

ARTICLE II: STUDENT ATTENDANCE

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POLICY 7-2.1 COMPULSORY ATTENDANCE

General Requirements

Every parent, guardian, or other person in Hanover County having control or charge of any child between the ages of 5 and 18 must send such child to the appropriate Hanover County Public School in accordance with Virginia Code § 22.1-254. Principals and the division superintendent shall follow all legal requirements with regard to the compulsory school reporting requirements of state law. Non-compliance with the state regulations will lead to disciplinary action, where appropriate, by the principal and the division superintendent or his designee.

General Exemptions

All students age 5 to 18 shall attend school regularly as set forth in § 22.1-254 of the Code of Virginia, except those specifically exempted.

1. The School Board may release students from school in compliance with state law and Virginia Board of Education Regulations, including but not limited to those students who:
 - a. satisfy all legal requirements for home schooling;
 - b. are enrolled in qualified alternative programs;
 - c. have received a high school diploma or its equivalent;
 - d. the School Board determines, in accordance with regulations of the state Board of Education, cannot benefit from education at school;
 - e. together with their parents and by reason of bona fide religious training or belief, are conscientiously opposed to attendance at school;
 - f. based on a recommendation from the Hanover County Juvenile and Domestic Relations District Court, should be excused by reason of concern for the pupils' health, as verified by competent medical evidence, or by reason of the pupils' reasonable apprehension for personal safety when such concern or apprehension in those pupils' specific cases is determined by the Court to be justified; or
 - g. are excused by the Hanover County Juvenile and Domestic Relations District Court following the Court's determination that they cannot benefit from education.
2. Compulsory attendance regulations shall not apply to children under 10 years of age who live more than two miles from a Hanover County 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.
3. 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:
 - a. The student must be at least sixteen years of age.
 - b. There shall be a meeting of the student, the student's parents, and the principal or his designee to develop the plan, which must include career guidance counseling, mandatory enrollment and attendance in a general educational development preparatory program or other alternative education program approved by the School Board with attendance reported to the principal or his designee, counseling on the economic impact of failing to complete high school and procedures for re-enrollment.
 - c. 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 division superintendent or attendance officer shall seek immediate compliance with the compulsory attendance law.

Health-Related Exemptions: Contagious or Infectious Diseases; Immunizations

1. Children suffering from contagious or infectious diseases shall be exempt from compulsory attendance when the physical incapacity is documented by a written statement from a practicing physician treating the child, giving the reason(s) for the student's inability to attend school. However, a child excluded from the regular instructional program under this exemption may be eligible to apply for homebound instruction in cases where such instruction may be of benefit to the child.
2. The attendance at school of students who suffer from or are reasonably suspected of suffering from (a) a communicable disease which poses a substantial risk or danger of infection to the school community and is serious or long term, such as tuberculosis or Hepatitis A; or (b) bloodborne diseases which are infectious or contagious, to include but not be limited to HIV-1, Hepatitis B, Chicken Pox, and cytomegalovirus, and which may be transmitted by the exchange of body fluids or secretions, shall be determined by the division superintendent on a case-by-case basis. The division superintendent shall seek a recommendation from a review committee to assist him in making his determination. The student may be temporarily excluded from school pending the division superintendent's decision. The division superintendent shall develop regulations setting forth the procedures to be followed to effect this Policy.
3. 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. (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 § 32.1-46 of the Code of Virginia in the same manner and to the same extent as if the child has been enrolled in and is attending school.)
4. Any child who will not have reached his sixth birthday on or before September 30 may be exempted from school attendance until the following year if the parent notifies the School Board, or its designee, because the child, in the opinion of the parent or guardian, is not mentally, physically or emotionally prepared to attend school.

All other exemptions from compulsory attendance granted by the School Board shall be in accordance with state law.

Requesting Exemptions

Any request for exemption from attendance shall be presented annually in writing to the division superintendent or his designee. Applicants desiring to provide home instruction shall be referred to the division superintendent's office.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-254, 22.1-254.1, 22.1-255, 22.1-256, 22.1-260 through 22.1-269, 22.1-271.4, 22.1-272, 16.1-279

Recodified: August 2000

Amended: November 7, 2007

ACCOMPANYING REGULATIONS

REGULATION 7-2.1(A): COMMUNICABLE DISEASES: ATTENDANCE AT SCHOOL

REGULATION 7-2.1(B): COMPULSORY ATTENDANCE

REGULATION 7-2.1(C) PROCEDURES FOR EXEMPTION FROM COMPULSORY ATTENDANCE UNDER THE RELIGIOUS EXEMPTION STATUTE

REGULATION 7-2.1(A): COMMUNICABLE DISEASES: ATTENDANCE AT SCHOOL

The following regulations have been developed for school personnel who identify or have reasonable cause to suspect that a student has a communicable disease which poses a substantial risk or danger of infection to the school community. These regulations apply to a student with a disease which is communicable, such as Tuberculosis or Hepatitis A; or a student with a disease which is transmitted by blood or body fluids, such as HIV-1, Hepatitis B, or Cytomegalovirus. Each such determination will be made on a case-by-case basis.

1. When any school personnel has identified or has reasonable cause to believe that a student has a communicable disease which poses a substantial risk or danger of infection to the school community, that person or persons shall notify the school principal. The school principal shall immediately notify the division superintendent.
2. The division superintendent will notify the student, if appropriate, and his or her parents of his intent to establish a review committee composed of the Director of the Hanover Public Health Department or a public health physician designated by the Director, the student's family physician, the Health Services Coordinator, and an administrator appointed by the division superintendent. The division superintendent, in his discretion, may appoint other persons to the review committee.
 - a. After reviewing all pertinent information regarding the student and consulting with the student's parents, the student, if appropriate, principal, and other persons that the Review committee shall deem necessary, the review committee shall make a recommendation to the division superintendent regarding the student's attendance at school. The review committee may make such further recommendations as it deems appropriate.
 - b. As recommended by the American Academy of Pediatrics, special consideration for exclusion from school will be made in cases where an infected person is: not toilet trained, incontinent, unable to control drooling, unusually physically aggressive with a documented history of biting or harming others, bleeding or possessing weeping skin lesions that cannot be covered.
3. The review committee shall meet within ten (10) business days of being established and shall make its recommendation to the division superintendent as soon thereafter as practical. The division superintendent will notify the student's parents of his decision within five (5) working days after receiving the review committee's recommendation. The student's parents may appeal the division superintendent's decision to the School Board. A written request for such appeal must be submitted to the division superintendent within ten (10) business days of the decision or the right to appeal will be deemed to be waived.
4. The review committee will formulate a plan for periodic review as the student's status or the disease changes.
5. Depending on the physical condition of the student and the degree of risk of infection posed to the school community, the student may be excluded from school pending the division superintendent's decision or any reevaluation. During the period of exclusion a student shall receive homebound instruction.
6. All parties involved shall respect the student's right to privacy. The number of personnel who are informed of the student's condition shall be kept to a minimum needed to assure proper care of the student and to detect situations where the potential for transmission may occur (e.g., bleeding injury).

Amended: August 28, 2007

REGULATION 7-2.1(B) COMPULSORY ATTENDANCE

Annual notification of intent to educate children at home shall be provided by parents to the division superintendent by August 15 prior to the opening of school. Such notification shall include evidence that the teaching parent meets one of the four legal requirements for providing home instruction: 1) holds a high school diploma, a copy of which must be provided with the notification; 2) is a teacher of qualifications prescribed by the Virginia Board of Education, and whose teaching certificate or license is provided with the notification; 3) provides a program of study or curriculum which may be delivered through a correspondence course or distance learning program or in any other manner; or 4) provides evidence that he or she is able to provide an adequate education for the child. Annual notification shall include a description of the curriculum, limited to a list of subjects to be studied during the coming year.

Parents who begin home instruction or who establish residence in the school division during the school year shall provide written notice of their intention to educate their children at home as soon as practicable. Within thirty (30) days of providing such notice, the parents shall provide a description of the curriculum to be followed for the remainder of the school year and evidence of meeting one of the four legal requirements for providing home instruction listed above.

Within thirty (30) days of notification of intention to instruct at home, the division superintendent or his designee shall ensure that the parents have submitted evidence of having met one of the four requirements listed above.

Instruction in certain courses is required for a regular high school diploma, should a student who has previously received home instruction return to the Hanover County Public Schools. All graduates beginning shall have earned the units of credit, as required by the Standards of Quality and prescribed by the State Board of Education. All graduates shall have earned the standard and verified credits, as required by the Standards of Quality and prescribed by the State Board of Education.

Parents who anticipate their home-instructed child will return to the school division and proceed to graduate should include these subject areas in their home schooling curriculum and should confer annually with the assistant superintendent of instructional leadership to ensure compliance with the most current course requirements.

Hanover County Public Schools will not be required to place home instructed students who subsequently seek public school enrollment in specific grade level classes unless the required subject areas have been satisfactorily mastered, nor will Hanover County Public Schools be responsible for enforcing such course requirements on home-instructed students who may, at some future point, seek a regular high school diploma.

By August 1 following the school year in which children have received home instruction, the parents shall submit either (i) evidence that the children have attained a composite score in or above the fourth stannine on any nationally normed standardized achievement test, or an equivalent score on the ACT, SAT, or PSAT test; or (ii) an evaluation or assessment which the division superintendent determines to indicate that the child is achieving an adequate level of educational growth and progress, including, but not limited to: (a) an evaluation letter from a person licensed to teach in any state, or a person with a master's degree or higher in an academic discipline, having knowledge of the child's academic progress, stating that the child is achieving an adequate level of educational growth and progress; or (b) a report card or transcript from a community college or college, college distance learning program, or home-education correspondence school.

In the event that evidence of progress as required above is not provided by the parent, the home instruction program for that child may be placed on probation for one year. Parents shall file with the division superintendent evidence of their ability to provide an adequate education for their child in compliance with this regulation and a remediation plan for the probationary year which indicates their program is designed to address any educational deficiency. Upon acceptance of such evidence and plan by the division superintendent, the home instruction may continue for one probationary year. If the remediation plan and evidence are not accepted or the required evidence of progress is not provided by August 1 following the probationary year, home instruction shall cease and the parents shall make other arrangements for the education of the child which comply with § 22.1-254 of the Code of Virginia. These requirements shall not apply to children who are under the age of six (6) as of September 30 of the school year.

Any parent, guardian or other person having control or charge of a child being home instructed shall comply with immunization requirements provided in §§ 32.1-46 in the same manner and to the same extent as if the child has been enrolled and is attending school. Upon the request of the division superintendent, the parent shall submit to the division superintendent documentary proof of immunization in compliance with §§ 32.1-46 and Hanover County School Board Policy 7-2.3. No proof of immunization shall be required of any child upon submission of (i) an affidavit to the division superintendent stating that the administration of immunizing agents conflicts with the parent's religious tenets or practices or (ii) a written certification from a licensed physician, licensed nurse practitioner, or local health department that one or more of the required immunizations may be detrimental to the child's health, indicating the specific nature of the medical condition or circumstance that contraindicates immunization.

Any parent aggrieved by a decision of the division superintendent may appeal his decision within 30 days to an independent hearing officer in accordance with § 22.1-254.1(E) of the Code of Virginia.

Amended: September 9, 2003, August 13, 2015

REGULATION 7-2.1(C) PROCEDURES FOR EXEMPTION FROM COMPULSORY ATTENDANCE UNDER THE RELIGIOUS EXEMPTION STATUTE

The Hanover County School Board recognizes all claims for religious exemption from Hanover County residents. For members of the School Board to consider a claim to exempt a child(ren) from compulsory attendance under the religious exemption statute, the following information is required to be provided to the division superintendent's office:

- A signed statement of faith from both parents or legal guardians indicating the religious training or belief on which the opposition to the child(ren)'s attendance in school is based. The statement should include substantiation that such beliefs are not essentially political, sociological or philosophical views or a merely personal moral code (22.1-254 (B)(1) Code of Virginia).

The following information is requested to be provided to the division superintendent's office:

- Name(s) or family relationship of child(ren) to the individual(s) making the claim and birth date(s) or age(s) of the child(ren).

- Letters from individuals whose identities can be verified and who have personal knowledge of the parents or guardians making the claim (such as, but not limited to, a pastor or church leader) in support of the parents' or guardians' claim.

Upon receipt, the claim is presented to the Hanover County School Board at its next regularly scheduled meeting. All claims should be received at least one week prior to the next regularly scheduled meeting. The individual(s) submitting the claim will be notified in writing of School Board action within two weeks of the School Board meeting.

The duration of the exemption is for all of the children in the family and will continue as long as the condition of religious training or belief exists.

Hanover County families who have been granted an exemption under the religious exemption statute may be contacted periodically by the division superintendent's office to determine any change in status.

Adopted: January 14, 2004

POLICY 7-2.2 SCHOOL ATTENDANCE AREAS

The Hanover County School Board, upon the recommendation of the division superintendent, shall designate school attendance areas. The establishment of school attendance areas shall be based on the following criteria: (1) the number of students in the area, (2) the distance from home to school, (3) the age of the students and the grades attended, (4) geographic or hazardous conditions, and (5) such other guidelines as the School Board may determine.

Exceptions

Students must attend school in the attendance areas where their parents or guardians reside except as provided by the policy on transfers, below. However, the division superintendent is authorized to assign students to any school when necessary for reasons of instruction and/or to balance class sizes.

Student Transfers

1. Transfer within the School division. Transfers from school to school within the Hanover County Public Schools shall be permitted only with the express consent of the division superintendent's office and must be based upon, but not limited to, reasons of health, hardship or change in residence. When transfers within the school division take place, all the necessary student records shall be transferred consistent with applicable law. However, in all cases the school from which the student transfers shall maintain adequate and permanent records to identify the student and to show his grade classifications, the reason for transfer and the school to which the student transferred.

Students who have been the victim of a crime against the person, and when such crime was committed by (i) another student, (ii) an employee of the School Board, (iii) a volunteer, contract worker or other person who regularly performs services in the school, or (iv) if the crime was committed upon school property or on any school bus owned or operated by the school division, may request a transfer if, as a result, he suffered physical, psychological, or economic harm as a direct result of the crime.

2. Change in Residence. A student whose residence changes during the school year from one school attendance area to another attendance area in the school division generally will be permitted to continue in the school in which the student is presently enrolled for the remainder of the school year if the parent or guardian requests permission from the division superintendent and provides for the student's transportation to the receiving school.

3. School Board employees residing within Hanover County and who work in a school outside the attendance area where they reside, may be permitted, in cases of hardship, to enroll their child or children in a school outside their attendance area.
4. Transfers into the School division. Students new to this school division generally will be placed in the grade to which they were assigned by the last school or school system they attended. Home school students may be subject to testing for appropriate grade level and course placement. In addition, any transfer students may be eligible for Carnegie credit and or verified credit under Policy and Regulation 6-4.3: Promotion and Retention. If, after an appropriate period of time and testing, the student is found to be placed inappropriately, the student shall be reassigned to the class or grade for which he is most qualified. Principals shall communicate appropriately with parents on grade placement and the assignment of students. Students transferring from another public or private school system or home school allowing children to enter school prior to the age requirement in Virginia must be assigned in accordance with law.
5. Persistently dangerous schools. A student attending a school that has been designated as a persistently dangerous school by the Virginia Department of Education will be offered the opportunity to transfer to another school, which is not so designated, within the School Division. Such transfers may remain in effect as long as the student's original school is identified as persistently dangerous.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-3, 22.1-3.3, 22.1-78, 22.1-79; 20 U.S.C. § 7912.

Recodified: August 2000

Amended: September 9, 2003, September 14, 2004, June 9, 2015

ACCOMPANYING REGULATION

REGULATION 7-2.2: REGULATIONS FOR TRANSFER STUDENTS

Transfers within the County

Acceptable reasons for transfer from school to school include reasons of health, hardship, or change in residence. Athletics is not an acceptable reason for students to transfer between schools. No employee shall encourage any student to transfer between schools for the purpose of participating in athletics.

Students may be permitted from school to school in order to access specialty courses available at only one specific school.

Transfers within the County

Students may be approved to transfer from one school to another within the division for the following reasons:

- health;
- hardship;
- change in residence;
- home school identified as persistently dangerous;
- access to courses taught at only one (1) school.

Athletics and extracurricular activities are not acceptable reasons for a student to transfer from a school to attend another school in the division. No employee of the school division shall encourage any student to transfer between schools for the purpose of participating in athletics and/or extracurricular activities.

Transfer Forms

1. A regular transfer form is to be filled out carefully and completely.
2. One copy of the form shall be sent with the report card and cumulative record to the school to which the student is transferring.
3. One copy of the transfer form shall be kept in files in the school from which the child is transferring.

Transfer from Outside the County

An official student record shall be required from all previous schools/home school attended by the individual. Additional documentation regarding course content may be required. Refer to Policy and Regulation 6-4.3: Promotion and Retention.

Amended: September 9, 2003, August 24, 2004, September 15, 2004

POLICY 7-2.3 SCHOOL ADMISSIONS

A person of school age (i.e., a person who will have reached his fifth birthday on or before September 30 of the school year and who has not reached 20 years of age on before August 1 of the school year) is eligible for admission on a non-tuition basis if residing in the Hanover County School Division, or if eligible for admission under Policy 7-2.3.

A person of school age shall be deemed to reside in the school division:

1. When the person is living with a natural parent, or a parent by legal adoption in the Hanover County school division;
2. When, in accordance with the provisions of the Interstate Compact on Educational Opportunity for Military Children, Va. Code §22.1-360, the person is living with a noncustodial parent or other person standing in loco parentis, not solely for school purposes, pursuant to a Special Power of Attorney executed under S.C. § 1044b by the custodial parent;
3. When the parents of such person are deceased and the person is living with a person in loco parentis who actually resides within the school division;
4. When the parents of such person are unable to care for the person and the person is living, not solely for school purposes, with another person who resides in the school division and is (i) the court-appointed guardian, or has legal custody of the person, (ii) acting in loco parentis pursuant to placement of the person for adoption by a person or entity authorized to do so under VA Code§ 63.2-1220; or (iii) an adult relative providing temporary kinship care as that term is defined in Va. Code § 63.2-100. Both parents and the relative providing kinship care must submit signed, notarized affidavits (a) explaining why the parents are unable to care for the person, (b) detailing the kinship care arrangement, and (c) agreeing that the kinship care provider or the parent will notify the school within 30 days of when the kinship care arrangement ends. The parents must also provide a power of attorney authorizing the adult relative to make educational decisions regarding the person. A parent or the kinship care provider must obtain written verification from the department of social services where the parent or parents live and the department of social services where the kinship provider lives, that the kinship arrangement serves a legitimate purpose that is in the best interest of the person other than school enrollment. With written consent from the parent or adult relative, for the purposes of expediting enrollment, a school division may obtain such written verification directly from the local department or departments of social services. If the kinship care arrangement lasts more than one year, both departments of social services will be required to provide continuing verification that the parents are unable to care for the person and that the kinship care arrangement serves a legitimate purpose other than school enrollment.
5. When the person is living in the school division not solely for school purposes as an emancipated minor.

6. When the person living in the school division is a homeless child or youth who lacks a fixed, regular, and adequate nighttime residence. Such persons shall include (i) children and youths, including unaccompanied youths who are not in the physical custody of their parents, who (a) are sharing the housing of other persons due to loss of housing, economic hardship, or other causes; are living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations or in emergency, congregate, temporary, or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement; (b) are living in an institution that provides a temporary residence for individuals with mental illness or individuals intended to be institutionalized; (c) have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or (d) are living in parked cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and (ii) migratory children, as defined in the federal Elementary and Secondary Education Act of 1965, P.L. 89-10, as amended, who are deemed homeless as they are living in circumstances set forth above. "Temporary shelter" means (1) any home, single or multi-unit dwelling, or housing unit in which persons who are without housing or a fixed address receive temporary housing or shelter or (2) any facility specifically designed or approved for the purpose of providing temporary housing or shelter to persons who are without permanent housing or a fixed address.
7. When the person has been placed in a foster care placement within the school division by a local social services agency. No person of school age who is the subject of a foster care placement will be charged tuition regardless of whether the child is attending the school in which he was enrolled prior to the most recent foster care placement or is attending a school in the receiving school division.

Certain other students may be admitted into the public schools of the division and may be charged tuition in accordance with section 22.1-5 of the Code of Virginia and pursuant to Hanover County School Board regulations.

No child of a person on active military duty attending a school free of charge in accordance with this policy shall be charged tuition by the school division upon such child's relocation to military housing located in another school division in the Commonwealth, pursuant to orders received by such child's parent to relocate to base housing and forfeit his military housing allowance. Such children shall be allowed to continue attending school in the school division and shall not be charged tuition for attending such school. Such children shall be counted in the average daily membership of the school division in which they are enrolled. Further, the school division in which such children are enrolled subsequent to their relocation to base housing shall not be responsible for providing for their transportation to and from school.

PROOF OF RESIDENCE

A resident is defined as one who resides permanently in Hanover County. Proof of residence shall include –

- one of the following, which must reflect the resident's name and physical address: a sales contract for the purchase of the residence (signed by seller and purchaser), a deed, a current mortgage statement from the lender, or a signed current lease; AND
- one of the following, which must reflect the resident's name and physical address: a current bill for land-line telephone, cable, internet or satellite service, a voter registration card, an automobile registration card, or a tax document for the most recent tax year (income tax return, W-2 form, receipt for personal property taxes paid within the current year).

Parents submitting a Multiple Family Disclosure form when registering their child must provide proof of county residency for the host family. The parent of the incoming student must provide two documents proving the parent's residency within 60 calendar days after registration.

Final decisions regarding residence for school attendance purposes shall be made by the division superintendent or his/her designee.

Any person who knowingly makes a false statement concerning the residency of a child for the purposes of (i) avoiding the tuition charges authorized by § 22.1-5 of the Code of Virginia or (ii) enrollment in a school outside the attendance zone in which the student resides, shall be subject to prosecution, pursuant to § 22.1-264.1, and shall

be liable to the school division for tuition charges, pursuant to § 22.1-5 of the Code of Virginia, for the time the student was enrolled in the school division.

If an investigation regarding residency is conducted and it is determined that the student is not a resident or living within the appropriate attendance zone, the student will be withdrawn within five (5) school days of written notification to the parent.

ADDITIONAL ADMISSION REQUIREMENTS

- A. Except as otherwise provided below, no pupil shall be admitted for the first time to any public school in any school division in Virginia unless the person enrolling the pupil presents, 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 and may retain a copy in 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. If a certified copy of the birth record is not provided, the administration 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 14 days after enrolling a transfer student, the administration shall request documentation that a certified copy of the pupil's birth record was presented when the pupil was enrolled in the former school.
- D. Tuition rates are established each year in accordance with the provisions of § 22.1-5 of the Code of Virginia.
- E. Prior to admission to the Hanover County Public School Division, the parent, guardian, or other person having control or charge of the child shall provide, upon registration,
 - a sworn statement or affirmation indicating whether the student has been expelled from school attendance at a private school or in a public school division of the Commonwealth or another state for an offense in violation of school board policies relating to weapons, alcohol or drugs, or for the willful infliction of injury to another person. This document shall be maintained as a part of the student's scholastic record; and
 - a sworn statement or affirmation indicating whether the student has been found guilty of or adjudicated delinquent for any offense listed in subsection G of Va. Code § 16.1-260 or any substantially similar offense under the laws of any state, the District of Columbia, or the United States or its territories. This document shall be maintained by the superintendent and by any others to whom he disseminates it, separately from all other records concerning the student.

However, if the school administrators or the school board takes disciplinary action against a student based upon an incident which formed the basis for the adjudication of delinquency or conviction for an offense listed in subsection G of § 16.1-260, the notice shall become a part of the student's disciplinary record.

When the child is registered as a result of a foster care placement, the information required under this subsection must be furnished by the local social services agency or licensed child-placing agency that made the placement.

- F. A student, who has been expelled or suspended for more than thirty days from attendance at school by a school board or a private school in Virginia or in another state or for whom admission has been withdrawn by a private school in Virginia or another state may be excluded from attendance in the Hanover County

School Division regardless of whether such student has been admitted to another school division or private school in Virginia or in another state subsequent to such expulsion, suspension, or withdrawal of admission upon a finding that the student presents a danger to the other students or staff of the school division after (i) written notice to the student and his/her parent that the student may be subject to exclusion, including the reasons therefore, and notice of the opportunity for the student or his parent to participate in a hearing to be conducted by the superintendent or his designee regarding such exclusion; and (ii) a hearing of the case has been conducted by the superintendent or his/her designee; and the decision has been to exclude the student from attendance. The student or his parent may file a written petition for review with the School Board within 15 days of notice of the decision of the superintendent or his/her designee. If the School Board grants a review of the record, the decision of the superintendent or his/her designee may be altered.

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period shall be established by the School Board, committee thereof, or superintendent or his designee, as the case may be, at the relevant hearing, the student may petition the School Board for readmission. If the petition for readmission is rejected, the School Board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may petition the School Board for readmission.

For the purposes of this section, the division superintendent's designee shall be a (i) trained hearing officer or (ii) professional employee within the administrative offices of the school division who reports directly to the division superintendent and who is not a school-based instructional or administrative employee.

In excluding any such expelled student from school attendance, the School Board may accept or reject any or all of any conditions for readmission imposed upon such student by the expelling school board pursuant to VA Code § 22.1-277.06. The excluding School Board shall not impose additional conditions for readmission to school.

- G. This policy does not preclude contractual arrangements between the Hanover County School Board and agencies of the federal government or the school board of another jurisdiction to permit students not otherwise eligible to attend Hanover County Public Schools.
- H. Prior to admission, the student must document compliance with, or eligibility for exemption from, the physical examination and immunization requirements contained in §§ 22.1-270, 22.1-271.2 and 32.1-46 of the Code of Virginia and policies 7-2.3C and 7-2.3D.

If the person enrolling a child who has been placed in foster care by a local social services agency is unable to produce a report of a comprehensive physical examination and/or proof of immunization, the student shall be immediately enrolled; however, the person enrolling the child shall provide a written statement that, to the best of his knowledge, the student is in good health and is free from communicable or contagious disease. In addition, the placing social service agency shall obtain and produce the required documents or otherwise ensure compliance with the statutory requirements for the foster child within 30 days after the child's enrollment.

Admission of Nonpublic Students for Part-Time Enrollment: Prohibition

Private and home-schooled students shall not be permitted to enroll part-time or to participate in academic or extracurricular activities in the Hanover County Public Schools.

Non-Residents

Generally

The Hanover County School Board may accept children from outside Hanover County on a tuition basis provided students meet admission requirements; require educational services that can be provided by the staff of the Hanover County School Board in its existing facilities and utilizing its existing programs and services and based on space availability; and comply with the Code of Student Conduct (Policy 7-3.1). Student behavior that is inconsistent

with the Code of Student Conduct and that requires excessive dedication of School Division staff resources shall result in the student's withdrawal from Hanover County Public Schools. Exceptions: Families who reside outside Hanover County but whose only street access is through Hanover County and who have continuously maintained their residence prior to and since the adoption of this policy, dated March 12, 2002, and for whom the School Board has previously granted a waiver for such residence, may attend Hanover County Public Schools free of charge.

The Code of Virginia provides that no person shall be charged tuition for admission or enrollment in the public schools of the Commonwealth, whether on a full-time or part-time basis, who meets the residence criteria set forth in Va. Code § 22.1-3. However, Hanover County Public Schools may charge tuition to a student who:

1. Is a resident of the school division but not of school age;
2. Is of school age and a resident of Virginia but does not reside within the school division, except as provided in this policy;
3. Is of school age and resides beyond the boundaries of Virginia but near thereto in a state or the District of Columbia which grants equal attendance privileges to residents of the Commonwealth;
4. Is of school age and resides on a military or naval reservation located wholly or partly within the geographical boundaries of the school division, is not a domiciled resident of the Commonwealth of Virginia, and is a student for whom federal funds provided under Public Law 874 of 1950, commonly known as Impact Aid, fund less than 50 percent of the total per capita cost of education in Hanover County Public Schools exclusive of capital outlay and debt service;
5. Is of school age and attending a school in the school division pursuant to a foreign student exchange program approved by the School Board;
6. Is of school age and was enrolled in a public school within the school division as a domiciled resident of the Commonwealth, and has been required as a result of military or federal orders issued to their parents to relocate and reside on federal property in another state or the District of Columbia, where such state or the District of Columbia is contiguous to the school division; or
7. Is of school age and residing within the school division, and is enrolled in summer programs other than remediation required under § 22.1-253:13:1, or is enrolled in local initiatives or programs not required by the Standards of Quality or the Standards of Accreditation.

Eligibility for consideration does not signify acceptance of the admission application of a student. Each application for admission will be considered on an individual basis. The residence of persons in the above categories who reside in housing or temporary shelter, or on property located in multiple jurisdictions, shall be determined in the manner set forth elsewhere in this Policy.

Procedure for Admission

The following procedure shall be followed for application and review of applications for admission of non-resident students.

A parent or guardian of a non-resident student shall apply for admission on behalf of his child by completing the school division application. The application form shall contain information and agreements including, but not limited to:

1. the current legal residence of the child and the school division in which he is currently enrolled;
2. the basis for requesting admission;
3. the specific building and grade level (elementary) or course offerings (secondary) in which the student desires to be enrolled if accepted by the school division; and,
4. the agreement that the student becomes subject to all policies, regulations and guidelines of the school division, including the Hanover County *Code of Student Conduct*.

Applications for non-resident students will be considered in order received, i.e., first come-first served. Any current non-resident students will be given first opportunity to continue enrollment in Hanover County Public Schools. Applications of those students who meet Hanover standards will be approved to the extent that class openings are

available. Applications are to be made on or before April 1 of the preceding school year. The school division superintendent or his designee will act upon the application. Applications received after April 1 may be deferred until the opening of school in the fall. Any student accepted on a tuition basis will not be enrolled in the Hanover County Public Schools before the receipt and approval of school records from the student's previous school.

Within 15 calendar days of receipt of the application, the Hanover County School Board Office shall provide the applicant with written notification of the approval or denial of the application. If the student is to be admitted, the superintendent shall recommend the admission to the School Board and the Hanover County School Board Office shall notify the division which the student previously attended and make necessary arrangements for the transfer of student records. The notification of admission shall state the period for which the student is accepted or the subsequent conditions which could cause the acceptance to be terminated.

If the application is denied, the Hanover County School Board Office shall notify the parent or guardian of the right to have the transfer reviewed by sending a written request to the superintendent/designee within seven calendar days. Applications denied based upon the student's suspension, expulsion, or withdrawal of admission shall be reviewed in as provided in Policy 7-2.3. For all other denials of admission, the superintendent/designee shall respond in writing to the request for review within 10 calendar days. If the request is denied, the superintendent/designee shall notify the parent of the right to petition the School Board, upon five calendar days prior notice, for review of the decision and to have a hearing before the Board at its next regular meeting. Following the hearing by the Board, a final decision shall be promptly communicated to the parent in writing. If review is not requested within the timelines specified, the recommended denial of the request for admission shall be submitted to the Board at its next regular meeting.

Tuition

Tuition for elementary (K-5) and secondary (6-12) school students will be based on local cost and shall be set by the division superintendent or his designee for each academic year. A non-refundable fee of \$50.00 must accompany the application. No application will be considered without the accompanying fee. One-half of the balance of the annual tuition balance is due on or before the opening of school and one-half on or before the beginning of the second semester. Students will be enrolled once tuition is paid by the due date of each semester. Tuition paid with the application will not be refunded if the application is approved and the student does not enroll. If the division superintendent or his designee does not approve an application to attend Hanover County Public Schools, the tuition will be refunded. Students who are enrolled, but whose parents move out of Hanover County and thus become non-residents during the second semester will be allowed to complete the current school year without paying tuition.

Full-Time School Employees

The Hanover County School Board may accept children of full-time Hanover County School Board employees residing outside Hanover County on a no more than half-tuition basis, depending on space availability, provided such students meet admission requirements, require educational services that can be provided by the staff of the Hanover County School Board in its existing facilities and utilizing its existing programs and services, and comply with the Code of Student Conduct (Policy 7-3.1). Student behavior that is inconsistent with the Code of Student Conduct and that requires excessive dedication of School Division staff resources shall result in the student's withdrawal from Hanover County Public Schools.

State Welfare or Institutionalized Students

Welfare or institutionalized students assigned to Hanover County by a state agency serving as custodian of these children shall be permitted to enroll and attend the Hanover County Public Schools without being charged tuition.

Exchange Students

Tuition charges shall be waived for J-1 foreign exchange students whose school admission has been recommended by the school principal of the school in which the foreign exchange student will be enrolled and the school division superintendent or his designee.

Transportation Services

Transportation services shall not be furnished to nonresident students except in those cases where:

1. The School Board has entered an agreement regarding such services with another Virginia school division;
2. Federal or state legislation mandates the provision of transportation services; or
3. Transportation services can be provided at no cost to the Hanover County Public Schools, and a request for such services is approved by the division superintendent or his designee.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-1, 22.1-3, 22.1-3.1, 22.1-3.2, 22.1-3.4, 22.1-5, 22.1-70, 22.1-78, 22.1-79, 22.1-200.1, 22.1-253.13:1, 22.1-254.1, 22.1-255, 22.1-260, 22.1-270, 22.1-271.1, 22.1-271.2, 22.1-271.4, 22.1-276.01, 22.1-277, 22.1-277.2, 22.1-288.2, 32.1-43, 32.1-46, 32.1-48; 63.2-900, and 63.2-1200; Public Law 104-208, Illegal Immigrations Reform and Immigrant Responsibility Act of 1996, § 625; Steward B. McKinney Homeless Assistance Act, 42 U.S.C. §§ 11301, et. Seq.; Immigration and Nationality Act, as amended, 8 U.S.C §§ 1101, et seq.; 8 CFR Parts 1 – 499; and 22 CFR Parts 1 - 1799.

Recodified: August 2000

Amended: April 23, 2001, March 12, 2002, April 16, 2002, May 7, 2003, July 16, 2003, September 14, 2004, August 4, 2009, September 10, 2013, June 9, 2015, August 11, 2015

ACCOMPANYING REGULATIONS

- 7-2.3 (A) ADMISSION REQUIREMENTS
- 7-2.3 (B) ENROLLMENT OF FOREIGN EXCHANGE STUDENTS
- 7-2.3 (C) STUDENT IMMUNIZATIONS
- 7-2.3 (D) PHYSICAL EXAMINATIONS OF STUDENTS

REGULATION 7-2.3(A): ADMISSION REQUIREMENTS

Age

Persons who reach their fifth birthday on or before September 30 of each school year and who have not reached their twentieth birthday on or before August first of the school year may be admitted to school. A certified copy of the birth certificate shall be required for each person seeking enrollment in the schools for the first time.

Residents

Generally

Persons of school age must satisfy residency requirements as set out in Virginia Code § 22.1-3 and School Board Policy 7-2.3.

Documentation

1. Residency

Upon request, it shall be the responsibility of the parent or guardian to furnish satisfactory proof of actual and bona fide residency in Hanover to the Hanover County School Board or its designee. Proof of residency shall be considered on a case by case basis, including but not limited to:

- one of the following, which must reflect the resident's name and physical address: a sales contract for the purchase of the residence (signed by seller and purchaser), a deed, a current mortgage statement from the lender, or a signed current lease; AND
- one of the following, which must reflect the resident's name and physical address: a current bill for landline telephone, cable, internet or satellite service, a voter registration card, an automobile registration card, or a tax document for the most recent tax year (income tax return, W-2 form, receipt for personal property taxes paid within the current year).

2. Physical Examination

Generally

Persons desiring admission for the first time to kindergarten or elementary school in Hanover County must present evidence of having had a comprehensive physical examination performed no earlier than twelve months prior to the date of enrollment.

Parents or guardians of entering students shall complete a health information form within fifteen (15) days of receipt unless the division superintendent or a designee grants reasonable extensions. Upon failure to complete the form within the extended time the student will be excluded from school after written notice to the parent or guardian stating the effective date of exclusion.

Exemption

Such physical examination shall not be required of any person whose parent or guardian shall object on religious grounds and who shows no visual evidence of sickness. The parent or guardian shall state in writing that, to the best of his knowledge, the person is in good health and free from any communicable or contagious disease.

3. Immunization Requirements

Generally

No person shall be admitted to any Hanover County Public School unless at the time of admission documentary proof is submitted of successful immunization against diphtheria, tetanus, whooping cough, poliomyelitis, measles (rubeola), German measles (rubella), mumps, Hepatitis B and Varicella. A tetanus, diphtheria, Pertussis (Tdap) booster is required for sixth grade students prior to entry.

Conditional Admission

- a. Any person whose immunizations are incomplete may be admitted

conditionally if that person provides documentary proof at the time of enrollment of having received at least one dose of the required immunizations accompanied by a schedule for completion of the required doses within ninety days.

- b. The immunization record of each person admitted conditionally shall be reviewed periodically until required immunizations have been received.
- c. Any person admitted conditionally and who fails to comply with his schedule for completion of the required immunizations shall be excluded from school until his immunizations are resumed.

Exemptions

Exemptions shall apply if the parent or guardian objects thereto because of religious tenets or practices or a physician states that the physical condition of the person is such that administration of one or more of the required immunizing agents would be detrimental to the person's health.

Amended: August 28, 2007, June 9, 2015

REGULATION 7-2.3(B): ENROLLMENT OF FOREIGN EXCHANGE STUDENTS

Philosophy

The Hanover County School Board believes that international students provide educational opportunities, which contribute to understanding and respecting cultures, languages, and governments of other countries and their peoples.

Classification of Foreign Exchange Students

1. Foreign exchange students are defined as those on J-1 (Exchange Visitor) visas.
2. J-1 students are defined as persons who have residence in a foreign country to which they plan to return, and who are coming to the United States temporarily as participants in a cultural exchange program that has been approved by the United States Department of State (State Dept.). Sponsors of J-1 Exchange Visitor Programs, as described in the Mutual Education and Cultural Exchange Act (the "Fulbright-Hays Act"), include government agencies, educational institutions, hospitals, not-for-profit organizations, etc.
3. The J-1 certificate of eligibility (Form DS 2001 (or such subsequent form as may be developed by the State Dep't)) may be issued only by a Responsible Officer from a State Dep't designated and approved Exchange Visitor Program Sponsor. That Responsible Officer is obligated to ensure compliance with State Dep't regulations, including mandatory health and accident insurance and maintenance of accurate records for each participant.
4. Under the J-1 regulations the Exchange Visitor Program must comply with all State Department requirements, including, but not limited to the following:
 - a. limit its program to participants between the ages of 15 and 18-1/2 (as of the beginning of the program) or who have not completed more than 11 years of primary and secondary education (exclusive of kindergarten);

- b. ensure adequate orientation to participants and their host families;
 - c. ensure that participants are not clustered together in one school (limit is five per school, unless the school requests, in writing, the placement of more than five students);
 - d. ensure that no J-1 student is placed more than 150 miles from an authorized program representative;
 - e. maintain regular contact with the student, host family, and host school; and
 - f. secure written permission from school officials before placing a student in the school.
5. The J-1 student must comply with all State Dep't regulations, including, but not limited to the following:
- a. have sufficient financial resources for the stay in the United States;
 - b. have a residence to return to upon completion of the program in the United States;
 - c. maintain lawful immigration status while in the United States, among other things, by keeping a valid passport at all times, not working without authorization, and leaving the United States upon expiration of the visa or securing an extension of stay, if necessary;
 - d. have sufficient command of the English language to enable the student to function well in an English-speaking academic and community environment; and
 - e. maintain required health insurance.

Application Procedures for J-1 Foreign Exchange Students

1. Any agency or organization wishing to place foreign exchange students in the Hanover County Public Schools must be approved by the State Dep't and a recognized agency including the Council on Standards for International Educational Travel (CSIET) or the National Association of Secondary School Principals (NASSP).
2. The approval of any foreign student exchange program seeking to place or to recruit students in the Hanover County Public Schools shall be subject to the approval of both the school's principal and the division superintendent or his designee (central office coordinator).
3. Applications to place foreign exchange students in the Hanover County Public Schools must be submitted to the central office coordinator no later than April 30 (preceding the academic year for which enrollment is being requested) and must contain the following information:
 - a. sponsoring organization and the family with whom the foreign student will live for the academic year;
 - b. student's birth certificate/passport/visa;
 - c. student's transcript/school records documenting subjects taken for at least four previous years of schooling (translated into English) with an explanation of curriculum and credits/time spent in each course;
 - d. immunization and health records;
 - e. evidence of insurance;
 - f. statement of grade level in which the student expects to enroll;
 - g. handwritten statement by the student (100-150 words) explaining why he wants to attend school in the United States;
 - h. permission to participate in interscholastic athletics, if participation is desired;

- i. statement of documented proficiency in spoken and written English at a level which will enable the student to engage fully in classwork upon enrolling; and
- j. other pertinent documents presented by the organization or host family and/or requested by Hanover County Public Schools.

Standards for Admission for J-1 Foreign Exchange Students

1. Students will be accepted in grades 9-12. Admission of students below grade 9 will be reviewed case-by-case and determined by the principal of the relevant Hanover County Public School and the central office coordinator.
2. Students who are 18 years of age and who have graduated from high school (completed all grades) in their native country will not be eligible for admission to any of the Hanover County Public Schools.
3. Students must have English proficiency and will not be eligible for English as a Second Language (ESL) or special education status.
4. Students must have acceptable academic achievement in their native countries.
5. Students must have been screened for maturity and ability to get maximum benefit from an exchange program.
6. Students will be admitted for a full academic year and enrollment will be dependent upon availability of space in each school.
7. Students must enroll in an American literature course, a U.S. History course, and a U.S. Government course at grades 11 and 12.
8. Foreign exchange students are ineligible to take driver's education classes.
9. Foreign exchange students are ineligible to receive a high school diploma, but may earn certificates of attendance and participate in graduation exercises with the approval of the relevant high school principal.
10. Foreign exchange students are eligible to participate in extra-curricular and interscholastic athletic activities as prescribed by the Virginia High School League and with written approval by the relevant high school principal.
11. Placement of foreign exchange students with host families having children enrolled in the Hanover County Public Schools will be expected. The relevant school principal and central office coordinator will review exceptions and agree on the enrollment decision.
12. Foreign exchange students will not be included in any class ranking lists, nor will a grade point average (GPA) be computed for them.
13. Foreign exchange students will be subject to the same policies, rules of conduct, and attendance requirements that apply to all students in the Hanover County Public Schools. The foreign exchange student's host family will be regarded as the "parents" for purposes of notice as required by the school division's Code of Student Conduct.
14. Foreign exchange students must be supported by a local area representative of the sponsoring organization. The representative must be available to the student, school, central office coordinator, and host family when needed and shall provide each a current address and phone number. The representative must make personal contact with the relevant school principal at least twice during the duration of the student's enrollment to discuss academic and personal adjustment/progress.
15. A foreign exchange student can be expelled by Hanover County Public Schools for unacceptable behavior or for failure to maintain adequate grades, defined as average (C).
16. Foreign exchange students will be responsible for paying the same school fees as those required by Hanover County students. Foreign exchange students are not eligible for free textbooks or free lunches.

17. Enrollment of a foreign exchange student in any Hanover County school is contingent upon the student's possessing at the time of enrollment a valid J-1 visa permitting the student to reside in the United States for the entire period of his educational exchange experience.
18. Foreign exchange students shall have access to all courses in the school curriculum, but if the pupil/teacher ratio in any course has reached the maximum limit, the principal may refuse enrollment of the exchange student in that course.

Procedures for Placement of Foreign Exchange Students

1. Completed applications to place foreign exchange students within Hanover County Public Schools shall be filed with the division superintendent's designated central office coordinator not later than April 30 for possible placement of foreign exchange students during the next school year.
2. The central office coordinator shall review all applications and forward to principals those of foreign exchange students who meet eligibility requirements for placement in the Hanover County Public Schools.
3. Each school to which applications have been submitted shall communicate to the central office coordinator its acceptance or disapproval of each application within ten (10) school days of receipt of the application.
4. The central office coordinator shall notify, in writing, each applying agency the status of application(s) forwarded from a school within ten (10) days of the notification from the school regarding acceptance or disapproval.
5. The combined number of full-time foreign exchange students from all placing agencies shall not exceed five (5) students at any one Hanover County public school, unless the school requests, in writing, the placement of more than five students.
6. Enrollment of foreign exchange students in any Hanover County public school will be completed by June 30 preceding the beginning of the school year in which the student will be enrolled.
7. The division superintendent retains authority to make all final decisions on placement of foreign exchange students in the Hanover County Public Schools.

Amended: July 16, 2003, February 26, 2008

REGULATION 7-2.3(C) STUDENT IMMUNIZATIONS

Before entering a Hanover County public school for the first time, every pupil shall furnish a certificate confirming that the pupil has been immunized against communicable diseases as required by §§ 32.1-46, 22.1-271.2 and 22.1-271.4 of the Code of Virginia, has begun receiving the first series of all such vaccinations, or is exempt as provided elsewhere in this regulation. Any parent, guardian, or other person having control or charge of a child being home instructed or exempted or excused from school attendance shall comply with state immunization requirements.

Conditional Enrollment

A student may be enrolled for a period of 90 school days contingent upon the student's having received at least one dose of each of the required vaccines and the student's possessing a plan, from a physician, registered nurse or employee of a local health department, for completing his immunization requirements within the ensuing 90 school days; except that a student who has not yet received a second dose of measles (rubeola) vaccine must receive such second dose pursuant to the Virginia Board of Health's minimum immunizations required for school attendance.

Exemptions

1. When the parent or guardian has an objection on the grounds that the administration of immunizing agents conflicts with his religious tenets or practices and provides the principal with a written statement of such objection, unless an emergency or a disease epidemic has been declared by the Virginia Board of Health.
2. When the parent or guardian presents a statement from a physician or a local health department that states that the physical condition of the child is such that the administration of one or more of the required immunizing agents would be detrimental to the health of the child.

Evidence of Immunization

Evidence acceptable for proof of required immunizations must include the month, day, and year each dosage was administered on forms developed by or approved by the Virginia Department of Health. All students for whom immunization dates cannot be provided (month, day, year) must be referred to the local health department or their private physicians to update their records before entering school.

REGULATION 7-2.3(D) PHYSICAL EXAMINATIONS OF STUDENTS

Before any child is admitted for the first time to any public preschool, kindergarten, or elementary school (grades K-6), such child must furnish a report from a qualified licensed physician or a licensed nurse practitioner acting under the supervision of a licensed physician, of a comprehensive physical examination of a scope as prescribed by the Virginia Health Commissioner, performed within the twelve (12) months prior to the date such child first enters kindergarten or elementary school. At the end of such report shall summarize abnormal physical findings, if any, and shall specifically state what, if any, conditions are found that would identify the child as disabled.

1. A copy of such report must be presented to the school on the child's behalf.
2. The report must indicate that the child has received the physical examination no earlier than 12 months prior to the date of first entering kindergarten or elementary school.
3. Transfer students entering a Hanover County elementary school must provide one of the following:
 - a. Records establishing that a physical examination was completed prior to enrolling in another school (evidence of such an examination may be: (a) a copy of the report of the medical examination or (b) transcript notation or phone verification from the other school with records to follow); OR
 - b. A report of a physical examination dated within the last 12 months.
4. Physical examination reports shall be placed in the child's health record at the school.
5. A physical examination shall not be required of any child whose parent or guardian objects on religious grounds and who shows no visible evidence of sickness. The parent or guardian shall state in writing that, to the best of his knowledge, the child is in good health and free from any communicable or contagious disease.
6. The school division shall coordinate with the Hanover County Department of Health to conduct physical examinations for medically indigent children, upon request, before their admission to any kindergarten or elementary school, without charge to the children or their parents or guardians.

7. Parents/guardians of students entering school shall complete a health information form as required by state law. Failure to return the form as required by state law may result in the child's exclusion from school.

Amended: April 12, 2002

POLICY 7-2.4 STUDENT ATTENDANCE AND ABSENCES/TRUANCY

With the support from their parents, Hanover County public school students are expected to accept responsibility for good attendance. School attendance is related directly to academic achievement and the development of good habits which are important in college and employment. Student attendance is a cooperative effort involving the school, parents and students.

Students shall attend school for a full day unless otherwise excused. Secondary students shall be scheduled for a full school day unless they are enrolled in a cooperative work-study program. All other exceptions to a full-day schedule must be approved on an individual basis by the division superintendent or his designee.

During any one school year, students shall not be absent for more than twenty (20) school days for elementary (grades K-5) or twenty (20) single class periods of any one class or ten (10) blocks of any one alternate day schedule class for secondary (grades 6-12) with the exception of those days, class periods or blocks missed due to scheduled school activities. Students who do not meet attendance requirements may not receive academic credit.

Students who are absent to observe a religious holiday will be excused upon presentation of written verification from the student's parent/guardian. No student will be deprived of any award, eligibility or opportunity to compete for any award, or the right to take an alternate test or examination the student missed by reason of such verified absence.

Schools shall make a reasonable effort to contact a parent/guardian of each absent student every day, and to obtain an explanation of the student's absence where there is no indication that the student's parent(s) is aware of and supports the absence. Schools shall keep a log of call attempts. Students who are absent must have a valid communication from parent/guardian stating the reason for absence upon returning to school. Unexcused absences shall be handled according to regulations issued by the division superintendent. Student attendance shall be monitored and reported as required by state law and regulations.

If (1) a student fails to report to school for a total of five scheduled school days for the school year, (2) there is no indication that the student's parent(s) is aware of and supports the absence, and (3) reasonable efforts to notify the parent of the absences have failed, then the principal or designee shall make a reasonable effort to ensure that direct contact is made with the parent, either in person or through telephone conversation, by the attendance officer to obtain an explanation of the pupil's absence and to explain to the parent the consequence of continued nonattendance. The attendance officer, the pupil, and the pupil's parent shall jointly develop a plan to resolve the pupil's nonattendance. Such plan shall include documentation of the reasons for the pupil's nonattendance. If the student's parents have joint physical custody of the student and the school has notice of the custody arrangement, then both parents shall be notified at their last known addresses. If the parent(s) fail to comply with the principal's or designee's request within three (3) school days, the principal or designee shall notify the attendance officer or division superintendent who shall enforce the school compulsory attendance rules.

Sixth Absence Without Parental Awareness and Support

If the pupil is absent an additional day after direct contact with the pupil's parents and the attendance officer has received no indication that the pupil's parent(s) is aware of and supports the pupil's absence, the attendance officer shall schedule a conference within ten (10) school days, which must take place no later than the fifteenth school day after the sixth absence. At the conference, the pupil, his parents, and school personnel shall meet to resolve issues related to the pupil's nonattendance. Other community service providers may also be included in the conference.

Additional Absence Without Parental Awareness and Support

Upon the next absence after the conference without indication to the attendance officer that the pupil's parent(s) is aware of and supports the pupil's absence, the principal or designee shall notify the attendance officer or school division superintendent who shall enforce the compulsory attendance rules by either or both of the following: (i) filing a complaint with the Hanover County Juvenile and Domestic Relations and District Court alleging the pupil is a child in need of supervision as defined in Virginia Codes § 16.1-228 or (ii) instituting proceedings against the parent pursuant to Virginia Codes § 18.2-371 or § 22.1-262. In filing a complaint against the student, the attendance officer shall provide written documentation of the efforts already undertaken to resolve the pupil's absence. If the student's parents have joint physical custody of the student and the school has notice of the custody arrangement, then both parents shall be notified at their last known addresses.

Parental Cooperation in Remediating Excessive Unexcused Absences

It is expected that parents will cooperate with the attendance officer and other school officials to remedy the student's attendance problem. Where direct contact with a parent cannot be made, despite reasonable efforts, or where parents otherwise fail to cooperate in remediating the student's attendance problem, the division superintendent or his designee may seek immediate compliance with the compulsory school attendance laws. The attendance officer, with the knowledge of the division superintendent, shall institute proceedings against any parent who fails to comply with the requirements of the compulsory attendance laws. Where the complaint arises out of the parent's failure to comply with the requirements of Virginia Code § 22.1-258, the attendance officer shall document the school division's compliance with this Code section.

Credit for make-up work will be granted only for absences which are pre-approved in writing, or with a written note from the parent when the student returns to school. Medical documentation may be required at the principal's discretion. Under certain conditions a waiver of these attendance policies may be considered by the division superintendent. *See Regulation 7-2.4.*

Attendance Records/Pupil Accounting Records

One of the most important records that teachers are required to keep is the teacher's "register," otherwise known as the daily attendance register. The purposes of the register are for proper pupil accounting in the instructional program, for school administration, and for the distribution of major state school funds. Hanover County public school teachers shall maintain attendance registers in accordance with state law. At the end of each school year, each public school principal shall report to the division superintendent the number of pupils by grade level for whom a conference was scheduled pursuant to this Policy. The division superintendent shall compile this information and provide it annually to the division superintendent of public instruction.

Dismissal Precautions

Principals shall not release a student during the school day to any person not authorized by the student's parent/guardian to assume responsibility for the pupil. Students shall be released only on request and authorization of the parent or guardian. The burden of proof regarding the authority of the person to receive the student is on the requesting party. A formal check-out system shall be maintained in each Hanover County public school.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-101, 22.1-253.13:7, 22.1-254, 22.1-258 through 22.1-269; Regulations Governing Pupil Accounting Records, 8 VAC 20-110-10; Regulations Establishing Standards for Accrediting Public Schools in Virginia, 8 VAC 20-130-10.

Recodified: August 2000

Amended July 16, 2003, August 4, 2009, July 13, 2010

ACCOMPANYING REGULATIONS:

7-2.4 (A) TRUANCY

7-2.4 (B) STUDENT ABSENCES

7-2.4 (C) TRUANCY REFERRALS

7-2.4 (D) REGULATIONS FOR KEEPING REGISTERS

REGULATION 7-2.4 (A): TRUANCY

Hanover County residents of school age shall attend their assigned schools during school days and hours in accordance with the compulsory attendance laws of the Commonwealth of Virginia, § 22.1-254 et seq. of the Code of Virginia. Parents or guardians having control of a child must comply with these laws and violation of the law will subject the parent or guardian to prosecution. The division superintendent or his designee and the principal of each school shall be responsible for maintaining accurate records of attendance and for monitoring all absences.

Truancy is defined as the absence of a student for which neither the parent nor the school had prior knowledge and consent. The principal may exercise discretion in identifying an absence as a truancy, although the absence occurs with parental knowledge or consent. When the student is truant, the school authorities shall notify parents or guardian(s) of this truancy. Corrective action will be taken by the school authorities when truancy occurs.

REGULATION 7-2.4 (B): STUDENT ABSENCES

All elementary school students, grades K-5, shall not be absent from school for more than twenty (20) days in order to receive academic credit for the grade or subject(s) in which enrolled.

All middle school students, grades 6-8, shall not be absent from school for more than twenty (20) single class periods for any one class or ten (10) blocks of any one alternate day schedule class in order to receive academic credit for the grade or subject(s) in which enrolled.

All high school students, grades 9-12, shall not be absent from school for more than twenty (20) single class periods for any one class or ten (10) blocks of any one alternate day schedule class in order to receive academic credit for the grade or subjects(s) in which enrolled.

Absences resulting from out-of-school suspension may not be counted as absences against the twenty (20) day limit for elementary and twenty (20) single class periods or ten (10) blocks for secondary; however, the student may be required to make-up work missed during the period. (See *Code of Student Conduct*.)

Students who transfer from other school divisions are not penalized for absences prior to the day of enrollment in a Hanover County public school; however, the transfer student may not be absent for more than the pro-rated share of the twenty (20) days for elementary or twenty (20) single class periods for any one class or ten (10) blocks limit of an alternate day schedule class. For example, if a student enters on day 90, he may not be absent for more than ten (10) days for elementary, ten (10) single class periods or five (5) blocks for secondary. When a student transfers within the Hanover County, the number of absences is transferred and applied toward the maximum allowable number. Residents of Hanover County who enter school late may be required to make up school work/time or to have the days counted toward the maximum allowable of twenty (20) days for elementary or twenty (20) single class periods or ten (10) blocks for secondary.

Under certain conditions a waiver of these attendance policies may be considered by the division superintendent.

Conditions for a Waiver

The student and his parent(s) or legal guardian(s) may request a waiver in writing at any time during the school year during which an attendance violation occurs or up to the first day of school for students of the next school year. The correspondence shall be directed to the division superintendent or his designee and shall include: a) the total number of student absences, b) the reason(s) for the absences, and c) the conditions under which a waiver is being sought, e.g. medical hardship, extenuating education circumstances, or a transfer situation.

A waiver may be granted by the division superintendent or his designee for the following reason(s): 1) medical hardship (condition whereby a student could not attend as certified by a licensed physician), 2) extenuating educational circumstances as determined by a committee appointed by the division superintendent or his designee or a special education eligibility committee, or 3) transfer situations as approved by a committee appointed by the division superintendent or his designee. The provisions for the waiver may include submission of missed work as outlined in a contract signed by the student, parent(s) and/or legal guardian(s), committee chairman, and school principal.

Notification of Parents

All elementary schools, grades K-5, shall monitor student attendance and shall report absences to students and parents/legal guardians. Attendance reports may accompany deficiency notices and/or report cards.

All middle schools, grades 6-8, shall monitor student attendance and shall report absences both by day and by individual class periods or blocks to students and parents/legal guardians. Attendance reports may accompany deficiency notices and/or report cards.

All high schools, grades 9-12, shall monitor student attendance and shall report absences both by day and by individual class periods or blocks to students and parents/legal guardians. Attendance reports may accompany deficiency notices and/or report cards.

When a student reaches the maximum of twenty (20) days absence from elementary school, or twenty (20) single class periods of any one class or ten (10) blocks of any one alternate day schedule class for secondary schools, the school shall notify the student and parent(s)/legal guardian(s). Initial notification may be verbal; however, it shall be followed by written notification within three (3) school days. A copy of the notification shall be placed in the student's file.

Provisions for Students Who Exceed the Maximum of Twenty (20) Days for Elementary School or Twenty (20) Single Class Periods for Any One Class or Ten (10) Blocks of Any One Alternate Day Schedule Class for Secondary School

The following options may be utilized with students who have failed because of attendance prior to the completion of the school year:

1. enroll the student in a semester course(s);
2. allow the student to take the equivalent of one semester of summer school if he successfully completes the requirements for credit for one semester (academic and attendance);

3. develop an alternative education plan which includes: a) description of the program, b) maximum number of credits that can be awarded, c) maximum number of absences, and d) conduct conditions. The alternative plan must be approved by the principal and the division superintendent or his designee. A contract signed by the principal, parent(s) or guardian(s), student and division superintendent or his designee shall govern the program.

Grading Elementary School Students Who Exceed the Maximum of Twenty (20) Days

1. Report Cards: The actual grade(s) made by the student shall be entered on the report card. The portion of the report card designated for the grade assignment shall reflect a repeat of the grade level due to excessive absence. The following statement shall be placed at the bottom of the report card:

**The student has violated Attendance Regulation 7-2.4(B). Although grades will continue to be recorded, the student is not eligible for promotion.*

2. Permanent Records: The actual grade(s) made by the student shall be entered on the permanent record. The portion of the report card designated for the grade assignment shall reflect a repeat of the grade level due to excessive absence.

**The student has violated Attendance Regulation 7-2.4 (B). Although grades were recorded, the student is not eligible for promotion.*

Grading Middle/High School Students Who Exceed the Maximum of Twenty (20) Single Class Periods for Any One Class or Ten (10) Blocks of Any One Alternate Day Schedule Class

1. Report Cards: The actual grade(s) made by the student shall be entered on the report card. A credit of "0" shall be recorded. Comment Eleven (11) must be entered on the report card.

The student has violated Attendance Regulation 7-2.4(B). Although grades will continue to be recorded, the student is **not eligible to receive credit. Under certain conditions, a waiver may be granted. Contact the school principal for details.*

2. Permanent Records: The actual grade(s) made by the student shall be entered on the permanent record. The course will carry no carnegie unit of credit; a credit of "0" shall be recorded. The course(s) will not be included in the calculation of grade point average. The following statement shall be placed on the permanent record:

**The student has violated Attendance Regulation 7-2.4(B). Although grades were recorded, the student is not eligible to receive a unit of credit or any fractional part thereof.*

3. Class Rank: The grade(s) earned by a student who does not receive academic credit (a carnegie unit) because of violation of Regulation 7-2.4 (B) shall not be calculated into the grade point average.

REGULATION 7-2.4 (C): TRUANCY REFERRALS

For a student absent from school for five (5) days without parental awareness and support of the absence, the principal or attendance secretary shall make reasonable effort to make direct contact with the parent(s) (either in person or through telephone conversation) to obtain an explanation for the student's nonattendance. The attendance secretary, in addition to the daily telephone calls made by the county automated telephone system, will mail a letter to the parent(s). The principal and/or attendance secretary, parent(s) and student shall develop a plan to resolve nonattendance. Such plan shall include documentation of the reason(s) for the pupil's nonattendance. If the parent(s) fails to comply with the principal's or attendance secretary's request within three (3) school days, the case shall be referred to the school social worker for enforcement of compulsory attendance rules.

If the pupil accrues a sixth absence without parental awareness and support, a school attendance conference shall be requested and scheduled by the school social worker within ten (10) school days, which must take place no later than the fifteenth school day after the sixth absence. An intervention plan will be developed and implemented. An attendance agreement will be created with assistance from the guidance counselor and other appropriate staff. The school social worker will make any appropriate referrals to county agencies or interdisciplinary teams.

Upon the next absence after the conference without indication to the principal, attendance secretary or school social worker that the pupil's parent is aware of and supports the pupil's absence, the school social worker may refer the case to the Student Support Attendance Coordinator.

The Student Support Attendance Coordinator will receive documentation of all truancy referrals and all school interventions regarding the student, including: contacts made with the student or parent, lists of excused and unexcused absences, copies of excuse notes, disciplinary history, and eligibility status and accommodations. Truancy referral documentation will follow flowchart procedures (see attached) to satisfy guidelines of the Hanover County Court Services Unit (Juvenile Probation). Truancy referrals with incomplete documentation will be returned to the school social worker for monitoring.

The Student Support Attendance Coordinator shall enforce compulsory attendance requirements (Virginia Code § 22.1-254, et seq.) by either or both of the following: (1) filing a complaint with the Hanover County Juvenile and Domestic Relations District Court alleging the student is a child in need of supervision as defined in Virginia Code § 16.1-228 or (2) instituting proceedings against the parent(s) pursuant to Virginia Code § 18.2-371 or § 22.1-262. In filing the complaint against the student, the attendance coordinator shall provide written documentation of the efforts already undertaken to resolve the pupil's nonattendance. Such filings occur after review and approval by the Director of Special Education, where appropriate.

After initiating court intervention, the Student Support Attendance Coordinator shall monitor active cases and report to the referring school, in an effort to support a plan for improved attendance and academic success.

NOTE: The County automated system will be activated and utilized for the high schools and middle schools. Elementary school personnel will continue to make direct phone calls for daily absences.

General Procedures

The principal shall submit to the Director of Special Education the names of those students for whom no follow-up information can be obtained on the ten-day non-enrollment report.

The Director of Special Education shall forward the ten-day non-enrollment reports to the appropriate school social worker who shall review the ten-day principal's report of non-enrolled children and identify potential truants.

At the end of the first semester, a list of all students absent for fifteen (15) cumulative days shall be submitted to the Director of Special Education for review with the school social workers. Each secondary school shall be visited by the school social workers on a regularly scheduled basis. Any student may be referred to a school social worker for non-attendance at any time.

REGULATION 7-2.4 (D): REGULATIONS FOR KEEPING REGISTERS

At the close of each pupil accounting register period (monthly), the teacher should carefully check each register, with particular emphasis on aggregate days attendance and membership for each pupil. At the end of the school term, the register should be checked again, with particular emphasis on total aggregate days' attendance and membership.

Periodic Checks

1. Attendance registers are to be maintained on a daily basis. These records must be available for immediate inspection by school administrators.
2. Upon request, registers shall be submitted to the principal at the close of each pupil accounting period.
3. At the end of the school term, registers must be approved by the principal's office as one item on the teacher's checklist for the closing of school.

Retention

Teacher's registers shall be retained indefinitely.

Procedures for Maintaining Student Records of Students Who Withdraw from Hanover County Public Schools

All students enrolled in and/or withdrawn from Hanover County Public Schools must be accounted for with respect to school placement.

Students who withdraw during the school year

Students who withdraw during the school year and move to another school district either in-state or out-of-state, should have a request for records from the next school district. Students are withdrawn from Hanover County Public Schools on the day after the parent request for withdrawal. Records should be maintained for the student's subsequent school of the enrollment. Verification can be met either through a request for records from the next school, or a phone call for verification to the school. Verification should be completed within 10 days of the student's withdrawal from Hanover County Public Schools and information regarding the next student placement placed in the student's file.

Students who withdraw at the end of the school year

Students who do not re-enroll in Hanover County Public Schools for the following school year should have a request for transcripts and records by another school division, or a letter should be on file for a parent who may have requested for their child to be home schooled. Verification should be completed no later than 15 days after the opening of the subsequent school year. At the end of 10 school days, if a student has not enrolled for the subsequent year in Hanover County Public Schools, and no official request has been for records, the principal will turn the list of student names over to the Lead Social Worker for further investigation.

All principals are responsible for verifying the location of a child who has withdrawn from his/her school and relocates to another school or does not re-enroll for the subsequent school year. Documentation can be made in the form of maintaining a notebook for student enrollments and withdrawals, or a similar process.

Amended: July 22, 2003

REFERRAL FOR SERVICES OF SCHOOL SOCIAL WORKER – Form 2

Student's Name _____ Grade _____ DOB _____

Parents/Guardian _____ Phone _____

Parents/Guardian _____ Phone _____

Address _____

Referral Source _____ Position _____

Date submitted to School Social Worker _____

Reason for Referral:

Please attach all documentation regarding student including; direct contact, correspondence to parents, attendance and discipline history.

SCHOOL ATTENDANCE CONFERENCE - Form 3

Student's Name _____ Grade _____ DOB _____

Parents/Guardian _____ Phone _____

Parents/Guardian _____ Phone _____

Number of Total Absences _____ **Date** _____
(Attach computer printout)

Summary of Conference (Discuss previous contacts/interventions):

Plan of Action (Intervention strategies discussed):

Individuals Present:

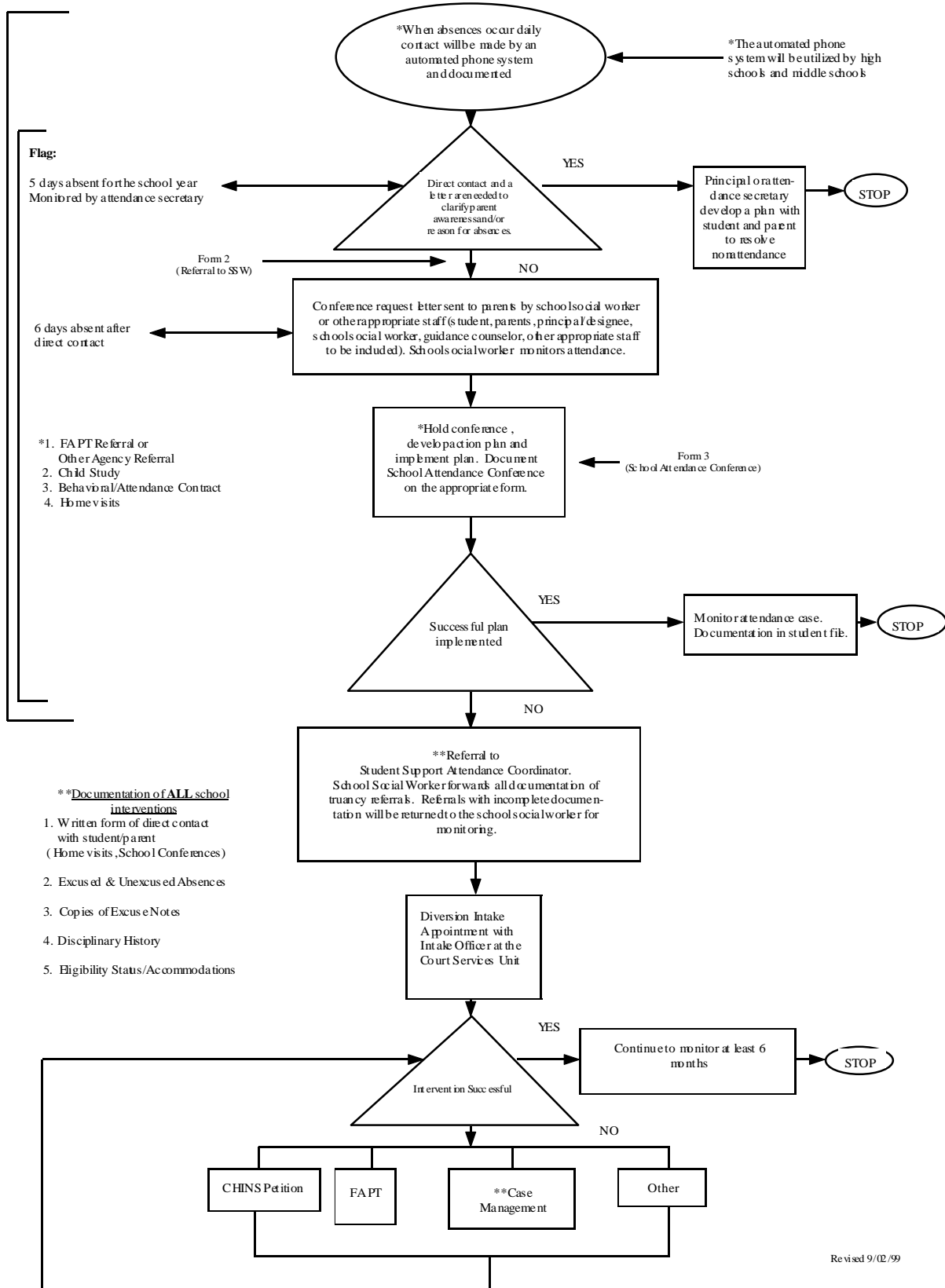
Signature

Signature

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

PROCEDURE FOR TRUANCY REFERRAL

Form 1 & 1A
(Contact Sheets)



POLICY 7-2.5 CENSUS

The Hanover County School Board shall assure that every three (3) years, at a time to be designated by the Superintendent of Public Instruction, a census is taken of all persons residing within the Hanover County public school division who, on or before December 31 immediately following the census, will have reached their fifth birthday but not their twentieth birthday, on forms furnished by the Superintendent of Public Instruction.

On the recommendation of the division superintendent, the School Board shall appoint agents to take the census. Each agent shall receive compensation for his services from School Board funds, in an amount to be fixed by the School Board. A reasonable travel allowance may be allowed at the discretion of the School Board.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-281 through 22.1-286.

Recodified: August 2000
