

COMMITTEE ON EDUCATION AND WORKFORCE
DEVELOPMENT

12/22/2021-AMENDED AND REPORTED OUT TO THE FLOOR
12/14/2021-REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY

BILL NO. 34-0144

Thirty-Fourth Legislature of the Virgin Islands

October 1, 2021

An Act amending title 17 Virgin Islands Code, chapter 9, section 86 relating to school truancy to provide procedures for addressing unexcused absences from school and providing for related purposes

PROPOSED BY: Senators Novelle E. Francis, Jr., and Genevieve R. Whitaker

1 *Be it enacted by the Legislature of the Virgin Islands:*

2 **SECTION 1.** Title 17 Virgin Islands Code, chapter 9, section 86, is amended by striking
3 subsections (c) and (d) in their entirety and inserting new subsections (c), (d) in their place and
4 adding subsections (e) and (f) to read as follows:

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

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

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

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

2 (C) Suspension;

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

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

6 (F) Court appearance;

7 (G) Religious holidays;

8 (H) Documented college visits; or

9 (I) An extraordinary circumstance approved by the principal.

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

13 (d) Before an absence or tardiness is excused, a principal, teacher, attendance
14 counselor, truancy officers, or other designated school officials may require that the reasons
15 given for the absence or tardiness be substantiated by statements of a physician, dentist, nurse,
16 or any other authoritative person

17 (e) When a principal or other designated school official determines that a student's
18 absence is unexcused, the procedures established in this subsection must be followed.

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

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

