

## STUDENT ABSENCES/EXCUSES/DISMISSALS

### I. Student Attendance Policy

All children and youth have the right to a free public education from ages five (5) to twenty (20) (up to age 22 if IDEA-eligible), and to attend the public school where they are a bona fide resident. In Virginia, the law also requires children to attend school from kindergarten through their 18th birthday, unless the student reaches completion before age eighteen (18) or falls into one of a few limited exemptions, such as home-schooling, certified health or safety concerns, and conscientious religious objection.

Every student must attend school during prescribed hours. Each parent/guardian having charge of a child within the compulsory attendance age is responsible for such child's regular and punctual attendance at school as required under provisions for the law.

Parents/guardians of students who are absent must inform the school of the reason for absence no later than upon the student's return to school.

Attendance may or may not be taken during a virtual or distance learning situation. Parents or guardians should continue to follow the established protocols during virtual or distance learning.

Schools should design attendance policies to encourage regular attendance and address underlying causes of chronic absence and truancy to avoid punishment or criminalization of students. Virginia law also makes clear that in no case may students be suspended solely for instances of truancy.

Students who are homeless, in the foster care system, or are immigrants or non-English speaking also have rights and protections under federal and state law with regard to school enrollment. Schools should ensure that students and caregivers are aware of and understand these rights and protections.

Schools shall record as absent any student who is suspended or expelled from their regular school for disciplinary incidents unless the student is physically present at an alternative education program approved by the school board. Schools are to report the suspension or expulsion of a student from the student's regular school in the discipline data collection even though the student is attending an alternative program.

Excused Absences: An excused absence is one for which parents or guardians have prior knowledge or have consented to the absence, and/or other legitimate reasons. Legitimate reasons may include: illness of the student (including mental health and substance abuse illnesses), injury, death in the family, doctor or dental appointment, observance of a religious holiday/cultural observance, legal obligations, suspension or expulsion, military obligations or visit from a family member who has immediately returned from deployment, emergency conditions in the student's home, civic engagement, or another reason preapproved by the principal/designee.

Unexcused absences: An unexcused absence is one for which the parents or guardians do not have prior knowledge, or have consented, or for which there is no legitimate reason as stated above. Examples of reasons that are not justified and will result in an unexcused absence include: all day or period absence with no explanation, missed school bus/ride, or other reasons unacceptable to the principal/designee. The school administration may change an unexcused absence to an excused absence if it determines that the parent or guardian has provided an acceptable reason for the student's absence in accordance with the definition of excused absences above.

When students are absent without prior communication from the parent or guardian to the school, school personnel will so notify the parent or guardian by telephone or electronic communication and take appropriate action based on the individual circumstances.

The superintendent, by regulation, established procedures for appropriate interventions when a student engages in a pattern of absences for less than a full day, the explanation of which, if it were a full day absence, would not be an excused absence.

Students shall attend school for a full day unless excused by the principal or principal's designee. Students working off the school site in established and approved community – or work-based learning experiences are considered present at school. Attendance tracking procedures for such an experience shall be established prior to its commencement.

The superintendent's regulations will include procedures for excusing students who are absent by reason of observance of a religious holiday. Such regulations will ensure that a student is not deprived of any award or of eligibility or opportunity to compete for any award, or of the right to take an alternate test or examination, which the student missed by reason of such absence, if the absence is verified in an acceptable manner.

Students who miss a partial or full day of school while participating in High School to Work Partnership programs are not counted as absent for the purpose of calculating average daily membership. The regulations include procedures by which students may make up work missed while participating in a High School to Work Partnership.

An attendance officer, or a division superintendent/designee, when acting as an attendance officer pursuant to Va. Code §22.1-258, may complete, sign, and file with the intake officer of the juvenile and domestic relations district court, on forms approved by the Supreme Court of Virginia, a petition for a violation of a school attendance order entered by the juvenile and domestic relations district court pursuant to Va. Code §16.1-278.5 in response to the filing of a petition alleging the pupil is a child in need of supervision as defined in Va. Code §16.1-228.

Nothing in this policy shall be construed to limit in any way the authority of any attendance officer or designee or the division superintendent to seek immediate compliance with the compulsory attendance law.

## I. Compulsory Attendance Procedures

Whenever a student fails to report to school on a regularly scheduled school day and no information has been received by school personnel that the student's parent/guardian is aware of and supports the absence, the school principal, principal's designee, attendance officer or other school personnel or volunteer notifies the parent/guardian by phone, email, or other electronic means to obtain an explanation. School staff records the student's absence for each day as "excused" or "unexcused". Early intervention after the third occurrence, with the student and parents or guardians takes place for repeated unexcused absences.

A. Upon Fifth Absence Without Parental Awareness and Support

If (1) a pupil fails to report to school for a total of five scheduled school days for the school year, and (2) there is no indication that the pupil's parent/guardian is aware of and supports the absence; and (3) reasonable efforts to notify the parent/guardian of the absences have failed, then the principal or principal's designee shall make a reasonable effort to ensure that direct contact is made with the parent/guardian in person, through telephone conversation, or through the use of other communication devices to obtain an explanation for the pupil's absence and to explain to the parent/guardian the consequences of continued nonattendance. The school principal or principal's 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.

B. Upon Additional Absences Without Parental Awareness and Support

If the pupil is absent for more than one additional day after direct contact with the pupil's parent/guardian and school personnel have received no indication that the pupil's parent/guardian is aware of and supports the pupil's absence, the school principal or principal's designee shall schedule a conference with the pupil, the pupil's parent and school personnel. Such conference may include other community service providers to resolve issues related to the pupil's nonattendance. The conference shall be held no later than ten (10) school days after the sixth absence of the pupil, regardless of whether his parent/guardian 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. In circumstances in which the parent/guardian is intentionally noncompliant with the compulsory attendance requirements or the pupil is resisting parental efforts to comply with compulsory attendance requirements, the principal or principal's designee shall schedule a conference with the pupil and pupil's parent/guardian within ten (10) school days and may (i) file a complaint against the student with the juvenile and domestic relations district court alleging the pupil is a child in need of supervision as defined in Va. Code §16.1-228 or (ii) institute proceedings against the parent/guardian pursuant to Va. Code § 18.2-371 or 22.1-262. In filing a complaint against the student, the principal or principal's designee shall provide written documentation of the efforts to comply with the provisions of this policy. In the event that both parents/guardians have been awarded joint custody pursuant to Va. Code § 20.124-124.2 and the school has received notice of such order, both

parents/guardians shall be notified at the last known address of the parents/guardians.

## II. Report for Suspension of Driver’s License

In addition to any other actions taken pursuant to this policy, 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.

## III. Attendance Reporting

Student attendance is monitored and reported as required by state law and regulations. At the end of each school year, each public-school principal reports to the Superintendent the number of pupils by grade level for whom a conference was scheduled pursuant to Part II (B) above. The Superintendent compiles this information and provides it annually to the Superintendent of Public Instruction.

## IV. Dismissal Precautions

Principals do 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 are released only on request and authorization of parent or guardian. The superintendent establishes 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 is maintained in each school.

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-227.1, 22.1-254, 22.1-258, 22.1-260, 22.1-279.3, 46.2-323 46.2-334. and 54.1-3900.

8 VAC 20-730-10.  
 8 VAC 20-730-20.

Cross Refs.: IGAJ, Driver Education  
 JFC, Student Conduct

## **STUDENT ABSENCES/EXCUSES/DISMISSALS**

### **I. Attendance Standards**

Regular attendance is necessary for maximum student achievement in school. In addition, punctuality and dependability in meeting assigned responsibilities are personal behavior habits valued in our society. To help students develop desirable behavior patterns, as well as maximize their classroom learning, ACPS requires that students be punctual and regular in school class attendance. Parents/guardians are expected to support and encourage their children's school attendance and to communicate regularly with their child and the school and or teacher(s) about attendance.

Whenever attendance problems exist, appropriate school system resources shall be made available to support effective communication and intervention.

### **II. Attendance Procedures**

School attendance is required by law, as set forth in the Code of Virginia, Section 22.1-254. Principals shall notify parents/guardians annually of attendance requirements. This notification shall clearly indicate that the parent/guardian must contact the school whenever the student is absent to provide a valid excuse for absence for all or part of the school day. Principals shall advise of the written, voice, and electronic options available for parents/guardians to use to report the reason for an absence. In addition, principals shall inform the parents/guardians of the legal requirement to report to the school for the reason of the absence within five (5) days if they did not previously notify the school prior to or at the time of the absence.

Teachers are required to record class or daily attendance. Absences and tardy arrivals will be addressed by individual interventions and progressive consequences for students.

#### **A. Absentee and Early Release Records**

Principals shall arrange to have absences entered into the student information system no later than the first hour of the school day in elementary schools, and by the end of the first period in middle and high schools. Parents/guardians will be notified each morning by telephone, and email where available, when students are absent from school without parent notification, and reminded of the need to contact the school as soon as possible. School records shall be corrected after parent/guardian contact.

Schools will also arrange for parental notification for subsequent period absences (after the first period) in middle and high schools. Parents must be contacted for any period absence.

When a student leaves the school premises during regular school hours for any reason, parents/guardians must provide advance notice and permission. Parents/guardians of elementary students must sign the school release log. Parents/guardians of secondary students must arrange for early release through the school attendance office and comply

with release procedures.

A principal shall not release a student during the school day to any person not authorized to assume responsibility for the student.

Records of early release will be maintained, and individual interventions utilized for recurring incidents, when necessary.

#### B. Late Arrivals

Students should report to the main office to be signed in if they arrive to school late. This will minimize the interruption of the educational process; provide a secure, monitored setting for late arrivals; and emphasize to all concerned the importance of punctuality. After a pattern of chronic and/or continued tardiness to school is documented, the administration will schedule a conference with the parents/guardians involved to discuss this problem and potential solutions.

#### C. Prearranged Absences

Parents/guardians are encouraged to minimize absences during school hours and to plan family trips and vacations during school holidays.

Due to varied demands on teachers with respect to preparing and assigning make-up work for preapproved absences, teachers shall have discretion to decide the type and amount of such work and schedule for its completion. Teachers shall not be required to provide assignments in advance of the absences, but may do so at their discretion. Parents/guardians and students are encouraged to work with teachers prior to the absence to develop a plan for making up missed work, including expected deadlines. Parents/guardians and students are expected to access assignments and class materials through the Learning Management System to the extent possible.

#### D. Mandatory Withdrawal

In order to comply with state recordkeeping requirements, students shall be withdrawn from student membership rolls after fifteen (15) consecutive days of absence regardless of whether their absences are excused or unexcused. Withdrawn students are not excused from mandatory school attendance requirements and are expected to reenroll as soon as possible.

#### E. Return to Learn

When students have been absent for an extended time due to pregnancy, concussion, illness, family hardship, or other reasons, school teams shall consider whether a transition plan is needed on their return to school. This plan will outline expectations for completing missed work and the supports needed to foster a positive transition back to

full participation in the instructional program.

#### F. Chronic Absence

Chronic absenteeism, missing more than ten (10%) percent of the school year for any reason, has been associated with lower reading and math achievement in elementary grades, and class failure and drop out at the secondary level. It is measured for all enrolled students, aged five and above.

The middle school principal and the high school principal have the discretion to deny high school credit toward graduation for a course to a student who misses more than ten (10) single class periods during the school year. Any decision to deny credit may be appealed to the principal or principal's designee for restoration under conditions determined by the principal.

At the beginning of the school year the principal shall establish a team to monitor student attendance and identify students who were chronically absent during the past school year and who have missed more than ten (10%) percent of the cumulative days of the current school year.

Throughout the year, this team shall refer the student to appropriate school-based interventions and work with the attendance officer or specialist, or other school staff to engage the student and parents in addressing the concerns contributing to the student's chronic absence.

The school principal shall send a letter to the parent or guardian (see Attachment A) when a student is chronically absent and a follow-up letter should be sent quarterly indicating student progress in this area.

Chronic absences are reported to the Virginia Department of Education and to the Office of Civil Rights.

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 Equity Review: October 8, 2020; January 27, 2022

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Sample Attendance Letter

[Insert School Letterhead]

[Date]

Dear [Insert Parent's Name],

This letter explains the attendance policy and regulations of the Albemarle County Public Schools and [Insert School Name] School. Consistent daily attendance has a positive impact on student achievement and develops habits of responsibility, punctuality, and self-esteem.

The Code of Virginia, Section 22.1-254, states that it is the legal responsibility of parents and guardians to ensure that students are in regular and punctual attendance for the entire school day. At [Insert School Name], this is from 7:45 a.m. to 2:25 p.m.

School Board policy provides that when a student accumulates four (4) unexcused absences, the family is notified of the school's concern either by telephone, email, or other communication. When a child accumulates five (5) unexcused absences, the school administration will so notify the parents/guardians. When the child has six (6) unexcused absences, the school administration will schedule another meeting with you to develop a plan to help your child attend school every day, all day. After additional unexcused absences in circumstances in which the parents fail to comply with compulsory attendance requirements, the school will schedule another meeting with you to discuss whether intervention of the Juvenile and Domestic Relations District Court is needed. The principal has the discretion to deny high school credit toward graduation for a course to a student who misses more than ten (10) single class periods during the school year. Any decision to deny credit may be appealed to the principal or principal's designee for restoration under conditions determined by the principal.