



STATE OF HAWAII
DEPARTMENT OF EDUCATION
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OFFICE OF THE SUPERINTENDENT

May 3, 2016

TO: The Honorable Patricia Halagao
Chairperson, Committee on Student Achievement

FROM: Kathryn S. Matayoshi
Superintendent

SUBJECT: **Committee Action on the following Board of Education (“Board”) policies: 106.3, Admission and Attendance (4145) and Compulsory School Attendance (4140)**

1. RECOMMENDATION

The Department of Education (Department) is recommending a series of revisions to policy 106.3 (originally policies 4140 and 4145).

Original Policy Number	New Policy Number	Original Policy Title	Summary of Proposed Revision(s)
4140	106.3	Compulsory School Attendance	<ul style="list-style-type: none"> The Department proposes several revisions for consistency in formatting and one (1) revision to the proposed edits from the Permitted Interaction Group (PIG).
4145		Admission and Attendance	

2. RECOMMENDED EFFECTIVE DATE

The Department recommends that the committee approve and adopt the policy as described in section 1.0, with immediate effective and compliance dates.

3. RECOMMENDED COMPLIANCE DATE (if different from the effective date)

See section 2.0.

4. DISCUSSION (if different from the effective date)

a. Conditions leading to the recommendation

The Department used a cross-office strategy to review and, where applicable, provide proposed revisions to the policy listed above. The proposed revisions are intended to provide additional clarity, bring the policies up to date with current implementation status, and/or to incorporate feedback from principals and other stakeholders.

The original policies (policy numbers 4140 and 4145) direct the Department to establish procedures for student admission and attendance and to make every effort to ensure that students are attending school, pursuant to state law (section 302A-1132, Hawaii Revised Statutes).

The proposed revisions from the PIG combine the two attendance-related policies into a single comprehensive policy that addresses the establishment of attendance and admissions procedures and monitoring and enforcement of attendance records.

The Department proposes a revision to allow for the Department to enforce of student attendance in accordance with section 302A-1132, Hawaii Revised Statutes and removal of the PIG proposed language regarding expectations for filing non-attendance petitions following consultation with the Department of the Attorney General (AG).

The AG reported that family court will not accept non-attendance petitions until there is evidence that the school has tried multiple interventions. Also, petitions may be filed after a student is deemed chronically absent. The discussion with the AG also raised concerns that the non-attendance petitions are not an effective means for getting students back to school because they "lack teeth."

The Department also proposes to add a rationale section to align to formatting conventions.

b. Previous action of the Board on the same or similar matter

- November 19, 2014: Administratively referred to the Student Achievement Committee.
- April 7, 2015: Student Achievement Committee votes to defer action on the policy to allow for further revision. No discussion notes in the meeting minutes.

On April 7, 2015, the Board received one testimony providing comments on the proposed policy. The testimony suggested adding the following requirements to the proposed policy:

- Schools should be required to submit plans to the state office that outline the time frame for notifying parents once students are deemed absent. The plans should include the method of communication.
- Schools should be required to have a community communication plan. This plan would include the plan for parental notification and regularly updated data on attendance and the percentage of teachers turning in attendance data.

c. Other policies affected

No other policies are affected by this policy. However, the policy aligns to and supports requirements in section 302A-1132, Hawaii Revised Statutes.

d. Arguments in support of the recommendation

The proposed revisions streamline the number of Board policies, while maintaining support and requirements for ensuring and enforcing student attendance.

The proposed revisions also explicitly allow the Department to enforce student attendance, filling a need that the judicial system is not able to support.

e. Arguments against the recommendation

Opponents of the proposed revisions may be interested in language that requires more explicit statewide reporting and monitoring requirements at the school and state levels. This would place an additional administrative burden on schools. In addition, the Department anticipates that implementation of the new student information system will support and streamline attendance taking and monitoring processes at the school level.

Finally, the Department's school attendance procedures packet already requires that schools complete attendance communication plans that are inclusive of parents, students, teachers, and the community.

f. Other agencies or departments of the State of Hawaii involved in the action

The Department consulted the Department of the Attorney General to develop the proposed revisions.

- g. Possible reaction of the public, professional organizations, unions, DOE staff and/or others to the recommendation

See section 2.e.

- h. Educational implications

There are no educational impacts at this time, based on approval of the proposed revisions.

- j. Facilities implications

There are no facilities impacts at this time, based on approval of the proposed revisions.

- k. Financial implications

There are no new financial impacts at this time, based on approval of the proposed revisions.

5. OTHER SUPPLEMENTARY RECOMMENDATIONS

None

TOC:SS:kp

Attachments: Exhibit A: Policy 106.3 – Recommended changes (mark up)
Exhibit B: Policy 106.3 – “Clean” version of recommended changes
Exhibit C: Original text from policies 4140 and 4145

- c: Office of Strategy, Innovation, and Performance
Office of Curriculum, Instruction, and Student Support

[4140/4145]

POLICY 106.3

ADMISSION AND ATTENDANCE
[POLICY]
[~~COMPULSORY SCHOOL ATTENDANCE~~
POLICY]

The Department [~~of Education~~] shall establish procedures for the admission and attendance of students in the public schools of Hawaii in accordance with laws, rules, policies, and administrative regulations.

The Department [~~of Education~~] shall make every effort to ensure *and enforce* student school attendance in accordance with the compulsory attendance law, *Section 302A-1132, Hawaii Revised Statutes*. [~~Schools are expected to file non-attendance petitions prior to absences being deemed chronic.~~]

Accurate attendance records of all enrolled students shall be kept by the school **and monitored regularly.**

Rationale: Attendance is critical to students' opportunity to learn. Research demonstrates that regular school attendance is critical for students' success.

Key

Bold and Blue: edits made by the permitted interaction group.

Italics and black: edits proposed by the Department.

Underlines: additional proposed text, beyond what was in the original policy.

~~Strikethrough:~~ proposed deletions, limited to the text that is struck-through and bracketed.

Exhibit B

**POLICY 106.3
ADMISSION AND ATTENDANCE**

The Department shall establish procedures for the admission and attendance of students in the public schools of Hawaii in accordance with laws, rules, policies, and administrative regulations.

The Department shall make every effort to ensure and enforce student school attendance in accordance with the compulsory attendance law, Section 302A-1132, Hawaii Revised Statutes.

Accurate attendance records of all enrolled students shall be kept by the school and regularly monitored.

Rationale: Attendance is critical to student success. Research demonstrates that regular school attendance is critical for students' success.

4140

**COMPULSORY SCHOOL ATTENDANCE
POLICY**

The Department of Education shall make every effort to ensure student school attendance in accordance with the compulsory attendance law.

Adopted: 10/70; Reviewed: 3/88; Amended: 11/99

4145

**ADMISSION AND ATTENDANCE
POLICY**

The Department of Education shall establish procedures for the admission and attendance of students in the public schools of Hawaii in accordance with laws, rules, policies, and administrative regulations.

Accurate attendance records of all enrolled students shall be kept by the school.

Adopted: 10/70; Amended: 3/88