

COMMITTEE ON EDUCATION, YOUTH,
AND RECREATION

BILL NO. 32-0014

Thirty-Second Legislature of the Virgin Islands

February 14, 2017

An Act amending title 17 Virgin Islands Code, chapter 9, section 86 relating to school attendance, absenteeism and parental responsibility

PROPOSED BY: Senator Novelle E. Francis, Jr.

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 17, Virgin Islands Code, Chapter 9, section 86, is amended by striking subsections (c) and (d) in their entirety and inserting new subsections (c), (d) and (e) to read:

“(c) A student’s absence or tardiness may be either excused or unexcused.

(1) An excused absence is the non-appearance of an enrolled student on a regularly scheduled school day for any of the following reasons:

(A) Student’s health, including medical appointments for which the school administration may require medical certification for frequent health-related absences;

(B) Approved school activities, including field trips and sporting events;

(C) Suspension or expulsion;

(D) Failure of the school district to provide required transportation to school;

(E) Funeral, death or serious illness in the family;

(F) Court appearance;

(G) Religious holidays

(H) Documented college visits;

(I) An extraordinary circumstance approved by the principal.

(2) An unexcused absence is the non-appearance of an enrolled student on a regularly scheduled school day for any reason that is not acceptable as an excused absence under paragraph (1).

(d) Teachers, principals, attendance officers, or other school officials may require, prior to the absence or tardiness is excused, that the reasons given as the cause for absence be substantiated. by statements of a physician, dentist, nurse, or any other authoritative person

(e) When a principal or a principal's designee determines that a student's absence is unexcused, school officials shall follow the procedures established in this subsection.

(1) After the student has had one unexcused absence in a calendar month, the school shall inform the parent of the absence in writing or by phone.

(2) After the student has had two unexcused absences in a calendar month, the school shall initiate a parent conference to identify potential remedies to improve the student's attendance.

(3) No later than the student's fifth unexcused absence in a calendar month, the parent and school shall enter into a written agreement that establishes school attendance requirements and provides for other appropriate actions to reduce the student's, absences, and the parent shall complete a parenting education program offered or operated by the school district, social services agency, medical institution or other established community resource.

(4) After a student's seventh unexcused absences in a calendar month, or tenth unexcused absences in an academic school year, the district superintendent may file a truancy complaint with the Family Division of the Superior Court of the Virgin Islands pursuant to 5 V.I.C. §2510(a).

(e) No punitive action, including out of school suspensions, expulsions, or court action, may be taken against a student for truancy unless available supportive services and other school resources have been provided to the student".

BILL SUMMARY

This bill amends the truancy statute by providing clear definitions of excused and unexcused absences from school and to provide for consequences thereof. The bill established procedures for remedial action to reduce truancy.

BR17-0073/ January 26, 2017/ Reviewed by YLT/Revised 1/26/17/LHM