

ATTENDANCE AND ABSENCE NOTIFICATION TO SCHOOLS

(from the 2023-2024 BCPS Code of Student Conduct)

Notification for Absences: When a student is absent from school for an entire day or for one or more class periods, a parent or guardian must notify the school in a written, faxed, or emailed note **within three (3) days of the student returning to school. The written notification must contain the following:**

- the date the note is written;
- the student's full name;
- the reason(s) for the absence(s);
- the date(s) of the absence(s); and
- the parent's or guardian's signature (acceptable by email if address can be verified by school)

In some cases, schools may accept phone calls the day of the absence to document the missed day.

Medical documentation is required to verify doctor's appointments and may be required to verify illnesses. The principal will be the judge of the validity of any excuses. A principal may require medical documentation if a student has displayed a pattern of excessive absences.

Excused Absences: Students shall not be tardy to school or absent without an acceptable excuse. Absences due to the following conditions will be considered excused if documented **within three (3) days of the student returning to school.**

1. Student illness or doctor appointment.
2. Death in the immediate family.
3. Subpoenaed court appearance.
4. Medical condition (as documented by the parent and/or physician).
5. Religious holiday (if such holiday is verified and the school is notified in advance).
6. Other good and just cause as approved by the principal.

Medical documentation is required to verify doctor's appointments and may be required to verify illnesses. The principal will be the judge of the validity of any excuse. **A principal may require medical documentation if a student has displayed a pattern of excessive absences.**

Excessive Excused Absences: The attendance record of students with more than 10 excused absences, without accompanying medical notes from a doctor, will be reviewed by the principal; The school administrator may initiate a school level truancy plan for excessive absences.

Dismissal Precautions: A formal check-out system shall be maintained in each school. School principals/designees shall not release a student during the school day to any person not authorized by the student's parent/guardian to assume responsibility for the pupil. Students shall be released only on request and authorization of the parent or guardian. The burden of proof regarding the authority of the person to receive the student is on the requesting party. Written documentation for absences due to the early dismissal of a student is also required.

**COMPULSORY SCHOOL ATTENDANCE LAW
REQUIRED NOTICES**

Excerpted from the *Code of Virginia*, as amended

Upon Fifth Absence Without Parental Awareness and Support: 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/designee shall make a reasonable effort to ensure that direct contact is made with the parent in person, through telephone conversation, or through the use of other communications devices to obtain an explanation for the pupil's absence and to explain to the parent the consequences of continued nonattendance. The principal/designee, 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 (§ 22.1-258, *Code of Virginia*).

After Fifth Absence Without Parental Awareness and Support: If the pupil is absent for more than one additional day after direct contact with the pupil's parent, and school personnel have received no indication that the pupil's parent is aware of and supports the pupil's absence, the school principal or his designee shall schedule a conference with the pupil, his parent, and school personnel. The conference shall be held no later than 10 school days after the **tenth absence** of the pupil, regardless of whether the parent approves of the conference. The conference team shall monitor the pupil's attendance and may meet again as necessary to address concerns and plan additional interventions if attendance does not improve.

If the student continues to accumulate absences after the school-based plan has been developed, the family may be recommended to participate in a truancy team meeting with the administrator and court services. If the parent is intentionally noncompliant with compulsory attendance requirements or the pupil is resisting parental efforts to comply with compulsory attendance requirements, the principal or his designee shall schedule a conference with the pupil and his parent within 10 school days and may (i) file a complaint with the juvenile and domestic relations district court alleging the pupil is a child in need of services as defined in [§ 16.1-228](#) or (ii) institute 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. ([§ 22.1-258](#), *Code of Virginia*).

Parental Cooperation in Resolving Excessive Unexcused Absences: 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 ([§ 22.1-258](#), *Code of Virginia*). 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 [§ 22.1-258](#), *Code of Virginia*.

Nonattendance and Denial of Driving License by Court Action: According to [§ 46.2-323\(E\)](#) of the *Code of Virginia* and [BCPS Policy JED](#), if a student who is under 18 years of age has 10 or more

unexcused absences from school on consecutive school days, the principal may notify the juvenile and domestic relations court, which may take action to suspend the student's driver's license.

Possible Court Action Regarding Truancy and Driver's License: If a court finds that a child at least 13 years of age has failed to comply with school attendance and meeting requirements as provided in [§ 22.1-258](#), the court shall order the denial of the child's driving privileges for a period of not less than 30 days. If such failure to comply involves a child under the age of 16 years and three months, the child's ability to apply for a driver's license shall be delayed for a period of not less than 30 days following the date he reaches the age of 16 and three months.

If the court finds a second or subsequent such offense, it may order the denial of a driver's license for a period of one year or until the juvenile reaches the age of 18, whichever is longer, or delay the child's ability to apply for a driver's license for a period of one year following the date he reaches the age of 16 and three months, as may be appropriate.

Any child who has a driver's license at the time of the offense or at the time of the court's finding as provided in subsection A1 shall be ordered to surrender his driver's license, which shall be held in the physical custody of the court during any period of license denial ([§16.1-278.9](#), *Code of Virginia*).

Compulsory School Attendance and Alternative Education Attendance: A student for whom an individual student alternative education plan has been granted 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 ([§ 22.1-254 \(E\)\(d\)](#), *Code of Virginia*).

Excessive Tardiness to School: To ensure a successful start to each school day, students must arrive at school on time. When students demonstrate a pattern of unexcused tardies, school staff may contact the parent to discuss the unexcused tardiness and to develop a plan to remedy the problem. The student may also be required to ride his/her assigned bus to school and if the student is attending a school out of his/her assigned zone, the principal may recommend to the superintendent that the student's zone transfer be revoked.

Excessive Excused Absences to School: When students demonstrate a pattern of absences that are excused with a medical note, school staff may contact the parent to discuss the absences and to develop a plan to remedy the problem or support the student.

Note. The VDOE considers a student chronically absent when 18 absences have accrued for any reason, excused or unexcused.

COMPULSORY SCHOOL ATTENDANCE EXPECTATIONS IN STATE LAW

Definition: Violation of state, school division, or school policy relating to attendance.

Code of Virginia 22.1-254

§ 22.1-254. Ages of children required to attend.

A. 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 regulation 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 school.

B. 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.

C. The requirements of this section shall not apply to any child who obtained a high school diploma, its equivalent, or a certificate of completion, or has otherwise complied with compulsory school attendance requirements as set forth in this article.

D. The requirements of this section shall apply to any child in the custody of the Department of Youth and Family Services, or any child who may have been adjudicated as an adult, and who has not passed his eighteenth birthday.

E. Within one calendar month of the opening of school, each school board shall send to the parents or guardians 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. Each parent or guardian shall submit to the School Board a statement, provided with the materials, acknowledging receipt of these materials.