

Code of Virginia 22.1-254

Every parent, guardian, or other person in the Commonwealth having control or charge of any child who will have reached the 5th birthday on or before September 30 of a school year and who has not passed the 18th 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.

Code of Virginia 22.1-258

Whenever any pupil fails to report to school for a total of 5 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 absences and a reasonable effort to notify the parent has failed, the school principal or his/her 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 10 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, the school principal or his/her designee shall notify the attendance officer who shall enforce the provisions of the Code of Virginia, either one or both of the following:

*Filing a complaint with the Juvenile and Domestic Relations Court alleging the pupil is a Child in Need of Supervision (CHINS) as defined in the Code of Virginia 16.1-228 OR

*Instituting proceedings against the parents pursuant to the Code of Virginia 18.2-371 or 22.1-262.