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HOUSE BILL NO. 1278

House Amendments in [] — February 10, 1998

A BILL to amend and reenact § 22.1-258 of the Code of Virginia, relating to notification of parents of pupil absence.

Patrons—Hargrove, Howell, Johnson and Kilgore

Referred to Committee on Education**Be it enacted by the General Assembly of Virginia:****1. That § 22.1-258 of the Code of Virginia is amended and reenacted as follows:**

§ 22.1-258. Appointment of attendance officers; notification when pupil fails to report to school.

Every school board shall have power to appoint one or more attendance officers who shall be charged with the enforcement of the provisions of this article. Where no attendance officer is appointed by the school board, the division superintendent shall act as attendance officer.

Whenever any pupil fails to report to school on a regularly scheduled school day and no indication has been received by school personnel that the pupil's parent ~~or guardian~~ is aware of the pupil's absence, a reasonable effort to notify by telephone the parent ~~or guardian~~ shall be made by the attendance officer, other school personnel or volunteers organized by the school administration for this purpose. School divisions are encouraged to use noninstructional personnel for this notice.

Whenever any pupil fails to report to school for three consecutive school days, or for a total of five scheduled school days per month or an aggregate of seven scheduled school days per school calendar quarter, whichever occurs sooner, and no indication has been received by school personnel that the pupil's parent ~~or guardian~~ is aware of the pupil's absence, and a reasonable effort to notify the parent ~~or guardian~~ has failed, the school principal or his designee shall notify the parent ~~or guardian~~ by letter that such parent ~~or guardian~~ is requested to advise the school in writing of the reason for the pupil's absence or to accompany the pupil upon his return to school to explain the reason for his absence. Upon the failure of the parent ~~or guardian~~ to so advise the school or to return the child to school within three school days of the date of the notice, the school principal or his designee shall notify the attendance officer or the division superintendent, as the case may be, who shall enforce the provisions of this article. *In the event that [one parent has been awarded sole custody or] both parents have been awarded joint [physical] custody pursuant to § 20-124.2, both parents shall be notified.*

However, nothing in this section shall be construed to limit in any way the authority of any attendance officer or division superintendent to seek immediate compliance with the compulsory school attendance law as set forth in this article.

Attendance officers, other school personnel or volunteers organized by the school administration for this purpose shall be immune from any civil or criminal liability in connection with the notice to parents of a pupil's absence or failure to give such notice as required by this section.

ENGROSSED

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