

Attendance Law and Policy

A student will not be absent himself/herself from regular attendance at school. All parents or guardians should make every effort to notify the school when their children are absent.

1. Virginia Compulsory School Attendance Law. Every person having under his or her control a child who will have reached his/her sixth birthday on or before September 30 of any school year and who have not passed the eighteenth birthday shall send that child to school unless exempt by the proper authorities (§22.1-254). Any person violating the preceding section may be guilty of a misdemeanor (§22.1-263).

2. Virginia Truancy Law. Realizing the importance of school attendance in the education of children, the Virginia General Assembly amended the Code of Virginia in 1999 as it relates to truancy. These laws §22.1-254,

§22.1-258 and §22.1-263, apply to the Lee County Public Schools and the Lee County School Interdisciplinary Team. For the agencies represented by the truancy team, the Lee County School Board, the Lee County Department of Social Services, the Lee County Health Department, the Lee County Juvenile and Domestic Relations Court and the Lee County Child and Adolescent Center, the definition of truancy is as follows:

Whenever a student reaches (7) unexcused absences in a school year and school personnel have been unable to determine the reason for the absence, the student will be considered truant.

3. Lee County School Board Policy. The Lee County School Board recognizes the following reasons for determining if an absence is excused:

1. Doctor or dentist excuse
2. Death in the family or funeral
3. Court appearance
4. School sponsored activities
5. Religious holiday
6. Illness (A parent can excuse a student for an absence due to illness for up to (6) days per year. After exceeding six (6) days absence for illness, the student must provide a doctor's excuse to continue to qualify for an excused absence.)
7. Late bus
8. Principal excuse (A student and parent/guardian may request an excused absence for extraordinary circumstances or events which may occur in a student's life. The student and parent/guardian

should present documented information as to the nature of the circumstances or events. The principal then has the discretion to declare such absence(s) as excused based on the information presented.)

Excuses are to be turned in within three (3) days of returning to school. All assignments or tests missed due to excused absences may be made up or completed. Grades or credits may be affected if work is not completed, even if the absence is excused. If the absence is excused and the student has completed all work, the teacher will not penalize the student for the absence. It is the responsibility of the student to request make-up work from the teacher within three (3) days after returning to class. The parent/guardian may make the request for the student. The make-up work presented by the teacher will be completed according to the teacher's requirements and instruction. The length of time given to complete make-up work is a minimum of three school days. It is at the discretion of the teacher based on the length of the absence and the assignments to be completed if additional time is allowed for make-up work. Make-up work will also be allowed for the first five cumulative days of out-of-school suspension. There will be no make-up work allowed for any out-of-school suspension after five days. All other absences will be unexcused. Class work or tests missed due to unexcused absences are not to be made up, and a grade of "0" will be given for the missed work.

School and class tardies will not be tolerated and will be considered to be a form of truancy and serious misconduct subject to punishment. Tardies, as well as, early dismissals from school, may result in application of the attendance law. With regards to early dismissals, principals shall not release a student during the school day to any person not authorized by the student's parent/guardian.

Believing that school attendance is directly related to academic achievement, and that attendance in school is also relevant to the formation of good work habits in young people, the Lee County School Board directs that pupils not be promoted or receive class credit if absenteeism exceeds thirteen (13) days for the academic year, unless the work required by the course is completed.

4. Compulsory Attendance Procedures. Student attendance is a cooperative effort and the School Board shall involve parents and students in accepting the responsibility for good attendance.

Each parent/guardian or person having control or charge of a child within the compulsory attendance age shall be responsible for such child's regular and punctual attendance at school as required under provisions of the law.

A reasonable effort shall be made to contact a parent/guardian of each absent student every day, and to obtain an explanation for the student's absence, where there is no indication that the student's parent is aware or and supports the absence. A log will be kept of all telephone attempts.

Students who are absent must bring a valid note stating the reason for the absence upon returning to school. Unexcused absences shall be handled according to regulations in the Code of Virginia.

Students shall attend school for a full day unless otherwise excused. Secondary students shall be scheduled for a full school day unless they are enrolled in a cooperative work-study program. All other exceptions to a full day schedule must be approved on an individual basis by the superintendent or designee.

In 2003 Virginia Code § 16.1-260 was amended to allow a juvenile intake officer to divert a juvenile who is a truant from formal court action by developing a truancy plan for that juvenile or placing that juvenile in a local truancy program. If after 90 days the juvenile does not successfully complete the truancy plan or program, then the intake officer shall initiate formal court action.

A. Upon Fifth Absence Without Parental Awareness and Support.

If (1) a student fails to report to school for a total of five scheduled days for the school year; and (2) there is no indication that the student's parent is aware of and supports the absence; and (3) reasonable efforts to notify the parent of the absences have failed, then the Principal or 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 school attendance officer to obtain an explanation for the pupil's absence and to explain to the parent the consequences of continued nonattendance. The school 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.

B. Upon Sixth Absence Without Parental Awareness and Support. If the pupil is absent an additional day after direct contact with the pupil's parent and the school attendance officer has received no indication that the pupil's parent is aware and supports the pupil's absence, the school attendance officer shall schedule a conference within ten school days, which must take place no later than the fifteenth school day after the sixth absence. At the conference, the pupil, the parent, and school personnel, shall meet to resolve issues related to the pupil's nonattendance. Other community service providers may also be included in the conference.

C. Upon Additional Absence Without Parental Awareness and Support. Upon the next absence after the conference without indication to the school attendance officer that the pupil's parent is aware of and supports the pupil's absence, the Principal or designee shall notify the division attendance officer or Superintendent who shall enforce the compulsory attendance rules 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 already undertaken to resolve the pupil's absence.

If the student's parents have joint physical custody of the student and the school has notice of the custody arrangement, then both parents shall be notified at their last known address.

D. Parental Cooperation in Remediating Excessive Unexcused Absences. It is expected that parents will cooperate with the attendance officer and other school officials to remedy the student's attendance problem. Where direct contact with a parent cannot be made, despite reasonable efforts, or

where parents otherwise fail to cooperate in remedying the student's attendance problem, the superintendent or the superintendent's designee may seek immediate compliance with the compulsory school attendance laws. The division attendance officer, with the knowledge and approval of the Superintendent, shall institute proceedings against any parent who fails to comply with the requirements of the compulsory attendance laws. Where the complaint arises out of the parent's failure to comply with the requirements of §22.1-258, the attendance officer shall document the school division's compliance with the Code section.

5. Attendance Reporting. Student attendance shall be monitored and reported as required by state law and regulations. At the end of each school year, each public school principal shall report to the Superintendent the number of pupils by grade level for whom a conference was scheduled. The Superintendent shall compile this information and provide it annually to the Superintendent of Public Instruction.

6. Dismissal Precautions. Principals shall not release a student during the school day to any person not authorized by the student's parents/guardian to assume responsibility for the pupil. Students shall be released only on request and authorization of parent/guardian. The superintendent shall provide procedures for release of pupils who are not residing with or under the supervision of a parent/guardian. The burden of proof on the authority of the person to receive the student is on the requesting party. A formal check-out system shall be maintained in each school.

7. Attendance Awards. (1) Perfect Attendance. A student who attends school for one full school year without being absent or tardy from school or class may be considered for a perfect attendance award by the school principal. (2) Excellent Attendance: A student who has been counted present every day during the school year, but who may have been absent from a particular class or classes, may under certain circumstances be considered by the principal of the school to receive an excellent attendance award. This is provided that the student has not been tardy and/or absent from classes (early dismissal or off campus) more than five (5) times during the school year. Absences from class due to being at or on a school sponsored event (e.g. field trip or competition) will not be counted against a student.