

**STUDENT ATTENDANCE ELEMENTARY SCHOOLS**

Absence from school restricts and inhibits the ability of the student to successfully complete the prescribed curriculum requirements. It also violates New Jersey State Law (N.J.S.A. 18A-38:25-26) requiring students to regularly attend school.

Every parent, guardian or other persons having custody and control of a child between the ages of six (6) and sixteen (16) years shall cause such child regularly to attend the public schools of the district or a day school in which there is given instruction equivalent to that provided in the public schools for children of similar grades and attainments or to receive instruction elsewhere than at school.

In keeping with the prevailing laws of the state, the Rutherford Board of Education recognizes and accepts its responsibility to provide a thorough and efficient education for all students within the district. Since diplomas awarded by the Rutherford Board of Education are based upon verification of student growth and development by course and by competency, it is the paramount obligation of parents and students to accept student responsibility to attend school as scheduled.

The Rutherford Board of Education will neither condone nor permit student absences from school for any reason not specified in the law, nor will the Board issue credit if maximum attendance for each student is not achieved.

Only those students who have successfully completed the requirements for graduation as approved by the Rutherford Board of Education and have met the attendance requirements shall be eligible for the Diploma and be permitted to participate in the graduation ceremony.

I. **ABSENTEEISM**

Statistical evidence indicates that normal absenteeism for legitimate illness ranges between five and eight percent of the student body on a daily basis. The school curriculum is designed to adequately compensate for this level of absenteeism by providing all students the opportunity to make up the missed instruction.

All students and parents will be notified upon the student's entrance to Rutherford Schools of the attendance policy and will be urged to guardedly conserve the allowable number of absences for such unforeseen necessities as accidents or sudden illnesses. Special provisions are made for certified hospital stays and other illnesses requiring long recuperations. Written medical verification will be required and must be submitted immediately upon the student's return to school. Homebound instruction is also available and periods of time under homebound instruction are not considered absences for the purposes of this policy.

A. **Loss of Course Credit Due to Excessive Absenteeism**

Students missing over eighteen (18) school days will not qualify for promotion.

It is the intention of this policy that eighteen (18) absences per year will provide for normal illnesses. Those students who use their quota for other reasons will not be

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able to claim relief on the basis that they did not expect to become ill after using the absences for other purposes.

**B. Absence Verification**

School attendance is a basic responsibility of students and their parents. Students who shirk responsibility for learning by absenting themselves from school/class are clearly impeding and complicating the learning process.

Parents/guardians are responsible for notifying the school early in the day when a child will be absent and for informing the school of the reason for the absence. The chief school administrator shall develop procedures for the attendance of pupils which:

1. Ensure a school session which is in conformity with requirements of the rules of the state board;
2. Identify potentially missing and/or abused pupils;
3. Govern the keeping of attendance records in accordance with rules of the state board at N.J.A.C. 6A:6-1.1 et seq. including pupils serving in-or out-of-school suspensions, or excluded for health and cleanliness reasons;

When students are absent for any time whatever, they must, upon return to school, present a written explanation signed by one parent to the homeroom teacher. If the student has been treated by a physician, the parent may submit a note from the physician to support the student's absence. Students may be sent home for written verification if they fail to present a note from their parent.

**C. Incomplete School Day**

1. Students must complete one (1) hour per session to be counted present for that session.
2. Students leaving school prior to completion of their regularly scheduled day, except as provided under Section II, will have their excuses reviewed by the Administration.

**D. 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 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.
4. If a child who was present in the morning is absent after lunch, the same procedure shall be followed.

**E. Marking Missing Child's School Record**

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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.

#### F. Removal from School Roll

1. Students missing four (4) consecutive school days, who do not appear on home instruction, are not medically certified as incapacitated, and/or whose parents or guardians have not been accessible to contact from the school will be issued written notification to report back to school within five school days. Failure to do so could result in the removal of erring students from school rolls.
  - a. Parents of students under the compulsory age shall be served a formal written notice to cause their children to attend school. Failure to comply with the provisions of the law may cause a parent to be deemed a disorderly person and be subjected to a fine. (N.J.S.A. 18:38-31)
  - b. Students above the compulsory age, having been dropped from the rolls for not complying with the notice to return to school, may present a written petition to the Attendance Committee for re-admittance. Each case will be reviewed separately and each decision will be based upon the merits of the petition.
2. Students over 16 years of age who miss more than thirty (30) days of school, even though these days are non-consecutive, will be notified and dropped from the rolls. Notification will take the form of a personal conference with the parents(s), student, and Assistant Principal. Parents of those students under 16 years of age shall be notified by the Attendance Office that credit for the course has been denied and the course must be audited for the remainder of the school year. Due process will be exercised to the fullest.

#### G. Unexcused Absences

Students who absent themselves from school without the knowledge of parents or guardians will be considered "truant" and may be suspended from school until a conference is held with the student, a parent, and the Assistant Principal.

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The Board will report to appropriate authorities infractions of the law regarding the attendance of pupils below the age of 16. Repeated infractions by enrolled pupils over the age of 16 may result in the suspension or expulsion of the pupil.

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

1. Make a reasonable attempt to notify the student's parents/guardians of each unexcused absence 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.
3. Develop an action plan to assist the student to return to school and maintain regular attendance.

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.

**H. 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 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;
3. Conduct a follow-up investigation by contacting the student's parents/guardians in writing to determine the cause of each unexcused absence;
4. The principal or his or her designee shall schedule a meeting with the parent/guardian and the student.

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,

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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:

- a. Referral or consultation with the building's Intervention and Referral Services team;
- b. Testing, assessments or evaluations of the student's academic, behavioral and health needs;
- c. The consideration of an alternate educational placement;
- d. Referral to a community-based social and health provider agency or other community resource;
- e. Referral to the court program designated by the New Jersey Administrative Office of the Courts;
- 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.

#### I. Religious Observance

Religious observances – In accordance with statute, no pupil absent for religious observances of a day recognized by the commissioner of education or this board of education shall be charged with an 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.

#### II. 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. Illnesses which manifested themselves after the student reported to school
- B. Medical or dental appointments which cannot be scheduled outside of school hours
- C. Driver's tests with verification of appointments
- D. Emergencies sanctioned at the Principal's discretion
- E. Interview for college entrance or employment

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III. HOME INSTRUCTION

Home instruction may be initiated upon request by parents if the student is absent for ten consecutive days. A statement by a medical examiner giving a prognosis for the length of time a student will be absent and the nature of the illness must be filed in the Superintendent's office before home instruction may commence. Students on home instruction are considered present for attendance purposes.

IV. MAKE-UP WORK

Although students are provided an opportunity to complete assignments missed due to absences, it would be unwise to suppose that they could compensate for the group interaction they missed in the learning activity of a total class meeting.

- A. The rule of thumb for time allowed to make up work missed due to absence is equal to the total absences, except that the make-up period is not to exceed five days without the permission of the Principal or his delegate. Students have a responsibility to make up work missed.
- B. Students choosing to be absent from classes without excuse (cut) or otherwise found to be truant may not make up work missed during these infractions and may be subject to suspension.
- C. Students may complete assignments for time missed from school due to actions initiated by the authorities of the school (suspension, exclusion, etc.)

V. APPEALS

The Board is cognizant of possible unforeseen factors which may create hardships relating to the operation of the attendance policy.

- A. Appeals may be made for relief from any measure related to this policy.
- B. Petition for a hearing must be presented to the principal by a parent or guardian within five (5) days of the receipt of any notice regarding student attendance and/or any action being taken thereon.
- C. Petition will be heard by the Attendance Committee, which may excuse one or more absences for reasons of illness, hardship, or other extenuating circumstances. Academic standing, general behavior, and course standings will be weighed by the Committee.
- D. All Attendance Committee decisions will be based on a simple majority vote.
  - 1. The Committee will be appointed by the Superintendent of Schools.
  - 2. The Committee shall consist of the school principal or assistant principal, one guidance counselor, one school nurse, and two teachers.
- E. Decisions of the Attendance Committee may be appealed to the Superintendent of

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Schools. Such appeals must be made in writing within seven (7) days of receipt of the decision of the Attendance Committee.

- F. Decisions of the Superintendent may be appealed to the Board of Education. Such appeals must be made in writing within ten (10) days of receipt of the decision of the Superintendent.
- G. Decisions of the Board of Education may be appealed to the Commissioner of Education.

**VI. RECORD KEEPING**

- A. Reporting student absences is a primary responsibility of the school and shall be accomplished in the following manner:
  - 1. Absences from school will be recorded in an appropriate manner on report cards issued every marking period. Attendance recorded on report cards is an unofficial record of student absences.
  - 2. The Attendance Office will mail a letter of notification to parents or guardians alerting them of the danger of the student's noncompliance with the attendance requirements. Letters will be mailed on the tenth (10<sup>th</sup>) and fifteenth (15<sup>th</sup>) absence. These letters are in addition to normal office procedures of random telephone calls checking on absences, reporting absences on report cards, and the use of progress reports.
  - 3. Homeroom teachers will record the daily attendance for each session as directed by the Attendance Office.
  - 4. Homeroom teachers will record the daily class attendance for each session as directed by the Attendance Office.
  - 5. Every teacher will record the daily class attendance for each pupil in his or her grade book.

**B. Other Procedures**

- 1. Transfers from Rutherford Elementary Schools to other districts during the school year will include notification of grades earned, promotion status, and an explanation of the policy regarding absences and grades.
- 2. Students who enter Rutherford Elementary Schools after the opening of school shall have the number of absences prorated.

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Adopted: June 8, 1987  
Revised: April 14, 2003  
Renumbered: 00/00/00 (2300)  
Revised: March 12, 2007  
Revised: May 13, 2013  
Revised: July 18, 2016

Legal References: <u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
<u>N.J.S.A.</u> 18A:35-4.9	Pupil promotion and remediation; policies and procedures
<u>N.J.S.A.</u> 18A:36-14,-15,-16	Religious holidays; absence of pupils on; effect ...
<u>N.J.S.A.</u> 18A:36-19a	Newly enrolled students; records and identification
<u>N.J.S.A.</u> 18A:36-24 through -26	Missing children; legislative findings and declarations
<u>N.J.S.A.</u> 18A:38-25	Attendance required of children between six and 16; exceptions
<u>N.J.S.A.</u> 18A:38-26	Days when attendance required; exceptions
<u>N.J.S.A.</u> 18A:38-27	Truancy and juvenile delinquency defined
<u>N.J.S.A.</u> 18A:38-31	Violations of article by parents or guardians; penalties
<u>N.J.S.A.</u> 18A:38-32	District and county vocational school attendance officers
<u>N.J.S.A.</u> 18A:40-7	Exclusion of pupils who are ill
<u>N.J.S.A.</u> 18A:40-8	Exclusion of pupils whose presence is detrimental to health and cleanliness
<u>N.J.S.A.</u> 18A:40-9	Failure of parent to remove cause for exclusion; penalty
<u>N.J.S.A.</u> 18A:40-10	Exclusion of teachers and pupils exposed to disease
<u>N.J.S.A.</u> 18A:40-11	Exclusion of pupils having communicable tuberculosis
<u>N.J.S.A.</u> 18A:40-12	Closing schools during epidemic
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.S.A.</u> 52:17B-9.8a through -9.8c	Marking of missing child's school record
<u>N.J.A.C.</u> 6A:8-5.1	Graduation requirements
<u>N.J.A.C.</u> 6A:16-1 et seq.	Programs to support student development.
<u>N.J.A.C.</u> 6A:30-1.1 et seq.	Evaluation of the Performance of School Districts
<u>N.J.A.C.</u> 6A:32-8.1 et seq.	Student Attendance and Accounting



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N.J.A.C. 6A:32-8.3                      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

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)

Student Attendance Policies and Procedures Compliance Checklist, New Jersey Department of Education