



THE NEWARK PUBLIC SCHOOLS Newark, New Jersey POLICY



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ABSENCES AND EXCUSES

In order for the Newark Public Schools to fulfill its responsibility for providing a thorough and efficient education for each pupil, the complete cooperation of parents/guardians and pupils is required to maintain a high level of school attendance. The frequent absence of pupils from classroom learning experiences disrupts the continuity of the instructional process and limits the ability of pupils to complete the prescribed curriculum requirements successfully.

The District strives for a goal of 100 percent attendance for its students. The District will follow the action set forth below in the event of an unexcused absence.

Teachers must report promptly all unexcused pupil absences to the attendance counselor assigned to the school. Attendance counselors will diligently investigate all referrals promptly in order to determine the cause of the absences and forward their findings to the administrators and teachers so that the issue may be addressed. Under no circumstances shall a teacher send a pupil to ascertain the cause of any other pupil's absence from the school.

Parents/legal 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. Documentation of the nature and causes of these absences shall be the responsibility of the pupil and parent/legal guardian and must be presented upon the student's return to school. If a student has an unexcused absence, the student shall not be permitted to participate in any school activity on the day of the absence and until their official return to school.

"Buy Back" Program

The District shall allow each school to institute a "Buy Back" Program pursuant to which a student may receive credit for days of unexcused absences if that student completes additional assignments to the satisfaction of the school administrator. The student can then apply these "credits" so that his/her grade is not as adversely impacted by the absences. At the elementary level, the employees supervising the "Buy Back" program will include the guidance counselor, attendance counselor, whole school reform social worker, and the teacher. At the secondary level, the employees supervising the "Buy Back" program will include the Vice Principal in charge of scheduling, the Head Guidance Counselor, the school counselor, and the teacher. Students who do not successfully complete the requirements of the "Buy Back" program:

1. In elementary school, promotion may not be granted;
2. In high school, the student will receive a grade of N.C. (no credit).

Truancy/Action Taken By District Staff Upon Learning Of Unexcused Absences

Each school shall designate staff to address unexcused absences who shall aggressively undertake the duties set forth below.

For up to four cumulative unexcused absences, the designated school staff shall:

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- (1) Make a reasonable attempt to notify the student's parents of each unexcused absence prior to the start of the following school day;
- (2) Conduct an investigation to determine the cause of each unexcused absence, including contact with the student's parents;
- (3) Develop an action plan in consultation with the student's parents designed to address patterns of unexcused absences, if any, and to have the child return to school and maintain regular attendance;
- (4) 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
- (5) Cooperate with law enforcement and other authorities and agencies, as appropriate;

For between five and nine cumulative unexcused absences, the designated school staff shall:

- (1) Make a reasonable attempt to notify the student's parents of each unexcused absence prior to the start of the following school day;
- (2) Conduct a follow-up investigation, including contact with the student's parents, to determine the cause of each unexcused absence;
- (3) Evaluate the appropriateness of the action plan developed above;
- (4) 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:
 - (A) Refer or consult with the building's Intervention and Referral Services team, pursuant to N.J.A.C. 6A:16-8;
 - (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 a community-based social and health provider agency or other community resource;
 - (E) Refer to the court program designated by the New Jersey Administrative Office of the Courts; and
 - (F) 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
- (5) Cooperate with law enforcement and other authorities and agencies, as appropriate.

For cumulative unexcused absences of 10 or more, the designated school staff shall:

- (1) Make a mandatory referral to the court program required by the New Jersey Administrative Office of the Courts;
- (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) Proceed in accordance with N.J.S.A. 18A:38-28 et seq., the compulsory attendance process.

The attendance plan and punitive and remedial measures above apply to students with disabilities, where applicable, consistent with any student's individualized education program, accommodation plan, or individualized health care plan.

ABSENCES AND EXCUSES (Continued)

Excused Absences

The District considers the following as cause for excused absence:

- A. Disabling illness;
- B. Recovery from accident;
- C. Required Court attendance;
- D. Death in the family;
- E. Religious observance (In accordance with statute, no pupil absent for religious observance of a day recognized by the Commissioner of Education or the State District Superintendent 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
- F. Such good cause as may be acceptable to the Principal.

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

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

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

Late Arrival and Early Dismissal

The Newark Public Schools 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. The school must be notified in advance of such absences by written request of the pupil's parent/legal guardian, which shall state the reason for the tardiness or early dismissal. Tardiness not covered by the causes listed shall be cumulative, and may affect course credit.

Justifiable reasons may include:

- A. Medical or dental appointments that cannot be scheduled outside of school hours;
- B. Medical disability;
- C. Motor vehicle driver's test;
- D. Interview for college entrance or employment;
- E. Family emergency;
- F. Court appearance;
- G. Such good cause as may be acceptable to the administration.

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

ABSENCES AND EXCUSES (Continued)

No student shall be denied admission to school or "locked out" if arriving late. Rather, the student should be directed to the main office, marked tardy, and the reason for his tardiness ascertained.

Legal Custody

A record shall be kept indicating the legal custodian of each pupil. Such custodian shall be responsible for informing the State District Superintendent/designee of any change in the pupil's custodian. If one parent/guardian has been awarded custody of the pupil in a divorce settlement, a copy of the applicable section of the certified judgment shall be filed with the school. The principal may take such steps as deemed necessary to ensure that the child is released only to the individual(s) having proper custody.

Potentially Missing Children

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

Date Adopted by State District Superintendent: August 24, 2010

Legal References:

<u>N.J.S.A.</u> 18A:7B-12	District of residence; determination
<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:38-1	Attendance at school free of charge
<u>N.J.S.A.</u> 18A:38-2	Free attendance at school by nonresidents placed in district under court order
<u>N.J.S.A.</u> 18A:38-3	Attendance at school by nonresidents
<u>N.J.S.A.</u> 18A:38-4	Free attendance to persons over age
<u>N.J.S.A.</u> 18A:38-5	Admission of pupils under age
<u>N.J.S.A.</u> 18A:38-5.1	No child to be excluded from school because of race, etc.
<u>N.J.S.A.</u> 18A:38-6	Time of admission of pupils; first school year
<u>N.J.S.A.</u> 18A:38-8	Duty to receive pupils from other districts

ABSENCES AND EXCUSES (Continued)

<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	Districts 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:40-20	Immunization at public expense
<u>N.J.S.A.</u> 18A:44-1	Establishment of nursery schools or departments; eligibility for admission
<u>N.J.S.A.</u> 18A: 44-2	Establishment of kindergarten; eligibility for Admission
<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	Marking of missing child's school record
<u>N.J.S.A.</u> 26:1A-9.1	Exemption of pupils from mandatory immunization
<u>N.J.S.A.</u> 26:4-6	Prohibiting attendance of teachers or pupils
<u>N.J.A.C.</u> 6:3-8.1 <u>et seq.</u>	Provisions for the education of homeless children and youth
<u>N.J.A.C.</u> 6:8-6.1	Assessment of pupil needs
<u>N.J.A.C.</u> 6:8-6.2	Programs and services for pupils at risk
<u>N.J.A.C.</u> 6:8-6.3	Budget documentation
<u>N.J.A.C.</u> 6:20-1.2	School enrollment
<u>N.J.A.C.</u> 6:20-5.3, -5.4	Method of determining the district of residence...
<u>N.J.A.C.</u> 6A:8-5.1	Graduation requirements
<u>N.J.A.C.</u> 6A:16-1 <u>et seq.</u>	Programs to support student development
<u>N.J.A.C.</u> 6A:30-1.1 <u>et. seq.</u>	Evaluation of the performance of School Districts
<u>N.J.A.C.</u> 6A:32-8.1 <u>et. seq.</u>	Student Attendance and Accounting
<u>N.J.A.C.</u> 6A:32-8.3	School Attendance
<u>N.J.A.C.</u> 6A:32-13.1	Student Attendance
<u>N.J.A.C.</u> 6A:14-1.1 <u>et. seq.</u>	Special education
<u>N.J.A.C.</u> 6:29-2.4	Attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV)
<u>N.J.A.C.</u> 8:57	Communicable diseases
<u>See particularly:</u>	
<u>N.J.A.C.</u> 8:57-2	
<u>N.J.A.C.</u> 8:61-1.1	Attendance at school by pupils or adults infected by Human Immuno-Deficiency Virus (HIV)

ABSENCES AND EXCUSES (Continued)

Plyler v. Doe, 457 U.S. 202 (1982)

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

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)

Manual for the Evaluation of Local School Districts

Cross References:

*5020	Role of parents/guardians
*5111	Admission
*5114	Suspension and expulsion
*5118	Nonresidents
*5120	Assessment of individual needs
*5124	Reporting to parent/guardians
*5125	Pupil records
*5141	Health
*5141.2	Illness
*5141.3	Health examinations and immunizations
*5141.4	Child abuse and neglect
*5142	Pupil safety
*6146	Graduation requirements
*6146.2	Promotion/retention
*6147	Standards of proficiency
*6147.1	Evaluation of individual student performance
*6154	Homework/makeup work
*6164.4	Child study team
*6171.4	Special education
*6173	Home Instruction
*6178	Early childhood education/preschool

* Indicated policy is included in the Critical Policy Reference Manual