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Student Attendance P 7-15

Lynchburg City Schools believes that school attendance is directly related to academic achievement and to the development of good habits that are important in the work world. Optimum student attendance is a cooperative effort, and Lynchburg City Schools expects parents and students to take active roles in accepting that responsibility.

Each principal shall ensure that teachers are accountable for checking and documenting attendance daily/by period; communicating and documenting contact with a student's parents, school counselor, and administrator if poor attendance is affecting the student's performance; and accurately verifying regular attendance reports. Reasonable efforts to notify a parent or guardian should be made when a student has an unexcused absence.

Compulsory school attendance is required by the Code of Virginia § 22.1-254. The Code states that every parent or guardian having control or charge of any student five to 18 years old shall be responsible for such student's regular punctual attendance at school. School attendance is the responsibility of the students and their parent(s) or guardian. At the elementary level, attendance shall be documented daily, and in the secondary schools attendance shall be documented each class period.

A. Absences

1. Excused absences will only be granted for the following reasons:
 - a. Personal illness
 - b. Personal required court appearance with documentation from the court
 - c. Death or serious illness in immediate family as defined by Administrative Regulation 5-38. Principal will also consider each individual case and any extenuating circumstances
 - d. Medical condition or appointment verified by a note from a medical professional or dentist
 - e. Religious holiday
 - f. Conditions beyond the control of the student, parent/guardian, or the school as approved by the school administration
2. College visits on regularly scheduled school days should be limited to two school days per school year. These approved visits are limited to high school juniors and seniors.
3. While absences are excused, they will still count against the number of days out as noted in sections C. 1. and D. 1.
4. Unexcused absences are those that result from the following:

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- a. Any absence that does not meet the conditions of an excused absence.
 - b. Absences will be unexcused if notes signed by the parent or guardian are not received by the school within two school days of the student's return to school even if the parent or guardian has called. E-mail will not be accepted for a note.
 - c. Any absence that is the result of a suspension from school is unexcused. Individual disciplinary suspensions exceeding three days will only count as three days with reference to this policy. A five-day suspension, therefore, would count as only three days of unexcused absence. (This is pertinent to sections C.1. and D.1.)
5. An approved school-sponsored event will not be counted as an absence.
 6. Students who do not complete one-half of their school day will be counted as absent. Whether such absence will be deemed excused or unexcused shall be determined by the criteria set forth in sections A. 1. and A. 2.
 7. Pre-planned Absences
 - a. The parent/guardian must request approval in writing for pre-planned absence by filing a request in advance with the principal/designee. Principals may grant approval for pre-planned absences up to five days per student during the school year. These absences would be excused only if they meet the definition of any excused absence in Section A. Students are expected to make up missed work. Such requests will be signed and filed by the principal/designee. Planned absences of this nature are highly discouraged as they could adversely affect student performance. While absences may be approved, they will still count against the number of days out as noted in sections C. 1. and D. 1.
 - b. If approval for more than five days is sought, a petition must be filed with the superintendent or his designee. If approved, these absences would be excused. Students are expected to make up missed work. Planned absences of this nature are highly discouraged as they could adversely affect student performance. While absences are excused, they will still count against the number of days out as noted in sections C. 1. and D. 1.
 8. Procedures for documenting a student's absence by a parent or guardian
 - a. Upon a student's return to school, the student shall bring a note signed by the parent/guardian to explain the reasons for the

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absence and the dates of the absence. The school should receive the note on the day of the student's return to school. E-mail will not be accepted for a note.

- b. Absences will be unexcused if notes are not received by the school within two school days of the student's return to school even if the parent has called.

9. Make-up Work

- a. It is the responsibility of the middle school or high school student to see the teacher on the day he or she returns to school to receive assignments and schedule make-up work at the teacher's convenience. Elementary school teachers will provide assignments upon the student's return to school.
- b. All work must be completed within three school days from return to school or as agreed upon with the teacher/principal.
- c. If a student has been absent three or more consecutive days excused, a parent may request assignments. The assignments should be available at the end of the school day following that request depending upon teacher availability.
- d. Students have the opportunity and are encouraged to complete make-up work regardless of the reason for the absence.

B. Tardiness or Early Dismissal

- 1. In all cases of tardiness to school or early dismissals, students must present that day a written note from a parent/guardian to the school stating the reason for the tardiness or early dismissal. Excused tardies/early dismissals are granted only for the following reasons:
 - a. Personal illness (written excuses should contain a description of the illness)
 - b. Personal required court appearance with documentation from the court
 - c. Death or serious illness in immediate family as defined by Administrative Regulation 5-38. Principal will also consider each individual case and any extenuating circumstances
 - d. Medical condition or appointment verified by a medical professional or dentist
 - e. Religious holiday
 - f. Conditions beyond the control of the student, parent/guardian, or the school as approved by the school administration

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2. When tardy, the student must go to the school office to obtain a pass to class.
3. Students who accumulate a combination of five unexcused tardies or early dismissals per semester will receive an overnight suspension/mandatory parent conference. In addition, students could face further disciplinary action or other sanctions after each subsequent tardy or early dismissal.
4. Students who arrive late or leave early are missing instructional time. When possible, appointments need to be scheduled so that they do not conflict with school hours. Students who do not complete one-half of their school day will be counted as absent. Whether such absence will be deemed excused or unexcused shall be determined by the criteria set forth in sections A 1. and A 2.

C. Truancy – Elementary Schools and Middle Schools – All Absences

1. If a student is absent five days (unexcused) during the year or 12 days (excused or unexcused) for the year, the parents will be sent a letter which will indicate an attendance problem. If possible, the principal/designee shall make a reasonable effort to ensure that direct contact is made with the parent, either in person or through telephone conversation, to obtain an explanation for the pupil's absence and to explain to the parent the consequences of continued nonattendance.
2. If a student is absent six days (unexcused) for the year or 15 days (excused or unexcused) for the year, the school may notify the parent/guardian and the student that they need to attend a truancy review conference. An overnight suspension may be used to ensure the appearance of the parents but only after other efforts to set up the conference have failed.
 - a. If these attempts to improve attendance, including truancy conference participation, are not successful, a referral could be made to the Department of Student Services.
 - b. The Department of Student Services will review the truancy referrals, contact parents and make the appropriate referrals to the Juvenile and Domestic Relations Court. A letter from the city attorney's office will be sent to the parent.
 - c. The Interagency Truancy Review Team will meet with the parent and student to develop recommendations prior to the case being heard by the Juvenile and Domestic Relations Court. These recommendations are forwarded to the court for consideration.

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- d. A doctor's note may be required for students who have excessive absences.
3. Students who are absent 16 days for the year (excused or unexcused) may be referred to Juvenile and Domestic Relations Court, court services unit, and/or Lynchburg Department of Social Services.
 4. The 16-day limitation for the year will refer to all types of absences. There may be extenuating circumstances which could create an extension to the 15-day limit, i.e., extended illness with verification from a doctor, death in the family, etc.; however, all extensions must be approved by the principal. Where extensions are granted, the principal will impose a probationary contract which will strictly limit further absences for the semester.
 5. A referral will be made to the Department of Student Services if a student has seven unexcused absences. The Department of Student Services will follow the procedures listed in C. 2. b. and C. 2. c. above.
 6. Students absent 15 consecutive days from school are dropped from the school's attendance roll. The principal or designee shall make a reasonable effort to notify the parent/guardian by telephone and in writing that the student has been dropped from the roll. (VAC10-110-13) The school shall notify the Department of Student Services when a student is withdrawn because of 15 consecutive days of unexcused absences.

D. Truancy - High Schools – All Absences

Regular prompt attendance is required for students to make academic progress. Students must have academic credit to graduate. (Refer to School Board Policy 7-28 regarding requirements for graduation.)

Regulations governing the high school attendance policy are as follows:

1. If a student is absent seven days (excused or unexcused) during the semester, the parents will be sent a letter which will indicate an attendance problem. If possible, the principal/designee shall make a reasonable effort to ensure that direct contact is made with the parent, either in person or through telephone conversation, to obtain an explanation for the pupil's absence and to explain to the parent the consequences of continued nonattendance.
2. If a student is absent 10 days (excused or unexcused) for the semester, the school may notify the parent/guardian and the student that they need to attend a truancy review conference. An overnight suspension may be

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used to ensure the appearance of the parents but only after other efforts to set up the conference have failed. The principal/designee, the pupil, and the pupil's parent/guardian shall jointly develop a plan to resolve the pupil's nonattendance. Such plan shall include documentation of the reasons for the pupil's nonattendance.

- a. If these attempts to improve attendance are not successful, a referral could be made to the Department of Student Services.
 - b. The Department of Student Services will review the truancy referrals, contact parents, and make the appropriate referrals to the Juvenile and Domestic Relations Court. A letter from the city attorney's office will be sent to the parent.
 - c. The Interagency Truancy Review Team will meet with the parent and student to develop recommendations prior to the case being heard by the Juvenile Court.
 - d. A doctor's note may be required for students who have excessive absences.
3. Students who are absent 13 days (excused or unexcused) in a semester may not receive academic credit for the entire semester. On the 13th absence in a semester, a student may be assigned to an alternative placement or learning lab in the school.
 4. The 13-day limitation will refer to all types of absences. There may be extenuating circumstances which could create an extension to the 13-day limit, i.e., extended illness with verification from a doctor, death in the family, etc.; however, all extensions must be approved by the principal. Where extensions are granted, the principal will impose a probationary contract which will strictly limit further absences for the semester or year. An extension of two days is possible. Detention or Saturday school could be assigned to make up for missed time.
 5. A letter will be sent to parents of a student with five unexcused absences and a conference with parents will be held after six unexcused absences. A referral will be made to the Department of Student Services if a student has seven unexcused absences. The Department of Student Services will follow procedures listed in D. 2. b. and D. 2. c.
 6. Repeated or excessive class cutting or tardiness may result in a suspension which would be counted against the 13-day standard.
 7. Since first period class is an optional high school class, a student who has 13 absences for first period will be dropped from that class and will receive no academic credit. There may be extenuating circumstances which

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could create an extension to the 13-day limit; i.e., extended illness with verification from a doctor, death in the family, etc.; however, all extensions must be approved by the principal. Where extensions are granted, the principal will impose a probationary contract which will strictly limit further absences for the semester or year. An extension of two days is possible. Detention or Saturday school could be assigned to make up for missed time. Where possible with a first period drop, schedule changes will be made to avoid a student being dropped from a core subject class. A warning letter will be sent by the principal/designee after seven absences per semester.

8. Students absent 15 consecutive days from school are dropped from the school's attendance roll. The principal or designee shall make a reasonable effort to notify the parent/guardian by telephone and in writing that the student has been dropped from the roll. (8VAC10-110-13). The school shall notify the Department of Student Services when a student is withdrawn because of 15 consecutive days of unexcused absences.

E. Policy Distribution

All schools will distribute a copy of the attendance policy to each student within the first few days of school and/or through newsletters to parents. The policy will be discussed in classrooms with students.

F. Appeals

Appeals concerning the application of this policy will be directed to the school principal/designee. Further appeals may be initiated through the Department of Student Services.

Legal Reference:

Code of Va., § [22.1-253.13:7](#). Standard 7. School board policies.

"A. Each local school board shall maintain and follow up-to-date policies. All school board policies shall be reviewed at least every five years and revised as needed.

B. Each local school board shall ensure that policies are developed giving consideration to the views of teachers, parents, and other concerned citizens and addressing the following:

1. A system of two-way communication between employees and the local school board and its administrative staff whereby matters of concern can be discussed in an orderly and constructive manner;
2. The selection and evaluation of all instructional materials purchased by the school division, with clear procedures for handling challenged controversial materials;

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3. The standards of student conduct and attendance and enforcement procedures designed to provide that public education be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights;
4. School-community communications and community involvement;
5. Guidelines to encourage parents to provide instructional assistance to their children in the home, which may include voluntary training for the parents of children in grades K through three;
6. Information about procedures for addressing concerns with the school division and recourse available to parents pursuant to § [22.1-87](#);
7. A cooperatively developed procedure for personnel evaluation appropriate to tasks performed by those being evaluated; and
8. Grievances, dismissals, etc., of teachers, and the implementation procedure prescribed by the General Assembly and the Board of Education, as provided in Article 3 (§ [22.1-306](#) et seq.) of Chapter 15 of this title, and the maintenance of copies of such procedures.

A current copy of the school division policies, including the Student Conduct Policy, shall be posted on the division's website and shall be available to employees and to the public. School boards shall ensure that printed copies of such policies are available as needed to citizens who do not have online access.

C. An annual announcement shall be made in each division at the beginning of the school year and, for parents of students enrolling later in the academic year, at the time of enrollment, advising the public that the policies are available in such places. “

(1988, cc. 645, 682, 754; 1990, c. 291; 1992, c. 591; 2004, cc. 939, 955; 2007, c. 234.)

Code of Va. § [22.1-254](#). Compulsory attendance required; excuses and waivers; alternative education program attendance; exemptions from article. “ A. Except as otherwise provided in this article, every parent, guardian, or other person in the Commonwealth having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday shall, during the period of each year the public schools are in session and for the same number of days and hours per day as the public schools, send such child to a public school or to a private, denominational, or parochial school or have such child taught by a tutor or teacher of qualifications prescribed by the Board of Education and approved by the division superintendent, or provide for home instruction of such child as described in § [22.1-254.1](#).

As prescribed in the regulations of the Board of Education, the requirements of this section may also be satisfied by sending a child to an alternative program of study or work/study offered by a public, private, denominational, or parochial school or by a public or private degree-granting institution of higher education. Further, in the case of any five-year-old child who is subject to the provisions of this subsection, the requirements of this section may be alternatively satisfied by sending the child to any public educational pre-kindergarten program, including a Head Start program, or in a private, denominational, or parochial educational pre-kindergarten program.

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Instruction in the home of a child or children by the parent, guardian, or other person having control or charge of such child or children shall not be classified or defined as a private, denominational or parochial school.

The requirements of this section shall apply to (i) any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his eighteenth birthday and (ii) any child whom the division superintendent has required to take a special program of prevention, intervention, or remediation as provided in subsection C of § [22.1-253.13:1](#) and in § [22.1-254.01](#). The requirements of this section shall not apply to (a) any person 16 through 18 years of age who is housed in an adult correctional facility when such person is actively pursuing a general educational development (GED) certificate but is not enrolled in an individual student alternative education plan pursuant to subsection D, and (b) any child who has obtained a high school diploma or its equivalent, a certificate of completion, or a GED certificate, or who has otherwise complied with compulsory school attendance requirements as set forth in this article.

B. A school board shall excuse from attendance at school:

1. Any pupil who, together with his parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school. For purposes of this subdivision, "bona fide religious training or belief" does not include essentially political, sociological or philosophical views or a merely personal moral code; and

2. On the recommendation of the juvenile and domestic relations district court of the county or city in which the pupil resides and for such period of time as the court deems appropriate, any pupil who, together with his parents, is opposed to attendance at a school by reason of concern for such pupil's health, as verified by competent medical evidence, or by reason of such pupil's reasonable apprehension for personal safety when such concern or apprehension in that pupil's specific case is determined by the court, upon consideration of the recommendation of the principal and division superintendent, to be justified.

C. A school board may excuse from attendance at school:

1. On recommendation of the principal and the division superintendent and with the written consent of the parent or guardian, any pupil who the school board determines, in accordance with regulations of the Board of Education, cannot benefit from education at such school; or

2. On recommendation of the juvenile and domestic relations district court of the county or city in which the pupil resides, any pupil who, in the judgment of such court, cannot benefit from education at such school.

D. Local school boards may allow the requirements of subsection A of this section to be met under the following conditions:

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For a student who is at least 16 years of age, there shall be a meeting of the student, the student's parents, and the principal or his designee of the school in which the student is enrolled in which an individual student alternative education plan shall be developed in conformity with guidelines prescribed by the Board, which plan must include:

- a. Career guidance counseling;
- b. Mandatory enrollment and attendance in a general educational development preparatory program or other alternative education program approved by the local school board with attendance requirements that provide for reporting of student attendance by the chief administrator of such GED preparatory program or approved alternative education program to such principal or his designee;
- c. Counseling on the economic impact of failing to complete high school; and
- d. Procedures for reenrollment to comply with the requirements of subsection A of this section.

A student for whom an individual student alternative education plan has been granted pursuant to this subsection and who fails to comply with the conditions of such plan shall be in violation of the compulsory school attendance law, and the division superintendent or attendance officer of the school division in which such student was last enrolled shall seek immediate compliance with the compulsory school attendance law as set forth in this article.

Students enrolled with an individual student alternative education plan shall be counted in the average daily membership of the school division.

E. A school board may, in accordance with the procedures set forth in Article 3 (§ [22.1-276.01](#) et seq.) of Chapter 14 of this title and upon a finding that a school-age child has been (i) charged with an offense relating to the Commonwealth's laws, or with a violation of school board policies, on weapons, alcohol or drugs, or intentional injury to another person; (ii) found guilty or not innocent of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent of the school division pursuant to subsection G of § [16.1-260](#); (iii) suspended pursuant to § [22.1-277.05](#); or (iv) expelled from school attendance pursuant to § [22.1-277.06](#) or § [22.1-277.07](#) or subsection B of § [22.1-277](#), require the child to attend an alternative education program as provided in § [22.1-209.1:2](#) or § [22.1-277.2:1](#).

F. Whenever a court orders any pupil into an alternative education program, including a program of general educational development, offered in the public schools, the local school board of the school division in which the program is offered shall determine the appropriate alternative education placement of the pupil, regardless of whether the pupil attends the public schools it supervises or resides within its school division.

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The juvenile and domestic relations district court of the county or city in which a pupil resides or in which charges are pending against a pupil, or any court in which charges are pending against a pupil, may require the pupil who has been charged with (i) a crime that resulted in or could have resulted in injury to others, (ii) a violation of Article 1 (§ [18.2-77](#) et seq.) of Chapter 5 of Title 18.2, or (iii) any offense related to possession or distribution of any Schedule I, II, or III controlled substances to attend an alternative education program, including, but not limited to, night school, adult education, or any other education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

This subsection shall not be construed to limit the authority of school boards to expel, suspend, or exclude students, as provided in §§ [22.1-277.04](#), [22.1-277.05](#), [22.1-277.06](#), [22.1-277.07](#), and [22.1-277.2](#). As used in this subsection, the term "charged" means that a petition or warrant has been filed or is pending against a pupil.

G. Within one calendar month of the opening of school, each school board shall send to the parents or guardian of each student enrolled in the division a copy of the compulsory school attendance law and the enforcement procedures and policies established by the school board.

H. The provisions of this article shall not apply to:

1. Children suffering from contagious or infectious diseases while suffering from such diseases;
2. Children whose immunizations against communicable diseases have not been completed as provided in § [22.1-271.2](#);
3. Children under 10 years of age who live more than two miles from a public school unless public transportation is provided within one mile of the place where such children live;
4. Children between the ages of 10 and 17, inclusive, who live more than 2.5 miles from a public school unless public transportation is provided within 1.5 miles of the place where such children live; and
5. Children excused pursuant to subsections B and C of this section.

Further, any child who will not have reached his sixth birthday on or before September 30 of each school year whose parent or guardian notifies the appropriate school board that he does not wish the child to attend school until the following year because the child, in the opinion of the parent or guardian, is not mentally, physically, or emotionally prepared to attend school, may delay the child's attendance for one year.

The distances specified in subdivisions 3 and 4 of this subsection shall be measured or determined from the child's residence to the entrance to the school grounds or to the school bus stop nearest the entrance to the residence of such children by the nearest

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practical routes which are usable for walking or riding. Disease shall be established by the certificate of a reputable practicing physician in accordance with regulations adopted by the Board of Education.

(Code 1950, § 22-275.1; 1952, c. 279; 1959, Ex. Sess., c. 72; 1968, c. 178; 1974, c. 199; 1976, cc. 681, 713; 1978, c. 518; 1980, c. 559; 1984, c. 436; 1989, c. 515; 1990, c. 797; 1991, c. 295; 1993, c. 903; 1996, cc. 163, 916, 964; 1997, c. 828; 1999, cc. 488, 552; 2000, c. 184; 2001, cc. 688, 820; 2003, c. 119; 2004, c. 251; 2006, c. 335.)

Code of Va., § 22.1-258. Appointment of attendance officers; notification when pupil fails to report to school.— “Every school board shall have power to appoint one or more attendance officers, who shall be charged with the enforcement of the provisions of this article. Where no attendance officer is appointed by the school board, the division superintendent shall act as attendance officer.

Whenever any pupil fails to report to school on a regularly scheduled school day and no indication has been received by school personnel that the pupil's parent is aware of and supports the pupil's absence, a reasonable effort to notify by telephone the parent to obtain an explanation for the pupil's absence shall be made by the attendance officer, other school personnel, or volunteers organized by the school administration for this purpose. Any such volunteers shall not be liable for any civil damages for any acts or omissions resulting from making such reasonable efforts to notify parents and obtain such explanation when such acts or omissions are taken in good faith, unless such acts or omissions were the result of gross negligence or willful misconduct. This subsection shall not be construed to limit, withdraw, or overturn any defense or immunity already existing in statutory or common law or to affect any claim occurring prior to the effective date of this law. School divisions are encouraged to use noninstructional personnel for this notice.

Whenever any pupil fails to report to school for a total of five scheduled school days for the school year and no indication has been received by school personnel that the pupil's parent is aware of and supports the pupil's absence, and a reasonable effort to notify the parent has failed, the school principal or his designee shall make a reasonable effort to ensure that direct contact is made with the parent, either in person or through telephone conversation, by the attendance officer to obtain an explanation for the pupil's absence and to explain to the parent the consequences of continued nonattendance. The attendance officer, the pupil, and the pupil's parent shall jointly develop a plan to resolve the pupil's nonattendance. Such plan shall include documentation of the reasons for the pupil's nonattendance.

If the pupil is absent an additional day after direct contact with the pupil's parent and the attendance officer has received no indication that the pupil's parent is aware of and supports the pupil's absence, the attendance officer shall schedule a conference within ten school days with the pupil, his parent, and school personnel, which conference may include other community service providers, to resolve issues related to the pupil's nonattendance. The conference shall be held no later than fifteen school days after the sixth absence. Upon the next absence by such pupil without indication to the attendance officer that the pupil's parent is aware of and supports the pupil's absence,

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the school principal or his designee shall notify the attendance officer or the division superintendent, as the case may be, who shall enforce the provisions of this article by either or both of the following: (i) filing a complaint with the juvenile and domestic relations court alleging the pupil is a child in need of supervision as defined in § [16.1-228](#) or (ii) instituting proceedings against the parent pursuant to § [18.2-371](#) or § [22.1-262](#). In filing a complaint against the student, the attendance officer shall provide written documentation of the efforts to comply with the provisions of this section. In the event that both parents have been awarded joint physical custody pursuant to § [20-124.2](#) and the school has received notice of such order, both parents shall be notified at the last known addresses of the parents.

Nothing in this section shall be construed to limit in any way the authority of any attendance officer or division superintendent to seek immediate compliance with the compulsory school attendance law as set forth in this article.

Attendance officers, other school personnel or volunteers organized by the school administration for this purpose shall be immune from any civil or criminal liability in connection with the notice to parents of a pupil's absence or failure to give such notice as required by this section.”

(Code 1950, § 22-275.16; 1959, Ex. Sess., c. 72; 1980, c. 559; 1985, c. 482; 1990, c. 797; 1991, c. 295; 1996, cc. 891, 916, 964; 1998, c. 620; 1999, c. 526.)

Code of Va., § 22.1-260. Reports of children enrolled and not enrolled; nonattendance; social security numbers required. “A. Within 10 days after the opening of the school, each public school principal shall report to the division superintendent:

1. The name, age and grade of each student enrolled in the school, and the name and address of the student's parent or guardian; and
2. To the best of the principal's information, the name of each child subject to the provisions of this article who is not enrolled in school, with the name and address of the child's parent or guardian.

B. At the end of each school year, each public school principal shall report to the division superintendent the number of students by grade level for whom a conference was scheduled as required by § [22.1-258](#). The division superintendent shall compile such grade level information for the division and provide such information to the Superintendent of Public Instruction annually.

C. For the purposes of this section, each student shall present a federal social security number within 90 days of his enrollment. The Board of Education shall, after consulting with the Social Security Administration, promulgate guidelines for determining which students are eligible to obtain social security numbers. In any case in which a student is ineligible, pursuant to these guidelines, to obtain a social security number or the parent is unwilling to present such number, the superintendent or his designee may assign another identifying number to the student or waive this requirement.”

(Code 1950, §§ 22-275.8, 22-275.9; 1959, Ex. Sess., c. 72; 1980, c. 559; 1987, c. 374; 1988, c. 163; 1999, c. 526; 2003, c. 637.)

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Code of Va. § 22.1-261 Attendance officer to make list of children not enrolled; duties of attendance officer. “The attendance officer or the division superintendent shall check the reports submitted pursuant to subsection A of § [22.1-260](#) with the last school census and with reports from the State Registrar of Vital Records and Health Statistics. From these reports and from any other reliable source the attendance officer or the division superintendent shall, within five days after receiving all reports submitted pursuant to subsection A of § [22.1-260](#), make a list of the names of children who are not enrolled in any school and who are not exempt from school attendance. It shall be the duty of the attendance officer, on behalf of the local school board, to investigate all cases of nonenrollment and, when no valid reason is found therefor, to notify the parent, guardian or other person having control of the child to require the attendance of such child at the school within three days from the date of such notice.”
(Code 1950, § 22-275.10; 1959, Ex. Sess., c. 72; 1980, c. 559; 1996, cc. 891, 964; 1999, c. 526.)

Code of Va § 22.1-262 Complaint to court when parent fails to comply with law
“A list of persons notified pursuant to § [22.1-261](#) shall be sent by the attendance officer to the appropriate school principal. If the parent (i) fails to comply with the provisions of § [22.1-261](#) within the time specified in the notice; or (ii) fails to comply with the provisions of § [22.1-254](#); or (iii) refuses to participate in the development of the plan to resolve the student’s nonattendance or in the conference provided for in § [22.1-258](#), it shall be the duty of the attendance officer, with the knowledge and approval of the division superintendent, to make complaint against the pupil’s parent in the name of the Commonwealth before the juvenile and domestic relations district court. If proceedings are instituted against the parent for failure to comply with the provisions of § [22.1-258](#), the attendance officer is to provide documentation to the court regarding the school division’s compliance with § [22.1-258](#). In addition thereto, such child may be proceeded against as a child in need of services or a child in need of supervision as provided in Chapter 11 (§ [16.1-226](#) et seq.) of Title 16.1.”
(Code 1950, § 22-275.11; 1959, Ex. Sess., c. 72; 1976, c. 98; 1980, c. 559; 1990, c. 797; 1991, c. 295; 1996, cc. 891, 964; 1999, c. 526.)

Code of Va. § 22.1-263 Violation constitutes misdemeanor “Any person violating the provisions of either § [22.1-254](#), except for clause (ii) of subsection A, §§ [22.1-255](#), [22.1-258](#), [22.1-267](#), or the parental responsibility provisions relating to compulsory school attendance included in § [22.1-279.3](#), shall be guilty of a Class 3 misdemeanor. Upon a finding that a person knowingly and willfully violated any provision of § [22.1-254](#), except for clause (ii) of subsection A, or any provision of §§ [22.1-255](#), [22.1-258](#), or § [22.1-267](#) and that such person has been convicted previously of a violation of any provision of § [22.1-254](#), except for clause (ii) of subsection A, or any provision of §§ [22.1-255](#), [22.1-258](#) or § [22.1-267](#), such person shall be guilty of a Class 2 misdemeanor. “

(Code 1950, § 22-275.5; 1959, Ex. Sess., c. 72; 1976, c. 283; 1980, c. 559; 1990, c. 797; 1991, c. 295; 1996, cc. 891, 964; 1999, cc. 488, 526, 552; 2004, c. 573.)

STUDENTS

Student Attendance (continued)

Approved by School Board: July 15, 1980
Revised by School Board: June 1, 1993
Revised by School Board: July 1, 1997
Revised by School Board: August 10, 1999
Revised by School Board: August 7, 2007
Revised by School Board: July 8, 2008