



AFFIDAVIT

Proof of Student Identity and Age

Virginia State law requires that an original or certified copy of a birth certificate be presented when a student registers for school (§ 22.1-3.1, Code of Virginia). If none can be produced, an affidavit witnessed and signed by a Notary Public may be accepted. State law also requires that the school division forward a copy of this Affidavit and documents used to provide proof of a child's age and identity to the local law enforcement agency. Please fill out the information below and return this form to the school after it has been notarized.

I, _____, being first duly sworn upon oath, based upon my personal knowledge, will answer the following questions honestly and to the best of my ability. I understand that this document is acceptable by Loudoun County Public Schools regarding the identity and age of the pupil identified below in accordance with §22.1-3.1 of the Code of Virginia.

1. What is your name and relation to student? _____/_____

2. Have you been advised by an official of Loudoun County Public Schools, and do you understand that you are required to answer the questions contained in the Affidavit as a condition of your students' enrollment and admission as a pupil in Loudoun County Public Schools due to your inability to provide the school system with the original or certified copy of the pupil's birth record? (circle one) **Yes** **No**

3. Do you understand that giving false or otherwise untrue answers to any of the questions in the Affidavit could result in a criminal charge of perjury being brought against you? (circle one) **Yes** **No**

4. Child's Legal Name: _____

Race: _____ Gender: **M** **F** Height: _____ Weight: _____

Date of Birth: _____ Hair Color: _____ Eye Color: _____

Birth Parent/s:

Father: _____

Mother: _____

City, State and Country of Child's Birth: _____

5. If you are not the legal parent/s, what are the name/s of the parents by legal adoption or person serving *in loco parentis* and responsible for the care of the pupil identified above?

- Where do the parents reside? (if applicable) _____
- Where do you reside? _____ (over)

6. Do you have legal custody imposed by a court or have you been designated as the appointed guardian for the pupil you desire to enroll? (circle one) **Yes No N/A**

- If you are the court appointed guardian, what court entered such order and in which type of court case were you appointed in this role (i.e., custody hearing, etc.)?

7. To the best of your knowledge, has this pupil ever been reported to any law enforcement agency as a missing child? (circle one) **Yes No**

- If your response to the above questions is Yes, identify by name and address the law enforcement agency and date of report. _____

8. What documents or written proof can be or is offered of the pupil's identity and age? (Attach copy) _____

9. Statement as to why an original or certified copy of the birth certificate is not available:

Signed: _____

Affiant

Subscribed and sworn to before me this _____ day of _____, 20_____

Witness my hand and official seal.

My commission expired: _____

(Seal)

Notary Public

§ 22.1-3.1. Birth certificates required upon admission; required notice to the local law-enforcement agency.
A. No pupil shall be admitted for the first time to any public school in any school division in this Commonwealth unless the person enrolling the pupil shall present, upon admission, a certified copy of the pupil's birth record. The principal or his designee shall record the official state birth number from the pupil's birth record into the pupil's permanent school record. If a certified copy of the pupil's birth record cannot be obtained, the person so enrolling the pupil shall submit an affidavit setting forth the pupil's age and explaining the inability to present a certified copy of the birth record. If the school division cannot ascertain a child's age because of the lack of a birth certificate, the child shall nonetheless be admitted into the public schools if the division superintendent determines that the person submitting the affidavit presents information sufficient to estimate with reasonable certainty the age of such child.
B. Upon the failure of any person enrolling a pupil to present a certified copy of the pupil's birth record, the principal of the school in which the pupil is being enrolled or his designee shall immediately notify the local law-enforcement agency. The notice to the local law-enforcement agency shall include copies of the submitted proof of the pupil's identity and age and the affidavit explaining the inability to produce a certified copy of the birth record.
C. Within fourteen days after enrolling a transferred pupil, the principal of the school in which the pupil has been enrolled or his designee shall request that the principal or his designee of the school in which the pupil was previously enrolled submit documentation that a certified copy of the pupil's birth record was presented upon the pupil's initial enrollment.
D. Principals and their designees shall be immune from any civil or criminal liability in connection with any notice to a local law-enforcement agency of a pupil lacking a birth certificate or failure to give such notice as required by this section.
(1990, c. 295; 1991, c. 523.)