

EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

The School Board shall excuse from attendance at school:

1. Any student who, together with his/her parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school.
2. On the recommendation of the Juvenile and Domestic Relations Court of the city or county in which the student resides, and for such period of time as the court determines appropriate, any student who, together with his/her parents, is opposed to attendance at a school by reason of justified concern for the student's health as verified by competent medical evidence, or by reason of such pupil's specific case is determined by the court, upon consideration of the recommendation of the principal and division superintendent, to be justified. ~~or personal safety.~~

The School Board may excuse from attendance at school:

1. On recommendation of the principal and the Division Superintendent and with the written consent of the parent or guardian, any student who the School Board determines, in accordance with regulations of the Board of Education, cannot benefit from education at school; or and
2. On recommendation of the Juvenile and Domestic Relations District Court of the city or county in which the student resides, any student who, in the judgment of the court, cannot benefit from education at school.

Any request for exemption from attendance shall be presented annually in writing to the Superintendent or his/her designee. 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:

The compulsory education requirements do not apply to

- ~~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 his/her designee to develop the plan, which must include the following:

 - ~~Career guidance counseling;~~
 - ~~Mandatory enrollment and attendance in a general educational development preparatory program or other alternative education program approved by the local school board, with attendance reported to the principal or his/her designee;~~
 - ~~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 deemed in violation of the compulsory attendance laws, and the Superintendent or Attendance Officer shall seek immediate compliance with such laws.~~

~~The compulsory attendance requirement does not apply to the following children:~~

1. ~~Children suffering from contagious or infectious diseases as established by the certificate of a reputable practicing physician in accordance with regulations adopted by the Board of Education; shall be exempt from compulsory attendance when the physical incapacity is established by a written statement from a practicing physician attending the child, giving the reasons for the student's inability to participate in school. (See Policy JHCC)~~
2. ~~Children whose immunizations against communicable diseases have not been completed; may be excluded from school attendance unless such children have been exempted from immunization requirements. (See Policy JHCB)~~
3. ~~Children under 10 years of age who live more than two miles from a public school unless public transportation is provided within one mile of the place where such children live; and~~
4. ~~Children between the ages of 10 and 17, inclusive, who live more than 2.5 miles from a public school unless public transportation is provided within 1.5 miles of the place where such children live.~~

~~2. The distances specified in subdivisions 3 and 4 above shall be measured or determined from the child's residence to the entrance to the school grounds or to the school bus stop nearest the entrance to the residence of such children by the nearest practical routes which are usable for walking or riding.~~

~~Any parent, guardian or other person having control or charge of a child being exempted or excused from school attendance shall comply with the immunization requirement provided in section 32.1-46 Code of Virginia in the same manner and to the same extent as if the child has been enrolled in and is attending school.~~

3. ~~In addition, Any child who will not have reached his/her sixth birthday on or before September 30 of each school year whose parent or guardian notifies the School Board that he/she does not wish the child to attend school until the following year because the child, may be exempted from school attendance until the following year if the parent notifies the School Board because the child, in the opinion of the parent or guardian, is not mentally, physically or emotionally prepared to attend school, may delay the child's attendance.~~

4. ~~Compulsory attendance regulations shall not apply to children under 10 years of age who live more than two miles from a public school, unless public transportation is~~

~~provided within one mile of the place where they live, nor to children between 10 and 17 years of age who live more than two and one-half miles from a public school, unless public transportation is provided within one and one-half miles of the place where the children live. Compulsory education distances shall be measured or determined by the nearest practical routes usable for either walking or riding, from the entrance to the school grounds, or from the nearest school bus stop, to the residence of the children.~~

~~Any request for exemption from attendance shall be presented annually in writing to the Superintendent/Designee.~~

~~—All other exemptions granted by the Albemarle County School Board shall be in accordance with existing state law.~~

~~—The Superintendent, pursuant to regulations adopted by the School Board, may in accordance with the procedures set forth in Va. Codes sec. 22.1-276.01 et seq. and School Board policy and upon a finding that a school-age child has been (i) 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; (ii) found guilty or not innocent of a crime that resulted in or could have resulted in injury to others, or for which the disposition ordered by a court is required to be disclosed to the Superintendent of the school division pursuant to Va. Codes sec. 16.1-305.1; (iii) suspended pursuant to Va. Code sec. 22.1-277.05; or (iv) expelled from school attendance pursuant of Va. Code sec. 22.1-277.06, 22.1-277.07, or 22.1-277.08 or subsection B of sec. 22.1-277 require a student to attend an alternative education program as provided by Va. Code sec. 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/her parent/guardian that the student will be required to attend an alternative education program and (2) written notice to the student and his/her parent/guardian of the right to a hearing before the Superintendent/Designee regarding the placement. The decision of the Superintendent/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/her parent, for a review of the record by the School Board.~~

~~—Whenever a court orders any pupil into an alternative education program 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: November 20, 2003

Legal Ref.: Code of Virginia, 1950, as amended, ~~§22.1-254~~sections 22.1-3, 22.1-254, 22.1-271.4, 22.1-277, 22.1-277.01, 22.1-277.2:1, 32.1-46

Cross Refs.: JEA Compulsory Attendance

	FJ JGD/JGE	Student Suspension /Expulsion
	JHCB	Immunization of Students
	JHCC	Communicable Diseases
	IGBI	Home Instruction
	IGBH	Alternative School Program
	IKF	Standards of Learning and Graduation Requirements