

BACKUP FOR #1POL
FOR PUBLIC AGENDA OF NOVEMBER 16, 2020
(First Reading)

1POL THEREFORE BE IT RESOLVED, that the Fort Lee Board of Education, upon recommendation of the Superintendent, approves the **first reading of the following policy/regulation updates** listed below: [Click here for 2020-11-16 #1POL Back-up](#)

Policy/Reg No.	Topic
P2464	Gifted And Talented Students (M) (Revised)
P&R 5200	Attendance (M) (Revised)

2464 GIFTED AND TALENTED STUDENTS (M)

The Board of Education recognizes its responsibility to identify gifted and talented students within the school district and to provide these students with appropriate instructional adaptations and services. To that end, the Board directs each such student in the school district be identified and offered an appropriate educational program and services.

For purposes of this Policy, “gifted and talented students” means students who possess or demonstrate high levels of ability in one or more content areas when compared to their chronological peers in the district and who require modification of their educational program if they are to achieve in accordance with their capabilities.

For the purpose of this Policy, “instructional adaptation” means an adjustment or modification to instruction enabling a student who is gifted and talented to participate in, benefit from, and demonstrate knowledge and application of the New Jersey Student Learning Standards in one or more content areas at the instructional level of the student, not just the student’s grade level.

The Superintendent of Schools or designee shall ensure that the appropriate instructional adaptations are designed for students who are gifted and talented.

The Superintendent or designee will develop procedures for an ongoing Kindergarten through grade twelve identification process for gifted and talented students that includes multiple measures **in order to identify student strengths in intellectual ability, creativity, or a specific academic area.** The district shall ensure equal access to a continuum of gifted and talented education services. The identification process shall include consideration of all students, including those who are English language learners and those with Individualized Education Plans or 504 Plans. Depending on the grade level and gifted and talented program, the multiple measures that will be used to identify students for gifted and talented programs may include cognitive abilities tests, achievement tests, teacher recommendation, student self-evaluation, student interviews, parent rating, district-developed assessments, writing samples, and grades. Identification methods for specific gifted and talented programs will be posted on the district and/or school website(s).



The Superintendent or designee will develop and document appropriate curricular and instructional modifications used for gifted and talented students indicating content, process, products, and learning environments, and including, but not limited to, additional education activities such as academic competitions, guest speakers, and lessons with a specialist.

The Superintendent or designee will take into consideration the Position Statements, and White Papers of the National Association for Gifted Children in identifying and serving gifted and talented students.

The district will provide the time and resources to develop, review, and enhance instructional tools with modifications for helping gifted and talented students acquire and demonstrate mastery of the required knowledge and skills specified by the standards at the instructional level of the student.

The district will actively assist and support professional development for teachers, educational services staff, and school leaders in the area of gifted and talented instruction.

The district shall file with the New Jersey Department of Education Coordinator for Gifted and Talented Services a report by October 1, 2020 and thereafter on a schedule that coincides with the school district's New Jersey Quality Single Accountability Continuum (QSAC) review pursuant to N.J.S.A. 18A:7A-11.

Programs for gifted and talented students will be periodically evaluated for their continuing efficacy and adjusted accordingly. The parent of any student identified as gifted or talented shall be consulted regarding any program designed to address the student's particular needs.

An individual who believes that a school district has not complied with the provisions of N.J.S.A. 18A:35-34 et seq. will first notify the building Principal in writing. The written notification must be submitted within one year of the details outlined in the written notification and must include:

- The name, address, and contact information of the individual submitting the notification; and



- A statement that the identified school district is not in compliance with the provisions of N.J.S.A. 18A:35-34 et seq., and the specific facts on which the allegation of non-compliance is based.

The building principal shall review the written notification and only in those cases where satisfactory adjustment cannot be made by the principal, the Superintendent or designee will then review and address the matter. Based on the decision of the Superintendent or designee to affirm, reject, or modify the District's action in the matter, the individual may file a petition of appeal of the decision of the Superintendent or designee in the following order utilizing the same above described format:

- Board of Education - Based on the decision of the Board of Education to affirm, reject, or modify the district's action in the matter, the individual may file a petition of appeal of the written decision; to
- Commissioner of Education via Office of Controversies and Disputes in accordance with N.J.S.A. 18A:6-9 and the procedures set forth in State Board of Education regulations.

The district shall make detailed information available on its website regarding the policies and procedures used to identify students as gifted and talented and the continuum of services offered to gifted and talented students. The information shall include the criteria used for consideration for eligibility for the gifted and talented services, including the multiple measures used in the identification process to match a student's needs with services, and any applicable timelines in the identification process.

N.J.S.A. 18A:61A-2; 18A:35-4.16; 18A:35-34 through 39
N.J.A.C. 6A:8-1.3; 6A:8-3.1(a)5
P.L. 108-382, Sec. 10201 et seq.

Adopted: 23 August 2010
Revised: 22 May 2017
DRAFT: 19 November 2020



5200 ATTENDANCE (M)

In accordance with the provisions of N.J.S.A. 18A:38-25, every parent, guardian, or other person having control and custody of a child between the ages of six and sixteen shall cause the child to regularly attend school. The Board of Education requires students enrolled in the school district attend school regularly in accordance with the laws of the State.

Notwithstanding the requirement of reporting student absences in the school register for State and Federal reporting purposes, “excused” and “unexcused” student absences, for the purpose of expectations and consequences regarding truancy, student conduct, promotion, and the award of course credit is a local Board decision outlined in N.J.A.C. 6A:16-7.6 and Policy and Regulation 5200. In accordance with the provisions of N.J.A.C. 6A:16-7.6 and for the purposes of Policy and Regulation 5200, a student’s absence from school will **either** be excused or unexcused. **Unexcused absences will** count toward truancy.

Students that are absent from school for any reason are responsible for the completion of assignments missed because of their absence. **In accordance with N.J.S.A 18A:36-14, a student who is absent from school for observing a religious holiday shall not be deprived of any award, eligibility, or opportunity to compete for any award, or deprived of the right to take an alternate test or examination that was missed because of the absence provided there is a written excuse of such absence signed by the parent.**

Prolonged or repeated absences, excused or unexcused, from school or from class, deprive students of the educational and classroom experiences deemed essential to learning and may result in retention at grade level or loss of credit or removal from a course that would count toward the high school diploma in accordance with policies of this Board.

A student must be in attendance for **ninety** percent or more of the scheduled 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 parent or adult student shall provide advance notice to the school prior to the student being absent from school. In accordance with N.J.S.A.18A:36-25.6, if a student is determined to be absent from school without valid excuse, and if the reason for the student’s absence is unknown to school personnel, the Principal or designee shall immediately attempt to contact the student’s parent to notify the parent of the absence and determine the reason for the absence.** High school students’ absences both excused and unexcused, shall be calculated per course - **eighteen per year (9 per semester for semester courses).**

A waiver of these attendance requirements may be granted for good cause (including extended medical absences) by the school Principal upon recommendation of **the Attendance Review Committee**. **The Attendance Review Committee shall consist of student service personnel and representative staff including administrators, teacher representatives, and a school counselor. Additional committee members may include a case manager, and the school nurse.**

In recommending the granting of a waiver of this attendance requirement, the **Attendance Review Committee** shall consider the nature and causes of all absences rather than only those in excess of the ten percent. Documentation of the nature and causes of these absences shall be the responsibility of the student and parent(s) or legal guardian(s).

Parent(s) or legal guardian(s) are responsible for notifying the school before the start of school day when a child will be absent and for informing the school of the reason for the absence.

Students shall be subjected to the school district's response for unexcused absences that account toward truancy during the school year as outlined in N.J.A.C. 6A:16-7.6(a)4 and Regulation 5200.

Unexcused absences from school or from classes within the school day may subject a student to consequences that may include the denial of a student's participation in co-curricular activities and/or athletic competition. Repeated absences from school interfere with efforts of the Board and its staff in the maintenance of good order and the continuity of classroom instruction and such absences may result in the removal of the student from a class or course of study.

A student who has been retained, dropped from a course and/or denied credit for excessive absences may appeal that action in accordance with the procedures outlined in Regulation 5200.

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

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);**
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.**

Excused Absences

An excused absence is one for which there is a valid reason for the absence as defined by district policy. In order for an absence to be excused:

1. The parent(s) or legal guardian(s) must notify the school before the start of school that the student will be absent that day. Such notification must take place each day the student is absent from school.
2. The parent(s) or legal guardian(s) must provide a written excuse clearly stating the reason for the absence when the student returns to school.
3. If a student is absent for more than five consecutive days for medical reasons, the parent(s) or legal guardian(s) must provide a written note from a doctor clearly stating the reason for the 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.

The Board considers the following as cause for an excused absence:

1. **Student illness supported by written notification from a doctor upon student’s return to school**
2. **Required attendance in court**
3. **Where appropriate, when consistent with Individualized Education Programs, the Individuals with Disabilities Act, accommodation plans under 29 U.S.C. 794 and 705(20) and individual health care plans**
4. **Death of immediate family member supported by notification to the school by the student’s parent**
5. **Examination of a driver’s license**
6. **An absence considered excused by the Commissioner of Education and/or New Jersey Department of Education rule**

POLICY

FORT LEE BOARD OF EDUCATION

STUDENTS
5200/Page 4 of 5
Attendance (M)

1. ~~Illness or accident;~~
-
2. ~~Required court attendance;~~
-
3. ~~Death in the family;~~
-
4. ~~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; and
-
5. ~~Such good cause as may be acceptable to the Principal~~

Attendance need not always be within the school facilities. A student 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.

Truancy

A student will be considered truant if he/she is absent without a valid reason as defined above in Excused Absences. Such absence will be considered an unexcused absence. The Board will report to appropriate authorities infractions of the law regarding the attendance of students below the age of sixteen. The Superintendent shall develop regulations that provide a graduated series of district actions dependent on the number of unexcused absences.

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.

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 an 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(s) or legal guardian(s), 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. Medical disability;
3. Family emergency;
4. Court appearance; and
5. 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(s) or legal guardian(s) or a person authorized by the parent(s) or legal guardian(s) to act in his/her behalf. A student who suffers from an incapacitating medical disability will be released from school only to his/her parent(s) or legal guardian(s) or other designated adult.

Tardiness not covered by the causes listed shall be cumulative, and may incur penalties.

The Superintendent shall calculate and monitor the average daily attendance rate for the district and for each school in the district. Whenever the average daily attendance rate does not meet the New Jersey Department of Education requirements the Superintendent or designee shall develop a district improvement plan to improve student attendance pursuant to N.J.A.C. 6A:30-5.2.

N.J.S.A. 18A:36-14; **18A:36-25.6**; 18A:38-25

N.J.S.A. 34:2-21.1 et seq.

N.J.A.C. 6A:16-7.6; **6A:30-5.2**; 6A:32-8.3

Adopted: 23 August 2010

Revised: 21 October 2013, 22 September 2014

DRAFT: 16 November 2020

R 5200 ATTENDANCE

A. Definitions

1. For the purposes of school attendance, a “day in session” shall be a day on which the school is open and students are under the guidance and direction of a teacher or teachers engaged in the teaching process. Days on which school is closed for such reasons as holidays, teachers’ institutes, and inclement weather shall not be considered as days in session.
2. A “school day” shall consist of not less than four hours, except that one continuous session of two and one-half hours may be considered a full day of Kindergarten.
3. “A day of attendance” shall be one in which the student is present for a full day under the guidance and direction of a teacher while school is in session.
 - a. Whenever over-crowded conditions make it necessary to hold two separate sessions with a different group of students in each session, a student attending for all of either session shall be regarded as having attended for the full day. An excused absence for any reason shall not be counted as a day of attendance in the school register.
4. A “half-day class” shall be considered the equivalent of a full day’s attendance only if in session for four hours or more, exclusive of recess periods or lunch periods.

B. Attendance Recording

1. **Attendance Recording in the School Register**
(N.J.A.C. 6A:32-8.1)
 - a. **The Board of Education shall be required to carefully and accurately track enrollment and attendance of all students in a manual school register format or in an electronic form of the school's choosing.**



- b. The Commissioner shall issue and publish on the Department's website school register guidance for recording student attendance in all public 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 school is in session.
 - d. School registers shall be kept for students attending preschool, Kindergarten, grades one through five, grades six through eight, grades nine through twelve, each preschool class for the disabled, each class for the disabled, shared-time classes for regular students, shared-time classes for students with disabilities, full-time bilingual education programs and vocational day programs, and summer schools operated by the Board of Education.
 - e. A student who has been placed on home instruction shall have his or her attendance status recorded on the regular register for the program in which the student is enrolled. 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, the student shall be marked absent. No absences shall be recorded for the student while on home instruction, providing the hours of instruction are not less than required by N.J.A.C. 6A:14-4.8 and 4.9. The number of possible days of enrollment for a student on home instruction shall be the same as for other students in the program in which the student is enrolled.
2. Attendance Recording for Board Policy (N.J.A.C. 6A:32-8.3)
- a. A record of the attendance of all students on roll in a school register shall be kept each day that school is in session by a teacher or other authorized person. It shall be the duty of



this person to keep the attendance records according to these rules and the specific instructions issued by the Commissioner of Education.

- b. No student shall be recorded as present unless the school is in session and the student so recorded is under the guidance and direction of a teacher in the teaching process.
- c. **A student shall be recorded as absent in the school register when not in attendance at a session, except for the following reasons allowable by the State:**
 - 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);**
 - 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.**
- d. A student shall be recorded as either present, absent, or excused for religious observance, every day the school is in session after the student enters until the date the student is transferred to another school, transferred to an individual home instruction record, or officially leaves the school system.
- e. The Commissioner shall annually prescribe a list of religious holidays on which it shall be mandatory to excuse students for religious observance upon the written request signed by the parent or person standing in loco parentis.



- f. The mere presence of a student at roll call shall not be regarded as sufficient attendance for compliance with N.J.A.C. 6A:32-8.3. In a school which is in session during both the forenoon and the afternoon, a student shall be present at least one hour during both the forenoon and the afternoon in order to be recorded as present for the full day. In a school which is in session during either the forenoon or the afternoon, a student shall be present at least two hours in the session in order to be recorded as present for the full day.
- g. A student not present in school because of his/her participation in an approved school activity, such as a field trip, meeting, cooperative education assignment, or athletic competition will be considered to be in attendance.

C. **Unexcused Absences That Count Toward Truancy/Excused Absences for Board Policy**

- 1. **Notwithstanding the requirement of reporting student absences in the school register for State and Federal reporting purposes, “excused” and “unexcused” student absences for the purpose of expectations and consequences regarding truancy, student conduct, promotion, and the award of course credit is a Board decision outlined in Policy 5200 and this Regulation.**
- 2. **N.J.A.C. 6A:16-7.6(a)3 requires the Board of Education policies and procedures contain, at a minimum, a definition of unexcused absence that count toward truancy.** “An unexcused absence that counts toward truancy” is a student’s absence from school for a full or a portion of a day for any reason that is not an “excused absence” as defined below.
- 3. “An excused absence” is a student’s absence from school for a full day or a portion of a day for the observance of a religious holiday pursuant to N.J.S.A. 18A:36-14 through 16, or any absence for the reasons listed below:
 - 1. **Student illness supported by written notification from a doctor upon student’s return to school**



2. Required attendance in court
3. Where appropriate, when consistent with Individualized Education Programs, the Individuals with Disabilities Act, accommodation plans under 29 U.S.C. 794 and 705(20) and individual health care plans
4. Death of a family member supported by notification to the school by the student's parent or guardian
5. Examination of a driver's license
6. An absence considered excused by the Commissioner of Education and/or New Jersey Department of Education rule

The student's illness

— supported by a written letter from the parent upon student's return to school; or

— supported by notification to the school by the student's parent;

— The student's required attendance in court;

- a. Religious observance (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.

The student's suspension from school;

— Family illness or death



~~supported by a written letter from the parent upon the student's return to school;~~

~~supported by notification to the school by the student's parent;~~

~~—— Visits to post-secondary educational institutions;~~

~~—— Interviews with a prospective employer or with an admissions officer of an institution of higher education;~~

~~—— Examination for a driver's license;~~

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

~~—— Take Our Children to Work Day;~~

~~—— An absence considered excused by the Commissioner of Education and/or a New Jersey Department of Education rule;~~

4. **For cumulative unexcused absences of ten or more, a student between the ages of six and sixteen is truant, pursuant to N.J.S.A. 18A:38-25 as determined by the Board's Attendance Policy and Regulation pursuant to N.J.A.C. 6A:16-7.6(a)4.iii. and the definition of school day pursuant to N.J.A.C. 6A:32-8.3. Any absence not listed in C.3. above shall be an unexcused absence counted toward truancy.**

5. "Unexcused tardiness" may constitute an unexcused absence that counts toward truancy in accordance with Policy 5240.]

D. Notice to School of a Student's Absence

1. The parent or adult student **shall notify** the school office before the school day **when the student will not be in school.**



2. The parent of the student or an adult student who will attend the morning session, but will not attend the afternoon session **shall** provide notice to the school office before the start of the afternoon session.
 3. **The parent of a student or an adult student shall notify the school office of a future absence if the absence is foreseeable.**
 4. The parent or adult student who anticipates a future absence or anticipates that an absence will be prolonged **shall** notify the school office to arrange make-up work.
 5. **In accordance with N.J.S.A. 18A:36-25.6, if a student is determined to be absent from school without valid excuse, and if the reason for the student's absence is unknown to school personnel, the Principal or designee shall immediately attempt to contact the student's parent to notify the parent of the absence and determine the reason for the absence.**
- E. Readmission to School After an Absence
1. A student returning from an absence of any length of time must provide a written statement that is dated and signed by the parent or adult student listing the reason for the absence.
 2. A note explaining a student's absence for a noncommunicable illness for a period of more than five school days must be accompanied by a physician's statement of the student's illness with medical clearance to return to school.
 3. A student who has been absent by reason of having or being suspected of having a communicable disease must present to the school nurse written evidence of being free of communicable disease, in accordance with Policy 8451.
 4. **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. 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.

F. Instruction

1. Teachers shall cooperate in the preparation of home assignments for students who anticipate an excused absence. The parent or student must request such home assignments.
2. A student who anticipates an absence due to a temporary or chronic health condition may be eligible for home instruction in accordance with Policy 2412. The parent must request home instruction.
3. Students absent for any reason are expected to make up the work missed. The parent or student is responsible for requesting missed assignments and any assistance required. Teachers will provide make-up assignments as necessary.
4. In general, students will be allowed a reasonable amount of time as determined by the teacher to make up missed work.
5. A student who missed a test or an exam shall be offered an opportunity to take the test, exam, or an appropriate alternate test.

G. Denial of Course Credit

1. The teacher will determine the credit to be awarded a student for make-up work. Where class participation is a factor in the learning process, the teacher may consider a student's absence in determining a final grade, except absences for the observance of a religious holiday or absence for a student's suspension from school will not adversely affect the student's grade. The teacher may record an incomplete grade for a student who has not had a full opportunity to make up missed work.
2. A secondary student may be dropped from a course or denied course credit when he/she has been absent 10% (**number, fraction, or percentage**) or more of the class sessions, whatever the reason for the absence. ~~except that absences for the observance~~



~~of a religious holiday, absences for those excused in accordance with the reporting requirements of the school register, or absences caused by a student's suspension will not count toward the total.~~
Prolonged or repeated absences, excused or unexcused, from school or from class, deprive students of the educational and classroom experiences deemed essential to learning and may result in retention at grade level or loss of credit or removal from a course that would count toward the high school diploma in accordance with policies of this Board.

3. An elementary student may be retained at grade level, in accordance with Policy 5410, when he/she has been absent 10% **(number, fraction, or percentage)** or more school days, whatever the reason for the absence, except that absences for the observance of a religious holiday, absences **for those excused in accordance with the reporting requirements of the school register**, and absences due to student's suspension will not count toward the total.
- H. School District Response To Unexcused Absences During the School Year That Count Toward Truancy
1. For up to four cumulative unexcused absences that count toward truancy, the Principal or designee shall:
 - a. Make a reasonable attempt to notify the student's parent of each unexcused absence prior to the start of the following school day;
 - b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parent;
 - c. Identify, in consultation with the student's parents, needed action designed to address patterns of unexcused absences, if any, and to have the child return to school and maintain regular attendance;
 - d. Proceed in accordance with the provisions of N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-10, if a potentially



missing or abused child situation is detected; and

- e. Cooperate with law enforcement and other authorities and agencies, as appropriate.
2. For between five and nine cumulative unexcused absences that count toward truancy, the Principal or designee shall:
- a. Make a reasonable attempt to notify the student's parent of each unexcused absence prior to the start of the following school day;
 - b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parent;
 - c. Evaluate the appropriateness of action taken pursuant to N.J.A.C. 6A:16-7.6(a)4.i.(3) and H.1.c. above;
 - d. Develop an action plan to establish outcomes based upon the student's patterns of unexcused absences and to specify the interventions for supporting the student's return to school and regular attendance, which may include any or all of the following:
 - (1) Refer or consult with the building's Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
 - (2) Conduct testing, assessments, or evaluations of the student's academic, behavioral, and health needs;
 - (3) Consider an alternate educational placement;
 - (4) Make a referral to or coordinate with a community-based social and health provider agency or other community resource;



- (5) Refer to a court or court program pursuant to N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below;
 - (6) Proceed in accordance with N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-10, if a potential missing or abused child situation is detected; and
 - (7) Engage the student's family.
 - e. Cooperate with law enforcement and other authorities and agencies, as appropriate.
- 3. For ten or more cumulative unexcused absences that count toward truancy, a student between the ages of six and sixteen is truant, pursuant to N.J.S.A. 18A:38-25, and the Principal or designee shall:
 - a. Make a determination regarding the need for a court referral for the truancy, per N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below;
 - b. Continue to consult with the parent and the involved agencies to support the student's return to school and regular attendance;
 - c. Cooperate with law enforcement and other authorities and agencies, as appropriate; and
 - d. Proceed in accordance with N.J.S.A. 18A:38-28 through 31, Article 3B, Compelling Attendance at School, and other applicable State and Federal statutes, as required.
- 4. A court referral may be made as follows:
 - a. When unexcused absences that count toward truancy are determined by school officials to be violations of the compulsory education law, pursuant to N.J.S.A. 18A:38-25, and the Board of Education's policies, in accordance with N.J.A.C. 6A:16-7.6(a), the parent may be referred to Municipal Court.



- (1) A written report of the actions the school has taken regarding the student's attendance shall be forwarded to the Municipal Court; or
 - b. When there is evidence of a juvenile-family crisis, pursuant to N.J.S.A. 2A:4A-22.g, the student may be referred to Superior Court, Chancery Division, Family Part.
 - (1) A written report of the actions the school has taken regarding the student's attendance shall be forwarded to the Juvenile-Family Crisis Intervention Unit.
- 5. For a student with a disability, the attendance plan and its punitive and remedial procedures shall be applied, where applicable, in accordance with the student's IEP, pursuant to 20 U.S.C. §§ 1400 et seq., the Individuals with Disabilities Education Act; the procedural protections set forth in N.J.A.C. 6A:14; accommodation plan under 29 U.S.C. §§794 and 705(20); and individualized health care plan and individualized emergency healthcare plan pursuant to N.J.A.C. 6A:16-2.3(b)5.xii.
- 6. All receiving schools pursuant to N.J.A.C. 6A:14-7.1(a), shall act in accordance with N.J.A.C. 6A:16-7.6(a)4.i. and H.1. above for each student with up to four cumulative unexcused absences that count toward truancy.
 - a. For each student attending a receiving school with five or more cumulative unexcused absences that count toward truancy, the absences shall be reported to the sending school district.
 - (1) The sending school district shall proceed in accordance with the Board of Education's policies and procedures pursuant to N.J.A.C. 6A:16-7.6(a) and H.5. above and the provisions of N.J.A.C. 6A:16-7.6(a)4.ii. through iv. and H.2. through H.5. above, as appropriate.

I. Discipline



1. Students may be denied participation in co-curricular activities if the Board establishes attendance standards for participation.
2. Students may be denied participation in athletic competition if the Board establishes attendance standards for participation.
3. No student who is absent from school for observance of a religious holiday may be deprived of any award or of eligibility for or opportunity to compete for any award because of the absence.

J. Recording Attendance

1. Teachers must accurately record the students present, tardy, or absent each day in each session or each class. Attendance records must also record students' attendance at out-of-school curricular events such as field trips.
2. A record shall be maintained of each excused absence and each unexcused absence that counts toward truancy as defined in Policy and Regulation 5200.
3. A report card will record the number of times the student was absent and tardy in each marking period.
4. A student's absence for observance of a religious holiday will not be recorded as such on any transcript or application or employment form.

K. Appeal

1. Students may be subject to appropriate discipline for their school attendance record.
2. A student who has been retained at grade level for excessive absences may appeal that action in accordance with Policy 5410.
3. A student who has been dropped from a course and/or denied course credit for excessive absences may appeal that action in accordance with the following procedures:



- a. The student shall file a written appeal to the Principal or designee within five school days of receiving notice of the action. The appeal should state the reasons for each absence, any documentation that may support reducing the number of absences for the purposes of course credit, and reasons why the student should either continue to be enrolled in the course or receive course credit for a class the student completed.
- b. The Principal or designee will respond in writing no later than seven school days after receiving the student's appeal.
- c. If the student is not satisfied, he/she may submit a written request to the Principal for consideration by an Attendance Review Committee.
- d. On a student's request for consideration by an Attendance Review Committee, the Principal shall convene an Attendance Review Committee. The Attendance Review Committee shall meet informally to hear the student's appeal. The student's parent and teacher(s) may attend the meeting.
- e. The Attendance Review Committee shall decide the appeal and inform the student in writing within seven school days of the meeting.
- f. The student may appeal an adverse decision of the Attendance Review Committee to the Superintendent, the Board of Education, and the Commissioner of Education in accordance with Policy 5710, Student Grievance and N.J.S.A. 18A. An appeal to the Attendance Review Committee shall be considered to have exhausted the first two steps of the grievance procedure outlined in Policy 5710.

L. Attendance Records



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

Issued: 23 August 2010
Revised: 22 September 2014
DRAFT: 16 November 2020

DRAFT

