R 5200 ATTENDANCE

A. Definitions

1. For the purposes of school attendance, a "day in session" shall be a day on which the school is open and students are under the guidance and direction of a teacher or teachers engaged in the teaching process. Days on which school is closed for such reasons as holidays, teachers' institutes, and inclement weather shall not be considered as days in session.

2. A "school day" shall consist of not less than four hours, except that one continuous session of two and one-half hours may be considered a full day of Kindergarten.

3. "A day of attendance" shall be one in which the student is present for a full day under the guidance and direction of a teacher while school is in session.

   a. Whenever over-crowded conditions make it necessary to hold two separate sessions with a different group of students in each session, a student attending for all of either session shall be regarded as having attended for the full day. An excused absence for any reason shall not be counted as a day of attendance in the school register.

4. A "half-day class" shall be considered the equivalent of a full day's attendance only if in session for four hours or more, exclusive of recess periods or lunch periods.

B. Attendance Recording

1. A record of the attendance of all students on roll in a school register shall be kept each day that school is in session by a teacher or other authorized person. It shall be the duty of this person to keep the attendance records according to these rules and the specific instructions issued by the Commissioner of Education.

2. No student shall be recorded as present unless the school is in session and the student so recorded is under the guidance and direction of a teacher in the teaching process. At the secondary level, a student must be in class for a minimum of 30 minutes of the period or the student is considered absent from the

class period (i.e. if a student reports to the school nurse for more than 12 minutes the student is absent for that class period).

3. A student shall be recorded as absent in the school register when not in attendance at a session of the school while a member of the school, except students excused due to religious holidays who shall be recorded as excused.

4. A student shall be recorded as either present, absent, or excused for religious observance, every day the school is in session after the student enters until the date the student is transferred to another school, transferred to an individual home instruction record, or officially leaves the school system.

5. The Commissioner shall annually prescribe a list of religious holidays on which it shall be mandatory to excuse students for religious observance upon the written request signed by the parent or person standing in loco parentis.

6. The mere presence of a student at roll call shall not be regarded as sufficient attendance for compliance with N.J.A.C. 6A:32-8.3. In a school which is in session during both the forenoon and the afternoon, a student shall be present at least one hour during both the forenoon and the afternoon in order to be recorded as present for the full day. In a school which is in session during either the forenoon or the afternoon, a student shall be present at least two hours in the session in order to be recorded as present for the full day.

7. A student not present in school because of his/her participation in an approved school activity, such as a field trip, meeting, cooperative education assignment, or athletic competition will be considered to be in attendance.

C. Unexcused Absences That Count Toward Truancy/Excused Absences

1. "An unexcused absence that counts toward truancy" is a student's absence from school for a full or a portion of a day for any reason that is not an "excused absence" as defined below. The following is a list of same intended as illustrative and not inclusive:

   a. A student leaves school at lunch time without a pass, not inclusive of senior privileges;
   b. A student leaves school without permission when school is still in session;

c. A student leaves class because of illness and does not report to the school nurse as directed;
d. A student is present in school but is absent from class without approval. Such truancy is a "class cut";
e. A student is absent for reasons of family travel;
f. A student is absent for reasons of performance of household or babysitting duties; or
g. A student is absent for reasons of other daytime activities unrelated to the school program.

2. "An excused absence" is a student's absence from school for a full day or a portion of a day for the observance of a religious holiday pursuant to N.J.S.A. 18A:36-14 through 16, or any absence for the reasons listed below:

a. The student's illness supported by notification to the school by the student's parent or legal guardian before 8:30 a.m. of the morning of the student's absence;

b. The student's required attendance in court;

c. Where appropriate, when consistent with Individualized Education Programs, the Individuals with Disabilities Act, accommodation plans under 29 U.S.C. §§ 794 and 705(20), and individualized health care plans;

d. The student's suspension from school;

e. A family illness or death in the student's immediate family or others with permission of the Principal supported by notification to the school by the student's parent;

f. Visits to post-secondary educational institutions;

g. Examination for a driver's license;

h. Necessary and unavoidable medical or dental appointments that cannot be scheduled at a time other than the school day;

i. Take Our Children to Work Day;

j. An absence considered excused by a New Jersey Department of Education rule;

k. An absence for a reason not listed above, but deemed excused by the Principal upon a written request by the student's parent stating the reason for the absence and requesting permission for the absence to be an excused absence,

3. "Truancy" means ten or more cumulative unexcused absences that count toward truancy of a student between the ages of six and sixteen as determined by the Board's Attendance Policy and Regulation pursuant to N.J.A.C. 6A:16-7.6(a)4.iii. and the definition of school day pursuant to N.J.A.C. 6A:32-8.3. Any absence not listed in C.2. above shall be an unexcused absence counted toward truancy.

D. Notice to School of a Student's Absence

1. The parent or adult student is requested to call the school office before the start of the student's school day.

2. The parent of the student or an adult student who will attend the morning session, but will not attend the afternoon session should call or provide notice to the school office before the start of the afternoon session.

3. The parent or adult student who anticipates a future absence or anticipates that an absence will be prolonged should notify the school office to arrange make-up work.

E. Readmission to School After an Absence

1. A student returning from an absence of any length of time must provide a written statement that is dated and signed by the parent or adult student listing the reason for the absence.

2. A note explaining a student's absence for a non-communicable illness for a period of more than three (3) school days must be accompanied by a physician's statement of the student's illness with medical clearance to return to school.

3. A student who has been absent by reason of having or being suspected of having a communicable disease must present to the school nurse written evidence of being free of communicable disease, in accordance with Policy 8451.

F. Instruction

1. Teachers shall cooperate in the preparation of home assignments for students who anticipate an excused absence of three (3) school days duration. The parent or student must request such home assignments.

2. A student who anticipates an absence due to a temporary or chronic health condition may be eligible for home instruction in accordance with Policy 2412. The parent or guardian of the student must request home instruction.

3. Students absent for any reason are expected to make up the work missed. Teachers will provide make-up assignments as necessary.

4. In general, students will be allowed one day to make up missed work for each one day of absence. Teachers will make reasonable efforts to extend time for students.

5. A student who missed a test or an exam shall be offered an opportunity to take the test, exam, or an appropriate alternate test.

G. Denial of Course Credit

1. The teacher will determine the credit to be awarded a student for make-up work. Where class participation is a factor in the learning process, the teacher may consider a student's absence in determining a final grade, except absences for the observance of a religious holiday or absence for a student's suspension from school will not adversely affect the student's grade. The teacher may record an incomplete grade for a student who has not had a full opportunity to make up missed work.

2. A secondary student may be dropped from a course or denied course credit when he/she has been absent more than 20 days in a Full Year course, more than 15 days in Physical Education, more than 10 days in a Half-Year course, or more than 5 days in a Quarter Year course, whatever the reason for the absence, except that absences for the observance of a religious holiday or absences caused by a student's suspension will not count toward the total.

   Exceptions to this rule may be made for students who have demonstrated to the teacher through completion of make-up assignments that they have mastered the proficiencies established for the course of study. In those cases, students will be required to attend summer school to retake the course. If the course is not offered

in summer school, course credit will be lost, but the student may retake the course the following school year if he/she wishes to regain the credit.

A secondary student may be dropped from a course if they exceed the allowable number of days necessary to receive credit. Any student who is absent more than 32 days in a Full Year course, more than 24 days in Physical Education, more than 16 days in a Half Year course, or more than 8 days in a Quarter Year course, will not receive credit for that course regardless of the grade earned and will not be permitted to attend summer school.

H. School District Response To Unexcused Absences During the School Year That Count Toward Truancy

1. For up to four cumulative unexcused absences that count toward truancy, the Principal or designee shall:

   a. Make a reasonable attempt to notify the student's parent of each unexcused absence prior to the start of the following school day;

   b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parent or legal guardian;

   c. Identify, in consultation with the student's parents, needed action designed to address patterns of unexcused absences, if any, and to have the child return to school and maintain regular attendance;

   d. Proceed in accordance with the provisions of N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-10, if a potentially missing or abused child situation is detected; and

   e. Cooperate with law enforcement and other authorities and agencies, as appropriate.

2. For between five and nine cumulative unexcused absences that count toward truancy, the Principal or designee shall:

   a. Make a reasonable attempt to notify the student's parent or legal guardian of each unexcused absence prior to the start of the following school day;

b. Make a reasonable attempt to determine the cause of the unexcused absence including through contact with the student's parent or legal guardian;

c. Evaluate the appropriateness of action taken pursuant to N.J.A.C. 6A:16-7.6(a)4.i.(3) and H.1.c. above;

d. Develop an action plan to establish outcomes based upon the student's patterns of unexcused absences and to specify the interventions for supporting the student's return to school and regular attendance, which may include any or all of the following:

(1) Refer or consult with the building's Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;

(2) Conduct testing, assessments, or evaluations of the student's academic, behavioral, and health needs;

(3) Consider an alternate educational placement;

(4) Make a referral to or coordinate with a community-based social and health provider agency or other community resource;

(5) Refer to a court or court program pursuant to N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below;

(6) Proceed in accordance with N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-10, if a potential missing or abused child situation is detected; and

(7) Engage the student's family.

e. Cooperate with law enforcement and other authorities and agencies, as appropriate.

3. For ten or more cumulative unexcused absences that count toward truancy, a student between the ages of six and sixteen is truant, pursuant to N.J.S.A. 18A:38-25, and the Principal or designee shall:

a. Make a determination regarding the need for a court referral for the truancy, per N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below;

b. Continue to consult with the parent or legal guardian and the involved agencies to support the student's return to school and regular attendance;

c. Cooperate with law enforcement and other authorities and agencies, as appropriate; and

d. Proceed in accordance with N.J.S.A. 18A:38-28 through 31, Article 3B, Compelling Attendance at School, and other applicable State and Federal statutes, as required.

4. A court referral may be made as follows:

a. When unexcused absences that count toward truancy are determined by school officials to be violations of the compulsory education law, pursuant to N.J.S.A. 18A:38-25, and the Board of Education's policies, in accordance with N.J.A.C. 6A:16-7.6(a), the parent or legal guardian may be referred to Municipal Court.

(1) A written report of the actions the school has taken regarding the student's attendance shall be forwarded to the Municipal Court; or

b. When there is evidence of a juvenile-family crisis, pursuant to N.J.S.A. 2A:4A-22.g, the student may be referred to Superior Court, Chancery Division, Family Part.

(1) A written report of the actions the school has taken regarding the student's attendance shall be forwarded to the Juvenile-Family Crisis Intervention Unit.

5. For a student with a disability, the attendance plan and its punitive and remedial procedures shall be applied, where applicable, in accordance with the student's IEP, pursuant to 20 U.S.C. §§ 1400 et seq., the Individuals with Disabilities Education Act; the procedural protections set forth in N.J.A.C. 6A:14; accommodation plan under 29 U.S.C. §§794 and 705(20); and individualized health care plan and individualized emergency healthcare plan pursuant to N.J.A.C. 6A:16-2.3(b)5.xii.

6. All receiving schools pursuant to N.J.A.C. 6A:14-7.1(a), shall act in accordance with N.J.A.C. 6A:16-7.6(a)4.i. and H.1. above for each student with up to four cumulative unexcused absences that count toward truancy.

   a. For each student attending a receiving school with five or more cumulative unexcused absences that count toward truancy, the absences shall be reported to the sending school district.

      (1) The sending school district shall proceed in accordance with the Board of Education's policies and procedures pursuant to N.J.A.C. 6A:16-7.6(a) and H.5. above and the provisions of N.J.A.C. 6A:16-7.6(a)4.ii. through iv. and H.2. through H.5. above, as appropriate.

I. Discipline

1. Any student not in attendance on a school day will not be permitted to attend or participate in any after school or evening or weekend co-curricular activity.

2. Students may be denied participation in athletic competition if the Board establishes attendance standards for participation.

3. No student who is absent from school for observance of a religious holiday may be deprived of any award or of eligibility for or opportunity to compete for any award because of the absence.

J. Recording Attendance

1. Teachers must accurately record the students present, tardy, or absent each day in each session or each class. Attendance records must also record students' attendance at out-of-school curricular events such as field trips.

2. A record shall be maintained of each excused absence, and each unexcused absence that counts toward truancy as defined in Policy and Regulation 5200.

3. A report card will record the number of times the student was absent and tardy in each marking period.

4. A student's absence for observance of a religious holiday will not be recorded as such on any transcript or application or employment form.

K. Appeal

1. Students may be subject to appropriate discipline for their school attendance record.

2. A student who has been retained at grade level for excessive absences may appeal that action in accordance with Policy 5410.

3. A student who has been dropped from a course and/or denied course credit for excessive absences may appeal that action in accordance with the following procedures:

a. The student shall file a written appeal to the Principal or designee within five school days of receiving notice of the action. The appeal should state the reasons for each absence, any documentation that may support reducing the number of absences for the purposes of course credit, and reasons why the student should either continue to be enrolled in the course or receive course credit for a class the student completed.

b. The Principal or designee will respond in writing no later than seven school days after receiving the student's appeal.

c. If the student is not satisfied, he/she may submit a written request to the Principal for consideration by an Attendance Review Committee.

d. On a student's request for consideration by an Attendance Review Committee, the Principal shall convene an Attendance Review Committee consisting of two teachers, an Assistant Principal, nurse and school Guidance Counselor of the appealing student. The Attendance Review Committee shall meet informally to hear the student's appeal. The student's parent and teacher(s) may attend the meeting.

e. The Attendance Review Committee shall decide the appeal and inform the student in writing within seven school days of the meeting.

f. The student may appeal an adverse decision of the Attendance Review Committee to the Superintendent, the Board of Education, and the Commissioner of Education in accordance with Policy 5710, Pupil Grievance and N.J.S.A. 18A. An appeal to the Attendance Review Committee shall be considered to have exhausted the first two steps of the grievance procedure outlined in Policy 5710.

L. Attendance Records

1. Attendance records for the school district and each school will be maintained and attendance rates will be calculated as required by the New Jersey Department of Education. The school district will comply with all attendance requirements and any improvement plans as required by the Department of Education.

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