

COMPULSORY ATTENDANCE

The Virginia compulsory attendance law requires that every child who will have reached the age of five years on or before September 30 of the school year and has not reached the age of eighteen shall regularly attend school unless exempt by law or excused by the School Board.

A. Compulsory Attendance

1. Student Responsibility. A student is entitled to a free, public education under the laws of the Commonwealth. To obtain the benefits of this free education, however, a student must be in regular attendance, as stated in the Code of Virginia, [§22.1-254](#). The School Board fully endorses the concept of compulsory attendance. To ensure regular attendance, LCPS Attendance Officers will investigate and collaborate with school staff to enforce compliance.

2. Parent/Guardian Responsibility

- a. Parents, guardians, or other persons having control or charge of the child are responsible for ensuring that the child attend school or receive instructions as provided by Virginia Code [§ 22.1-254.1](#), which outlines the requirements for home instruction, also known as home schooling as defined in Policy § 8-11.
- b. Any person having control or charge of any child who permits the child to remain at home and not attend school shall be subject to prosecution under state law unless exempt per section B of this policy or [§22.1-254](#) of the Code of Virginia.
- c. Children who are nonresidents of the State of Virginia but who are temporarily living with a relative or others in Loudoun County for a period of sixty days or more are required by state law to attend school. Persons having charge of such children must enroll them in school and must pay tuition for such children, as provided in §8-21 of these policies or must return them to their parents or legal guardians in the state or country in which they reside.

B. Exemptions from Compulsory Attendance

1. Kindergarten Exemptions

- a. Any child who has not reached the age of six years by September 30 and 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, in the opinion of the parent or guardian, is

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not mentally, physically, or emotionally prepared to attend school, may delay the child's attendance for one year.

- b. Any child who enrolls in kindergarten and is later withdrawn may be exempted from compulsory attendance until the following year with a recommendation from the principal, written consent by the parent or guardian and approval by the School Board.

2. Other Exemptions. Students who are subject to compulsory attendance requirements may be released or excused from attendance under certain conditions prescribed by the Code of Virginia [§22.1-254](#).

- a. The student, together with their parents or legal guardians, have indicated that they have bona fide religious training or beliefs that are conscientiously opposed to attendance at school, "bona fide religious training or belief" does not include essentially political, sociological or philosophical views or a merely personal moral code,
- b. On the recommendation of the juvenile and domestic relations district court for such period of time as the court deems appropriate as prescribed by [§22.1-254 \(B\) 2](#) and [§22.1-254 \(D\) 2](#), or
- c. The School Board may determine that the student cannot benefit from an education based on the recommendation of the Principal and Superintendent or designee and with written consent from the parent or legal guardian,

C. Procedure for Obtaining Release

1. Parents or legal guardians who seek the release of their child from compulsory attendance shall do so in writing to the principal of the school the student attends, stating the reasons for their request. The principal shall forward the request to the Assistant Superintendent for Pupil Services along with his/her recommendation

2. If the principal initiates the recommendations for release, he/she shall obtain the consent of the parents or legal guardians in writing and send his/her recommendation and the parents' consent to the Assistant Superintendent for Pupil Services. Such requests and recommendations shall be presented to the School Board at a regular meeting with the Division Superintendent's recommendation.

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[Former Policies 8-14 and 8-18]
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Leg Refs: Code of Virginia §§ [22.1-3](#), [22.1-254](#), [22.1-262](#), [22.1-263](#), [22.1-265](#),
[22.1-267](#), [22.1-269](#)