

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(b) (14 **Del.C.** §122(b))
14 **DE Admin. Code** 615

FINAL

Regulatory Implementing Order

615 School Attendance

I. Summary of the Evidence and Information Submitted

The Secretary of Education seeks the consent of the State Board of Education to amend 14 **DE Admin. Code** 615 School Attendance. The amended regulation clarifies how the School Attendance policy will be distributed and provided to the Department of Education as well as the Reporting Requirements and Timelines.

Notice of the proposed regulation was published in the *News Journal* and the *Delaware State News* on Tuesday, June 3, 2008, in the form hereto attached as Exhibit "A". The Department did not receive comments on this regulation.

II. Findings of Facts

The Secretary finds that it is appropriate to amend 14 **DE Admin. Code** 615 School Attendance to clarify how the School Attendance policy will be distributed and provided to the Department of Education as well as the Reporting Requirements and Timelines.

III. Decision to Amend the Regulation

For the foregoing reasons, the Secretary concludes that it is appropriate to amend 14 **DE Admin. Code** 615 School Attendance attached hereto as Exhibit "B" is hereby amended. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** 615 School Attendance hereby amended shall be in effect for a period of five years from the effective date of this order as set forth in Section V. below.

IV. Text and Citation

The text of 14 **DE Admin. Code** 615 School Attendance amended hereby shall be in the form attached hereto as Exhibit "B", and said regulation shall be cited as 14 **DE Admin. Code** 615 School Attendance in the *Administrative Code of Regulations* for the Department of Education.

V. Effective Date of Order

The actions hereinabove referred to were taken by the Secretary pursuant to 14 **Del.C.** §122 on July 17, 2008. The effective date of this Order shall be ten (10) days from the date this Order is published in the *Delaware Register of Regulations*.

IT IS SO ORDERED the 17th day of July 2008.

DEPARTMENT OF EDUCATION

Valerie A. Woodruff, Secretary of Education

Approved this 17th day of July 2008

STATE BOARD OF EDUCATION

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615 School Attendance

1.0 Required Attendance Policy

- 1.1 Each school district shall have an attendance policy that is in accordance with the requirements of the **Delaware Code** and which defines and describes the district's rules concerning attendance for students K to 12. ~~Each district shall distribute and explain these policies to every student at the beginning of each school year. In addition, each district shall distribute and explain these policies to each student enrolling or re-enrolling during the school year.~~

2.0 Distribution of Attendance Policy

- 2.1 Each district shall distribute and explain these policies to every student at the beginning of each school year.
- 2.2 Each district shall distribute and explain these policies to each student enrolling or re enrolling during the school year.
- 2.3 Each district shall post the attendance policy on its website and notify a parent, guardian or Relative Caregiver of each student in writing where this policy can be accessed. A hard copy shall be provided to a parent, guardian or Relative Caregiver upon request.

3.0 Reporting Requirements and Timelines

- 3.1 Each public school district shall have an electronic copy of its current attendance policy on file with the Department of Education.
- 3.2 Each public school district shall provide an electronic copy of any attendance policy within ninety (90) days of such revision(s) regardless of whether said revisions were made as a result of changes to Federal, state or local law, regulations, guidance or policies.

2 DE Reg. 685 (10/1/98)

7 DE Reg. 619 (11/1/03)

12 DE Reg. 221 (08/01/08)