

# REGULATION

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## 5200 ATTENDANCE (M)

Administrators, teachers and support staff in the School District of the Chathams shall engage in a collaborative effort to ensure regular attendance of all students. The School District of the Chathams recognizes that attendance at school is critical to the success of learners. The administration shall take into consideration a student's age, family circumstances and other relevant information when examining any student's record of attendance.

All rules and procedures concerning the attendance of students in the district's schools shall be published in the student handbook of each school and communicated to all students and parents.

### A. Definitions

1. "Attendance" is a student's presence in school and in the classroom to which he/she is assigned at the times scheduled for instruction or other school activities.
  - a. For grades K(Full Day)-8, a student will be considered to have attended school if he/she has been present at least four hours during the school day.
  - b. For grades 9-12, a student will be considered to have attended school if he/she has been present for at least three class periods.
  - c. A Kindergarten student will be considered to have attended school if he/she has been present at least two hours during the Kindergarten session to which the student is assigned.
  - d. A student not present in school because of his/her participation in an approved school activity, such as a field trip, meeting, cooperative

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education assignment, or athletic competition will be considered to be in attendance.

- e. If the school day is modified due to a public health or other emergency, attendance requirements may likewise be modified; modifications to attendance requirements shall be communicated by the superintendent or her or his designee.

## 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

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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. No absences shall be recorded for the student while on virtual 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 of the school while a member of the school, except students excused due to religious holidays who shall be recorded as excused.
- d. A student shall be recorded as either present, absent, or excused for religious observance, every day the school is in

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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 2 hours 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

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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. “Excused absence” is a student'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 illness,
    - 1) Supported by notification to the school by the student’s parent
  - b. Family illness or death,
    - 1) Supported by notification to the school by the student’s parent
  - c. Educational opportunities
  - d. Excused 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),

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and individualized health care plans pursuant to N.J.A.C. 6A:16-2.3,

- f. The student's suspension from school,
- g. The student's required attendance in court,
- h. Interviews with a prospective employer or with an admissions officer of an institution of higher education,
- i. Examination for a driver's license,
- j. Necessary and unavoidable medical or dental appointments that cannot be scheduled at a time other than the school day,
- k. Take Our Children to Work Day
- l. Any absence considered excused by the Commissioner of Education and/or New Jersey Department of Education rule;
- m. An absence for a reason not listed above, but deemed excused by the principal or his/her designee, upon a written request by the student'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 excused absence,
- n. 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.

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3. “Truancy” is a student's absence from all or a part of the school day without the knowledge of the student's parent(s) or legal guardian(s). A Student will also be considered truant if he/she:
  - a. Leaves school at lunch time without signing out (K-8) or without following the sign-out process (9-12),
  - 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."
  - e. Is absent from school without the knowledge and/or consent of his/her parents.
  - f. Is absent from school as a result of his/her refusal to attend.
  
4. “Unexcused absence” is a student's absence for all or part of a school day for any reason other than those listed in C3 above.
  - a. Instances of lateness in the number established by Policy No. 5230 will constitute a single unexcused absence.
  - b. Lateness to school and/or class shall be addressed as follows:  
  
Grades K-3  
  
5 lates – Parent email or phone  
8 lates – Telephone call to parent

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10 lates – Parent conference

## Grades 4-5

5 lates – Parent email or phone

8 lates – Telephone call to parent

10 lates – Student will be assigned detention

## Grades 6-8

8 lates – Parent email

12 lates – Parent conference. Student will be assigned two AM detentions.

## Grades 9-12

Latenesses and absences are calculated per class

4 lates to any class = incident report filed, central detention issued

Additional lates = incident report filed, central detention issued

Chronic lateness may result in assignment to Saturday School

5. 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.

## D. Notice to School of a Student's Absence

1. The parent(s) or legal guardian(s) of a student in grades 4-8 shall notify the school office before 8:00 a.m. and the parent(s) or legal guardian(s) of a student in grades K-3 or 9-12 or adult student shall notify the school office before 9:00 a.m. the morning of the student's absence.



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2. The parent(s) or legal guardians(s) of a student who will have an early dismissal shall notify the Principal's Office prior to the start of the school day.
3. The parent(s) or legal guardian(s) or adult student who anticipates a future absence or anticipates that an absence will be prolonged shall;
  - notify the Principal (Grades K-5)
  - notify the Attendance Secretary (Grades 6-8)
  - notify the Attendance office and appropriate School Counselor (Gr. 9-12)
4. Parents of a student who will be out of school more than 10 consecutive school days for any reason other than illness must notify the principal in advance of taking those days. The student shall be removed from the school's attendance register during this time and, therefore, will be disenrolled as a Chatham student. In this case, the school will have no responsibility to provide make-up work. Parents are encouraged to make arrangements with other families to determine what work was missed and to work with their children to master these topics. Teachers will not provide make-up work or instruction upon the child's return.
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

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1. A student in Grades 4-12 returning from an absence of any length must present to the Principal or designee a written statement, dated and signed by the parent(s) or legal guardian(s) or adult student, of the reasons for the absence. Alternatively, the note may be submitted by email.
2. A note explaining a student's absence for noncommunicable illness for a period of more than five school days must be accompanied by a physician's statement of the Student's illness.
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 No. 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 of two school days duration. The parent(s) or legal guardian(s) or adult student must request such home assignments.
2. A student who anticipates an excused absence due to a temporary or chronic health condition may be eligible for home instruction in accordance with

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Policy No. 2412. The parent(s) or legal guardian(s) or adult student must request home instruction.

3. Students absent for any reason are expected to make up the work missed. In grades 4-12 and above, the student is responsible for requesting missed assignments and any assistance required. Teachers will provide make-up assignments as necessary.
4. In general, students in grades K-8 will be allowed one day to make up missed work for each one day of absence and students in grades 9-12 will be allowed two days to make up missed work for each one day of absence up to a total of six days. Teachers shall make reasonable accommodations to extend time for students.
5. A student who missed a test because of an excused absence shall be offered an opportunity to take the test or an alternate test.

## G. Denial of Course Credit

1. The teacher will determine the credit to be awarded a student 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 absences in determining a final grade, except that absences for the observance of a student's religious holiday or for a suspension from school cannot adversely affect the student's grade. The teacher may record an incomplete grade for a student who has not had full opportunity to make up missed work.
2. A secondary student will be placed on provisional credit for a course when he/she has been absent from a full year class 13 or more of the class sessions, or has been absent from a semester class 6 or more of the class sessions, whatever the reason for the absence, except those absences for the observance of religious holidays, absences for those excused in accordance

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with the reporting requirements of the school register, student's suspension will not count toward the total.

a. A student will be placed on loss of credit status when he or she has been absent from a full year class 16 or more class sessions or has been absent from a semester class 8 or more class sessions, except for those reasons stated above. Students who are on loss of credit status are expected to be in attendance in class each day, complete assignments and assessments and participate fully; however, credits will not be awarded at the conclusion of the year.

b. A student who has been placed on non-credit status may appeal this decision by appearing before the attendance appeal committee/principal. The committee/principal will determine whether credit may be restored at the end of the year.

3. A student in grades K-5 may be retained at grade level, in accordance with Policy No. 5410, when he/she has been absent 18 or more school days, whatever the reason for the absence, except that absences for the observance of religious holidays, absences for those excused in accordance with the reporting requirements of the school register, and absences due to the 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, the Building 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;

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- 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, the Building 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

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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:

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- 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.

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- (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 students with disabilities, the attendance plan and punitive and remedial procedures of N.J.A.C. 6A:16-7.8 and Policy and Regulation 5200 shall be applied, where applicable, in accordance with the student'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, pursuant to N.J.A.C. 6A:16-2.3.
  6. All receiving schools pursuant to N.J.A.C. 6A:14-7.1(a) shall act in accordance with F.1. above for each student with up to four cumulative unexcused absences.
    - a. For each student attending a receiving school with five or more cumulative unexcused absences, the absences shall be reported to the sending district by the receiving school.
      - (1) The sending school district shall proceed in accordance with the district Board of Education policies and procedures pursuant to F. above and the provisions of F.2. through F.4. above, as appropriate.
- I. Discipline
1. Students may be denied participation in co-curricular activities if their attendance fails to meet the standards set forth in Policy No. 2430.
  2. Students may be denied participation in athletic competition if their attendance fails to meet the standards set forth in Board Policy No. 2431.



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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.
4. In addition to the requirements as outlined in F.3.a. through e. above, a student deemed truant shall be subject to appropriate student discipline.
5. The absence of a student missing from school for unexplained reasons will be handled in accordance with Regulation No. 8462.

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## J. Recording Attendance

1. Teachers must accurately record the students present, tardy, and 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. Teachers must classify and record each absence as excused, unexcused, or truant.
3. Teachers must complete the recording of daily students' attendance no later than the following times:

Grades K-3:	9:00 AM
Grades 4-5:	8:45 AM
Grades 6-8:	8:05 AM
4. A report card will record the number of times the student was absent and tardy in each marking period.
5. 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 No. 5410.
3. A Student in grades 9-12 who has been denied course credit for excessive absences may appeal that action in accordance with the following procedures:

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- a. The student shall file a written appeal to the Principal or his/her designee within 10 calendar days of receiving notice of the action. The appeal should state the reasons for admitted absences, documentation that would reduce the number of absences and reasons why the student should continue to receive course credit.
- b. The Principal or his/her designee will arrange an attendance appeal and will notify the student and parent within five working days of the date and time of the appeal.
- c. The student will present his or her documentation and reasons for absence to the Principal or his/her designee. The Principal or his/her designee will render a decision as to whether or not credit may be restored at the conclusion of the academic year. The student's parents and school counselor may attend this meeting.
- d. The decision of the Principal or his/her designee will be communicated within five working days of the meeting. The Principal or his/her designee may impose conditions on any restoration of credit and may require the student to agree to those conditions.
- e. The student may appeal an adverse decision of the Principal or his/her designee to the Superintendent, the Board of Education, and the Commissioner of Education, in that order and in accordance with Policy 5710, Student Grievance and N.J.S.A. 18A. Resort to the Attendance Review Committee shall be considered to have exhausted the first step of the grievance.

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## 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.

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