

## **SPECIAL SERVICES**

### **Admissions, Residency, and Attendance**

#### **Student Absences and Attendance Regulations**

This regulation supersedes Regulation 2234.10.

#### **I. PURPOSE**

To establish systemwide attendance standards and procedures.

#### **II. SUMMARY OF CHANGES SINCE LAST PUBLICATION**

- A. Section V.D.1., changes “one partial school day or longer” to “longer than one school day.”
- B. Section V.D.2., deletes “partial” in reference to civic engagement activities.
- C. Section V.D.3., replaces “FCPS 24/7” with “Schoology.”
- D. Adds Section E, Religious and Cultural Observances.
- E. Section V.F.1., adds “religious and cultural observances not listed in Section E.” Deletes the word “partial.”
- F. Section H, replaces “FCPS 24/7” with “Schoology.”

#### **III. DEFINITIONS:**

- A. An attendance conference is a face-to-face meeting, or an interaction that is conducted through the use of communication technology. A conference must be initiated after the seventh unexcused absence and held no later than the tenth unexcused absence, and must involve, at a minimum, a school administrator, the parents, and the student, where appropriate. The conference may also include the school counselor, school social worker, school psychologist, attendance officer or intervention specialist, and community representatives if appropriate for resolving issues related to nonattendance and revisions to the current attendance plan if necessary.
- B. An attendance officer refers to either an attendance officer or an attendance specialist. This individual works with school teams and parents to address repeated unexcused absences and is authorized under the Code of Virginia to file a complaint with the courts against the parent or student for failure to comply with compulsory attendance regulations.
- C. An attendance plan is a plan developed jointly by a school representative, such as a school principal or designee, the parent, and student to resolve the student's nonattendance and engage the student in regular school attendance. The plan shall identify reasons for nonattendance and academic, social, emotional, and familial barriers that impeded

attendance along with positive strategies to address such reasons and barriers. The plan may include school-based activities or suggested referrals to community supports, or both. An attendance plan shall be developed if the student has five unexcused absences.

- D. Chronic absence is the accumulation of absences which occur for any reason to a total of ten percent or more of the school year.
- E. Court referral means filing a complaint to the juvenile and domestic relations district court after the multidisciplinary team has held an attendance conference and attempted interventions to address the student's continued nonattendance. Documentation of interventions regarding the student's unexcused absences, such as copies of the attendance plan, documentation of conference meetings, and compliance with § 22.1-258 of the Code of Virginia must be provided to the intake worker.
- F. An excused absence is an absence of an entire assigned instructional school day with a reason acceptable to the school administration that is provided by the parent. If circumstances permit, the parent should provide the school administration with the reason for the nonattendance prior to the absence.
- G. An instructional school day is the length of a regularly scheduled school day for an individual student. A partial day of attendance requires that a student be marked present for part of the school day.
- H. A multi-disciplinary team is a school-based team that may be convened to review student records and to participate in prevention, early intervention, and provision of support services to address excessive absences, including school-based case management. These services should address academic, social, emotional, and familial issues in order to improve regular school attendance. Team members may include, but are not limited to, the following: an administrator, school counselor, school social worker or school psychologist, special education and general education teachers, and attendance officer. Community providers may also attend, as appropriate.
- I. Parent means the parent or parents, guardian or guardians, legal custodian or legal custodians, or other person or persons having legal control or charge of the student.
- J. Principal means the school principal and any other administrator or other school official designated by the principal to meet the requirements of this regulation.
- K. Tardy is a term used to describe arriving at school, or to a classroom, after start of the day or class period.
- L. Truancy is a term indicating that a student, aged five to eighteen, has one or more unexcused absences.
- M. An unexcused absence is an absence where (i) the student misses his or her scheduled instructional school day in its entirety and (ii) no indication has been received by school personnel within three days of the absence that the student's parent is aware and supports

the absence, or (iii) the parent provides a reason for the absence that is unacceptable to the school administration. The school administration may change an unexcused absence to an excused absence when it determines that the parent has provided an acceptable reason meeting criteria for the student's absence or there are extenuating circumstances.

- N. An unverified absence is one for which there has been no contact from the parent. Unverified absences will be converted to unexcused absences if no contact is received within five days of the absence.
- O. A verified absence is one for which a parent has contacted the school and given an explanation for the absence.

#### **IV. ATTENDANCE STANDARDS**

##### **A. General Requirements**

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, Fairfax County Public Schools (FCPS) requires that students be punctual and regular in school class attendance. Parents are expected to support and encourage their children's school attendance and to communicate regularly with schools when their children must be absent for any reason.

##### **B. Resource Assistance**

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

#### **V. ATTENDANCE PROCEDURES**

School attendance is required by law, as outlined in the Code of Virginia, Section 22.1-254. Principals shall notify parents annually of attendance requirements. This notification shall clearly indicate that the parent 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 indicate written, voice, and electronic options available for parents to use to report the reason for an absence. They shall also indicate that if the parent does not contact the school before or at the time of the absence, there is a requirement that the parent contact the school within five days with the reason for 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. Student absences can have a significant impact on learning, and priority must be given to ensure that students attend school regularly.

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

Principals shall arrange to have verified 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 first period in middle and high schools. Parents will be notified each morning via phone, and e-mail where available, when students are absent from school without parent notification, and reminded of the need to contact the school as soon as possible. Parents of middle and high school students will be notified again each evening if the student was absent from any classes without parent notification and asked to contact the school. School records shall be corrected from unverified to excused or unexcused after parent contact.

When a student leaves the school premises during regular school hours for any reason, parents must provide advance notice and permission. Parents of elementary students must sign the school release log. Parents 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. All students, including declared 18-year-olds, must comply with established release procedures. Records of early release will be maintained, and individual interventions utilized for recurring incidents, when necessary.

**B. Late Arrivals**

Any student arriving after the official start of the class or school day will be considered late. When students arrive late at school, they must use appropriate school-based check in procedures. Records regarding tardiness will be maintained and appropriate discipline imposed for recurring tardiness.

**C. Parent Explanation of Absence**

Parents should notify the school prior to, or at the start of, the school day when their child will be absent. When a student has been absent from school for any reason other than for a school sponsored activity, and the parents have not previously contacted the school, the parent must send written or electronic communication citing the reason(s) for the absence to the principal or designee no later than three days following the student's return to school.

**D. Prearranged Absences**

1. Parents are encouraged to minimize absences during school hours, and to plan family trips and vacations during school holidays. Requests for prearranged absences for longer than one school day, must be submitted to the principal within a reasonable time (three to five school days in advance) for the school to review. Requests should be restricted to outlined excused absences, and/or significant hardships which prevent the student from attending school and are subject to administrator review.
2. Students in grades 7-12 may be excused from school one school day per school year to participate in optional civic engagement activities. Students and parents must complete the appropriate prearranged absence form and include documented evidence of participation in an organized event or activity. Other than those activities

required by FCPS course curriculum, civic engagement activities are optional and, therefore, not supervised by FCPS staff.

3. Due to varied demands on teachers for make-up work, teachers shall have discretion to decide the type and amount of work and when students shall make up work for preapproved absences. Teachers shall not be required to provide assignments in advance of the absences but may do so at their discretion. Parents 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 and students are expected to access assignments and class materials through FCPS 24/7, and to stay current with assignments while out of school, to the extent possible.

**E. Religious and Cultural Observances**

1. Religious and cultural observances are designed to allow students the opportunity to miss school for those observances not already designated as school holidays. These days are:
  - a. All Saints Day/Dia de los Muertos
  - b. Bodhi Day
  - c. Diwali
  - d. Eid al-Adha
  - e. Eid al-Fitr
  - f. First full day of Ramadan
  - g. Good Friday
  - h. Last day of Passover
  - i. Lunar New Year
  - j. Orthodox Christmas
  - k. Orthodox Epiphany
  - l. Orthodox Good Friday
  - m. Rosh Hashanah
  - n. Theravada
  - o. Three Kings Day/Epiphany
  - p. Yom Kippur
2. Verified student absences on those days may not be designated an unexcused absence by a principal. Students will neither be disadvantaged by, nor penalized for, missing these days.

3. In an effort to create safe, identifying space on days reserved for religious and cultural observances, teachers shall create ungraded lessons or activities on the observance day that:
  - a. Reinforce previously acquired material
  - b. Engage students in meaningful learning
  - c. Are not the sole opportunity to engage in lessons or activities presented on that day
4. When creating school schedules, teachers and school staff shall not schedule the following activities on days specified as religious and cultural observances;
  - a. New graded assignments or activities
  - b. Tests, quizzes, or other assignments
  - c. Field trips, school pictures, guest speakers, or assemblies
  - d. Sporting events, school-sponsored special events and activities (for example, prom, back-to-school nights)
  - e. Auditions or tryouts that cannot be rescheduled

School-based administrators, departments chairs, and team leads will be responsible for certifying on a quarterly basis that these days are free from disallowed activities. Parents and students who are not satisfied with their school's response to religious and cultural observances should speak to the school principal. Further appeals may be made to the region assistant superintendent.

5. The class period following religious and cultural observances, teachers and school staff may schedule new graded assignments or activities that have been announced at least one week prior to that day. No other new graded assignments or activities should be due on those days.
6. When creating division-wide schedules, departments and offices shall not schedule the following activities on days specified as religious and cultural observances:
  - a. Division-wide special events (for example, graduation, first day of school)
  - b. Centralized tests for other assessments
  - c. Recruiting and hiring events
  - d. Professional development activities or other conferences
  - e. Town halls or other community events

The deputy superintendent, chief operating officer, chief academic officer, chief equity officer, or region assistant superintendent will be responsible for certifying on a quarterly basis that these days are free from disallowed activities.

7. State, national, and international competitions, exams, or sporting events (for example, SAT, SOL, AP/IB, VHSL) are not bound by this regulation. FCPS will make every effort possible to communicate dates that are not bound by this regulation.

**F. Excused Absences**

1. Examples of an excused absence may include, but are not limited to, the following reasons: illness (including mental health and substance use illnesses), injury, funeral, legal obligations, medical procedures, suspensions, religious and cultural not listed in Section E, observances, military obligation, deployment of a military family member, or visit from a family member who has immediately returned from deployment, emergency conditions in the student's home which require temporary help from the student to care for a sick or injured family member, civic engagement (one school day per year), or other reason deemed acceptable by the principal.
2. Expelled and suspended students continue to remain under the provisions of compulsory school attendance as described in § 22.1-254 of the Code of Virginia. An absence from school resulting from a suspension shall be considered excused for the period of the suspension.
3. The principal determines whether or not absences will be excused and may require a physician's note in cases of repeated or long-term absence due to illness.

**G. Unexcused Absences**

Unexcused absence means an absence where (i) the student misses his or her scheduled instructional school day in its entirety and (ii) no indication has been received by school personnel within three days of the absence that the student's parent is aware and supports the absence, or the parent provides a reason for the absence that is unacceptable to the school administration.

The school administration may change an unexcused absence to an excused absence when it determines that the parent has provided an acceptable reason meeting criterion for the student's absence or there are extenuating circumstances.

Examples of unexcused absences include the following:

1. All day or period absence with no explanation of the reason
2. Missing a bus or ride to school
3. Prearranged absences without prior notification or without justification and prior approval
4. Sibling childcare provided by older students

5. Failure to provide an appropriate explanation for the absence or requested documentation, such as a physician's letter

#### H. Return to Learn

Parents and students are expected to access assignments and class materials through Schoology, and to stay current with assignments while out of school to the extent possible. For short-term absences, students are fully responsible for completing missed assignments, quizzes, and tests missed when absent. Teachers may help the student and parent identify missed work.

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. If a transition plan is needed, the Return to Learn Protocol shall be utilized; this link is available only through computers within the internal FCPS network (FCPSnet). This plan will outline expectations for completing missed work and supports needed to foster a positive transition back to full participation in the instructional program.

#### I. Chronic Absence

Chronic absence, missing more than ten 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.

1. At the beginning of the school year the principal shall establish a team, or charge an existing team, to monitor student attendance, and identify students who were chronically absent during the past school year, and students who have missed ten percent of the cumulative days of the current school year.
2. 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.
3. The principal will ensure that attendance records in the student information system accurately reflect student absence. Chronic absences are reported to the Virginia Department of Education and to the Office of Civil Rights.

#### J. Truancy

1. When a student aged five to eighteen fails to report to school on a regular school day and no indication has been received by school personnel that the student's parent is aware of and supports the pupil's absence, a reasonable effort will be made by phone or electronic communication to notify the parent and obtain an explanation of the student's absence.



2. Whenever a student fails to report to school for a total of five days within a school year and there is no indication that the parent is aware of and supports the student's absence, the principal shall notify the parent of the absences and request that the parent contact the school to provide additional information about the absences.
  - a. The principal will make reasonable effort to ensure the parent is contacted directly, either in person or via phone, and will develop an attendance plan with the parent.
  - b. The written plan shall identify reasons for nonattendance and academic, social, emotional, and familial barriers that impede daily attendance along with positive strategies to address such reasons and impedances and support regular attendance.
  - c. The attendance plan will be kept in the student's cumulative file. A copy of the attendance plan will be provided to the parent and, where appropriate, a copy will be provided to the student.
3. If the student is absent additional days, after direct contact with the parent, and the school has received no indication that the parent is aware of or supports the student's absence, the principal will schedule a conference with school staff members, the student, and the parent.
  - a. This multi-disciplinary conference may also include the school counselor, school social worker or school psychologist, attendance officer or attendance intervention specialist, or other staff members, and, if appropriate, may include community service providers to resolve issues related to the student's nonattendance.
  - b. The conference shall be held no later than ten days after the student's tenth absence. The conference team shall monitor the student's attendance and may meet again to address concerns and/or plan different interventions if the student's attendance does not improve.
  - c. The principal shall notify the school attendance officer that the conference has been scheduled and may invite the attendance officer to attend. The principal shall document that the conference has been held and detail additional planned interventions. If the principal or principal's designee, after reasonable efforts have been made, are unable to contact the student's parent or parents, the conference shall be held regardless of whether the student's parent approves of the conference.
4. In circumstances in which the parent is intentionally noncompliant with compulsory attendance requirements or the student is resisting parental efforts to comply with compulsory attendance requirements, the principal or designee shall make a referral to the attendance officer to review the student's lack of progress toward resolving nonattendance issues, given sufficient intervention to address the nonattendance. The attendance officer shall schedule a conference with the student and his parent

within ten school days. If the parent or student continue to be noncompliant, the attendance officer may (i) file a complaint with the juvenile and domestic relations district court alleging the pupil is in need of supervision as defined in Code of Virginia § 16.1-228 or (ii) institute proceedings against the parent pursuant to Code of Virginia § 18.2-371 or Code of Virginia § 22.1-262.

**K. Mandatory Withdrawal**

In order to comply with state recordkeeping requirements, students shall be withdrawn from FCPS student membership rolls after 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. Students who withdraw to attend a non-FCPS school should notify FCPS as soon as possible and make reasonable attempts to follow the withdrawal procedures as determined by the school.

**VI. LEGAL CONSIDERATIONS**

- A. Any person who knowingly and willfully causes a child to be absent from school without justification is in violation of the Code of Virginia, Section 22.1-265. Parents who fail to send their students to school may have proceedings instituted against them.
- B. Nothing in this regulation shall be construed to limit in any way the authority of any attendance officer or the Division Superintendent to seek immediate compliance with the compulsory school attendance law.

Legal References: Code of Virginia, Section 16.1-228  
Code of Virginia, Section 18.2-374  
Code of Virginia, Section 22.1-265  
8 VAC 20-110-100

See also the current versions of: Policy 2232, Student Attendance at School  
Regulation 2240, Parent Participation and Decision Making  
Regulation 2412, Full-Day Schedule Requirement for Students  
Regulation 2601, Student Rights and Responsibilities Booklet  
Regulation 2604, Rights of Adult Students  
Regulation 6510, Accounting Procedures–Membership and Attendance Records