

STUDENTS

Legal Withdrawal

A. Kindergarten

A parent or legal guardian may withdraw, from kindergarten, any child who will not have reached his/her sixth birthday on or before September 30 of that school year provided that the parent or legal guardian notifies the Superintendent or designee that he/she does not wish the child to attend school until the following year because the child, in the opinion of the parent or legal guardian, is not mentally, physically or emotionally prepared to attend school.

B. Other

1. The ~~School Board superintendent~~ shall approve the withdrawal of:
 - a. Any student who, together with his/her parents/legal guardian, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school. For purposes of this subdivision, "bona fide religious training or belief" does not include essentially political, sociological or philosophical views or a merely personal moral code; and
 - b. On the recommendation of the juvenile and domestic relations district court of the county or city in which the pupil resides and for such period of time as the court deems appropriate, any pupil who, together with his parents, is

opposed to attendance at a school by reason of concern for such pupil's health, as verified by competent medical evidence, or by reason of such pupil's reasonable apprehension for personal safety when such concern or apprehension in that pupil's specific case is determined by the court, upon consideration of the recommendation of the principal and division superintendent, to be justified.

2. The School Board may approve the withdrawal of a student:

- a. On recommendation of the principal and the division superintendent and with the written consent of the parent or legal guardian of a minor student, any student who the School Board determines, in accordance with regulations of the Virginia Board of Education, cannot benefit from education at such school; and
- b. On recommendation of the juvenile and domestic relations district court of the county or city in which the student resides, any student who, in the judgment of such court, cannot benefit from education at such school.

Legal Reference

Code of Virginia, § 22.1-254, as amended. Compulsory attendance required; excuses and waivers; alternative education program attendance; exemptions from article.

Adopted by School Board: June 15, 1993 (Effective August 14, 1993)

Adopted by School Board: February 21, 1995

Amended by School Board: June 11, 2018

Amended by School Board: 2023

APPROVED AS TO
LEGAL SUFFICIENCY


