

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

PROPOSED

Education Impact Analysis Pursuant To 14 Del.C. Section 122(d)

615 School Attendance

A. Type of Regulatory Action Required

Amendment to Existing Regulation

B. Synopsis of Subject Matter of the Regulation

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.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before July 3, 2008 to Susan Haberstroh, Education Associate, Regulation Review, Department of Education, at 401 Federal Street, Suite 2, Dover, Delaware 19901. A copy of this regulation is available from the above address or may be viewed at the Department of Education business office.

C. Impact Criteria

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The amended regulation addresses school attendance which does have an impact on student achievement.

2. Will the amended regulation help ensure that all students receive an equitable education? The amended regulation addresses attendance not equity issues.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amended regulation addresses attendance not specific health and safety issues.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation addresses notification issues concerning attendance policies which helps to ensure that the students' legal rights are respected.

5. Will the amended regulation preserve the necessary authority and flexibility of decision making at the local board and school level? The amended regulation will preserve the necessary authority and flexibility of decision making at the local board and school level.

6. Will the amended regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The amended regulation does require some additional notification of students concerning attendance policies.

7. Will the decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The decision making authority and accountability for addressing the subject to be regulated will remain in the same entity.

8. Will the amended regulation be consistent with and not an impediment to the implementation of other state educational policies, in particular to state educational policies addressing achievement in the core academic subjects of mathematics, science, language arts and social studies? The amended regulation will be consistent with and not an impediment to the implementation of other state educational policies, in particular to state educational policies addressing achievement in the core academic subjects of mathematics, science, language arts and social studies.

9. Is there a less burdensome method for addressing the purpose of the regulation? The regulation is necessary to assure all students have a clear understanding of school attendance policies.

10. What is the cost to the State and to the local school boards of compliance with the regulation? There may be some minimal cost to the school districts for additional copies of the documents used to disseminate information on student attendance policies.

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 DE Reg. 685 (10/1/98)

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

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.

11 DE Reg. 1558 (06/01/08) (Prop.)