

ATTENDANCE, ABSENCES, AND EXCUSES

The Woodbridge Township 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 New Jersey Student Learning Standards for mathematics and language arts and literacy and the 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.

I. Attendance

A day in session for purposes of attendance 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.

A school day shall consist of not less than four hours of actual instruction.

A day of attendance shall be one in which a student is present for the full day under the guidance and direction of a teacher while school is in session. Where there are two sessions in a day due to overcrowding, either session of four hours or more, exclusive of lunch or recess, shall be the equivalent of a full day's attendance.

The mere presence of a student at roll call shall not be regarded as sufficient attendance for compliance with law (N.J.A.C. 6A:32-8.3—School attendance). 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.

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.

II. Excused and Unexcused Absence

A. Excused Absence

An absence shall be considered an "excused absence" for the purpose of determining promotion, retention, truancy, grades, course credit, eligibility to make up missed assignments and tests for full credit, and violations of the school code of conduct for attendance, for the following five allowable reasons (New Jersey School Register, Ch.3):

1. Religious observance (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);

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3. "Take Our Children to Work Day" (pursuant to 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. 8A: 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.

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

- B. Chronic Absenteeism is defined in New Jersey's ESSA State Plan as the percentage of a school's students who are not present for 10 percent or more of the days that they were in "membership" at a school.
- C. Cumulative Days In Membership is an element in NJ SMART defined as the number of *school days in session* in which a student is enrolled/registered during the annual reporting period from July 1 through June 30. The count will commence the first day the student is expected to start, even if they do not actually attend that day.
 1. School Day In Session – is a day on which the school is open and students are under the guidance and direction of a teacher(s); and the day must 4 hours or more to be considered a full day (or at least 2-1/2 hours for kindergarten) (N.J.A.C. 6A:32-8.(a) and (b)).
 - a. The number of possible days in session for a student on *home instruction* is the same as for other students in the program in which the student is enrolled (N.J.A.C. 6A:32-8.1(f)).
 - b. Schools must be in session a minimum of 180 days.
 - c. The number of school days in session does not include summer school.
 - d. The extended school year is included in the calculation up to June 30 and only when it is *required* for *all* students.
- D. Cumulative Days Present is an element in NJ SMART defined as the number of school days a student is present (not absent) when the school is in session during the annual reporting period (July 1 through June 30) and the student is recorded under the guidance and direction of a teacher in the teaching process (N.J.A.C. 6A:32-8.3). Whether a student absence is due to illness, disciplinary action, or other reason, the student may not be considered present at school unless home instruction is received. A student with an "excused" absence per district board of education policy can NEVER be considered as present.
 1. Time present – Full Day: For a school in session during morning and afternoon, the student must be present for at least one hour in the morning and at least one hour in the afternoon to be considered as present for a full day; for a school in session during either morning or afternoon, the student must be present at least two hours to be recorded as present for the full day (N.J.A.C. 6A:32-8.3(k)), for example, twilight programs. For a half day preschool or kindergarten session, the student must be present for at least one hour to be considered present for a full day.
 2. Time present – Half Day: A student must be present at least one hour during any morning, afternoon, or evening session to be recorded as present one-half day (New Jersey School Register, Ch.3).
 3. Home instruction: A student receiving home instruction is considered present and in membership under the following circumstances:
 - a. A student with a temporary or chronic health condition receives home instruction by a certified teacher for the number of days and length of time sufficient to continue the student's academic progress. A student with a disability must receive home instruction consistent with the student's individualized education program (N.J.A.C. 6A:16-10.1).
 - b. A general education student, for reasons other than a temporary or chronic health condition, receives 10 or more hours of home instruction per week by a certified teacher 4 on at least three

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- separate days and no fewer than 10 hours per week additional guided learning experiences (N.J.A.C. 6A:16-10.2).
- c. A student, when placed on home instruction through an IEP, receives 10 or more hours of instruction per week on at least three separate days by an appropriately certified teacher or teachers (N.J.A.C. 6A:14-4.8).
 - d. NOTE: When instruction is provided for less than the minimum number of hours and/or days required per week, the student must not be recorded as present for more than four days when school was in session for a full five-day week. School districts are able to develop their own policy for determining the exact number of days to record the student present based on these circumstances.
4. School-sponsored education programs: A student participating in a school-sponsored educational program under the guidance and direction of a teacher, pursuant to N.J.A.C. 6A:32- 8.3, even if not located in the school, is considered present and in membership (e.g., field trip, structured learning experience, community-based instruction).
 5. In-school suspensions: A student temporarily removed from his or her regular classroom to in-school suspension is considered present and in membership, provided the student is afforded the opportunity to continue to:
 - a. Appropriately participate in the general curriculum; and
 - b. For students with disabilities, receive the services specified on the child's IEP, and participate with nondisabled children to the extent they would have in their current placement.
 6. Out-of-school suspensions: A student on out-of-school suspension is considered in membership and not present unless he or she receives home instruction as defined above. Students receiving short-term suspension must be provided with academic instruction that addresses the New Jersey Student Learning Standards within five days of the suspension (N.J.A.C. 6A:16-7.2(a)5). Students receiving long-term suspension must be provided with educational services (academic instruction and support services) within five days of the suspension (N.J.A.C. 6A:16-7.3(a)9).
 7. Extended non-illness absences: Extended absences for non-illness shall be considered "unexcused". Upon the 10th consecutive day of non-illness absence, the student will be dis-enrolled. If the student wishes to return to school after 10 days, the student will be re-enrolled in the school district with no guarantee of returning to the same school or the same class. The student will be subject to the unexcused days in membership to be considered for promotion.
- E. Student-level Absentee Rate: Each student's absentee rate is calculated based on the fields of Cumulative Days Present and Cumulative Days in Membership collected in NJ SMART. Cumulative Days Present (P) is subtracted from the Cumulative Days in Membership (M), and this number is divided by the Cumulative Days in Membership (M).

$$\frac{M - P}{M}$$

If the student-level absentee rate is equal to or greater than 10%, the student is chronically absent.

- F. School-level chronic absenteeism: The school-level chronic absenteeism rate is calculated by dividing the number of chronically absent students during the school year by the total number of students enrolled in the school.
- G. Truancy is defined as 10 or more cumulative unexcused absences (N.J.A.C. 6A:16-1.3). All school districts are required to have a policy and procedure that include a definition of unexcused absences that count toward truancy; thus, how "excused" and "unexcused" absences are defined for purposes of expectations and consequences regarding truancy, student conduct, promotion, retention and award of

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credit is a local decision (N.J.A.C. 6A:16-7.6(a)3). The NJ SMART Cumulative Days Towards Truancy field is not considered in the calculation of chronic absenteeism.

H. 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.

III. Attendance, Instruction, and Promotion

- A. 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.

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 district shall develop regulations that define the attendance requirements for promotion.

In order to be considered to have successfully completed the instructional requirements of the grade, a student must be in attendance 163 days.

- B. Students absent from school because of a family vacation are unexcused. The district is not obligated to provide academic instruction or assignments during periods of unexcused absences for vacation.
- a. Teachers shall not be required to prepare or provide work prior to the period of the absence;
 - b. Students shall be required to make-up any missed work, at the teacher's discretion.

C. Religious Observance

In accordance with statute, no student absent for religious observance of a day recognized by the Commissioner of Education or this board of education shall be charged with an unexcused absence, deprived of an award or eligibility/opportunity to compete for an award, or of the right to take an alternate to a test or examination missed through such absence; Teachers must provide work for student to complete. Parent should notify the classroom teacher prior to the religious observance to allow proper time to gather schoolwork.

D. Procedures for Unexcused Absences

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

1. Make a reasonable attempt to notify the student's parents/guardians of each unexcused absence prior to the start of the following school day;
2. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parents;
3. 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;
4. 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;
5. Cooperate with law enforcement and other authorities and agencies, as appropriate.

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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.

E. Procedures for Persistent Absences

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

1. Make a reasonable attempt to notify the student's parents/guardians of each unexcused absence prior to the start of the following school day;
2. 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;
3. Evaluate the appropriateness of action taken as identify in consultation with the student's parents;
4. 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:
 - a. Refer or consult with the building's intervention and referral services team;
 - b. Conduct testing, assessments or evaluations of the student's academic, behavioral and health needs;
 - c. Consider an alternate educational placement;
 - d. Make a referral to or coordinate with a community-based social and health provider agency or other community resource;
 - e. Refer to the court or a court program as follows:
 - i. When the unexcused absences are determined to be violations of the compulsory education law and board policy;
 - ii. 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;
 - f. 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;
 - g. Engage the student's family.

F. 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:

1. Students may be denied participation in co-curricular activities if their attendance fails to meet the standards set forth herein;
2. Students may be denied participation in athletic competition if their attendance fails to meet the standards set forth herein;
3. Loss of partial or total course credit;
4. Detention or suspension.
5. 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.
6. Students, parents and guardians shall be notified of disciplinary actions 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.

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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:

1. Make a determination regarding the need for a court referral for the truancy;
2. Make a reasonable attempt to notify the student's parents of the mandatory referral;
3. Continue to consult with the parent and the involved agencies to support the student's return to school and regular attendance;
4. Cooperate with law enforcement and other authorities and agencies, as appropriate;
5. Follow all procedures required by N.J.S.A. 18A:38-28 through 31, Article 3B, Compelling Attendance at School and other applicable state and federal statutes as follows:
 - a. 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;
 - b. The attendance officer shall examine into 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;
 - c. 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;
 - d. 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;
 - e. The sheriff and his officers and all police officers and constables shall assist the attendance officer in the performance of their duties;
 - f. 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 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.

H. 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:

1. Individualized education program (IEP);
2. The Individuals with Disabilities Act (IDEA)
3. Procedural protections set forth in N.J.A.C. 6A:14;
4. Alternate short or long term accommodations for students with disabilities as required by law;
5. Requirements of a student's individualized health care plan and individualized emergency healthcare plan;
6. Accommodation Plans under Section 504 of the Rehabilitation Act of 1973; and 29 U.S.C. § 794 and 705(20).

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

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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.

I. 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.

J. Regular Release of Students Before the End of the Normal School Day

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

K. Late Arrival and Early Dismissal

The board recognizes that from time to time compelling circumstances will require that a student 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 student'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 student's individualized health care plan and individualized emergency healthcare plan;
3. Requirements of the student's individualized education program (IEP);
4. Alternate short or long term accommodations for students with disabilities;
5. Medical disability;
6. Motor vehicle driver's test;
7. Interview for college entrance or employment;
8. Family emergency;
9. Court appearance;
10. Such good cause as may be acceptable to the administration.

No student 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.

L. Legal Custody

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

M. Potentially Missing Children

1. 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;

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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 coordinator of security, who will inform the superintendent and report child to the police;
4. If a child who was present in the morning is absent after lunch, the same procedure shall be followed.
5. In the event that a child may have left the building/classroom and cannot be located, the coordinator of security shall be called immediately.

N. Marking Missing Child's School Record

Whenever the superintendent 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 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 student records (see policy 5125 Student 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.

O. Regulations

The superintendent shall develop procedures for the attendance of students including:

1. The expectations and consequences regarding students' timely arrival of students to school and classes;
2. The expectations and consequences regarding attendance at school and classes;
3. A definition of unexcused absence that counts toward truancy that is consistent with the definition of a school day;
4. School staff responses for unexcused absences for:
 - a. Cumulative absences up to five;
 - b. Cumulative absences of ten;
 - c. Cumulative unexcused absences of 10 or more; and
 - d. Referral to court.

Dissemination and Implementation

The superintendent shall 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 students shall be notified annually of the attendance policy.

The superintendent shall ensure that the rules for this policy are applied consistently and uniformly, and that all disciplinary sanctions are carried out with necessary due process.

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

Adopted:	August 21, 2014; May 16, 2019; November 21, 2019; May 21, 2020
NJSBA Review/Update:	April 30, 2020
Readopted:	May 16, 2019; November 21, 2019; May 21, 2020

Key Words

Student Attendance, Attendance, Absences and Excuses, Student Attendance

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties

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procedures	<u>N.J.S.A. 18A:35-4.9</u> <u>N.J.S.A. 18A:36-13.2</u> <u>N.J.S.A. 18A:36-14, -15, -16</u> <u>N.J.S.A. 18A:36-19a</u> <u>N.J.S.A. 18A:36-24</u> through -26 <u>N.J.S.A. 18A:36-33</u> <u>N.J.S.A. 18A:38-25</u> <u>N.J.S.A. 18A:38-26</u> <u>N.J.S.A. 18A:38-27</u> <u>N.J.S.A. 18A:38-28</u> through -31 <u>See particularly</u> <u>N.J.S.A. 18A:38-31</u> <u>N.J.S.A. 18A:38-32</u> <u>N.J.S.A. 18A:40-7</u> <u>N.J.S.A. 18A:40-8</u> <u>N.J.S.A. 18A:40-9</u> <u>N.J.S.A. 18A:40-10</u> <u>N.J.S.A. 18A:40-11</u> <u>N.J.S.A. 18A:40-12</u> <u>N.J.S.A. 18A:54-20</u> <u>N.J.S.A. 52:17B-9.8a</u> through -9.8c <u>N.J.A.C. 6A:8-5.1</u> <u>N.J.A.C. 6A:14-1 et seq.</u> <u>See particularly:</u> <u>N.J.A.C. 6A:14-4.1(c)</u> <u>N.J.A.C. 6A:16-1 et seq.</u> <u>See particularly:</u> <u>N.J.A.C. 6A:16-7.6</u> <u>N.J.A.C. 6A:30-1.1 et seq.</u> <u>N.J.A.C. 6A:32-8.1 et seq.</u> <u>N.J.A.C. 6A:32-8.3</u> <u>N.J.A.C. 8:61-2.1</u>	Student promotion and remediation; policies and Excused absence for certain pupils on Veterans Day Religious holidays; absence of students on; effect Newly enrolled students; records and identification Missing children; legislative findings and declarations Pupils serving as district board of election members, excused absence Attendance required of children between six and 16; exceptions Days when attendance required; exceptions Truancy and juvenile delinquency defined Compelling attendance at school Violations of article by parents or guardians; penalties District and county vocational school attendance officers Exclusion of students who are ill Exclusion of students whose presence is detrimental to health and cleanliness Failure of parent to remove cause for exclusion; penalty Exclusion of teachers and students exposed to disease Exclusion of students having communicable tuberculosis Closing schools during epidemic Powers of board (county vocational schools) Marking of missing child's school record Graduation requirements Special education General requirements Programs to support student development Attendance Evaluation of the Performance of School Districts Student Attendance and Accounting Student attendance Attendance at school by students or adults with HIV infection
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Wetherell v. Board of Education of Township of Burlington, 1978 S.L.D. 794 (Board may impose penalties for unjustifiable tardiness, improper absences from classes, truancy, and other unexcused absences)

Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851 (Board may adopt policy to deny students course credit after a student was late or absent a specified number of times.)

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)(board acted unreasonably in applying its attendance policy to student with excessive absences due to chronic medical illness)

Student Attendance Policies and Procedures Compliance Checklist, New Jersey

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Department of Education

www.nj.gov/education/students/safety/behavior/attendance/checklist.pdf

Commissioner memo on “Take Our Children to Work Day,” April 25, 2017 at:
<https://www.nj.gov/education/broadcasts/2017/APR/25/16343/Instructions%20for%20Recording%20Attendance%20of%20Students%20Who%20Take%20Part%20in%20Take%20Our%20Children%20to%20Work%20Day.pdf>

Jerkins v. Anderson. 191, N.J. (2007)

Possible

<u>Cross References:</u>	*5020	Role of parents/guardians
	*5111	Admission
	*5114	Suspension and expulsion
	*5124	Reporting to parents/guardians
	*5125	Student records
	*5141.2	Illness
	*5141.4	Child abuse and neglect
	*5142	Student safety
	*6146	Graduation requirements
	*6146.2	Promotion/retention
	*6147	Standards of proficiency
	*6147.1	Evaluation of individual student performance
	*6154	Homework/makeup work
	*6171.4	Special education
	*6173	Home instruction

*Indicates policy is included in the Critical Policy Reference Manual.