

COMPULSORY ATTENDANCE

Every parent, guardian, or other person 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 cause such child to attend a public school or otherwise provide the child with an education in accordance with state law unless the child is exempt from the state's compulsory attendance requirement.

Further, in the case of any five-year-old child, the requirements of this policy may be alternatively satisfied by causing the child to attend any public educational pre-kindergarten program, including a Head Start program, or in a private, denominational, or parochial educational pre-kindergarten program.

As used in this policy, "attend" includes participation in educational programs and courses at a site remote from the school with the permission of the school and in conformity with applicable requirements.

The requirements of this policy apply to

- any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his eighteenth birthday, and
- any child whom the division superintendent has required to take a special program of prevention, intervention, or remediation as provided in Va. Code §§ 22.1-253.13:1.C and 22.1-254.01.

The requirements of this policy do not apply to

- any person 16 through 18 years of age who is housed in an adult correctional facility when such person is actively pursuing the achievement of a passing score on a high school equivalency examination approved by the Board of Education but is not enrolled in an individual student alternative education plan, and
- any child who has obtained a high school diploma or its equivalent, a certificate of completion, a passing score on a high school equivalency examination approved by the Board of Education or who has otherwise complied with compulsory school attendance requirements.

Individual Student Alternative Education Plan

The School Board may allow the compulsory attendance requirements to be met pursuant to an individual student alternative education plan developed in conformity with guidelines prescribed by the Board of Education under the following conditions:

1. The student must be at least sixteen years of age.
2. There shall be a meeting of the student, the student's parents, and the principal or principal's designee of the school in which the student is enrolled to develop the plan, which must include the following:
 - career guidance counseling;

- mandatory enrollment and attendance in a preparatory program for passing a high school equivalency examination approved by the Board of Education or other alternative education program approved by the School Board, with attendance reported to the principal or principal's designee;
 - mandatory enrollment in a program to earn a Board of Education-approved career and technical education credential, such as the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness skills assessment;
 - successful completion of the course in economics and personal finance required to earn a Board of Education-approved high school diploma;
 - counseling on the economic impact of failing to complete high school; and
 - procedures for re-enrollment.
3. A student for whom such an individual student alternative education plan has been granted but who fails to comply with the conditions of the plan shall be in violation of the compulsory attendance laws, and the superintendent or attendance officer shall seek immediate compliance with such laws.

Alternative Education Programs

The Superintendent, pursuant to regulations adopted by the School Board, may in accordance with the procedures set forth in Va. Code § 22.1-276.01 et seq. and School Board policy and upon a finding that a school-age child has been

- 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;
- 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 Va. Code § 16.1-260;
- suspended pursuant to Va. Code § 22.1-277.05; or
- expelled from school attendance pursuant to Va. Code §§ 22.1-277.06, 22.1-277.07, or subsection C of § 22.1-277,

require a student to attend an alternative education program as provided by Va. Code §§ 22.1-209.1:2 or 22.1-277.2:1.

Prior to requiring a student to attend an alternative education program, the Superintendent shall provide: (1) written notice to the student and his parent/guardian that the student will be required to attend an alternative education program and (2) written notice to the student and his parent/guardian of the right to a hearing before the superintendent or designee regarding the placement. The decision of the superintendent or his designee regarding such alternative education placement shall be final unless altered by the school board, upon timely written petition, as established in

regulation, by the student or his parent, for a review of the record by the school board.

Whenever a court orders any pupil into an alternative education program, including a program of general educational development, offered in the public schools, the School Board 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.

Adopted: June 23, 2011

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July 12, 2018

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-254.

Cross Refs.: JEG
LBD

Exclusions and Exemptions from School Attendance
Home Instruction