

**PENNSVILLE SCHOOL DISTRICT**  
**Pennsville, New Jersey**

**Policy**

**FILE CODE: 5113**

**Monitored**

**Mandated**

**Other Reasons**

## **ATTENDANCE**

The Board of Education believes that the regular attendance of students in each class and in school, in general, is critical to its educational mission. The District shall endeavor to achieve the ninety percent (90%) attendance rate required by the New Jersey Quality Single Accountability Continuum (NJQSAC). Continuity of instruction is an essential element in student performance and allows students the greatest opportunity to succeed at meeting the state learning standards in the Core Curriculum Content Standards. The Superintendent or his/her designee will oversee the development of effective strategies that maximize student attendance at all scheduled periods of actual instruction or supervised study activities and strive to:

- A. Encourage good attendance;
- B. Discourage unexcused absences;
- C. Identify patterns of absence, tardiness, and early departures from school; and
- D. Intervene to prevent and correct problems with attendance.

### Attendance

A day in session for purposes of attendance shall be a day on which the school is scheduled to provide instruction 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.

A school day shall consist of not less than four hours of actual instruction, excluding lunch and recess. One continuous session of two and one-half hours may be considered a full day in kindergarten.

For all State attendance submissions, students shall be recorded as present, absent, or excused for a State-excused absence on every day the school is in session.

A student shall be recorded in the school register as present if the student participates in instruction or instruction-related activities for at least half a day in session whether the student is physically on school grounds, at an approved off-grounds location, or in a virtual or remote instruction setting pursuant to N.J.A.C. 6A:32-13.

### Excused Absences:

A student shall be recorded as absent in the school register when not in attendance at a session, except for the following State-excused reasons:

- A. Religious observance as defined by law (N.J.A.C. 6A:32-8.3(h));

- B. A college visit (up to 3 days per school year, only for students in grades 11 and 12);
- C. "Take Our Children to Work Day" (pursuant to the memo issued by the Commissioner to all districts on April 25, 2017) or other rule issued by the Commissioner;
- D. Participation in observance of Veterans Day (N.J.S.A. 18A:36-13.2) or district board of election membership activities (N.J.S.A. 18A: 36-33); or
- E. The closure of a busing district that prevents a student from having transportation to the receiving school; or Attendance at a civic event (P.L. 2023 c. 274) one time per school year, provided that the student is enrolled in grades 6 through 12 and written notice with supporting documentation is submitted to building principal or designee by a parent/guardian at least five (5) school days prior to the anticipated date of absence.

An absence for any reason other than those listed above shall not be counted as a day of attendance in the school register.

A student not present in school because of his or 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

For absences that do not meet the criteria at above as a State excused absence, districts may adopt policies that establish locally approved or excused absences consistent with N.J.A.C. 6A:16-7.6 for the purposes of expectations and consequences regarding truancy, student conduct, promotion, retention, and the award of course credit. However, an absence designated as excused by the district pursuant to N.J.A.C. 6A:16-7.6 shall be considered an absence in the submission to the State for the purpose of chronic absenteeism reporting, as set forth at N.J.A.C. 6A:32-8.6

Attendance need not always be within the school facilities. A pupil will be considered to be in attendance if he/she is present at any place where school is in session by authority of the board. The board shall consider each pupil assigned to a program of independent study, with parent/guardian permission, to be in regular attendance for that program, provided that he/she is under the guidance of a staff member so assigned, reports daily or weekly, as prescribed, to such staff member the place in which he/she is conducting his/her study, and regularly demonstrates progress toward the objectives of his/her course of study.

**PLEASE NOTE:** The following circumstances, while reasonable explanations for a student's absence, are NOT considered an excused absence according to the state of New Jersey and will continue to count toward the total number of absences.

1. The student's illness (documented by a parent note within 3 days of return to school);
2. Requirements of a student's individual health care plan with medical note;
3. A death or critical illness in the student's immediate family, or of others with permission of the principal;
4. Quarantine;
5. Observance of the student's religion on a day approved for that purpose by the State Board of Education;
6. The student's required attendance in court;
7. Interviews with an admissions officer of an educational institution - unless part of a college visit;
8. Necessary and unavoidable medical or dental appointments that cannot be scheduled at a time other than the school day

Parent/Guardian attendance reporting:

Parents/guardians are responsible for notifying the school early in the day when a child will be absent and for informing the school in writing of the reason for the absence.

Tardiness

The orderly conduct of class activity depends upon the prompt and precise beginning of the program. Tardiness hinders the proper conduct of school activity. Students are expected to arrive to school and class on time. A student who is tardy to any class will be subject to disciplinary action as outlined in board policy 5131 Conduct and Discipline and the student code of conduct. Consequences for accumulated occurrences of tardiness may include detention, loss of credit and an unexcused school day absence.

Attendance and Instruction

In order for the Board of Education to fulfill its responsibility for providing a thorough and efficient education for each student, the complete cooperation of parents/guardians and students is required to maintain a high level of school attendance.

A student is deemed chronically absent when they are recorded as not being present for 10 percent or more of the days the student is deemed "in membership." Days in membership are the number of school days in session in which a student is enrolled. A student's membership begins on the first possible day of attendance following enrollment during the school year, notwithstanding the actual day the student was recorded as present for the first time. For purposes of calculating, the absentee rate of chronic absenteeism, State-excused absences are not included in a student's days in membership.

The frequent absence of students from classroom learning experiences disrupts the continuity of the instructional process and limits the ability of students to complete the prescribed curriculum requirements successfully. The following rules shall apply for student absences:

- A. A student shall be considered absent from class for tardiness in excess of one half of the total class period.
- B. A student shall be considered absent from school for participation in less than 4 instructional hours during the school day.

A pupil must be in attendance for 162.5 or more school days in order to be considered to have successfully completed the instructional program requirements of the grade/course to which he/she is assigned.

A waiver of these attendance requirements may be granted for good cause by the school principal upon recommendation of a review committee, appointed by him/her, and consisting of representative staff, including pupil service personnel and classroom teachers.

In recommending the granting of a waiver of this attendance requirement, the review committee shall consider the nature and causes of all absences rather than only those in excess of the 17.5 days. Documentation of the nature and causes of these absences shall be the responsibility of the pupil and parent/guardian. Unexcused absences shall count toward truancy and may be subject to loss of grade or course credit toward promotion or graduation and disciplinary actions according to the code of student conduct. Notes from parents/guardians shall be considered but the district may require additional documentation such as doctor's notes or other official records to verify the note.

Parents/guardians are responsible for notifying the school early in the day when a child will be absent and for informing the school in writing of the reason for the absence.

#### Procedures for Unexcused Absences

When a student fails to report to class or school, accumulating up to four unexcused absences, the district shall:

- A. Make a reasonable attempt to notify the student's parents/guardians 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 parents;
- 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. Follow all procedures according to law and board policy 5142 Safety and 5141.4 Child Abuse and Neglect if a potential missing or abused child situation is detected;
  
- E. Cooperate with law enforcement and other authorities and agencies, as appropriate.

If contact through these means is unsuccessful the district may follow up with another attempt to contact the parents/guardians or send a letter reporting the unexcused absence and requesting the parent/guardian to contact the school.

#### Procedures for Persistent Absences

If the pattern of unexcused absences continues and five to nine unexcused absences are accumulated the district shall:

- A. Make a reasonable attempt to notify the student's parents/guardians 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 parents to address patterns of unexcused absences previously;
- C. Evaluate the appropriateness of action taken as identified in consultation with the student's parents;
- 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;
  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 the court or a court program as follows:
  - a. When the unexcused absences are determined to be violations of the compulsory education law and board policy;
  - b. When there is evidence of a juvenile-family crisis the student may be referred to Superior Court, Chancery Division, Family Part. "Juvenile-family crisis" pursuant to N.J.S.A. 2A:4A-22(g) means behavior, conduct or a condition of a juvenile, parent or guardian or other family member which presents or results in a threat to wellbeing and safety of the juvenile, serious conflict regarding the juvenile's conduct, unauthorized absence from home, pattern of unauthorized absence from school, or human trafficking;
6. The implementation of all required procedures for potential abuse, neglect or missing child including cooperation with law enforcement and other authorities and agencies, as appropriate;
7. Engage the student's family.

#### Discipline

All discipline regarding the attendance of students shall be consistent with the board policy 5131 Conduct and Discipline and the code of student conduct. Consequences for absences may include:

- A. Students may be denied participation in co-curricular activities if their attendance fails to meet the standards set forth herein; Deprivation of Privileges/"Restricted List"
  - See 5131R - Deprivation of Privileges/Restricted list
- B. Students may be denied participation in athletic competition if their attendance fails to meet the standards set forth herein; Deprivation of Privileges/"Restricted List"
  - See 5131R - Deprivation of Privileges/Restricted list
- C. Loss of partial or total course credit;
- D. Detention or suspension.

No student who is absent from school for observance of a religious holiday or other excused absence shall be disciplined and/or deprived of any award or of eligibility for or opportunity to compete for any award because of the absence.

Students, parents, and guardians shall be notified of disciplinary consequences for attendance including loss of credit, and may appeal this determination through the procedure as set forth in board policy 5145.6 Student Grievance Procedure.

#### Truancy

For cumulative unexcused absences of 10 or more, the student between the ages of six and 16 is truant, pursuant to law. The district shall:

- A. Make a determination regarding the need for a court referral for the truancy;

- B. Make a reasonable attempt to notify the student's parents of the mandatory referral;
- C. Continue to consult with the parent and the involved agencies to support the student's return to school and regular attendance;
- D. Cooperate with law enforcement and other authorities and agencies, as appropriate;
- E. Follow all procedures required by N.J.S.A. 18A:38-28 through 31, Compelling Attendance at School and other applicable state and federal statutes as follows:
  - An attendance officer who finds a truant child, shall take the child and deliver him/her to the parent/guardian or other person having charge and control of the child, or to the teacher of the school which such child is lawfully required to attend;
  - The attendance officer shall examine all violations and shall warn the child, the parent/guardian or other person having charge and control of the child of the consequences of the violation if persisted in;
  - The attendance officer shall notify the parent/guardian or other person having charge and control of the child in writing, to cause the child to attend school within five days from the date on which notice is served, and regularly thereafter;
  - The attendance officer shall have full police power to enforce the provisions of this article and may arrest without warrant any vagrant child or habitual truant or any child who is habitually incorrigible or who is vicious or immoral in conduct or illegally absent from school;
  - The sheriff and his officers and all police officers and constables shall assist the attendance officer in the performance of their duties;
  - A parent, guardian or other person having charge and control of a child between the ages of 6 and 16 years, who shall fail to comply with any of the provisions of this article relating to his/her duties, shall be deemed to be a disorderly person and shall be subject to a fine of not more than \$25.00 for a first offense and not more than \$ 100.00 for each subsequent offense, in the discretion of the court. In any such proceeding, the summons issuing therein, or in special circumstances a warrant, shall be directed to the alleged disorderly person and the child.

#### Unexcused Absences for Students in Special Education

For students with disabilities, the length of the school day and the academic year of programs must be at least as long as that established for nondisabled students (N.J.A.C. 6A:14-4.1(c)). The attendance guidelines, discipline and remedial measures set forth in this policy shall apply to classified students where appropriate and in accordance with the student's:

- A. Individualized education program (IEP);
- B. The Individuals with Disabilities Education Act (IDEA)
- C. Procedural protections set forth in N.J.A.C. 6A:14;
- D. Alternate short or long-term accommodations for students with disabilities as required by law;
- E. Requirements of a student's individualized healthcare plan and individualized emergency healthcare plan.

The IEP team may make a decision, based on the individual needs of the student, that the student is unable to attend school and should receive special education and related services in a different setting or

manner, such as through home instruction, all or part of the time. The decision of the IEP team shall be included in the student's IEP. In such a case, the student should be marked as "present" in the Student Information System (SIS) when he or she is educated in the educational placement(s) set forth in his or her IEP.

District Sending and Receiving Relationships

The receiving school shall report attendance problems to the sending district responsible for the student. Following five or more cumulative unexcused absences school officials from the sending district shall proceed in accordance with the sending district's board attendance policy and procedure.

Regular Release of Pupils Before the End of the Normal School Day

There are varying situations which may justify release of certain pupils from school before the normal time for closing. Such situations are justifiable only if the release does not jeopardize the pupil's educational program and the reasons for such release can be shown to have positive benefits for the pupil.

Late Arrival and Early Dismissal

The board recognizes that from time to time compelling circumstances will require that a pupil be late to school or dismissed before the end of the school day.

As agent responsible for the education of the children of this district, the board shall require that the school be notified in advance of such absences by written request of the pupil's parent/guardian, which shall state the reason for the tardiness or early dismissal. Justifiable reasons may include:

- A. Medical or dental appointments which cannot be scheduled outside of school hours;
- B. Requirements of a student's individualized healthcare plan and individualized emergency healthcare plan;
- C. Requirements of the student's individualized education program (IEP);
- D. Alternate short or long-term accommodations for students with disabilities;
- E. Medical disability;
- F. Motor vehicle driver's test;
- G. Interview for college entrance or employment;
- H. Family emergency;
- I. Court appearance;
- J. Such good cause as may be acceptable to the administration.

No pupil in grades kindergarten through eight shall be permitted to leave the school before the close of the school day unless he/she is met in the school office by his/her parent/guardian or a person authorized by the parent/guardian to act in his/her behalf.

Tardiness not covered by the causes listed shall be cumulative and may affect course credit.

#### Legal Custody

A record shall be kept indicating the legal custodian of each pupil. Such custodian shall be responsible for informing the board of any change in the pupil's custodian. The principal may take such steps as seem necessary to ensure that the child is released only to the proper legal custodian.

#### Potentially Missing Children

- A. If daily attendance records indicate a child is absent, and the parent/guardian has not called, a designated person shall attempt to contact the parent/guardian;
- B. If no telephone contact can be made, the attendance officer shall investigate;
- C. If the attendance officer cannot locate the child, he/she shall inform the principal, who shall inform the appropriate local authorities;
- D. If a child who was present in the morning is absent after lunch, the same procedure shall be followed.

#### Marking Missing Child's School Record

Whenever the chief school administrator receives notice from the Missing Persons Unit that a child has been reported missing, he/she shall mark the child's records in such a way that whenever a copy of or information regarding the record is requested, district personnel will be aware that the record is that of a missing child. If a copy of a marked school record is requested, the chief school administrator shall supply the record to the requestor without alerting him/her to the fact that the record has been marked, according to provisions in code and statute on accessing pupil records (see policy 5125 Pupil Records). After the chief school administrator has complied with the request for copies of records or information, he/she shall immediately report the inquiry or any knowledge as to the whereabouts of the missing child to the Missing Persons Unit.

#### Regulations

The chief school administrator shall develop procedures for the attendance of pupils including:

- A. The expectations and consequences regarding students' timely arrival of students to school and classes;
- B. The expectations and consequences regarding attendance at school and classes;
- C. A definition of unexcused absence that counts toward truancy that is consistent with the definition of a school day;
- D. School staff responses for unexcused absences for:
  1. Cumulative absences up to four;
  2. Cumulative absences of between five and nine;

3. Cumulative unexcused absences of 10 or more; and
4. Referral to court.

### **Definitions**

- A. "Attendance" is a student's presence in the school and in the classroom to which he or she is assigned at the times scheduled for instruction or other school activities:
  1. A student will be considered to have attended if he or she has been present for at least four hours during the school day;
  2. A preschool student will be considered to have attended school if he or she has been present at least two and one-half hours during the preschool session to which the student is assigned; and
  3. A student not present in school because of his or 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.
- B. "Excused absence" is a student's absence from school for a full day or a portion of a day for one or more of the following reasons:
  1. Religious observance as defined by law (N.J.A.C. 6A:32-8.3(h));
  2. A college visit (up to 3 days per school year, only for students in grades 11 and 12);
  3. "Take Our Children to Work Day" (pursuant to the memo issued by the Commissioner to all districts on April 25, 2017) or other rule issued by the Commissioner;
  4. Participation in observance of Veterans Day (N.J.S.A. 18A:36-13.2) or district board of election membership activities (N.J.S.A. 18A: 36-33); or
  5. The closure of a busing district that prevents a student from having transportation to the receiving school; or Attendance at a civic event (P.L. 2023 c. 274) one time per school year, provided that the student is enrolled in grades 6 through 12 and written notice with supporting documentation is submitted to building principal or designee by a parent/guardian at least five (5) school days prior to the anticipated date of absence.

All parent or physician notes required above must be provided within three (3) school days of the pupil's return to school.

Attendance need not always be within the school facilities. A pupil will be considered to be in attendance if he/she is present at any place where the school is in session by the authority of the Board. The Board shall consider each pupil assigned to a program of independent study, with parent/guardian permission, to be in regular attendance for that program, provided that he/she is under the guidance of a staff member so assigned, reports daily or weekly, as prescribed, to such staff member the place in which he/she is conducting his/her study, and regularly demonstrates progress toward the objectives of his/her course of study.

- C. "Unexcused absence" is a student's absence for all or part of a school day for any reason other than those listed in paragraph "Excused Absences" above.
- D. "Truancy" Any child between the ages of six and 16 years who shall repeatedly be absent from school, and any child of such age found away from school during school hours whose parent, guardian, or other person having charge and control of the child is unable to cause him to attend school. A student between the ages of six and sixteen will also be considered truant if he or she:

1. Has accumulated unexcused absences of 10 or more;
2. Leaves school without permission when school is still in session;
3. Leaves class because of illness and does not report to the school nurse as directed; or
4. Is present in school but is absent from class without approval. Such truancy from class is a "class cut."
5. Is considered "excessively" absent upon an attendance review according to policy.
6. Is habitually tardy (20 or more tardy events) from school.

### **Attendance**

In order for the Board to fulfill its responsibility for providing a thorough and efficient education for each pupil, the complete cooperation of parents/guardians and pupils is required to maintain a high level of school attendance.

The frequent absence of pupils from classroom learning experiences disrupts the continuity of the instructional process and limits the ability of pupils to complete the prescribed curriculum requirements successfully. The following rules shall apply for student absences:

1. In District Schools where attendance is taken by class period, a student shall be considered absent from class for tardiness in excess of one-half of the total class period.
2. A non-preschool student shall be considered absent from school for participation in less than 4 instructional hours during the school day.

A pupil must be in attendance for 162.5 or more school days in order to be considered to have successfully completed the instructional program requirements of the grade/course to which he/she is assigned. Students who miss more than 17.5 days, regardless of the reason(s), will be considered excessively absent and subject to review pursuant to the Persistent Absence procedures below.

A waiver of these attendance requirements may be granted for good cause by the Building Principal upon recommendation of a review committee, appointed by him/her, and consisting of representative staff, including pupil service personnel and classroom teachers.

In recommending the granting of a waiver of this attendance requirement, the review committee shall consider the nature and causes of all absences rather than only those in excess of 17.5 days. As required, written documentation stating the date, the reason for the absence, and a parent/guardian signature shall be the responsibility of the parent/guardian. For excused absences requiring documentation pursuant to the definition of excused absences above contained in this File Code, any absence without such written or email documentation that is received in the time frame noted above will be considered unexcused.

Parents/guardians are responsible for calling out their child prior to the start of the school day to ensure student safety and accountability; however, a phone call does not take the place of written documentation being submitted to the office upon a student's return to school.

### **Unexcused Absences**

When a pupil fails to report to class or school the District will:

1. Make a reasonable attempt to notify the pupil's parents/guardians of each unexcused absence on the day of the unexcused absence;

2. Attempt to contact the parents/guardians by telephone, email, and/or cellular phone to determine the cause of the unexcused absence.

If contact through these means is unsuccessful the District may follow up with another attempt to contact the parents/guardians or send a letter reporting the unexcused absence and requesting the parent/guardian to contact the school.

If at any time it is suspected that there is a potential of abuse, neglect, and/or a student is potentially missing the District shall implement all procedures required by law including reporting protocols, notification of parents/guardians, and cooperation with law enforcement and other authorities and agencies, as appropriate.

#### **Five to Nine Unexcused Cumulative Absences**

If the pattern of unexcused absences continues and five (5) to nine (9) unexcused absences are accumulated the District shall:

- A. Make a reasonable attempt to notify the pupil's parents/guardians of each unexcused absence the day of the unexcused absence;
- B. Attempt to contact the parents/guardians by telephone, email, and/or cellular phone to determine the cause of the unexcused absence;
- C. Conduct a follow-up investigation by contacting the pupil's parents/guardians in writing to determine the cause of each unexcused absence;
- D. The Building Principal or his or her designee shall schedule a meeting with the parents/guardians and the student if necessary or upon parental request.

The purpose of this meeting shall be to evaluate the appropriateness of the action plan to assist the student to return to school and maintain regular attendance. The plan shall be reviewed and revised in coordination with the parent/guardian and may include the participation of the classroom teacher, school nurse, guidance counselor, principal or other appropriate staff. The plan shall establish outcomes based upon the student's needs and specify the interventions for achieving the outcomes and supporting the student's return to school and regular attendance. That plan may include any or all of the following:

1. Referral or consultation with the building's Intervention and Referral Services team;
2. Testing, assessments or evaluations of the student's academic, behavioral, and health needs;
3. The consideration of an alternate educational placement;
4. Referral to a community-based social and health provider agency or other community resources;
5. Referral to the court program designated by the New Jersey Administrative Office of the Courts;
6. The implementation of all required procedures for potential abuse, neglect or missing child including cooperation with law enforcement and other authorities and agencies, as appropriate.

#### **Ten or More Cumulative Unexcused Absences**

If the pattern of unexcused absences continues to ten (10) cumulative unexcused absences, the District will issue a letter from the Building Principal which will be sent via certified and regular mail stipulating:

1. The parent will be contacted by the principal or designee to inform that truancy charges

will be filed with the local court. A meeting may be requested by the parents to discuss absences and plans for improvement.

2. The pupil is required to resume regular attendance.
3. The pupil will be in danger of failing to complete courses and/or a specific grade level.
4. There will be a mandatory referral to the court program required by the New Jersey Administrative Office of the Courts for pupils under the compulsory school age (below 16 years of age) (N.J.S.A. 18A:38-25 through 31), and failure to comply with the provisions of the law may cause the parent to be deemed a disorderly person and the parent may be subject to a fine (N.J.S.A. 18A:38-25 through 31).

The pupil must also be referred to the building's Intervention and Referral Services Team and the counselor, in conjunction with the parent, will evaluate the appropriateness of the action plan developed as a result of 5 cumulative unexcused absences. The counselor and parent will continue to consult with the involved agencies to support the student's return to school and regular attendance.

#### **Ten Consecutive Absences**

If the pattern of unexcused absences continues to ten (10) consecutive unexcused absences, the district shall issue a letter from the principal which will be sent via regular mail stipulating:

1. The parents will be contacted by the principal or designee to discuss attendance infractions as well as court charges.
2. The pupil is required to return back to school immediately.
3. There will be a mandatory referral to the court program required by the New Jersey Administrative Office of the Courts for pupils under the compulsory school age (below 16 years of age) (N.J.S.A. 18A:38-25 through 31), and failure to comply with the provisions of the law may cause the parent to be deemed a disorderly person and the parent may be subject to a fine (N.J.S.A. 18A:38-25 through 31).
4. Notification for a pupil who is 16 years or older (above the school compulsory age) that failure to meet with the principal (within 5 days as stipulated in this section) and failure to resume attendance will be dropped from the school register. Once a pupil is withdrawn from the school register they may be permitted to re-enter only after a meeting with the building principal or his/her designee.

The pupil must also be referred to the building's Intervention and Referral Services Team and the counselor will continue to consult with the parent and the involved agencies to support the pupil's return to school and regular attendance.

#### **Discipline**

All discipline regarding the attendance of pupils shall be consistent with the code of student conduct and the student handbook. Consequences for absences may include:

- A. Students may be denied participation in co-curricular activities if their attendance fails to meet the standards set forth herein; Deprivation of Privileges/"Restricted List"
  - See 5131R - Deprivation of Privileges/Restricted list
- B. Students may be denied participation in athletic competition if their attendance fails to meet the

standards set forth herein; Deprivation of Privileges/“Restricted List”

- See 5131R - Deprivation of Privileges/Restricted list

C. Loss of partial or total course credit;

D. Detention or suspension

No student who is absent from school for observance of a religious holiday or other excused absence shall be disciplined and/or deprived of any award or of eligibility for or opportunity to compete for any award because of the absence.

Pupils, parents, and guardians shall be notified of disciplinary actions for attendance including loss of credit.

### **Truancy**

For cumulative unexcused absences of 10 or more, the pupil between the ages of six and 16 is truant, pursuant to law. The District will:

- A. Make a determination regarding the need for a court referral for the truancy;
- B. Make a reasonable attempt to notify the student’s parents of the mandatory referral;
- C. Continue to consult with the parent and the involved agencies to support the student’s return to school and regular attendance;
- D. Cooperate with law enforcement and other authorities and agencies, as appropriate;
- E. Follow all procedures required by N.J.S.A. 18A:38-28 through 31, Compelling Attendance at School and other applicable state and federal statutes as follows:
  - An attendance officer who finds a truant child, shall take the child and deliver him/her to the parent/guardian or other person having charge and control of the child, or to the teacher of the school which such child is lawfully required to attend;
  - The attendance officer shall examine all violations and shall warn the child, the parent/guardian or other person having charge and control of the child of the consequences of the violation if persisted in;
  - The attendance officer shall notify the parent/guardian or other person having charge and control of the child in writing, to cause the child to attend school within five days from the date on which notice is served, and regularly thereafter;
  - The attendance officer shall have full police power to enforce the provisions of this article and may arrest without warrant any vagrant child or habitual truant or any child who is habitually incorrigible or who is vicious or immoral in conduct or illegally absent from school;
  - The sheriff and his officers and all police officers and constables shall assist the attendance officer in the performance of their duties;
  - A parent, guardian or other person having charge and control of a child between the ages of 6 and 16 years, who shall fail to comply with any of the provisions of this article relating to his/her duties, shall be deemed to be a disorderly person and shall be subject to a fine of not more than \$25.00 for a first offense and not more than \$ 100.00 for each subsequent offense, in the discretion of the court. In any such proceeding, the summons issuing therein, or in special circumstances a warrant, shall be directed to the alleged disorderly person and the child.

For cumulative absences deemed "excessive" 17.5 or more days, regardless of reason), the pupil between the ages of 6 and 16 will have a complaint filed with the local court.

#### Unexcused Absences for Students in Special Education

For students with disabilities, the length of the school day and the academic year of programs must be at least as long as that established for nondisabled students (N.J.A.C. 6A:14-4.1(c)). The attendance guidelines, discipline, and remedial measures set forth in this policy shall apply to classified students where appropriate and in accordance with the student's:

- A. Individualized education program (IEP);
- B. The Individuals with Disabilities Education Act (IDEA)
- C. Procedural protections set forth in N.J.A.C. 6A:14;
- D. Alternate short or long-term accommodations for students with disabilities as required by law;
- E. Requirements of a student's individualized healthcare plan and individualized emergency healthcare plan.

The IEP team may make a decision, based on the individual needs of the student, that the student is unable to attend school and should receive special education and related services in a different setting or manner, such as through home instruction, all or part of the time. The decision of the IEP team shall be included in the student's IEP. In such a case, the student should be marked as "present" in the Student Information System (SIS) when he or she is educated in the educational placement(s) set forth in his or her IEP.

#### Regular Release of Pupils Before the End of the Normal School Day

There are varying situations that may justify the release of certain pupils from school before the normal time for closing. Such situations are justifiable only if the release does not jeopardize the pupil's educational program and the reasons for such release can be shown to have positive benefits for the pupil.

#### Late Arrival and Early Dismissal

The Board recognizes that from time to time compelling circumstances will require that a pupil be late to school or dismissed before the end of the school day. If a pupil is present for less than four (4) hours she/he will be considered absent. Depending upon the basis for the late arrival or early dismissal, such an absence may be deemed excused

As the agency responsible for the education of the children of this District, the school must be notified in advance of such absences by written request of the pupil's parent/guardian, which shall state the reason for the tardiness or early dismissal. Justifiable reasons may include

1. Medical or dental appointments which cannot be scheduled outside of school hours;
2. Requirements of a pupil's individual health care plan;
3. Requirements of the pupil's Individual Education Program (IEP); and/or 504
4. Alternate short or long-term accommodations for pupils with disabilities;
5. Medical disability;

6. Motor vehicle driver's test;
7. Interview for college entrance or employment;
8. Family emergency;
9. Court appearance; or
10. Such a good cause may be acceptable to the Administration.

No pupil in grades kindergarten through 5<sup>th</sup> shall be permitted to leave the school before the close of the school day unless he/she is met in the school office by his/her parent/guardians or a person authorized by the parent/guardian to act on his/her behalf.

Tardiness not covered by the causes listed shall be cumulative and may affect course credit.

**Referral to court for excessive tardiness and or Unexcused Early Dismissal:**

Parents of students between the ages of 6 and 16 who are excessively tardy and/or early dismissal will have a complaint filed with the local court for unexcused tardies and/or early dismissal of 20 or more.

**District Sending and Receiving Relationships**

The receiving school shall report attendance problems to the sending district responsible for the student. Following five or more cumulative unexcused absences school officials from the sending district shall proceed in accordance with the sending district's board attendance policy and procedure.

**Regular Release of Pupils Before the End of the Normal School Day**

There are varying situations which may justify release of certain pupils from school before the normal time for closing. Such situations are justifiable only if the release does not jeopardize the pupil's educational program and the reasons for such release can be shown to have positive benefits for the pupil.

**Late Arrival and Early Dismissal**

The board recognizes that from time to time compelling circumstances will require that a pupil be late to school or dismissed before the end of the school day.

As agent responsible for the education of the children of this district, the board shall require that the school be notified in advance of such absences by written request of the pupil's parent/guardian, which shall state the reason for the tardiness or early dismissal. Justifiable reasons may include:

- A. Medical or dental appointments which cannot be scheduled outside of school hours;
- B. Requirements of a student's individualized healthcare plan and individualized emergency healthcare plan;
- C. Requirements of the student's individualized education program (IEP);
- D. Alternate short or long-term accommodations for students with disabilities;
- E. Medical disability;
- F. Motor vehicle driver's test;

- G. Interview for college entrance or employment;
- H. Family emergency;
- I. Court appearance;
- J. Such good cause as may be acceptable to the administration.

No pupil in grades kindergarten through eight shall be permitted to leave the school before the close of the school day unless he/she is met in the school office by his/her parent/guardian or a person authorized by the parent/guardian to act in his/her behalf.

Tardiness not covered by the causes listed shall be cumulative, and may affect course credit.

#### **Legal Custody**

A record shall be kept indicating the legal custodian of each pupil. Such custodian shall be responsible for informing the Board of any change in the pupil's custodian. If one parent/guardian has been awarded custody of the pupil in a divorce settlement, the other parent/guardian shall present to the Building Principal a letter authorizing him/her to accompany the child from school before the child may be released to him/her. The Building Principal may take such steps as seem necessary to ensure that the child is released only to proper custody.

#### **Potentially Missing Children**

1. If daily attendance records indicate a pupil is absent, and the parent/guardian has not called, a designated person shall attempt to contact them;
2. If no telephone contact can be made, the attendance officer shall investigate;
3. If the attendance officer cannot locate the child, he/she shall inform the principal, who shall inform the appropriate local authorities; and
4. If a child who was present in the morning is absent after lunch, the same procedure shall be followed.

#### **Marking Missing Child's School Record**

Whenever the Superintendent or his/her designee receives notice from the Missing Persons Unit that a child has been reported missing, he/she shall mark the child's records in such a way that whenever a copy of or information regarding the record is requested, District personnel will be aware that the record is that of a missing child. If a copy of a marked school record is requested, the Superintendent or his/her designee will supply the record to the requestor without alerting him/her to the fact that the record has been marked, according to provisions in code and statute accessing pupil records. After the Superintendent or his/her designee has complied with the request for copies of records or information, he/she shall immediately report the inquiry or any knowledge as to the whereabouts of the missing child to the Missing Persons Unit.

#### **Development of Regulation/Procedures**

The Superintendent or his/her designee will develop procedures for the attendance of pupils which:

- A. Ensure a school session that is in conformity with the requirements of the rules of the state board.

- B. Identify potentially missing and/or abused pupils;
- C. Govern the keeping of attendance records in accordance with rules of the state board, including pupils serving in or out of school suspensions, or excluded for health and cleanliness reasons.
- D. Impose on truant pupils such disciplinary measures as may be appropriate for infractions of school regulations, but no such penalty may have an irredeemable negative effect on the pupil's record of achievement beyond that which naturally follows his/her absence from school activities;
- E. Identify the habitual truant, investigate the causes of his/her behavior, and consider modification of his/her educational program to meet his/her particular needs and interests;
- F. Address tardiness and class cutting in terms of the intent of this policy.
- G. Ensure that pupils absent for any reason have an opportunity to make up the work they missed.
- H. Recognize exemplary attendance.

**Dissemination and Implementation**

The Superintendent or his/her designee will take all necessary steps to publicize this policy and may include these rules in district handbooks and/or on the district website. Parents/Guardians and pupils shall be notified annually of the attendance policy.

The Superintendent or his/her designee will ensure that the rules for this policy are applied consistently and uniformly and that all disciplinary sanctions are carried out with the necessary due process.

The Board shall review the attendance policy on a regular basis.

Date: February 10, 1998  
 Date Revised: August 30, 2010  
 Date Revised: August 27, 2018  
 Date Readopted: January 30, 2023  
 NJSBA Reviewed/Updated June 2024  
 Date Reviewed July 22, 2024  
 Date Readopted August 5, 2024  
 Date Revised/ Rev: April 14, 2025  
 Date Adopted: April 28, 2025

**Legal References:**

N.J.S.A. 18A:111	General mandatory powers and duties
N.J.S.A. 18A:354.9	Pupil promotion and remediation; policies and procedures
N.J.S.A. 18A:3614,	Religious holidays; absence of pupils 15,-16 on; effect
N.J.S.A. 18A:3619a	Newly enrolled pupils; records and identification
N.J.S.A. 18A:3624	Missing children; legislative findings and through 26 declarations
N.J.S.A. 18A:3825	Attendance required of children between six and 16; exceptions
N.J.S.A. 18A:3826	Days when attendance required; exceptions
N.J.S.A. 18A:3827	Truancy and juvenile delinquency defined

N.J.S.A. 18A:3831	Violations of article by parents or guardians; penalties
N.J.S.A. 18A:3832	District and county vocational school attendance officers
N.J.S.A. 18A:407	Exclusion of pupils who are ill
N.J.S.A. 18A:408	Exclusion of pupils whose presence is detrimental to health and cleanliness
N.J.S.A. 18A:40-9	Failure of the parent to remove the cause for exclusion; penalty
N.J.S.A. 18A:4010	Exclusion of teachers and pupils exposed to disease
N.J.S.A. 18A:4011	Exclusion of pupils having communicable tuberculosis
N.J.S.A. 18A:40-12	Closing schools during an epidemic
N.J.S.A. 18A:5420	Powers of board (county vocational schools)
N.J.S.A. 52:17B-9.8a	Marking of missing child's school record through -9.8c
N.J.A.C. 6A:8-5.1	Graduation requirements
N.J.A.C. 6A:16-1 et seq.	Programs to support student development
N.J.A.C. 6A:30-1.1 et seq.	Evaluation of the Performance of School Districts
N.J.A.C. 6A:32-8.1 et seq.	Student Attendance and Accounting
N.J.A.C. 6A:328.3	Student Attendance

Wetherell v. Board of Education of Township of Burlington, 1978 S.L.D. 794

Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851

Legal References (continued)

C.R., on behalf of J.R., v. Board of Education of the Scotch Plains Fanwood Regional School District, 1988 S.L.D. (June 22)

5111	Admission
5114	Suspension and expulsion
5124	Reporting to parents/guardians
5125	Pupil records
5131	Conduct/Discipline
5141.2	Illness
5141.4	Child abuse and neglect
5142	Pupil safety
6146	Graduation requirements
6146.2	Class Rank
6147	Standards of proficiency
6147.1	Evaluation of individual student performance
6154	Homework/makeup work
6171.4	Special education
6173	Home instruction