

R 5200 ATTENDANCE (M)

Introduction

Students who are absent from school cannot benefit from important teacher directed instructional activities. The loss of such valuable instruction can prevent a student from realizing maximum competence or skill. Excessive absence almost certainly will reduce competency below tolerable minimum levels.

The Board of Education cannot condone or permit excessive and unnecessary absence from school and hereby establishes the following policy to establish attendance requirements and to deny credits to students who do not meet those attendance requirements.

This is not intended as a permissive procedure, which licenses a given number of absences. A separate procedure will deal with absences growing out of truancy, class cutting, lateness to class or school, and other violations of statutes and/or school rules. Absences due to such violations shall be considered unexcused and shall toll toward a “no credit” status.

During periods of remote learning students may be required to sign in online during school hours to account for the daily attendance. Students that do not sign in during the required time will be considered absent. Absences due to such violations shall be considered unexcused.

School mandated exclusion such as punitive out-of-school suspension dates might not toll toward a “no credit” status in accordance with rulings of the New Jersey Commissioner of Education.

Attendance Recording

1. School Register (N.J.A.C. 6A:32-8.1)

- a. The Board of Education shall carefully and accurately track enrollment and attendance of all students in a manual school register format or in an electronic format of the school district's choosing.
- b. The Commissioner will issue and publish on the Department's website guidance for recording student attendance in all public



REGULATION

BLACK HORSE PIKE REGIONAL BOARD OF EDUCATION

STUDENTS
R 5200/Page 2 of 12
ATTENDANCE (M)

schools of the State operated by district Boards of Education, except adult high schools.

c. Student attendance shall be recorded in the school register during school hours on each day in session, pursuant to N.J.A.C. 6A:32-8.3. An employee designated by the Superintendent shall keep in the school register, attendance of all students, and shall maintain the attendance records in accordance with N.J.A.C. 6A:32-8 and the guidance at N.J.A.C. 6A:32-8.1(c) and A.1.b. above.

d. A student who has been placed on home instruction shall have their attendance status recorded on the regular register for the program in which the student is enrolled. The student shall be marked absent for the period beginning the first day the student is unable to attend school and ending the day before the first instructional day at the student's place of confinement. Absences shall not be recorded for the student while on home instruction, provided the hours of instruction are not less than required by N.J.A.C. 6A:14-4.8 and 4.9 and 6A:16-10.1 and 10.2. The number of possible days in membership for a student on home instruction shall be the same as for other students in the program in which the student is enrolled.

2. Day in Session (N.J.A.C. 6A:32-8.3)

a. A day in session shall be a day on which the school is scheduled to provide instruction and students are under the guidance and direction of a teacher(s) engaged in the teaching process. A day on which school is closed for reasons such as holidays and teachers' institutes, or inclement weather not under conditions set forth at N.J.A.C. 6A:32-13, shall not be considered a day in session.

b. A day in session shall consist of not less than four hours, exclusive of recess and lunch periods, except that one continuous session of two and one-half hours may be considered a full day in Kindergarten.

3. Student Attendance (N.J.A.C. 6A:32-8.4)

a. For all State attendance submissions, a student shall be recorded as present, absent, or excused for a State-excused absence, pursuant to N.J.A.C. 6A:32-8.4(e) and A.3.e.



below, on every day the school is in session after the student enrolls until the date the student is transferred to another school or officially leaves the school district.

b. A record of attendance of all students shall be kept in accordance with N.J.A.C. 6A:32-8.1(c) and A.1.b. above. The employee designated by the Superintendent shall keep the attendance records according to N.J.A.C. 6A:32-8 and the guidance issued by the Commissioner in accordance with N.J.A.C. 6A:32-8.1(c) and A.1.b. above.

c. A student enrolled in a school 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.

d. A student enrolled in a school who is not participating in instruction or instruction-related activities pursuant to N.J.A.C. 6A:32-8.4(c) and A.3.c. above shall be recorded in the school register as absent, unless the student is recorded as a State-excused absence, pursuant to N.J.A.C. 6A:32-8.4(e) and A.3.e. below.

Mitigating Circumstances

Absence for the following verified reason will not toll in the maximums listed.

1. Illness which is documented by a physician's written certification, received within five school days after the student's return from that absence;
2. Illness or disability, which requires assignment of home instruction by the School Counseling Department and/or Child Study Team;
3. Absence which is excused in advance to meet religious obligations permitted by statute;
4. Legitimate school activity approved in advance by the school Principal or his/her designee;



REGULATION

BLACK HORSE PIKE REGIONAL BOARD OF EDUCATION

STUDENTS
R 5200/Page 4 of 12
ATTENDANCE (M)

5. Death in the family, supported by a written letter from the parent upon the student's return to school;
6. A college visit (up to 3 days per school year, only for students in grades 11 and 12);
7. 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;)
8. Take Our Children to Work Day;
9. The student's required attendance in court;
10. The student's suspension from school;
11. Examination for a driver's license;
12. Closure of a busing school district that prevents a student from having transportation to the receiving school;
13. An absence considered excused by the Commissioner of Education and/or a New Jersey Department of Education rule;
14. Such good cause as may be acceptable to the Principal. This includes reasonable written notification from a parent/guardian regarding the student's absence from school. Verbal notification will not be accepted for consideration of absences under the terms of the attendance policy.

Family Vacations

Family vacations with prior notification to the appropriate Vice Principal or the Principal will not be considered truancy but may not be approved/excused absences in terms of the attendance policy.

Physician's Certification

Any student who is absent five or more consecutive school days due to illness shall be required to furnish a physician's certification that he/she is free of contagion as a condition for returning to class.

Parent's or Guardian's Notes



Notes from parents or guardians are required to explain student absence:

1. Students are to submit such notes to their Vice Principal's office.
2. Such notes shall be on file in the Vice Principal's office.
3. Legitimate, verified notes from parents, which explain student illness, may be considered in determining if a "no credit" status shall be assigned. Unless unusual circumstances exist, no more than ten days per year shall be affected by "mitigating" circumstances.
4. Absences not explained by parental or adult student notes within three school days after the student returns to school, may not be considered in the appeal process.
5. Telephone calls from parent(s) or guardian(s) advising school officials of student absence shall be encouraged; however, such telephone calls will not be considered in lieu of required written notes to be entered into the students' record.

Tardiness

Lateness to class and lateness to school should be treated according to provisions of procedure 5600 – Student Discipline; students shall be assessed 1/3 absence for each ten minutes (or majority fraction thereof) of lateness up to a maximum of one full absence per class period. Rules relating to tolling of absence also shall apply to tardiness.

1. Lateness to school is defined as arriving after the start of ~~first period~~ the school day. If a student is late to school four times, it will equal one unexcused absence in accordance with Policy 5240.
2. The Principals shall communicate this policy and practice to parents/guardians, and students at the start of each year.
3. Extreme and/or persistent lateness to school/class may be grounds for placing the student on administrative probation for a prescribed period of time in accordance with existing policy. Students on probation are barred from participation in any school sponsored/sanctioned co-curricular, athletic, or social programs/activities/events home or away.

Make-Up Work



Students returning to school shall be afforded a reasonable opportunity to make-up missed work. Policies on summer school and truancy contain provisions governing make-up work, which apply in those situations.

Readmission to School After an Absence

1. A student returning from an absence of any length of time must provide a written statement to the Principal or designee that is dated and signed by the parent or adult student listing the reason for the absence.
2. A student who has been absent by reason of having or being suspected of having a communicable disease may be required to present to the school nurse written evidence of being free of a communicable disease.
3. The Superintendent of Schools or designee may require a student who has been absent from school due to a suspension or other reason concerning the student's conduct to receive a medical examination by a physician regarding the student's physical and/or mental fitness to return to school.
 - a. The Superintendent or designee will notify the student's parent of the specific requirements of the medical examination prior to the student's return to school.

Matters Of Law – School Staff Responses For Unexcused Absence

1. For up to four cumulative, unexcused absences, the school 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. This will be accomplished either through a direct phone call or the computer driven automatic calling system or letter mailed to the home address on record.
 - b. Conduct an investigation to determine the cause of each unexcused absence, including contact with the student's parents/guardians.
 - c. Develop an action plan in consultation with the student's parents/guardians 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:16-11, if a potential 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, the school 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. This will be accomplished either through a direct phone call or the computer driven automatic calling system or letter mailed to the home address on record.
 - b. Conduct an investigation to determine the cause of each unexcused absence, including contact with the student's parents/guardians.
 - c. Evaluate the appropriateness of the action plan developed pursuant to 1.c. above.
 - d. Revise the action plan, as needed, to identify patterns of unexcused absences and establish outcomes based upon the student's needs and specify the interventions for achieving the outcomes, supporting the student's return to school and regular attendance that may include any or all of the following:
 - i. Refer or consult with the building's Intervention & Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
 - ii. Conduct testing, assessments or evaluations of the student's academic, behavioral and health needs;
 - iii. Consider alternate educational placement;
 - iv. Make a referral to a community-based social and health provider agency or other community resource;
 - v. Refer to the court program designated by the NJ Administrative Office of the Courts; and



- vi. Proceed in accordance with the provisions of N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-11, if a potential missing or abused child situation is detected; and
 - vii. Cooperate with law enforcement and other authorities and agencies as appropriate.
- 3. For cumulative, unexcused absences of ten or more, the student between the ages of six and sixteen is truant, pursuant to N.J.S.A. 18A:38-27, and the school district shall:
 - a. Make a mandatory referral to the court program required by the NJ Administrative Office of the Courts;
 - b. Make a reasonable attempt to notify the student's parents of the mandatory referral via letter mailed to the home address on record;
 - c. Continue to consult with the parent/guardian and the involved agency(ies) to support the student's return to school and regular attendance;
 - d. Cooperate with law enforcement and other authorities and agencies, as appropriate; and
 - e. 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. Students Age 16 and Older

If the procedures noted above are unsuccessful in achieving student attendance, parent(s) or guardian(s) of students who are age sixteen or older and adult students, shall be presented with another notice requiring the student to attend school within five days or be dropped from the attendance roll. If this notice is unsuccessful, the student shall be dropped from the roll.

- a. Parent(s), guardian(s), or adult students may appeal to the Principal for readmission.



- b. Attendance at summer school shall not be permitted for such students.
 - c. A withdrawal/failure shall be entered on the permanent record for each course taken at the time the student was dropped.
5. For students with disabilities, the attendance plan and punitive and remedial procedures set forth therein shall be applied, where applicable, in accordance with the student's Individualized Educational Programs (IEP), pursuant to 20 U.S.C. 1400 et seq., the Individuals with Disabilities Education Improvement Act: the procedural protections set forth in N.J.A.C. 6A:14; accommodation plans under 29 U.S.C. 794 and 705 (20); and individualized health care plans and individualized emergency healthcare plan, pursuant to N.J.A.C. 6A:2.3(b)23ix.
6. The Chief School Administrator shall submit annually a report to the Commissioner of Education containing information on student attendance, including, but not limited to, the district Board of Education's implementation of each of the requirements pursuant to 6A:16-7.8 Attendance.

Excessive Absence Appearance

Any student who is absent more than twenty days from school, whether excused or unexcused, may be required to appear before the Principal with his/her parent(s) or guardian(s).

1. After the twentieth day of absence from school, the Vice Principal shall notify the parent(s) or guardian(s) of the final violation of the attendance policy which may require a formal conference with the Principal.
2. If the Principal is completely aware of the absence circumstances because of communication with the family and the absences are justified, he/she may waive the appearance.
3. "No Credit" designation will apply to all courses. The number of additional days of attendance will be the number of days over ten absences.
4. Any student absent more than twenty days from will not be permitted to attend the credit completion program unless the Principal rules otherwise.



Credit Completion Program

The purpose of the credit completion program is to make students accountable for the class time they missed. Credit completion should occur during the school year in which the attendance policy excesses occurred, as assigned by the school and/or district administration. Delays in fulfilling credit completion obligations may be granted by the Principal in unique and/or unusual circumstances. Credit completion obligations granted a delay must be completed no later than one-year beyond the immediate requirement.

Within the credit completion program, students will be expected to complete work assigned. It is the responsibility of the student to obtain any applicable missed work from his/her classroom teachers. In the event that a student does not obtain missed coursework from his/her teacher(s), the student will be required to complete work as assigned by the credit completion monitor.

1. Any student removed from the program for disciplinary reasons may jeopardize his/her opportunity to attend future sessions. This may result in the student not being given credit for the courses involved.
2. Failure to complete the program will result in a "No Credit" designation on the permanent record. The student may repeat the course in a subsequent school year, or remediate the failed grade via summer school options.
3. Appeals from any of the actions described in this section should be taken directly to the Principal.
4. The Credit Completion program will require the student to attend four hours for each day over ten absences.

Procedure

Teachers are responsible for classroom attendance records and the determination of when a student has reached levels of excessive absence.

1. Warning Notices

Within five school days after the student has been absent five FULL days from school the Vice Principal shall mail an "Excessive Absence Form" to the parent(s) or guardian(s).



2. No Credit Assignment

Within five school days after a student has exceeded the maximum absence level permitted by this policy, the Vice Principal shall mail a “No Credit” status notice to the parent(s) or guardian(s) and forward a copy to the students’ school counselor. Prior to sending the notice:

- a. The Vice Principal shall examine the student record to determine if the level of absence warrants consideration of a “no credit” status.
- b. If the record reveals no mitigating circumstances, the Vice Principal shall require the student and parent(s) or guardian(s) to come to a conference where the consequences and implications of a “no credit” status shall be explained and the student’s attendance records will be reviewed to determine if a “no credit” status is appropriate. During the conference, the Vice Principal may agree to permit additional absence to accrue before assigning a “no credit” status, if circumstances warrant.
- c. If the student record reveals a number of verified, justifiable absences, the Vice Principal need not require a conference. In such cases, however, the Vice Principal shall communicate a concern over the excess absence to parent(s), guardian(s), or to adult students and shall designate the number of additional days of absence which will be permitted to accrue before a “no credit” status will be considered.

Appeal Process

To preserve the doctrines of fairness and due process, students and/or parents/guardians shall have the following appeal rights:

1. Request to meet with the Principal and others to explain any mitigating circumstances. The Principal may grant or deny the appeal, but if granted, the Principal shall establish the number of days which have been considered “mitigating”. Additional absences exceeding that number will result in reassignment to the “no credit” status.
2. Appeals to the Superintendent must be made in writing within ten calendar days following the decision by the Principal.



REGULATION

BLACK HORSE PIKE REGIONAL BOARD OF EDUCATION

STUDENTS
R 5200/Page 12 of 12
ATTENDANCE (M)

3. Appeals beyond the Principal and Superintendent may be made according to existing policies regarding student rights to appeal and due process.

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