

REGULATION GUIDE

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Attendance
Jun 14
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[See POLICY MEMO. No. 17]
[See POLICY ALERT Nos. 95, 96, 139, 176 and 203]

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. ~~“Attendance” is a pupil’s presence in school and in the classroom to which he/she is assigned at the times scheduled for instruction or other school activities.~~**
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.**



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B. Attendance Recording

- 1. 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.**
- 2. 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.**
- 3. A student shall be recorded as absent in the school register when not in attendance at a session of the school while a member of the school, except students excused due to religious holidays who shall be recorded as excused.**
- 4. 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.**
- 5. 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.**
- 6. 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.**



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~~a. — A pupil will be considered to have attended school if he/she has been present at least _____ hours during the school day.~~

~~b. — A Kindergarten pupil will be considered to have attended school if he/she has been present at least _____ hours during the Kindergarten session to which the pupil is assigned.~~

7e. A **student** ~~pupil~~ 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. Excused/Unexcused Absences

1. **“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, for Take Your Child to Work Day, or any other absence determined to be excused by the New Jersey Department of Education.**

2. **“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 excused as defined above or for any unexcused absence that does not count toward truancy listed below.**

3. **“Unexcused absence that does not count toward truancy” is a student’s absence from school for a full day or a portion of a day for the reasons listed below:**

~~2. — “Excused absence” is a pupil's absence from school for a full day or a portion of a day for one or more of the following reasons:~~

~~___ a. The student’s ~~pupil's~~ illness supported by a written letter from the parent upon student’s return to school;~~

~~___ b. Family illness or death, The student’s required attendance in court;~~



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- ~~e. Educational opportunities;~~
- ~~d. Exeused religious observances, pursuant to N.J.S.A. 18A:36-14 through 16;;~~
- ~~___ e. 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 individualized health care plans pursuant to N.J.A.C. 6A:16-2.3;;~~
- ~~___ f. The **student's** pupil's suspension from school;;~~
- ~~___ **Family illness or death supported by a written letter from the parent upon the student's return to school;**~~
- ~~___ **Visits to post-secondary educational institutions;**~~
- ~~___ j. Necessary and unavoidable medical or dental appointments that cannot be scheduled at a time other than the school day;;~~
- ~~___ k. An absence for a reason not listed above, but deemed **unexcused that does not count toward truancy** exeused by the **Principal** _____, upon a written request by the **student's** pupil's parent or legal guardian to the Building Principal or designee stating the reason for the absence and requesting permission for the absence to be an **unexcused** exeused absence **that does not count toward truancy;;**~~



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43. **“Truancy” means ten or more cumulative unexcused absences that count toward truancy of a student between the ages of six and sixteen 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 unexcused absence not counted toward truancy listed in C.3. above shall be an absence counted toward truancy.** ~~is a pupil’s absence from all or a part of the school day without the knowledge of the pupil’s parent(s) or legal guardian(s). A pupil will also be considered truant if he/she:~~
- a. ~~Leaves school at lunch time without a pass,~~
 - b. ~~Leaves school without permission when school is still in session,~~
 - c. ~~Leaves class because of illness and does not report to the school nurse as directed, or~~
 - d. ~~Is present in school but is absent from class without approval. Such truancy from class is a “class cut.”~~
4. ~~“Unexcused absence” is a pupil’s absence for all or part of a school day for any reason other than those listed in A2 above.~~

DB. Notice to School of a **Student’s** Pupil’s Absence

1. The parent(s) ~~or legal guardian(s)~~ or adult **student pupil** is requested to call the school office before **the start of the student’s school day** _____ a.m. ~~of the morning of the pupil’s absence.~~
2. The parent(s) ~~or legal guardian(s)~~ **of the student or an adult** ~~of a student pupil~~ who **will** attended the morning session, but will not attend the afternoon session should call **or provide notice to** the school office before **the start of the afternoon session** _____ m. ~~to give notice of the pupil’s absence.~~



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3. The parent(s) ~~or legal guardian(s)~~ or adult **student pupil** who anticipates a future absence or anticipates that an absence will be prolonged should notify the **school office** _____, **to arrange** ~~who will assist in the arrangement~~ of make-up work.

EC. Readmission to School After an Absence

1. A **student pupil** returning from an absence of any length of time must **provide** ~~present to the~~ _____ a written statement, **that is** dated and signed by the parent(s) ~~or legal guardian(s)~~ or adult **student pupil**, **listing** of the reasons for the absence.
2. A note explaining a **student's pupil's** absence for a noncommunicable illness for a period of more than 4 school days must be accompanied by a physician's statement of the **student's pupil's** illness **with medical clearance to return to school**.
3. A **student pupil** 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 No. 8451.

FD. Instruction

1. Teachers **shall** ~~are expected to~~ cooperate in the preparation of home assignments for **students pupils** who anticipate an excused absence of three or more school days duration. The parent(s) ~~or legal guardian(s)~~ or adult **student pupil** must request such home assignments.
2. A **student pupil** who anticipates an ~~excused~~ absence due to a temporary or chronic health condition may be eligible for home instruction in accordance with Policy No. 2412. The parent(s) ~~or legal guardian(s)~~ or adult **pupil** must request home instruction.
3. **Students Pupils** absent for any reason are expected to make up the work missed. ~~In grade _____ and above,~~ **The parent or student pupil** is responsible for requesting missed assignments and any assistance required. Teachers will provide make-up assignments as necessary.



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4. In general, **students** ~~pupils~~ will be allowed a **reasonable amount of time as determined by the teacher** _____ day(s) to make up missed work ~~for each one day of absence~~. ~~Teachers shall make reasonable accommodations to extend time for pupils.~~
5. A **student** ~~pupil~~ who missed a test **or an exam** ~~because of an excused absence~~ shall be offered an opportunity to take the test, **exam**, or an **appropriate** alternate test.

~~GE.~~ Denial of Course Credit

1. The teacher will determine the credit to be awarded a **student** ~~pupil~~ for make-up work, ~~subject to the rules set forth in this section~~. Where class participation is a factor in the learning process, the teacher may consider a **student's** ~~pupil's~~ absences in determining a final grade, except **excused** ~~that~~ absences ~~for the observance of a pupil's religious holiday~~ or **absence** for a suspension from school **will not** ~~cannot~~ adversely affect the **student's** ~~pupil's~~ grade. The teacher may record an incomplete grade, ~~in accordance with Regulation No. 2624~~, for a **student** ~~pupil~~ who has not had a full opportunity to make up missed work.



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2. An elementary **student pupil may will** be retained at grade level, in accordance with Policy ~~No.~~ 5410, when he/she has been absent twenty or more school days, whatever the reason for the absence, except that **excused** absences ~~for the observance of religious holidays and during a~~ **absences due to student's pupil's** suspension will not count toward the total.]

HF. 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 ~~Building~~ Principal or designee shall:
 - a. Make a reasonable attempt to notify the **student's pupil's** parent ~~or legal guardian~~ of each unexcused absence prior to the start of the following school day;
 - b. **Make a reasonable attempt to determine** ~~Conduct an investigation of~~ the cause of **the each** unexcused absence, including **through** contact with the **student's pupil's** parent ~~or legal guardian~~;



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- c. **Identify, Develop an action plan** in consultation with the **student's pupil's parents, or legal guardian 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-~~11~~**10**, if a potentially missing or abused child ~~abuse~~ 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 ~~Building~~ Principal or designee shall:
- a. Make a reasonable attempt to notify the **student's pupil's** parent ~~or legal guardian~~ 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**, ~~Conduct a follow up investigation~~, including **through** contact with the **student's pupil's** parent ~~or legal guardian~~, ~~to determine the cause of each unexcused absence~~;
 - c. Evaluate the appropriateness of the action **taken plan developed** pursuant to **N.J.A.C. 6A:16-7.6(a)4.i.(3) and H.1.c. F.1.e.** above;
 - d. **Develop an** ~~Revise the action plan, as needed, to identify patterns of unexcused absences and~~ **to establish outcomes based upon the student's pupil's needs and specify the interventions for achieving the outcomes, supporting the pupil's patterns of unexcused absences and to specify the interventions for supporting the student's** return to school and regular attendance, **which that** 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;



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- (2) Conduct testing, assessments, or evaluations of the **student's** ~~pupil'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 the court program pursuant to N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below** ~~designated by the New Jersey Administrative Office of the Courts; and~~
 - (6) Proceed in accordance with ~~the provisions of~~ N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-~~4~~**10**, if a potentially missing or **abused** child ~~abuse~~ 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** ~~of ten or more, a student the pupil~~ between the ages of six and sixteen is truant, pursuant to N.J.S.A. 18A:38-~~25~~**27**, and the ~~Building~~ Principal or designee shall:
- a. Make a **determination regarding the need for a court** ~~mandatory~~ referral **for the truancy, per N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below** ~~to the court program required by the New Jersey Administrative Office of the Courts;~~
 - b. ~~Make a reasonable attempt to notify the pupil's parent or legal guardian of the mandatory referral;~~
 - be. Continue to consult with the parent ~~or legal guardian~~ and the involved agencies to support the **student's** ~~pupil's~~ return to school and regular attendance;



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- cd. Cooperate with law enforcement and other authorities and agencies, as appropriate; and
- de. 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.
54. For a ~~student~~ **pupils** with a ~~disability~~ **disabilities**, 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.,** ~~of N.J.A.C. 6A:16-7.8 and Policy and Regulation 5200 shall be applied, where applicable, in accordance with the pupil's Individualized Education Programs, pursuant to 20 U.S.C. §1400 et seq.;~~ the Individuals with Disabilities Education ~~Improvement~~ Act; the procedural protections set forth in N.J.A.C. 6A:14; accommodation plans under 29 U.S.C. §§794 and 705(20); and individualized health care plans **and individualized emergency healthcare plan pursuant to N.J.A.C. 6A:16-2.3(b)5.xii.** ~~;~~ ~~pursuant to N.J.A.C. 6A:16-2.3.~~



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65. 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.** ~~F.1.~~ above for each **student pupil** with up to four cumulative unexcused absences **that count toward truancy.**

a. For each **student pupil** 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 ~~by the receiving school.~~

(1) The sending school district shall proceed in accordance with the ~~district~~ Board of Education's policies and procedures pursuant to **N.J.A.C. 6A:16-7.6(a) and H.5.** ~~F.~~ above and the provisions of **N.J.A.C. 6A:16-7.6(a)4.ii. through iv. and H.2. through H.5.** ~~F.2. through F.4.~~ above, as appropriate.

IG. Discipline

1. ~~Students Pupils~~ may be denied participation in co-curricular activities if ~~their~~ **the Board establishes** attendance ~~fails to meet the standards for participation set forth in Policy No. 2430.~~

2. ~~Students Pupils~~ may be denied participation in athletic competition if **the Board establishes** ~~their attendance fails to meet the standards for participation set forth in Board Policy No. 2431.~~

3. No **student pupil** 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.

~~4. In addition to the requirements as outlined in F.3.a. through e. above, a pupil deemed truant shall be subject to appropriate pupil discipline.~~

~~5. The absence of a pupil missing from school for unexplained reasons will be handled in accordance with Regulation No. 8464.~~



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JH. Recording Attendance

1. Teachers must accurately record the ~~students~~ pupils present, tardy, ~~and or~~ absent each day in each session or each class. Attendance records must also record ~~students'~~ pupils' attendance at out-of-school curricular events such as field trips.
2. **A record shall be maintained of each excused absence, unexcused absence that counts toward truancy, and unexcused absence that does not count toward truancy for each student** ~~Teachers must classify and record each absence as excused, unexcused, or truancy.~~
3. ~~The attendance form will be delivered, no later than _____ a.m., to _____, who will verify pupil absences.~~
34. A report card will record the number of times the ~~student~~ pupil was absent and tardy in each marking period.
45. A ~~student's~~ pupil's absence for observance of a religious holiday will not be recorded as such on any transcript or application or employment form.

KI. Appeal

1. ~~A truant~~ **Students** pupil may be **subject to appropriate discipline for their school attendance record** ~~suspended or expelled for truanancies in accordance with Policy Nos. 5610 and 5620.~~
2. A **student** pupil who has been retained at grade level for excessive absences may appeal that action in accordance with Policy ~~No.~~ 5410.
3. A **student** pupil 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:



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- a. The **student pupil** 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 ~~admitted each~~ absences, **any** documentation that ~~may would reduce~~ **support reducing** the number of absences **for the purposes of course credit**, and reasons why the **student pupil** should **either** continue to be enrolled in the course ~~and/or~~ receive course credit **for a class the student completed**.
- b. The **Principal or designee** _____ will respond in writing no later than seven ~~school working~~ days after receiving the **student's pupil's** appeal.
- c. If the **student pupil** is not satisfied, he/she may submit a written request to the Principal for consideration by an Attendance Review Committee.
- d. On ~~a the~~ **student's pupil's** request **for consideration by an Attendance Review Committee**, the Principal shall convene an Attendance Review Committee ~~consisting of~~ _____, _____, _____, _____, and _____. The Attendance Review Committee shall meet informally to hear the **student's appeal** ~~pupil's reasons for reenrollment and/or credit~~. The **student's pupil's** parent(s) ~~or legal guardian(s)~~ and teacher(s) may attend the meeting.
- e. The Attendance Review Committee shall decide the appeal and inform the **student pupil** in writing within seven ~~school working~~ days of the meeting. ~~The committee may impose conditions on any reenrollment and may require the pupil to agree to those conditions.~~



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- f. The ~~student pupil~~ may appeal an adverse decision of the Attendance Review Committee to the Superintendent, the Board of Education, and the Commissioner of Education, ~~in that order and~~ in accordance with Policy No. 5710, Pupil Grievance **and N.J.S.A. 18A. An appeal** Resort to the Attendance Review Committee shall be considered to have exhausted the first **two** steps of the grievance **procedure outlined in Policy 5710.**

~~LJ.~~ Attendance **Records Improvement Plan**

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** ~~The _____ will collect attendance data from each of the schools in the district and calculate the average daily attendance rate for the district and for each school. The attendance rate shall be calculated by dividing the total number of pupil days present for all pupils by the total possible number of pupil days present for all pupils and multiplying the result by one hundred.~~
2. ~~When the average daily attendance rate for the district or for a school does not meet the New Jersey Department of Education requirements, performance objectives to improve pupil attendance pursuant to N.J.A.C. 6A:32-12.2(a)3 shall be developed.~~

Adopted:

