 th	No
Putnam	93.92%	11 th	No
Tyler	93.68%	12 th	No
Hancock	93.676%	13 th	No
Grant	93.652%	14 th	No
Upshur	93.628%	15 th	No
Hardy	93.482%	16 th	No
Kanawha	93.454%	17 th	Unavailable
Webster	93.426%	18 th	No
Taylor	93.368%	19 th	Unavailable
Nicholas	93.362%	20 th	No
Harrison	93.294%	21 st	No
Wetzel	93.28%	22 nd	No
Doddridge	93.248%	23 rd	No
Pleasants	93.238%	24 th	No
Berkeley	93.186%	25 th	No
Wood	93.136%	26 th	No
Ritchie	93.084%	27 th	No
Roane	92.956%	28 th	No
Jackson	92.894%	29 th	No
Mason	92.836%	30 th	No
Brooke	92.834%	31 st	No
Marshall	92.79%	32 nd	No
Preston	92.784%	33 rd	Yes (no range given)
Fayette	92.698%	34 th	No
Hampshire	92.662%	35 th	Unavailable
Lewis	92.63%	36 th	Unavailable
Mercer	92.604%	37 th	Unavailable
Pocahontas	92.574%	38 th	No
Tucker	92.538%	39 th	No
Calhoun	92.51%	40 th	No
Raleigh	92.436%	41 st	Unavailable
Wirt	92.284%	42 nd	No
Cabell	92.22%	43 rd	No
Braxton	92.176%	44 th	No

Appendix J			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County Limit Excuses for Religious Reasons, Yes or No?
Barbour	92.128%	45 th	No
Greenbrier	91.966%	46 th	No
Monroe	91.892%	47 th	No
Wayne	91.822%	48 th	No
Summers	91.8%	49 th	Unavailable
Mingo	91.396%	50 th	No
Wyoming	90.256%	51 st	No
Boone	90.14%	52 nd	No
Lincoln	90.09%	53 rd	No
Logan	89.882%	54 th	No
McDowell	89.064%	55 th	No

APPENDIX K: WHO MONITORS STUDENT ATTENDANCE AND FILES

JUVENILE PETITIONS FOR TRUANCY IN EACH COUNTY IN WEST VIRGINIA

Appendix K			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Who Monitors Student Attendance and Files Juvenile Petitions?
Morgan	95.664%	1 st	Attendance Director
Monongalia	94.956%	2 nd	Attendance Director
Ohio	94.43%	3 rd	Attendance Director
Randolph	94.424%	4 th	Unavailable
Jefferson	94.414%	5 th	Unavailable
Marion	94.326%	6 th	Attendance Director
Clay	94.274%	7 th	Attendance Director
Pendleton	94.15%	8 th	Attendance Director
Gilmer	93.962%	9 th	Truancy Diversion Worker
Mineral	93.932%	10 th	Attendance Director
Putnam	93.92%	11 th	Attendance Director
Tyler	93.68%	12 th	Attendance Director
Hancock	93.676%	13 th	Attendance Director
Grant	93.652%	14 th	Truancy Diversion Worker
Upshur	93.628%	15 th	Attendance Director
Hardy	93.482%	16 th	Attendance Director
Kanawha	93.454%	17 th	Unavailable
Webster	93.426%	18 th	Attendance Director
Taylor	93.368%	19 th	Unavailable
Nicholas	93.362%	20 th	Truancy Diversion Worker
Harrison	93.294%	21 st	Attendance Director
Wetzel	93.28%	22 nd	Attendance Director
Doddridge	93.248%	23 rd	Attendance Director
Pleasants	93.238%	24 th	Attendance Director
Berkeley	93.186%	25 th	Truancy Diversion Worker
Wood	93.136%	26 th	Attendance Director
Ritchie	93.084%	27 th	Attendance Director
Roane	92.956%	28 th	Attendance Director
Jackson	92.894%	29 th	Attendance Director
Mason	92.836%	30 th	Attendance Director
Brooke	92.834%	31 st	Attendance Director
Marshall	92.79%	32 nd	Attendance Director
Preston	92.784%	33 rd	Attendance Director
Fayette	92.698%	34 th	Attendance Director
Hampshire	92.662%	35 th	Unavailable
Lewis	92.63%	36 th	Unavailable
Mercer	92.604%	37 th	Unavailable
Pocahontas	92.574%	38 th	Attendance Director
Tucker	92.538%	39 th	Attendance Director
Calhoun	92.51%	40 th	Attendance Director
Raleigh	92.436%	41 st	Unavailable
Wirt	92.284%	42 nd	Attendance Director
Cabell	92.22%	43 rd	Attendance Director
Braxton	92.176%	44 th	Attendance Director

Appendix K			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Who Monitors Student Attendance and Files Juvenile Petitions?
Barbour	92.128%	45 th	Truancy Diversion Worker
Greenbrier	91.966%	46 th	Attendance Director
Monroe	91.892%	47 th	Attendance Director
Wayne	91.822%	48 th	Attendance Director
Summers	91.8%	49 th	Unavailable
Mingo	91.396%	50 th	Attendance Director
Wyoming	90.256%	51 st	Attendance Director
Boone	90.14%	52 nd	Attendance Director
Lincoln	90.09%	53 rd	Attendance Director
Logan	89.882%	54 th	Attendance Director
McDowell	89.064%	55 th	Attendance Director

**APPENDIX L: WHICH COURT IS USED FOR TRUANCY
CASES IN EACH COUNTY IN WEST VIRGINIA**

Appendix L			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Which Court Is Used for Truancy Cases, Circuit or Magistrate?
Morgan	95.664%	1 st	Both Courts
Monongalia	94.956%	2 nd	Magistrate Court
Ohio	94.43%	3 rd	Both Courts
Randolph	94.424%	4 th	Unavailable
Jefferson	94.414%	5 th	Unavailable
Marion	94.326%	6 th	Both Courts
Clay	94.274%	7 th	Magistrate Court
Pendleton	94.15%	8 th	Magistrate Court
Gilmer	93.962%	9 th	Circuit Court
Mineral	93.932%	10 th	Both Courts
Putnam	93.92%	11 th	Both Courts
Tyler	93.68%	12 th	Both Courts
Hancock	93.676%	13 th	Both Courts
Grant	93.652%	14 th	Magistrate Court
Upshur	93.628%	15 th	Both Courts
Hardy	93.482%	16 th	Both Courts
Kanawha	93.454%	17 th	Unavailable
Webster	93.426%	18 th	Both Courts
Taylor	93.368%	19 th	Unavailable
Nicholas	93.362%	20 th	Magistrate Court
Harrison	93.294%	21 st	Both Courts
Wetzel	93.28%	22 nd	Magistrate Court
Doddridge	93.248%	23 rd	Both Courts
Pleasants	93.238%	24 th	Both Courts
Berkeley	93.186%	25 th	Both Courts
Wood	93.136%	26 th	Both Courts
Ritchie	93.084%	27 th	Both Courts
Roane	92.956%	28 th	Both Courts
Jackson	92.894%	29 th	Both Courts
Mason	92.836%	30 th	Both Courts
Brooke	92.834%	31 st	Magistrate Court
Marshall	92.79%	32 nd	Magistrate Court
Preston	92.784%	33 rd	Both Courts
Fayette	92.698%	34 th	Magistrate Court
Hampshire	92.662%	35 th	Unavailable
Lewis	92.63%	36 th	Unavailable
Mercer	92.604%	37 th	Unavailable
Pocahontas	92.574%	38 th	Both Courts
Tucker	92.538%	39 th	Magistrate Court
Calhoun	92.51%	40 th	Both Courts
Raleigh	92.436%	41 st	Unavailable
Wirt	92.284%	42 nd	Both Courts
Cabell	92.22%	43 rd	Both Courts
Braxton	92.176%	44 th	Magistrate Court

Appendix L			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Which Court Is Used for Truancy Cases, Circuit or Magistrate?
Barbour	92.128%	45 th	Magistrate Court
Greenbrier	91.966%	46 th	Circuit Court
Monroe	91.892%	47 th	Both Courts
Wayne	91.822%	48 th	Both Courts
Summers	91.8%	49 th	Unavailable
Mingo	91.396%	50 th	Both Courts
Wyoming	90.256%	51 st	Magistrate Court
Boone	90.14%	52 nd	Circuit Court
Lincoln	90.09%	53 rd	Both Courts
Logan	89.882%	54 th	Circuit Court
McDowell	89.064%	55 th	Both Courts

**APPENDIX M: PRACTICES REGARDING JUVENILE PETITIONS FOR TRUANCY
AGAINST PARENTS OR GUARDIANS IN EACH COUNTY IN WEST VIRGINIA**

Appendix M					
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County File Juvenile Petitions for Truancy against Parents or Guardians, Yes or No?	When Does Your County File Juvenile Petitions for Truancy against Parents or Guardians?	What Percentage of Qualifying Parents or Guardians Actually Have Juvenile Petitions Filed against Them?
Morgan	95.664%	1 st	Yes	10-13 unexcused absences	0-20%
Monongalia	94.956%	2 nd	Yes	10-13 unexcused absences	21-40%
Ohio	94.43%	3 rd	Yes	10-13 unexcused absences	41-60%
Randolph	94.424%	4 th	Unavailable	Unavailable	Unavailable
Jefferson	94.414%	5 th	Unavailable	Unavailable	Unavailable
Marion	94.326%	6 th	Yes	14-16 unexcused absences	81-100%
Clay	94.274%	7 th	Yes	14-16 unexcused absences	0-20%
Pendleton	94.15%	8 th	Yes	10-13 unexcused absences	0-20%
Gilmer	93.962%	9 th	Yes	Rarely	0-20%
Mineral	93.932%	10 th	Yes	10-13 unexcused absences	0-20%
Putnam	93.92%	11 th	Yes	No answer	0-20%
Tyler	93.68%	12 th	No	Rarely	No answer
Hancock	93.676%	13 th	Yes	10-13 unexcused absences	81-100%
Grant	93.652%	14 th	Yes	10-13 unexcused absences	61-80%
Upshur	93.628%	15 th	Yes	Rarely	41-60%
Hardy	93.482%	16 th	Yes	14-16 unexcused absences	61-80%
Kanawha	93.454%	17 th	Unavailable	Unavailable	Unavailable
Webster	93.426%	18 th	No	Rarely	61-80%
Taylor	93.368%	19 th	Unavailable	Unavailable	Unavailable

Appendix M					
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County File Juvenile Petitions for Truancy against Parents or Guardians, Yes or No?	When Does Your County File Juvenile Petitions for Truancy against Parents or Guardians?	What Percentage of Qualifying Parents or Guardians Actually Have Juvenile Petitions Filed against Them?
Nicholas	93.362%	20 th	Yes	10-13 unexcused absences	21-40%
Harrison	93.294%	21 st	No	14-16 unexcused absences	61-80%
Wetzel	93.28%	22 nd	Yes	14-16 unexcused absences	61-80%
Doddridge	93.248%	23 rd	Yes	14-16 unexcused absences	81-100%
Pleasants	93.238%	24 th	Yes	10-13 unexcused absences	41-60%
Berkeley	93.186%	25 th	Yes	14-16 unexcused absences	21-40%
Wood	93.136%	26 th	Yes	14-16 unexcused absences	21-40%
Ritchie	93.084%	27 th	No	Rarely	0-20%
Roane	92.956%	28 th	Yes	Rarely	0-20%
Jackson	92.894%	29 th	No	14-16 unexcused absences	61-80%
Mason	92.836%	30 th	Yes	14-16 unexcused absences	81-100%
Brooke	92.834%	31 st	Yes	14-16 unexcused absences	0-20%
Marshall	92.79%	32 nd	Yes	14-16 unexcused absences	61-80%
Preston	92.784%	33 rd	No	No answer	61-80%
Fayette	92.698%	34 th	Yes	10-13 unexcused absences	81-100%
Hampshire	92.662%	35 th	Unavailable	Unavailable	Unavailable
Lewis	92.63%	36 th	Unavailable	Unavailable	Unavailable
Mercer	92.604%	37 th	Unavailable	Unavailable	Unavailable
Pocahontas	92.574%	38 th	Yes	10-13 unexcused absences	0-20%

Appendix M					
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County File Juvenile Petitions for Truancy against Parents or Guardians, Yes or No?	When Does Your County File Juvenile Petitions for Truancy against Parents or Guardians?	What Percentage of Qualifying Parents or Guardians Actually Have Juvenile Petitions Filed against Them?
Tucker	92.538%	39 th	Yes	14-16 unexcused absences	0-20%
Calhoun	92.51%	40 th	Yes	20 or more unexcused absences	0-20%
Raleigh	92.436%	41 st	Unavailable	Unavailable	Unavailable
Wirt	92.284%	42 nd	Yes	10-13 unexcused absences	81-100%
Cabell	92.22%	43 rd	Yes	17-19 unexcused absences	21-40%
Braxton	92.176%	44 th	Yes	Rarely	0-20%
Barbour	92.128%	45 th	Yes	10-13 unexcused absences	21-40%
Greenbrier	91.966%	46 th	No	Rarely	No answer
Monroe	91.892%	47 th	Yes	14-16 unexcused absences	41-60%
Wayne	91.822%	48 th	Yes	14-16 unexcused absences	61-80%
Summers	91.8%	49 th	Unavailable	Unavailable	Unavailable
Mingo	91.396%	50 th	No	Rarely	0-20%
Wyoming	90.256%	51 st	Yes	17-19 unexcused absences	21-40%
Boone	90.14%	52 nd	Yes	10-13 unexcused absences	0-20%
Lincoln	90.09%	53 rd	No	Rarely	0-20%
Logan	89.882%	54 th	No	Rarely	0-20%
McDowell	89.064%	55 th	Yes	14-16 unexcused absences	0-20%

**APPENDIX N: PRACTICES REGARDING JUVENILE PETITIONS FOR TRUANCY
AGAINST STUDENTS IN EACH COUNTY IN WEST VIRGINIA**

Appendix N					
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County File Juvenile Petitions for Truancy against Students, Yes or No?	When Does Your County File Juvenile Petitions for Truancy against Students?	What Percentage of Qualifying Students Actually Have Juvenile Petitions Filed against Them?
Morgan	95.664%	1 st	Yes	10-13 unexcused absences	0-20%
Monongalia	94.956%	2 nd	Yes	10-13 unexcused absences	0-20%
Ohio	94.43%	3 rd	Yes	17-19 unexcused absences	81-100%
Randolph	94.424%	4 th	Unavailable	Unavailable	Unavailable
Jefferson	94.414%	5 th	Unavailable	Unavailable	Unavailable
Marion	94.326%	6 th	Yes	17-19 unexcused absences	81-100%
Clay	94.274%	7 th	No	No response	0-20%
Pendleton	94.15%	8 th	Yes	10-13 unexcused absences	0-20%
Gilmer	93.962%	9 th	No	Rarely	0-20%
Mineral	93.932%	10 th	No	Rarely	0-20%
Putnam	93.92%	11 th	Yes	No response	81-100%
Tyler	93.68%	12 th	Yes	14-16 unexcused absences	61-80%
Hancock	93.676%	13 th	Yes	14-16 unexcused absences	61-80%
Grant	93.652%	14 th	Yes	10-13 unexcused absences	81-100%
Upshur	93.628%	15 th	Yes	Rarely	0-20%
Hardy	93.482%	16 th	Yes	14-16 unexcused absences	61-80%
Kanawha	93.454%	17 th	Unavailable	Unavailable	Unavailable
Webster	93.426%	18 th	Yes	20 or more unexcused absences	0-20%
Taylor	93.368%	19 th	Unavailable	Unavailable	Unavailable
Nicholas	93.362%	20 th	Yes	20 or more unexcused absences	41-60%

Appendix N					
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County File Juvenile Petitions for Truancy against Students, Yes or No?	When Does Your County File Juvenile Petitions for Truancy against Students?	What Percentage of Qualifying Students Actually Have Juvenile Petitions Filed against Them?
Harrison	93.294%	21 st	Yes	14-16 unexcused absences	61-80%
Wetzel	93.28%	22 nd	Yes	14-16 unexcused absences	61-80%
Doddridge	93.248%	23 rd	No	Rarely	61-80%
Pleasants	93.238%	24 th	Yes	10-13 unexcused absences	81-100%
Berkeley	93.186%	25 th	Yes	10-13 unexcused absences	41-60%
Wood	93.136%	26 th	Yes	10-13 unexcused absences	21-40%
Ritchie	93.084%	27 th	Yes	10-13 unexcused absences	61-80%
Roane	92.956%	28 th	Yes	10-13 unexcused absences	0-20%
Jackson	92.894%	29 th	Yes	14-16 unexcused absences	41-60%
Mason	92.836%	30 th	Yes	14-16 unexcused absences	61-80%
Brooke	92.834%	31 st	Yes	20 or more unexcused absences	0-20%
Marshall	92.79%	32 nd	No	Rarely	61-80%
Preston	92.784%	33 rd	No	No response	No response
Fayette	92.698%	34 th	No	No response	No response
Hampshire	92.662%	35 th	Unavailable	Unavailable	Unavailable
Lewis	92.63%	36 th	Unavailable	Unavailable	Unavailable
Mercer	92.604%	37 th	Unavailable	Unavailable	Unavailable
Pocahontas	92.574%	38 th	Yes	10-13 unexcused absences	0-20%
Tucker	92.538%	39 th	Yes	14-16 unexcused absences	0-20%
Calhoun	92.51%	40 th	Yes	17-19 unexcused absences	41-60%
Raleigh	92.436%	41 st	Unavailable	Unavailable	Unavailable

Appendix N					
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County File Juvenile Petitions for Truancy against Students, Yes or No?	When Does Your County File Juvenile Petitions for Truancy against Students?	What Percentage of Qualifying Students Actually Have Juvenile Petitions Filed against Them?
Wirt	92.284%	42 nd	No response	10-13 unexcused absences	81-100%
Cabell	92.22%	43 rd	Yes	20 or more unexcused absences	21-40%
Braxton	92.176%	44 th	Yes	20 or more unexcused absences	21-40%
Barbour	92.128%	45 th	Yes	10-13 unexcused absences	0-20%
Greenbrier	91.966%	46 th	Yes	20 or more unexcused absences	81-100%
Monroe	91.892%	47 th	Yes	14-16 unexcused absences	41-60%
Wayne	91.822%	48 th	Yes	14-16 unexcused absences	61-80%
Summers	91.8%	49 th	Unavailable	Unavailable	Unavailable
Mingo	91.396%	50 th	Yes	17-19 unexcused absences	0-20%
Wyoming	90.256%	51 st	Yes	17-19 unexcused absences	21-40%
Boone	90.14%	52 nd	Yes	10-13 unexcused absences	41-60%
Lincoln	90.09%	53 rd	Yes	14-16 unexcused absences	0-20%
Logan	89.882%	54 th	Yes	17-19 unexcused absences	61-80%
McDowell	89.064%	55 th	No	Rarely	0-20%

**APPENDIX O: AGE AT WHICH JUVENILE PETITIONS FOR TRUANCY
ARE FILED AGAINST STUDENTS IN EACH COUNTY IN WEST VIRGINIA**

Appendix O			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	At What Age Does Your County File Juvenile Petitions for Truancy against Students
Morgan	95.664%	1 st	18 years old
Monongalia	94.956%	2 nd	18 years old
Ohio	94.43%	3 rd	14 years old
Randolph	94.424%	4 th	Unavailable
Jefferson	94.414%	5 th	Unavailable
Marion	94.326%	6 th	15 years old
Clay	94.274%	7 th	18 years old
Pendleton	94.15%	8 th	18 years old
Gilmer	93.962%	9 th	18 years old
Mineral	93.932%	10 th	12 years old
Putnam	93.92%	11 th	12 years old
Tyler	93.68%	12 th	12 years old
Hancock	93.676%	13 th	12 years old
Grant	93.652%	14 th	18 years old
Upshur	93.628%	15 th	18 years old
Hardy	93.482%	16 th	18 years old
Kanawha	93.454%	17 th	Unavailable
Webster	93.426%	18 th	No response
Taylor	93.368%	19 th	Unavailable
Nicholas	93.362%	20 th	12 years old
Harrison	93.294%	21 st	18 years old
Wetzel	93.28%	22 nd	18 years old
Doddridge	93.248%	23 rd	18 years old
Pleasants	93.238%	24 th	12 years old
Berkeley	93.186%	25 th	No response
Wood	93.136%	26 th	No response
Ritchie	93.084%	27 th	13 years old
Roane	92.956%	28 th	18 years old
Jackson	92.894%	29 th	14 years old
Mason	92.836%	30 th	18 years old
Brooke	92.834%	31 st	18 years old
Marshall	92.79%	32 nd	18 years old
Preston	92.784%	33 rd	No response
Fayette	92.698%	34 th	18 years old
Hampshire	92.662%	35 th	Unavailable
Lewis	92.63%	36 th	Unavailable
Mercer	92.604%	37 th	Unavailable
Pocahontas	92.574%	38 th	16 years old
Tucker	92.538%	39 th	18 years old
Calhoun	92.51%	40 th	12 years old
Raleigh	92.436%	41 st	Unavailable
Wirt	92.284%	42 nd	18 years old
Cabell	92.22%	43 rd	18 years old

Appendix O			
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	At What Age Does Your County File Juvenile Petitions for Truancy against Students
Braxton	92.176%	44 th	13 years old
Barbour	92.128%	45 th	18 years old
Greenbrier	91.966%	46 th	18 years old
Monroe	91.892%	47 th	12 years old
Wayne	91.822%	48 th	12 years old
Summers	91.8%	49 th	Unavailable
Mingo	91.396%	50 th	12 years old
Wyoming	90.256%	51 st	15 years old
Boone	90.14%	52 nd	12 years old
Lincoln	90.09%	53 rd	No response
Logan	89.882%	54 th	12 years old
McDowell	89.064%	55 th	18 years old

**APPENDIX P: PRACTICES REGARDING REVOCATION OF DRIVING
PRIVILEGES OF TRUANT STUDENTS IN EACH COUNTY IN WEST VIRGINIA**

Appendix P				
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County Revoke Students' Driver's Licenses and Learner's Permits?	What Percentage of Qualifying Students Actually Have Their Driver's Licenses and Learner's Permits Revoked?
Morgan	95.664%	1 st	Yes	0-20%
Monongalia	94.956%	2 nd	Yes	41-60%
Ohio	94.43%	3 rd	Yes	21-40%
Randolph	94.424%	4 th	Unavailable	Unavailable
Jefferson	94.414%	5 th	Unavailable	Unavailable
Marion	94.326%	6 th	Yes	81-100%
Clay	94.274%	7 th	Yes	21-40%
Pendleton	94.15%	8 th	Yes	81-100%
Gilmer	93.962%	9 th	Yes	0-20%
Mineral	93.932%	10 th	Yes	0-20%
Putnam	93.92%	11 th	Yes	81-100%
Tyler	93.68%	12 th	Yes	81-100%
Hancock	93.676%	13 th	Yes	41-60%
Grant	93.652%	14 th	Yes	81-100%
Upshur	93.628%	15 th	Yes	81-100%
Hardy	93.482%	16 th	Yes	81-100%
Kanawha	93.454%	17 th	Unavailable	Unavailable
Webster	93.426%	18 th	Yes	81-100%
Taylor	93.368%	19 th	Unavailable	Unavailable
Nicholas	93.362%	20 th	No	0-20%
Harrison	93.294%	21 st	Yes	81-100%
Wetzel	93.28%	22 nd	Yes	No response
Doddridge	93.248%	23 rd	Yes	81-100%
Pleasants	93.238%	24 th	Yes	61-80%
Berkeley	93.186%	25 th	Yes	61-80%
Wood	93.136%	26 th	Yes	0-20%
Ritchie	93.084%	27 th	Yes	61-80%
Roane	92.956%	28 th	Yes	No response
Jackson	92.894%	29 th	Yes	0-20%
Mason	92.836%	30 th	Yes	81-100%
Brooke	92.834%	31 st	Yes	21-40%
Marshall	92.79%	32 nd	Yes	81-100%
Preston	92.784%	33 rd	Yes	81-100%
Fayette	92.698%	34 th	Yes	81-100%
Hampshire	92.662%	35 th	Unavailable	Unavailable
Lewis	92.63%	36 th	Unavailable	Unavailable
Mercer	92.604%	37 th	Unavailable	Unavailable
Pocahontas	92.574%	38 th	No response	No response
Tucker	92.538%	39 th	No response	0-20%
Calhoun	92.51%	40 th	No response	0-20%
Raleigh	92.436%	41 st	Unavailable	Unavailable
Wirt	92.284%	42 nd	Yes	0-20%

Appendix P				
County	Five-Year Average of Student Attendance Rate	State Rank for Five-Year Average of Student Attendance Rate	Does Your County Revoke Students' Driver's Licenses and Learner's Permits?	What Percentage of Qualifying Students Actually Have Their Driver's Licenses and Learner's Permits Revoked?
Cabell	92.22%	43 rd	Yes	0-20%
Braxton	92.176%	44 th	Yes	81-100%
Barbour	92.128%	45 th	Yes	81-100%
Greenbrier	91.966%	46 th	Yes	81-100%
Monroe	91.892%	47 th	Yes	0-20%
Wayne	91.822%	48 th	Yes	81-100%
Summers	91.8%	49 th	Unavailable	Unavailable
Mingo	91.396%	50 th	Yes	81-100%
Wyoming	90.256%	51 st	No response	0-20%
Boone	90.14%	52 nd	Yes	61-80%
Lincoln	90.09%	53 rd	Yes	21-40%
Logan	89.882%	54 th	Yes	81-100%
McDowell	89.064%	55 th	Yes	0-20%

APPENDIX Q: WEST VIRGINIA STATE CODE
REGARDING COMPULSORY SCHOOL ATTENDANCE
CHAPTER 18: EDUCATION,
ARTICLE 8: COMPULSORY SCHOOL ATTENDANCE.

§18-8-1. Compulsory school attendance; exemptions.

(a) Exemption from the requirements of compulsory public school attendance established in section one-a of this article shall be made on behalf of any child for the causes or conditions set forth in this section. Each cause or condition set forth in this section is subject to confirmation by the attendance authority of the county. A child who is exempt from compulsory school attendance under this section is not subject to prosecution under section two of this article, nor is such a child a status offender as defined by section two hundred two, article one, chapter forty-nine of this code.

(b) A child is exempt from the compulsory school attendance requirement set forth in section one-a of this article if the requirements of this subsection, relating to instruction in a private, parochial or other approved school, are met. The instruction shall be in a school approved by the county board and for a time equal to the instructional term set forth in section forty-five, article five of this chapter. In all private, parochial or other schools approved pursuant to this subsection it is the duty of the principal or other person in control, upon the request of the county superintendent, to furnish to the county board such information and records as may be required with respect to attendance, instruction and progress of students enrolled.

(c) A child is exempt from the compulsory school attendance requirement set forth in section one-a of this article if the requirements of either subdivision (1) or subdivision (2) of this subsection, both relating to home instruction, are met.

(1) The instruction shall be in the home of the child or children or at some other place approved by the county board and for a time equal to the instructional term set forth in section forty-five, article five of this chapter. If the request for home instruction is denied by the county board, good and reasonable justification for the denial shall be furnished in writing to the applicant by the county board. The instruction shall be conducted by a person or persons who, in the judgment of the county superintendent and county board, are qualified to give instruction in subjects required to be taught in public elementary schools in the state. The person or persons providing the instruction, upon request of the county superintendent, shall furnish to the county board information and records as may be required periodically with respect to attendance, instruction and progress of students receiving the instruction. The state board shall develop guidelines for the home schooling of special education students including alternative assessment measures to assure that satisfactory academic progress is achieved.

(2) The child meets the requirements set forth in this subdivision: *Provided*, That the county superintendent may, after a showing of probable cause, seek from the circuit court of the county an order denying home instruction of the child. The order may be granted upon a showing of clear and convincing evidence that the child will suffer neglect in his or her education or that there are other compelling reasons to deny home instruction.

(A) Upon commencing home instruction under this section the parent of a child receiving home instruction shall present to the county superintendent or county board a notice of intent to provide home instruction that includes the name, address, and age of any child of compulsory school age to be instructed and assurance that the child shall receive instruction in reading,

language, mathematics, science and social studies and that the child shall be assessed annually in accordance with this subdivision. The person providing home instruction shall notify the county superintendent upon termination of home instruction for a child who is of compulsory attendance age. Upon establishing residence in a new county, the person providing home instruction shall notify the previous county superintendent and submit a new notice of intent to the superintendent of the new county of residence: *Provided*, That if a child is enrolled in a public school, notice of intent to provide home instruction shall be given on or before the date home instruction is to begin.

(B) The person or persons providing home instruction shall submit satisfactory evidence of a high school diploma or equivalent, or a post-secondary degree or certificate from a regionally accredited institution or from an institution of higher education that has been authorized to confer a post-secondary degree or certificate in West Virginia by the West Virginia Council for Community and Technical College Education or by the West Virginia Higher Education Policy Commission.

(C) Annually, the person or persons providing home instruction shall obtain an academic assessment of the child for the previous school year in one of the following ways:

(i) The child receiving home instruction takes a nationally normed standardized achievement test published or normed not more than ten years from the date of administration and administered under the conditions as set forth by the published instructions of the selected test and by a person qualified in accordance with the test's published guidelines in the subjects of reading, language, mathematics, science and social studies. The child is considered to have made acceptable progress when the mean of the child's test results in the required subject areas for any single year is within or above the

fourth stanine or, if below the fourth stanine, shows improvement from the previous year's results;

(ii) The child participates in the testing program currently in use in the state's public schools. The test shall be administered to the child at a public school in the county of residence. Determination of acceptable progress shall be based on current guidelines of the state testing program;

(iii) A portfolio of samples of the child's work is reviewed by a certified teacher who determines whether the child's academic progress for the year is in accordance with the child's abilities. The teacher shall provide a written narrative about the child's progress in the areas of reading, language, mathematics, science and social studies and shall note any areas which, in the professional opinion of the reviewer, show need for improvement or remediation. If the narrative indicates that the child's academic progress for the year is in accordance with the child's abilities, the child is considered to have made acceptable progress; or

(iv) The child completes an alternative academic assessment of proficiency that is mutually agreed upon by the parent or legal guardian and the county superintendent.

(D) A parent or legal guardian shall maintain copies of each student's Academic Assessment for three years. When the annual assessment fails to show acceptable progress, the person or persons providing home instruction shall initiate a remedial program to foster acceptable progress. The county board upon request shall notify the parents or legal guardian of the child, in writing, of the services available to assist in the assessment of the child's eligibility for special education services. Identification of a disability does not preclude the continuation of home schooling. In the event that the child does not achieve acceptable progress for a second

consecutive year, the person or persons providing instruction shall submit to the county superintendent additional evidence that appropriate instruction is being provided.

(E) The parent or legal guardian shall submit to the county superintendent the results of the academic assessment of the child at grade levels three, five, eight and eleven, as applicable, by June 30 of the year in which the assessment was administered.

(3) This subdivision applies to both home instruction exemptions set forth in subdivisions (1) and (2) of this subsection. The county superintendent or a designee shall offer such assistance, including textbooks, other teaching materials and available resources, all subject to availability, as may assist the person or persons providing home instruction. Any child receiving home instruction may upon approval of the county board exercise the option to attend any class offered by the county board as the person or persons providing home instruction may consider appropriate subject to normal registration and attendance requirements.

(d) A child is exempt from the compulsory school attendance requirement set forth in section one-a of this article if the requirements of this subsection, relating to physical or mental incapacity, are met. Physical or mental incapacity consists of incapacity for school attendance and the performance of school work. In all cases of prolonged absence from school due to incapacity of the child to attend, the written statement of a licensed physician or authorized school nurse is required. Incapacity shall be narrowly defined and in any case the provisions of this article may not allow for the exclusion of the mentally, physically, emotionally or behaviorally handicapped child otherwise entitled to a free appropriate education.

(e) A child is exempt from the compulsory school attendance requirement set forth in section one-a of this article if conditions rendering school attendance impossible or hazardous to the life, health or safety of the child exist.

(f) A child is exempt from the compulsory school attendance requirement set forth in section one-a of this article upon regular graduation from a standard senior high school or alternate secondary program completion as determined by the state board.

(g) A child is exempt from the compulsory school attendance requirement set forth in section one-a of this article if the child is granted a work permit pursuant to the subsection. After due investigation the county superintendent may grant work permits to youths under the termination age designated in section one-a of this article, subject to state and federal labor laws and regulations. A work permit may not be granted on behalf of any youth who has not completed the eighth grade of school.

(h) A child is exempt from the compulsory school attendance requirement set forth in section one-a of this article if a serious illness or death in the immediate family of the child has occurred. It is expected that the county attendance director will ascertain the facts in all cases of such absences about which information is inadequate and report the facts to the county superintendent.

(i) A child is exempt from the compulsory school attendance requirement set forth in section one-a of this article if the requirements of this subsection, relating to destitution in the home, are met. Exemption based on a condition of extreme destitution in the home may be granted only upon the written recommendation of the county attendance director to the county superintendent following careful investigation of the case. A copy of the report confirming the condition and school exemption shall be placed with the county

director of public assistance. This enactment contemplates every reasonable effort that may properly be taken on the part of both school and public assistance authorities for the relief of home conditions officially recognized as being so destitute as to deprive children of the privilege of school attendance. Exemption for this cause is not allowed when the destitution is relieved through public or private means.

(j) A child is exempt from the compulsory school attendance requirement set forth in section one-a of this article if the requirements of this subsection, relating to church ordinances and observances of regular church ordinances, are met. The county board may approve exemption for religious instruction upon written request of the person having legal or actual charge of a child or children. This exemption is subject to the rules prescribed by the county superintendent and approved by the county board.

(k) A child is exempt from the compulsory school attendance requirement set forth in section one-a of this article if the requirements of this subsection, relating to alternative private, parochial, church or religious school instruction, are met. Exemption shall be made for any child attending any private school, parochial school, church school, school operated by a religious order or other nonpublic school which elects to comply with the provisions of article twenty-eight of this chapter.

(l) Completion of the eighth grade does not exempt any child under the termination age designated in section one-a of this article from the compulsory attendance provision of this article.

§18-8-1a. Commencement and termination of compulsory school attendance; public school entrance requirements; exceptions.

(a) Notwithstanding the provisions of section one of this article, compulsory school attendance begins with the school year in which the sixth birthday is reached prior to September 1 of such year or upon enrolling in a publicly supported kindergarten program and, subject to subdivision (3) of this subsection, continues to the sixteenth birthday or for as long as the student continues to be enrolled in a school system after the sixteenth birthday.

(1) A child may be removed from such kindergarten program when the principal, teacher and parent or guardian concur that the best interest of the child would not be served by requiring further attendance: *Provided*, That the principal shall make the final determination with regard to compulsory school attendance in a publicly supported kindergarten program.

(2) 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 may not be enforced against the parent, guardian, or custodian of the person.

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

(b) Attendance at a state-approved or Montessori kindergarten, as provided in section eighteen, article five of this chapter, is deemed school attendance for purposes of this section.

Prior to entrance into the first grade in accordance with section five, article two of this chapter, each child must have either:

(1) Successfully completed such publicly 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 in which the school is located. The test may be administered in lieu of kindergarten attendance only under extraordinary circumstances to be determined by the county board.

(c) Notwithstanding the provisions of this section and of section five, article two of this chapter and section eighteen, article five of this chapter, a county board may provide for advanced entrance or placement under policies adopted by said board for any child who has demonstrated sufficient mental and physical competency for such entrance or placement.

(d) This section does not prevent a student from another state from enrolling in the same grade in a public school in West Virginia as the student was enrolled at the school from which the student transferred.

§18-8-2. Offenses; penalties; cost of prosecution; jurisdiction.

(a) Any person who, after receiving due notice, shall fail to cause a child or children under eighteen years of age in that person's legal or actual charge to attend school in violation of this article or without just cause, shall be guilty of a misdemeanor and, shall, upon conviction of a first offense, be fined not less than fifty nor more than \$100 together with the costs of prosecution, or required to accompany the child to school and remain through the school day for so long as the magistrate or judge may determine is appropriate. The magistrate or judge, upon conviction and pronouncing sentence, may delay the sentence for a period of sixty school days

provided the child is in attendance everyday during said sixty-day period. Following the sixty-day period, if said child was present at school for every school day, the delayed sentence may be suspended and not enacted. Upon conviction of a second offense, a fine may be imposed of not less than \$50 nor more than \$100 together with the costs of prosecution and the person may be required to accompany the child to school and remain throughout the school day until such time as the magistrate or judge may determine is appropriate or confined in jail not less than five nor more than twenty days. Every day a child is out of school contrary to this article shall constitute a separate offense. Magistrates shall have concurrent jurisdiction with circuit courts for the trial of offenses arising under this section.

(b) Any person eighteen years of age or older who is enrolled in school who, after receiving due notice, fails to attend school in violation of this article or without just cause, shall be guilty of a misdemeanor and, shall, upon conviction of a first offense, be fined not less than \$50 nor more than \$100 together with the costs of prosecution and required to attend school and remain throughout the school day. The magistrate or judge, upon conviction and pronouncing sentence, may delay the imposition of a fine for a period of sixty school days provided the person is in attendance every day during said sixty-day period. Following the sixty-day period, if said student was present at school everyday, the delayed sentence may be suspended and not enacted. Upon conviction of a second offense, a fine may be imposed of not less than \$50 nor more than \$100 together with the costs of prosecution and the person may be required to go to school and remain throughout the school day until such time as the person graduates or withdraws from school or confined in jail not less than five nor more than twenty days. Every day a student is out of school contrary to this article shall constitute a separate offense. Magistrates shall have concurrent jurisdiction with circuit courts for the trial of offenses arising under this section.

(c) Upon conviction of a third offense, any person eighteen years of age or older who is enrolled in school shall be withdrawn from school during the remainder of that school year. Enrollment of that person in school during the next school year or years thereafter shall be conditional upon all absences being excused as defined in law, state board policy and county board of education policy. More than one unexcused absence of such a student shall be grounds for the director of attendance to authorize the school to withdraw the person for the remainder of the school year. Magistrates shall have concurrent jurisdiction with circuit courts for the trial of offenses arising under this section.

(d) Jurisdiction to enforce compulsory school attendance laws 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 concurrent jurisdiction for the trial of offenses arising under this section.

§18-8-3. Employment of county director of school attendance and assistants; qualifications; salary and traveling expenses; removal.

(a) The county board of education of every county, not later than August 1, of each year, shall employ the equivalent of a full- time county director of school attendance if such county has a net enrollment of more than four thousand pupils, at least a half-time director of school attendance if such county has a net enrollment equal to or less than four thousand pupils and such assistant attendance directors as deemed necessary. All persons to be employed as attendance directors shall have the written recommendation of the county superintendent.

(b) The county board of education may establish special and professional qualifications for attendance directors and assistants as are deemed expedient and proper and are consistent

with regulations of the state Board of Education relating thereto: *Provided*, That if the position of attendance director has been posted and no fully certified applicant applies, the county may employ a person who holds a professional administrative certificate and meets the special and professional qualifications established by the county board as attendance director and that person shall not be required to obtain attendance director certification.

(c) The attendance director or assistant director shall be paid a monthly salary as fixed by the county board. The attendance director or assistant director shall prepare attendance reports, and such other reports as the county superintendent may request.

(d) The county board of education shall reimburse the attendance directors or assistant directors for their necessary traveling expenses upon presentation of a monthly, itemized, sworn statement approved by the county superintendent.

§18-8-4. Duties of attendance director and assistant directors; complaints, warrants and hearings.

(a) The county attendance director and the assistants shall diligently promote regular school attendance. The director and assistants shall:

(1) Ascertain reasons for unexcused absences from school of students of compulsory school age and students who remain enrolled beyond the compulsory school age as defined under section one-a of this article;

(2) Take such steps as are, in their discretion, best calculated to encourage the attendance of students and to impart upon the parents and guardians the importance of attendance and the seriousness of failing to do so; and

(3) For the purposes of this article, the following definitions shall apply:

(A) "Excused absence" shall be defined to include:

- (i) Personal illness or injury of the student or in the family;
- (ii) Medical or dental appointment with written excuse from physician or dentist;
- (iii) Chronic medical condition or disability that impacts attendance;
- (iv) Participation in home or hospital instruction due to an illness or injury or other extraordinary circumstance that warrants home or hospital confinement;
- (v) Calamity, such as a fire or flood;
- (vi) Death in the family;
- (vii) School-approved or county-approved curricular or extra-curricular activities;
- (viii) Judicial obligation or court appearance involving the student;
- (ix) Military requirement for students enlisted or enlisting in the military;
- (x) Personal or academic circumstances approved by the principal; and
- (xi) Such other situations as may be further determined by the county board: *Provided*, That absences of students with disabilities shall be in accordance with the Individuals with Disabilities Education Improvement Act of 2004 and the federal and state regulations adopted in compliance therewith.

(B) "Unexcused absence" shall be any absence not specifically included in the definition of "excused absence".

(b) In the case of three total unexcused absences of a student during a school year, the attendance director or assistant shall 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 unexcused absences, a conference with the principal or other designated representative will be required.

(c) In the case of five total unexcused absences, the attendance director or 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 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 total unexcused absences of a student during a school year, the attendance director or assistant shall make complaint against the parent, guardian or custodian before a magistrate of the county. 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 parent, guardian or custodian may be charged in a complaint. Initial service of a summons or warrant issued pursuant to the provisions of this section shall be attempted within ten calendar days of receipt of the summons or warrant and subsequent attempts at service shall continue until the summons or warrant is executed or until the end of the school term during which the complaint is made, whichever is later.

(e) The magistrate court clerk, or the clerk of the circuit court performing the duties of the magistrate court as authorized in section eight, article one, chapter fifty of this code, shall assign the case to a magistrate within ten days of execution of the summons or warrant. The hearing shall be held within twenty days of the assignment to the magistrate, subject to lawful continuance. The magistrate shall provide to the accused at least ten days' advance notice of the date, time and place of the hearing.

(f) When any doubt exists as to the age of a student absent from school, the attendance director and assistants 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. In the performance of his or her duties, the county attendance director and assistants have authority to take without warrant any student absent from school in violation of the provisions of this article and to place the student in the school in which he or she is or should be enrolled.

(g) The county attendance director and assistants shall devote such time as is required by section three of this article to the duties of attendance director in accordance with this section during the instructional term and at such other times as the duties of an attendance director are required. All attendance directors and assistants 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 is responsible under direction of the county superintendent for efficiently administering school attendance in the county.

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

(1) Assist in directing the taking of the school census to see that it is taken at the time and in the manner provided by law;

(2) Confer with principals and teachers on the comparison of school census and enrollment for the detection of possible nonenrollees;

(3) Cooperate with existing state and federal agencies charged with enforcing child labor laws;

(4) 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.

The state board shall promulgate a legislative rule pursuant to article three-b, chapter twenty-nine-a of this code that sets forth student absences that are excluded for accountability purposes. The absences that are excluded by the rule include, but are not limited to, excused student absences, students not in attendance due to disciplinary measures and absent students for whom the attendance director has pursued judicial remedies to compel attendance to the extent of his or her authority. The attendance director shall file with the county superintendent and county board 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;

(5) Promote attendance in the county by compiling 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;

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

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

(8) Make home visits of students who have excessive unexcused absences, as provided above, or if requested by the chief administrator, principal or assistant principal; and

(9) Serve as the liaison for homeless children and youth.

§18-8-5. Duties of principal, administrative head or other chief administrator.

It shall be the duty of the principal, administrative head or other chief administrator of each school, whether public or private, to make prompt reports 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. Such reports shall be on the form prescribed for such purpose, by telephone, or in person, and shall include essential information about the child and the name and residence of any parent, guardian or custodian of a child.

It shall also be the duty of each principal, administrative head or other chief administrator of each public school to ascertain and report promptly the name of any parent, guardian or custodian of any child of compulsory school age as defined in this article who was or should be enrolled in the school reporting and who has not enrolled in any school that year. By way of ascertaining the status of school attendance, each principal, administrative head or other chief administrator shall compare the school census with the school enrollment at the opening of the school term and each month thereafter, or as directed by the county superintendent of schools, and report the same to the county attendance director: Provided, That any child who was or should be enrolled in a particular school, but who is at the time enrolled in another school shall be considered as attending the school in which enrolled and shall be included only in the report of attendance from the school in which the child is enrolled at the time.

If the principal, administrative head or other chief administrator of a school determines that an enrolled pupil has accumulated unexcused absences from attendance at such school for five instructional days during any one half of the instructional term, the principal, administrative head or other chief administrator shall contact any parent, guardian or custodian of the pupil and

shall hold a meeting with any person so contacted, and the pupil, and any other person that the administrator deems a relevant participant in such meeting.

§18-8-5a. Home visitations.

If approved by the principal, administrative head or other chief administrator, a teacher may use one noninstructional day during an employment term for the purpose of home visitations with the parent, guardian or custodian of any pupil or pupils designated by the principal, administrative head or other chief administrator. Priority shall be given to those pupils identified as potential school dropouts or whose school attendance is otherwise jeopardized. Such home visitations shall be deemed the equivalent of one day of continuing education in accordance with rules and regulations of the state board requiring such education. The county board may adopt rules and regulations regarding such home visitations and shall reimburse a teacher for the necessary traveling expenses upon presentation of an itemized, sworn statement.

§18-8-6. The High School Graduation Improvement Act.

(a) This section is known and may be cited as "The High School Graduation Improvement Act."

(b) The Legislature makes the following findings:

(1) West Virginia has a dire need to implement a comprehensive approach to addressing the high school drop-out crisis, and to develop policies and strategies that successfully assist at-risk students to stay in school, earn a high school diploma, and ultimately become productively contributing members of society;

(2) The current demands for a highly skilled workforce require a high school diploma at the very minimum;

(3) The state has several dynamic programs that are capable of actively engaging students in learning, providing students with a sense of relevancy in academics, and motivating students to succeed in school and ultimately earn a high school diploma;

(4) Raising the compulsory school attendance age alone will neither increase the graduation rate nor decrease the drop-out rate. It is imperative that the state shift the focus from merely compelling students to attend school to instead providing vibrant and engaging programs that allow students to recognize the value of a high school diploma or workforce credential and inspire students to graduate from high school, especially those students who are at risk of dropping out of school;

(5) Investing financially in this focus shift will result in the need for fewer resources to be committed to enforcing compulsory attendance laws and fewer incidents of disruptive student behavior;

(6) Absenteeism is proven to be the highest predictor of course failure. Truant students face low self-confidence in their ability to succeed in school because their absences cause them to fall behind their classmates, and the students find dropping out easier than catching up;

(7) There is a strong relationship between truancy and dropping out of high school. Frequent absences are one of the most common indicators that a student is disengaging from the learning process and likely to drop out of school

early. Intervention after fewer absences is likely to have a positive impact on a student's persistence to graduation;

(8) Students cite many reasons for dropping out of school, some of which include engaging in drug culture, lack of positive influence, role model or parental involvement, absence of boundaries and direction, lack of a positive home environment, peer pressure, and poor community expectations;

(9) Dropping out of school has a profound negative impact on an individual's future, resulting in limited job choices, substantially lower wages and less earned over a life-time than high school graduates, and a greater likelihood of depending on public assistance and engaging in criminal activity;

(10) Career-technical education is a dynamic system in West Virginia which offers numerous concentrations that provide students with industry-recognized credentials, while also preparing them for post-secondary education;

(11) All career-technical education students in the state have an opportunity to earn free college credit through the Earn a Degree-Graduate Early (EDGE) program;

(12) The current high school graduation rate for secondary career-technical education completers is significantly higher than the state graduation rate;

(13) Students involved in career-technical education learn a marketable skill, are likely to find jobs, and become prepared for post-secondary education;

(14) A significant number of students who could benefit from participating in a career-technical program are denied access due to a number of factors, such

as dropping out of high school prior to enrolling in career-technical education, requirements that students repeat academic courses that they have failed, and scheduling conflicts with the high schools;

(15) There has been a dramatic change over the years from vocational education, which was very basic and lacked high level skills, to the career-technical programs of today which are computer based, require national tests and certification, and often result in jobs with high salaries;

(16) West Virginia's employers and technical education job placement rates show that the state needs graduates with technical skills to compete in the current and future job markets;

(17) The job placement rate for students graduating from career-technical programs statewide is greater than ninety-five percent;

(18) Among the reasons students cite for dropping out of school are feelings of hopelessness when they have failed classes and can not recover credits in order to graduate;

(19) The state offers full-day programs consisting of credit recovery, hands on experiences in career-technical programs and basic education, which are valuable resources for re-engaging students who have dropped out of school, or have a potential for or are at risk of dropping out;

(20) A student is significantly more likely to graduate from high school if he or she completes four units of training in technical education;

(21) Learning is increased and retained at a higher level if the content is taught through a relevant and applied experience, and students who are able to

experience academics through real life projects have a higher probability of mastering the appropriate concepts;

(22) Programs such as "GED Option" and "Techademics" are valuable resources for providing relevant and applied experience for students;

(23) The Techademics programs administered by the department of education has embedded math competencies in career-technical program curricula whereby students simultaneously earn credit for mastery of math competencies and career-technical courses;

(24) Students would greatly benefit if West Virginia were designated as a "GED Option" state. Currently a student is ineligible to take the General Educational Development (GED) exam if he or she is enrolled in school, which requires the student to drop out of high school in order to participate in a GED preparation program or take the exam, even if the student desires to remain enrolled;

(25) A GED Option state designation by the American Council on Education would allow students in this state to remain enrolled in school and continue acquiring academic and career-technical credits while pursuing a GED diploma. The GED Option would be blended with the West Virginia virtual schools or a career-technical education pathway. Upon completion, rather than being a dropout, the student would have a GED diploma and a certification in the chosen career-technical or virtual school pathway;

(26) The Mountaineer Challenge Academy is a positive option for students at risk of dropping out of school, as it provides students with structure, stability,

and a focus on positive change, all in an environment where negative influences and distractions can be left behind;

(27) Students attending the Mountaineer Challenge Academy would greatly benefit if the GED Option were implemented at the Academy;

(28) The Health Sciences and Technology Academy (HSTA) program prepares rural, minority and economically disadvantaged students for college and careers in the health sciences, and demonstrates tremendous success in its high percentage of students who graduate from high school and participate in post-secondary education.

(29) The West Virginia GEAR UP (Gaining Early Awareness and Readiness for Undergraduate Programs) program is aimed at increasing the academic performance and rigorous preparation of students, increasing the number of high-poverty, at-risk students who are prepared to enter and succeed in post-secondary education, and increasing the high school graduation rate;

(30) The GEAR UP program successfully aids students in planning, applying and paying for education and training beyond high school;

(31) Each dropout involved in drugs or crime or dependent on public assistance creates a huge fiscal burden on society;

(32) The intense treatment and individual monitoring provided through the state's juvenile drug courts have proven to be highly effective in treating drug addictions, and rehabilitating drug- addicted youth and improving their educational outcomes;

(33) Services provided by juvenile drug courts include substance abuse treatment, intervention, assessment, juvenile and family counseling, heavy supervision by probation officers including school-based probation officers who provide early intervention and diversion services, and addressing some of the underlying reasons why students are not successful in school;

(34) School participation and attendance are required for students participating in juvenile drug courts, and along with academic progress are closely monitored by the courts;

(35) Juvenile drug courts are an important strategy to improve substance abuse treatment outcomes, and serve to save the state significant cost on incarceration of the juveniles, along with the future costs to society of individuals who remain substance abusers;

(36) Juvenile drug courts produce greater cost benefits than other strategies that address criminal activity related to substance abuse and addiction that bring individuals into the criminal justice system;

(37) Funding for the increased number of students enrolled in school during the 2010-2011 school year due to the compulsory school attendance age increase established by this act will not be reflected in the state aid formula allocation until the 2011-2012 school year, which will require additional funds to be provided to county boards for the 2010-2011 school year to accommodate the increased enrollment;

(38) The state will benefit both fiscally and through improved quality of life if scarce state resources are targeted toward programs that result in providing

a competitive advantage as adults for those students who are at risk of dropping out of school;

(39) Funds invested toward education and ensuring that students complete high school pay tremendous dividends through the moneys saved on incarceration, unemployment and underemployment as those students reach adulthood;

(40) Increasing the compulsory school attendance age will have little effect in aiding students to complete high school if additional resources, both fiscal and programmatic, are not dedicated to supporting student achievement, providing real-life relevancy in curriculum, and engaging students in learning, particularly for those students who have become so disengaged from school and learning that they are at risk of dropping out of school; and

(41) Schools cannot solve the dropout problem alone. Research shows when educators, parents, elected officials, business leaders, faith-based leaders, human service personnel, judicial personnel and civic leaders collectively work together they are often able to find innovative solutions to address school and community problems.

(c) The Legislature intends as follows:

(1) The state will continue to explore diverse instructional delivery strategies to accommodate various learning styles and will focus on a state-wide dropout intervention and prevention program to provide support for students having academic difficulty;

(2) A general credit recovery program shall be implemented statewide, including delivery through West Virginia virtual schools;

(3) The state board will continue to improve the way career-technical education is offered, including expansion of the Techademics program;

(4) Up to five additional juvenile drug courts shall be established by January 1, 2012;

(5) The state will invest additional state funds and other resources in strategies and programs that engage disconnected and discouraged students in a positive learning environment as a critical first step to ensuring that students persist and graduate;

(6) County boards will develop plans to demonstrate how they will use available funds to implement the intent of this section; and

(7) The state board shall develop a statewide system in electronic format that will provide schools with easily identifiable early warning indicators of students at risk of not graduating from high school. The system shall be delivered through the uniform integrated regional computer information system (commonly known as the West Virginia Education Information System) and shall at a minimum incorporate data on the attendance, academic performance and disciplinary infractions of individual students. The state board shall require implementation of the system in Local Solution Dropout Prevention and Recovery Innovation Zones along with a plan of interventions to increase the number of

students earning a high school diploma, and may utilize the zones as a pilot test of the system.

(d) Each county board shall include in its alternative education program plan required by section six, article two, of this chapter a plan to improve student retention and increase the graduation rate in the county. The plan is subject to approval of the state board, and shall include strategies the county board will implement to achieve the following goals:

(1) Increasing the graduation rate for the county;

(2) Identifying at the earliest age possible those students who are at risk of dropping out of school prior to graduation; and

(3) Providing additional options for delivering to at-risk students academic credentials and career-technical training if appropriate or desired by the student. The options may include such programs as Techademics, Earn a Degree-Graduate Early (EDGE), Health Sciences and Technology Academy (HSTA), Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP), truancy diversion, early intervention, dropout prevention, prevention resource officers, GED option, credit recovery, alternative learning environments, or any other program or strategy approved by the state board.

(e) As soon as is practicable the state superintendent or his or her designee shall pursue designation of West Virginia as a "GED Option" state by the American Council on Education. If so designated, the state board shall:

(1) Develop and implement a program whereby a student may pursue a GED diploma while remaining enrolled in high school; and

(2) Ensure that the GED Option is offered to students attending the Mountaineer Challenge Academy.

(f) The state board shall continue to expand:

(1) The Techademics program to include each major academic subject and increase the academic credit available through the program to students; and

(2) The Health Sciences and Technology Academy to ensure that the program is available for any school containing any of the grade levels of eligible students.

(g) The state board shall ensure that the dropout information required by section twenty-four, article one-b, chapter fifteen of this code is provided annually to the Mountaineer Challenge Academy.

(h) Some career and technical education programs only accept students in certain upper high school grade levels due to lack of capacity to accept the students in the lower high school grade levels. This can be detrimental to efforts to keep students identified as at risk of dropping out of school prior to graduation in school. Therefore, those career and technical education programs that limit enrollment to students in certain upper high school grade levels may make exceptions for those at risk students and enroll any of those at risk students who are in grades nine and above.

§18-8-6a. Incentive for county board participation in circuit court juvenile probation truancy programs.

A county board that enters into a truancy program agreement with the circuit court of the county that (1) provides for the referral of truant juveniles for supervision by the court's probation office pursuant to section eleven, article five, chapter forty-nine of this code and (2) requires the county board to pay for the costs of the probation officer or officers assigned to supervise truant juveniles, shall be reimbursed for one-half of the costs of the probation officer or officers, subject to appropriation of the Legislature for this purpose to the West Virginia Department of Education. For any year in which the funds appropriated are insufficient to cover the reimbursement costs, the county's costs shall be reimbursed pro rata.

§18-8-7. Aiding or abetting violations of compulsory attendance; penalty.

Any person who induces or attempts to induce any child or student unlawfully to absent himself or herself from school, or who harbors or employs any child or student of compulsory school age or any student over sixteen years of age who is enrolled in a school while the school to which he or she belongs and which he or she is required to attend is in session, or who employs such child or student within the term of such school on any day such school is in session without the written permission of the county superintendent of schools, or for a longer period than such work permit may specify shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than twenty-five nor more than fifty dollars and may be confined in jail not less than ten nor more than thirty days.

§18-8-8. Child suspended for failure to comply with requirements and regulations treated as unlawfully absent.

If a child be suspended from school because of improper conduct or refusal of such child to comply with the requirements of the school, the school shall immediately notify the county superintendent of such suspension, and specify the time or conditions of such suspension.

Further admission of the child to school may be refused until such requirements and regulations be complied with. Any such child shall be treated by the school as being unlawfully absent from the school during the time he refuses to comply with such requirements and regulations, and any person having legal or actual control of such child shall be liable to prosecution under the provisions of this article for the absence of such child from school: *Provided*, That the county board of education does not exclude or expel the suspended child from school.

§18-8-9. Report and disposition of fines collected.

All fines collected under the provisions of this article shall be paid on or before the last day of each calendar month by the magistrate, or other proper official having jurisdiction in the case, to the sheriff and by him credited to the county school fund; and the magistrate shall file with the county superintendent on the last day of each month an itemized statement of all fines paid over to the sheriff.

§18-8-10. Compulsory education of deaf and blind; offenses; penalties; names of deaf and blind.

Every parent, guardian or other person having control of any mentally normal minor over six years of age, who is defective in sight or hearing to the extent that he cannot be benefited by instruction in the public schools, shall be required to send such minor to the West Virginia schools for the deaf and the blind at Romney. Such minor shall continue to attend such schools

for a term of at least thirty-six weeks each year until he has completed the course of instruction prescribed for such schools by the state board of education, or has been discharged by the superintendent of said school.

Any such deaf or blind minor shall be exempt from attendance at said schools for any of the following reasons: (a) Instruction by a private tutor or in another school approved by the state board of education for a time equal to that required by the first paragraph of this section; (b) physical incapacity for school work; (c) any other reason deemed good and sufficient by the superintendent of such schools, with the approval of the state board of education.

Any parent, guardian or other persons in charge of such minor or minors who fails or refuses to comply with the requirements of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than ten nor more than thirty dollars for each offense. Failure for the period of one week within the school year to send such minor to school shall constitute an offense: *Provided*, That the time necessary for such minor to travel from his home to the school shall not be counted as time absent from school.

Any person who induces or attempts to induce such blind or deaf minor to absent himself from school, or who employs or harbors such minor unlawfully, while said school is in session, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than twenty nor more than fifty dollars for each offense.

It shall be the duty of school attendance directors and assistants, prosecuting attorneys, and any special attendance directors appointed by said school for the deaf and the blind to enforce the provisions of this section.

The county superintendent of schools shall furnish to the superintendents of the state-supported schools for the deaf and/or blind and to the state superintendent of schools the names

of persons in his county between the ages of six and eighteen reported to him to be deaf and blind with the names and addresses of their parents or guardians.

§18-8-11. School attendance and satisfactory academic progress as conditions of licensing for privilege of operation of motor vehicle.

(a) In accordance with the provisions of sections three-a and five, article two, chapter seventeen-b of this code, the Division of Motor Vehicles 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 general educational development certificate (GED) from a state-approved institution or organization or has obtained the certificate; (2) is enrolled and is making satisfactory academic progress in a secondary school of this state or any other state; (3) is excused from the requirement due to circumstances beyond his or her control; or (4) is enrolled in an institution of higher education as a full-time student in this state or any other state.

(b) The attendance director or chief administrator shall upon request provide a driver's eligibility certificate on a form approved by the Department of Education to any student at least fifteen but less than eighteen years of age who is properly enrolled and is making satisfactory academic progress in a school under the jurisdiction of the official for presentation to the Division of Motor Vehicles on application for or reinstatement of an instruction permit or license to operate a motor vehicle.

(c) Whenever a student at least fifteen but less than eighteen years of age, except as provided in subsection (g) of this section, withdraws from school, the attendance director or chief

administrator shall notify the Division of Motor Vehicles of the student's withdrawal no later than five days from the date of the withdrawal. Within five days of receipt of the notice, the Division of Motor Vehicles shall send notice to the student that the student's instruction permit or license to operate a motor vehicle will be suspended under the provisions of section six, article three, chapter seventeen-b of this code on the thirtieth day following the date the notice was sent unless documentation of compliance with the provisions of this section is received by the Division of Motor Vehicles before that time. The notice shall also advise the student that he or she is entitled to a hearing before the county superintendent of schools or his or her designee or before the appropriate private school official concerning whether the student's withdrawal from school was due to a circumstance or circumstances beyond the control of the student. If suspended, the division may not reinstate an instruction permit or license until such time as the student returns to school and shows satisfactory academic progress or until such time as the student attains eighteen years of age.

(d) Whenever a student at least fifteen but less than eighteen years of age is enrolled in a secondary school and fails to maintain satisfactory academic progress, the attendance director or chief administrator shall follow the procedures set out in subsection (c) of this section to notify the Division of Motor Vehicles. Within five days of receipt of the notice, the Division of Motor Vehicles shall send notice to the student that the student's instruction permit or license will be suspended under the provisions of section six, article three, chapter seventeen-b of this code on the thirtieth day following the date the notice was sent unless documentation of compliance with the provisions of this section is received by the Division of Motor Vehicles before that time. The notice shall also advise the student that he or she is entitled to a hearing before the county superintendent of schools or his or her designee or before the appropriate private school official

concerning whether the student's failure to make satisfactory academic progress was due to a circumstance or circumstances beyond the control of the student. Once suspension is ordered, the division may not reinstate an instruction permit or license until such time as the student shows satisfactory academic progress or until such time as the student attains eighteen years of age.

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

(f) For the purposes of this section:

(1) Withdrawal is defined as more than ten consecutive or fifteen total days unexcused absences during a school year, or suspension pursuant to subsections (a) and

(b) of section one-a, article five, chapter eighteen-a of this code.

(2) "Satisfactory academic progress" means the attaining and maintaining of grades sufficient to allow for graduation and course-work in an amount sufficient to allow graduation in five years or by age nineteen, whichever is earlier.

(3) "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.

(4) 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.

(g) Whenever the withdrawal from school of the student, the student's failure to enroll in a course leading to or to obtain a GED or high school diploma, or the student's failure to make satisfactory academic progress is due to a circumstance or circumstances beyond the control of

the student, or the withdrawal from school is for the purpose of transfer to another school as confirmed in writing by the student's parent or guardian, no notice shall be sent to the Division of Motor Vehicles to suspend the student's motor vehicle operator's license and if the student is applying for a license, the attendance director or chief administrator shall provide the student with documentation to present to the Division of Motor Vehicles to excuse the student from the provisions of this section. The school district superintendent (or the appropriate school official of any private secondary school) with the assistance of the county attendance director and any other staff or school personnel shall be the sole judge of whether any of the grounds for denial or suspension of a license as provided by this section are due to a circumstance or circumstances beyond the control of the student.

(h) The state board shall promulgate rules necessary for uniform implementation of this section among the counties and as may otherwise be necessary for the implementation of this section. The rule may not include attainment by a student of any certain grade point average as a measure of satisfactory progress toward graduation.

§18-8-12. Issuance of a diploma or other appropriate credential by public, private or home school administrator.

A person who administers a program of secondary education at a public, private or home school that meets the requirements of this chapter may issue a diploma or other appropriate credential to a person who has completed the program of secondary education. Such diploma or credential is legally sufficient to demonstrate that the person meets the definition of having a high school diploma or its equivalent. No state agency or institution of higher learning in this state may reject or otherwise treat a person differently solely on the grounds of the source of such a diploma or credential. Nothing in this section prevents any agency or institution of higher

learning from inquiring into the substance or content of the program to assess the content thereof for the purposes of determining whether a person meets other specific requirements.

CHAPTER 18. EDUCATION.

ARTICLE 8A. ATTENDANCE OF HOMELESS CHILDREN.

§18-8A-1. Legislative findings; definition of homeless child.

(a) The Legislature hereby finds and declares that because of the growing number of children and families who are homeless in West Virginia there is a need to ensure that all homeless children receive a proper education. It is the intent of the Legislature that no child shall be denied the benefits of a free education in the public schools because the child is homeless.

The Legislature further finds that programs and materials must be made available to homeless and at-risk children to assure opportunities for an equal education. Programs shall include, but not be limited to, incorporating the ideas of academic achievement, career exploration, self-esteem enhancement, behavior modification and other programs relating to student development.

(b) As used in this article, unless the context otherwise requires, "homeless child" means:

(1) A child who lacks a fixed, regular and adequate nighttime residence; or

(2) A child who has a primary nighttime residence which is:

(i) A supervised, publicly or privately operated shelter designed to provide temporary living accommodations, including welfare hotels, congregate shelters and transitional housing for the mentally ill;

(ii) An institution that provides a temporary residence for individuals intended to be institutionalized; or

(iii) A public or private place not designed for, nor ordinarily used as, a regular sleeping accommodation for human beings.

(c) "Homeless child" does not include any individual imprisoned or otherwise detained pursuant to an act of Congress or a state law.

§18-8A-2. Residence of child.

A child considered to be homeless pursuant to the provisions of section one of this article who presently seeks shelter or is located in a school district shall be considered to reside in that school district and may attend public school in that district.

§18-8A-3. Attendance of homeless children.

Nothing in this article may be construed to prohibit a child from attending a public school without the payment of tuition solely because the child is homeless as defined in section one of this article.

§18-8A-4. Report on at-risk children.

The state board of education shall present to the Legislature no later than the first day of January, one thousand nine hundred ninety-three, a report which shall include the identification of existing programs which exemplify academic achievement, career exploration, self-esteem enhancement, behavior modification and other programs relating to student development. The report shall also include findings and recommendations for funding such programs so as to provide delivery to all children at-risk of not succeeding in school. The report shall also include teaching techniques and learning strategies and the state board definition of "children at-risk".

APPENDIX R: WEST VIRGINIA SCHOOLS BALANCED SCORECARD PERFORMANCE LEVEL DEFINITIONS



West Virginia Schools
Balanced Scorecard

Performance Level Definitions

The School Accountability System is based on four levels of performance. These are color coded for easier use. These performance levels include:

- Green: Exceeds Standard** indicates that a school's performance on a particular indicator is above the expected level set by the State Board of Education.
- Blue: Meets Standard** indicates that a school's performance on a particular indicator is within the range of expected performance set by the State Board of Education.
- Gold: Partially Meets Standard** indicates that a school's performance on a particular indicator is not yet at the expected range set by the State Board of Education.
- Red: Does Not Meet Standard** indicates that a school's performance on a particular indicator is substantially below the expected level set by the State Board of Education.

The accountability system is based on multiple indicators that assess student outcomes in key areas. These indicators differ by programmatic level (elementary and middle schools compared to high school) and include:



Academic performance points are awarded in a progressive manner to correspond to student achievement levels in English language arts and mathematics. School performance is based on the percentage of points earned by students on a 125-point scale. Schools at all programmatic levels are assessed on this indicator.

- 80 to 100% **Exceeds Standard**
- 65 to 80% **Meets Standard**
- 50 to 65% **Partially Meets Standard**
- Less than 50% **Does Not Meet Standard**



The Benchmark Indicator for elementary and middle schools will consider student achievement on state benchmark assessments. A growth measure that rewards the progress students make between the beginning of the year and the end of the year is in development and will be used in future years.



Cohort graduation rates for high schools is divided into two categories: students graduating in four years and those graduating in five years.

- 95 to 100% **Exceeds Standard**
- 90 to 95% **Meets Standard**
- 80 to 90% **Partially Meets Standard**
- Less than 80% **Does Not Meet Standard**



Progress toward English Language Proficiency applies to those students who are not English language speakers and are learning English as a second language. The state's long-term goal is for 85% of English Language Learners to reach English Language Proficiency by the 2029-30 school year.

- 95 to 100% **Exceeds Standard**
- 85 to 95% **Meets Standard**
- 70 to 85% **Partially Meets Standard**
- Less than 70% **Does Not Meet Standard**



West Virginia DEPARTMENT OF
EDUCATION

APPENDIX R: WEST VIRGINIA SCHOOLS BALANCED SCORECARD PERFORMANCE LEVEL DEFINITIONS



West Virginia Schools
Balanced Scorecard

Performance Level Definitions



Student Success is a multi-measure indicator that includes:

Attendance – percent of elementary, middle, and high school students attending 90% or more instructional days

- 95 to 100% **Exceeds Standard**
- 90 to 95% **Meets Standard**
- 80 to 90% **Partially Meets Standard**
- Less than 80% **Does Not Meet Standard**

Behavior – percent of elementary and middle school students with no out-of-school suspensions

- 95 to 100% **Exceeds Standard**
- 90 to 95% **Meets Standard**
- 80 to 90% **Partially Meets Standard**
- Less than 80% **Does Not Meet Standard**

On-track to graduation – percent of 10th grade students meeting credit earned criteria

- 95 to 100% **Exceeds Standard**
- 90 to 95% **Meets Standard**
- 80 to 90% **Partially Meets Standard**
- Less than 80% **Does Not Meet Standard**

Post-secondary achievement – percent of 12th grade students meeting selected post-high school achievement criteria

- 80 to 100% **Exceeds Standard**
- 65 to 80% **Meets Standard**
- 50 to 65% **Partially Meets Standard**
- Less than 50% **Does Not Meet Standard**



West Virginia DEPARTMENT OF
EDUCATION

APPENDIX S: WEST VIRGINIA SCHOOLS BALANCED

SCORECARD STUDENT SUCCESS INDICATOR FOR ATTENDANCE

Student Success Indicator

The student success accountability indicator consists of two distinct measures (attendance and behavior) for elementary and middle schools, and three distinct measures (attendance, on-track to graduation, and post-secondary achievement) for high schools.

Attendance represents the extent to which students capitalize on opportunities to learn and engage in the instructional environment. This measure is operationalized as actual attendance, that is, the percentage of students present or exposed to relevant instruction for at least 90% of available instructional days. The attendance measure will apply to all students and for each subgroup using the following inclusion criteria:

- Students with full academic year (FAY) status (annual membership days \geq 135 days);
- Students enrolled in kindergarten through grade 12; and
- At least 20 FAY students at the school level for the all student group and each subgroup, respectively.

The measure will be calculated using the certified attendance records for all students meeting the criteria, however exemptions will be made for absences resulting from out-of-school suspensions. The following performance point structure will be used:

1. Award 1.0 point for every student whose actual attendance was \geq 90% of all instructional days, excluding absences resulting from out-of-school suspensions and other allowable absence deductions;
2. Divide the total points awarded in step 1 by the total number of students meeting the inclusion criteria for this measure.

Example 4. Student Success Attendance measure for a school of 183 students

Attendance

Of 183 students:

- 176 have FAY status
- 132 are present for 90% or more of instructional days, thus meeting the attendance criteria, each being awarded 1.0 point.

Calculation:

1. Determine the percent of students who meet criteria
 $132 \text{ points earned} / 176 \text{ FAY students} = 75.0\%$

CURRICULUM VITAE

Matthew Jacob Messer

Principal

Scott High School

ACADEMIC DEGREES

- **Post-Graduate Certificate in Social Services and Attendance from Marshall University Graduate College.** South Charleston, W.Va. January 2016 – May 2017. I maintained a 4.0 grade point average.
- **Post-Graduate Certificate in School Principalship from Marshall University Graduate College.** South Charleston, W.Va. August 2013 – August 2014. I maintained a 4.0 grade point average.
- **Master's Degree in Special Education from West Virginia University.** Morgantown, W.Va. June 2012 – August 2013. I graduated summa cum laude with a 4.0 grade point average.
- **Bachelor's Degree in Print Journalism from Marshall University.** Huntington, W.Va. September 1995 – May 2000. I graduated summa cum laude with a 3.95 grade point average.

PROFESSIONAL EXPERIENCES

- **Adjunct Professor at Marshall University Graduate College.** South Charleston, W.Va. August 2018 – Present. I teach one course per semester in the Leadership Studies program.
- **Ecourse Facilitator at West Virginia Department of Education.** Charleston, W.Va. February 2017 – Present. I facilitate four courses per year on the West Virginia Learns platform.
- **Principal at Scott High School.** Madison, W.Va. June 2017 – Present. I am the instructional leader, building manager, and financial officer for a school that has almost 700 students and more than 50 employees. I handle most of the instructional leadership duties, including walkabouts, observations, evaluations, lesson plan reviews, and other administrative reports. I help my two assistant principals with attendance, athletics, and discipline issues when necessary. I maintain the school's social media account, which serves as a two-way communication tool for all stakeholders.
- **Assistant Principal at Sherman High School and Sherman Junior High School.** Seth, W.Va. February 2017 – June 2017. I was an itinerant administrator at both schools. I handled most of the disciplinary issues at both schools. I assisted both principals with instructional leadership duties, including walkabouts, observations, evaluations, lesson

plan reviews, and other administrative reports. I handled the athletic director duties at both schools and the attendance director duties at the high school. I served as the Project GOAL site coordinator and teacher at the high school.

- **Assistant Principal at Sherman Elementary School and Sherman Junior High School.** Comfort and Seth, W.Va. July 2016 – February 2017. I was an itinerant administrator at both schools. I handled most of the disciplinary issues and split instructional leadership duties with the principal, including providing professional development and completing walkabouts, observations, evaluations, lesson plan reviews, and other administrative reports, at the elementary school. I handled most of the disciplinary issues and athletic director duties at the junior high school.
- **Assistant Principal at Sherman Elementary School.** Comfort, W.Va. November 2014 – June 2016. I handled most of the disciplinary issues and split instructional leadership duties with the principal, including providing professional development and completing walkabouts, observations, evaluations, lesson plan reviews, and other administrative reports. I brought new opportunities to the students, including fine arts field trips through the Marshall Artists Series program and Lego robotics through donations and grants. I organized and monitored the MobyMax snow day learning contests. I maintained the school's website and social media accounts. I served as the athletic director, the attendance director, and an extended day site coordinator. I coached the robotics and basketball teams.
- **Special Education Teacher at Madison Middle School.** Madison, W.Va. June 2014 – November 2014. I taught or co-taught English language arts and math classes.
- **Special Education Teacher at Scott High School.** Madison, W.Va. June 2013 – June 2014. I taught or co-taught business computer applications and math classes. I monitored one block of in-school suspension on my planning period. I also served as the yearbook director.
- **Special Education Teacher at Sherman Junior High School.** Seth, W.Va. August 2009 – June 2013. I co-taught both grades and all four core subjects. I presided over the Faculty Senate my last two years and served on the Local School Improvement Council and the Leadership Team my last three years. I monitored detention hall my first year and monitored study hall my last three years.
- **Publisher at Herd Nation.** Huntington, W.Va. April 2011 – March 2015. As a part-time job, I covered Marshall University football and recruiting for www.herdnation.com.
- **Sports Editor at The Coal Valley News.** Madison, W.Va. August 2009 – June 2010. As a part-time job, I covered the three Boone County high schools' athletic teams and helped produce an award-winning sports section. Heartland Publications cut my position for financial reasons.
- **Sports Reporter and Paginator at The Charleston Daily Mail.** Charleston, W.Va. March 2008 – August 2009. I covered Marshall University athletics and West Virginia Power baseball for the 18,000-circulation evening newspaper. I also paginated and edited when needed.
- **Managing Editor at The Coal Valley News.** Madison, W.Va. August 2007 – March 2008. I did it all — managing employees, writing stories, editing stories, taking photos,

designing pages, and dealing with customers — for the 5,300-circulation weekly. The circulation increased from 4,200 in my brief stay. Also, we won "Best Single Issue" from the West Virginia Press Association among weekly newspapers of similar size. Overall, we won approximately 25 first-, second-, and third-place awards that year, which was an all-time high for the Coal Valley News.

- **Sports Reporter and Paginator at The Charleston Daily Mail.** Charleston W.Va. August 2005 – August 2007. I covered West Virginia University football (fall), West Virginia Conference basketball (winter), and West Virginia Power baseball (spring/summer) for the 24,000-circulation evening newspaper. I also paginated and edited when needed.
- **Staff Writer at The Coal Valley News.** Madison, W.Va. May 2005 – August 2005. I wrote stories, took photos, and designed pages for the 5,500-circulation weekly in my hometown, where I moved from North Carolina to help my parents financially after my father had heart surgery.
- **High School Sports Reporter at The Asheville Citizen-Times.** Asheville, N.C. September 2002 – May 2005. I coordinated prep coverage for 16 sports and 40 schools for the 55,000-circulation morning newspaper's print and online sections.
- **Staff Writer at The Charleston Daily Mail.** Charleston, W.Va. December 2000 – August 2002. I was the general assignment news reporter for the 36,000-circulation evening newspaper. I previously served as the county reporter, a news intern and a sports reporter.
- **Pulliam Fellow at The Indianapolis Star.** Indianapolis, Ind. May 2000 – November 2000. As one of 10 college students nationwide chosen for a post-graduate internship at Indiana's largest newspaper, I was a general assignment sports reporter for the 250,000-circulation daily.
- **Editor at The Parthenon.** Huntington, W.Va. August 1999 – December 1999. As editor of Marshall University's 6,000-circulation student newspaper, I edited all stories and pages. I also managed the staff. I previously served as managing editor, features editor, sports editor, and multicultural affairs reporter throughout my undergraduate career.
- **Sports Intern at The State.** Columbia, S.C. May 1999 – August 1999. I edited stories, wrote headlines, and designed pages during a 12-week internship at the 120,000-circulation daily.
- **Staff Writer at The Hometown News.** Madison, W.Va. December 1994 – August 1997. I wrote stories and took photos for the 5,000-circulation weekly.

PROFESSIONAL DEVELOPMENT AND SPECIALIZED TRAINING

- I am a principal leader and serve on a couple of committees for Boone County Schools. One is a safe schools committee, which is a team of principals who work with the district's safe schools director and the county's law enforcement officers to organize and operate trainings for school employees. We also analyze information and brainstorm ideas to strengthen our policies and procedures for safe schools. The other is an attendance task force, which is a team of principals, teachers, and counselors who work with the district's attendance director to brainstorm ideas and develop plans to improve student attendance in our county.
- I graduated from the West Virginia Center for Professional Development's New Principals Leadership Academy and was named one of the Distinguished Scholars for the 2015-2016 cohort of first- and second-year administrators.
- I completed the Digital Tools to Promote Family Engagement and Student Success online course through the West Virginia Center for Professional Development.
- I completed the following e-courses through the West Virginia Department of Education: WVDE Facilitator Course, 21st Century Teaching and Learning in Language Arts, Differentiating Instruction, Standards-Based Instruction, Improving Reading and Writing in the Content Area, Promoting Reading Comprehension in the Middle School, Making the Most of Adolescent Literature, Intel Teach Essentials, Transforming Classroom Grading, and Assessment in 21st Century Classrooms.
- I completed the following book studies: "What Great Principals Do Differently" with the West Virginia Center for Professional Development's New Principals Leadership Academy, "Lincoln on Leadership" with the Boone County Schools' Leadership Development Academy, "Good to Great" with the Boone County Schools' Leadership Development Academy, and "Mindset" with the West Virginia Department of Education's Technology Integration Specialists Cohort.
- I completed the following webinars through various education-based websites, such as <http://community.simplek12.com/> and <http://home.edweb.net/>: Preparing Students for the ELA Common Core Assessment; The Research Process; Digital Leadership — Changing Paradigms for Changing Times; What Students Should be Writing; 20 Web Tools in 20 Minutes — Revitalize Lesson Plans and Motivate Students; Are You Gaga for Google?; Breaking Down the Four Walls of Your Classroom with Skype; Control the Uncontrollable Student; Creating Global Citizens with Meaningful Blogging; Using Dropbox to Collect Student Work in a Paperless Classroom; Easy 21st Century Project Ideas for the Core Curriculum; Flipping Your Classroom — It's Easy with Khan Academy; Google Tools for Visual and Spatial Learners; You Really Can Convince Kids That Writing Is Fun; Own Your Classroom — The Business of 21st Century Teaching; Spark Creativity and Innovation — Help Students Create and Share Original, Multimedia Works Online; Social Networking with Students and Parents — It's Safer than You Think; Stories on the Go — Digital Storytelling with Mobile Devices; Students Write More, and You Grade Less; and Wixify Your Webquest.

- I completed the following professional development sessions delivered by district, state, regional, and national experts: John Strebe/Cooperative Learning, Aimee Corrigan/Common Core Secondary ELA Standards, Clarity/Early Warning System, PD 360, Apex Learning, Engrade, Plato, Read180, Star Enterprise Math and Reading, TechSteps, SMART Board, Instructional Practices Inventory (IPI), Support for Personalized Learning (SPL), Boone County Schools' First Responders Training, Boone County Schools' Reading Institute, Boone County Schools' Middle School ELA Cadre, Boone County Schools' Leadership Development Academy, RESA 4 Special Education Literacy Academy, and West Virginia Department of Education Technology Conference.
- I served as a presenter at the following professional development sessions: Boone County Schools' Apex Learning Training, Boone County Schools' Technology Conference, Boone County Schools' Secondary Schools ELA Common Core Standards Conference, and Boone County Schools' Next Generation Common Core Standards for High School ELA Teachers.
- I served as a Scott High School mentor teacher, Scott High School IPI data collector, Sherman Junior High School IPI data collector, Sherman Junior High School Leadership Team member, Sherman Junior High School Faculty Senate president, and Sherman Junior High School Local School Improvement Council president.

EXTRA-CURRICULAR ACTIVITIES

- I served as Sherman Junior High School boys basketball coach, Sherman Junior High School eighth-grade trip chaperone and organizer, Sherman Junior High School Explore and Soar site coordinator, Scott High School YCI sponsor, Scott High School Yearbook sponsor, Madison Middle School Explore and Soar site coordinator, Scott High School Project GOAL teacher, Sherman Elementary School robotics coach, Sherman Elementary School basketball coach, and Sherman High School Project GOAL site coordinator and teacher.

AWARDS AND HONORS

- First Place, Sports Feature Writing (Division 1), 2008
- Third Place, Sports Feature Writing (Division 1), 2008
- Third Place, Sports Feature Writing (Division 1), West Virginia Press Association, 2007
- First Place, Sports News Writing (Division 4), West Virginia Press Association, 2007
- Second Place, Sports News Writing (Division 4), West Virginia Press Association, 2007
- First Place, Best News Feature (Division 4), West Virginia Press Association, 2007
- First Place, Best Photo Essay (Division 4), West Virginia Press Association, 2007
- Third Place, Best Photo Essay (Division 4), West Virginia Press Association, 2007
- First Place, Best News Photo (Division 4), West Virginia Press Association, 2007
- Third Place, Best News Photo (Division 4), West Virginia Press Association, 2007
- Third Place, Best Feature Photo (Division 4), West Virginia Press Association, 2007
- Fourth Place, Best Feature Photo (Division 4), West Virginia Press Association, 2007

- First Place, Best Single Issue (Division 4), West Virginia Press Association, 2007
- First Place, Sports Feature Writing (Division 1), West Virginia Press Association, 2006
- Second Place, Sports News Writing (Division 1), West Virginia Press Association, 2006
- Third Place, Sports Column Writing (Division 1), West Virginia Press Association, 2006
- Runner-up, Gannett Well Done, Sports/Outdoors, January/February/March 2005
- Runner-up, Gannett Well Done, Sports/Outdoors, October/November/December 2004
- Second Place, Sports Feature Writing (Division 1), West Virginia Press Association, 2005
- Third Place, Sports Feature Writing (Division 1), North Carolina Press Association, 2005
- First Place, Sports Writing, Region IV SPJ Mark of Excellence Awards, 1998 and 1999
- First Place, Sports Column Writing, Region IV SPJ Mark of Excellence Awards, 1998
- Second Place, Sports Column Writing, Region IV SPJ Mark of Excellence Awards, 1999
- Second Place, Feature Writing, Region IV SPJ Mark of Excellence Awards, 1998
- Third Place, In-Depth Reporting, Region IV SPJ Mark of Excellence Awards, 2000
- Marshall University Burl Osborne Award (Outstanding Graduating Senior), 2000
- Marshall University Ernie Salvatore Award (Outstanding Sports Writing), 1998 and 1999
- Marshall University Dean's List, 1995-2000

MEMBERSHIPS/AFFILIATIONS

- Independent Order of Odd Fellows, 2017-Present
- Madison Rotary Club, 2018-Present
- Hilltop Chapel Free Will Baptist Church, 2020-Present

PERSONAL INTERESTS

- Reading
- Writing
- Photography
- Sports
- Traveling
- Music