

DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY
Statutory Authority: 14 Delaware Code, Chapter 27 (14 **Del.C.** Ch. 27)
14 **DE Admin. Code** 615

PROPOSED

PUBLIC NOTICE

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

Pursuant to 14 **Del.C.** Ch. 27, the Secretary of Education seeks the consent of the State Board of Education to amend 14 **DE Admin. Code** 615 School Attendance. This regulation concerns school attendance for students in grades K through 12. This regulation is being reviewed in compliance with 29 **Del.C.** §10407 which requires regulations to be reviewed on a recurring basis every four years. It is also being amended to include charter schools.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before December 4, 2019 to the Department of Education, Office of the Secretary, Attn: Regulation Review, 401 Federal Street, Suite 2, Dover, Delaware 19901 or email to DOERegulations.comment@doe.k12.de.us. A copy of this regulation may be viewed online at the Registrar of Regulation's website, http://regulations.delaware.gov/services/current_issue.shtml or obtained at the Department of Education's Office of the Secretary, located at the address above.

C. IMPACT CRITERIA

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The amended regulation intends to help improve student achievement as measured against state achievement standards by providing guidance on school attendance.

2. Will the amended regulation help ensure that all students receive an equitable education? The amended regulation will help ensure all students receive an equitable education.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amended regulation does not address students' health and safety.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation continues to help ensure that all 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 does not change the 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 not place any unnecessary reporting or administrative requirements on decision makers.

7. Will the decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The amended regulation does not change the decision making authority and accountability for addressing the subject.

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 is consistent with and not an impediment to the implementation of other state educational policies.

9. Is there a less burdensome method for addressing the purpose of the regulation? There is no less burdensome method for addressing the purpose of the regulation.

10. What is the cost to the State and to the local school boards of compliance with the regulation? There are no material costs to implementing this amended regulation.

615 School Attendance

1.0 Required Attendance Policy

- 4.4 Each school district and charter school shall have an attendance policy that ~~is in accordance with the requirements of the Delaware Code~~ complies with 14 Del.C. Ch. 27 and which defines and describes the district's or charter school's rules concerning attendance for students K to 12.

2 DE Reg. 685 (10/01/98)

7 DE Reg. 619 (11/01/03)

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

2.0 Distribution of Attendance Policy

- 2.1 Each district or charter school shall distribute and explain these policies to every student at the beginning of each school year.
- 2.2 Each district or charter school shall distribute and explain these policies to each student enrolling or re enrolling during the school year.
- 2.3 Each district or charter school shall post the attendance policy on its website and notify a parent, guardian or ~~Relative Caregiver~~ 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~~ relative caregiver upon request.

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

3.0 Reporting Requirements and Timelines

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

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

23 DE Reg. 347 (11/01/19) (Prop.)