



NEW JERSEY DEPARTMENT
OF CHILDREN AND FAMILIES

New Jersey Department of Children and Families Policy Manual

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SUBJECT: Student Attendance, School Calendar, and Home Instruction

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A. OBJECTIVE

To establish standards for Department of Children and Families (DCF) and Department of Human Services (DHS) State Facility Education Act (SFEA) education programs regarding length of school year, a compliant school day, the completion of school calendars, the maintenance of school registers, the monitoring of student absenteeism and the provision of home instruction due to a temporary or chronic health condition.

B. STANDARDS

1. Pursuant to N.J.A.C. 6A:17-3.3 (d), DCF and DHS SFEA education programs, with the exception of home instruction, shall be available for eligible students, at a minimum of four hours a day, five days a week and 220 days a year.
2. The actual number of days or number of hours per day that a student must attend the educational program shall be determined by the Individual Program Plan (IPP) under the program completion option for a general education student or by the Individualized Education Program (IEP) for a student with a disability in accordance with N.J.A.C. 6A: 8-5.1 (a) 1ii and N.J.A.C. 6A:14-3.7, respectively.
3. As per N.J.S.A. 18A:36-1, the school year shall begin on July 1 and conclude on June 30.

4. Pursuant to N.J.A.C. 6A:17-3.1, general education students between the ages of five through 20 years and students with disabilities ages three through 21 years, who do not hold a high school diploma or who are not enrolled in a General Educational Development or adult education program, are eligible for SFEA educational programs and services.
5. In accordance with N.J.S.A. 18A:38-25 and N.J.A.C. 6A:17-3.3 (c), school attendance is compulsory for all eligible students except for a student 16 years of age or above who may waive his/her right to an education. For a student below the age of 18 years, the waiver shall be accompanied by parental consent. A waiver may be revoked at any time as long as the student continues to be eligible for educational services.
6. As stated in N.J.A.C. 6A:17-3.3 (g), activities shall not be scheduled that conflict with SFEA educational programming.
7. As specified in N.J.A.C. 6A:17-3.3 (h), students shall not be excused from attending educational programs except for reasons of illness, religious observance, court appearance or other compelling personal circumstances.
8. Each student in an SFEA education program must abide by the attendance standards established by his/her district board of education, which includes the requirements concerning excused absences.
9. Each DCF and DHS SFEA education program shall record daily attendance in the DCF Office of Education (OOE) School Register in accordance with the directions provided therein.
10. Each DCF and DHS SFEA education program shall report student attendance to each student's district board of education in accordance with this policy and OOE Policy # 38.
11. Eligible students meeting the criteria for a temporary or chronic health condition shall be provided home instruction in accordance with N.J.A.C. 6A:16-10.1.

C. PROCEDURES: SCHOOL CALENDAR

1. For DCF Regional Schools, a uniform school calendar shall be developed by the Regional Administrators (RA); approved by the Director, OOE; and distributed to the Regional School Campuses by May 20 for the upcoming school year.
2. For all other DCF and DHS SFEA education programs, the OOE shall distribute standardized calendar forms which shall be completed by the Education Supervisor (ES) or designee for each of these programs and submitted to the identified person at the OOE by May 20 for the upcoming school year. As appropriate, this school calendar shall be approved by each residential facility's Chief Executive Officer (CEO) or designee prior to submittal to the OOE for approval by the Director.

3. The school calendar shall indicate the total number and anticipated dates of holidays and all student contact, professional development, regional training and in-service/student non-contact days for the upcoming school year.
4. Certain dates shall be predesignated on all school calendars which shall include, but may not be limited to:
 - a. OOE Statewide Education Conferences;
 - b. annual training dates; and
 - c. training/meeting dates that may be in common statewide or to a respective regional area.
5. Unanticipated adjustments to the number of student contact days after the calendar has been submitted, approved and/or implemented shall be made only with the prior written approval of the appropriate RA.
6. Routine adjustments to an approved calendar requiring date changes which do not impact on the total number of student contact days shall be made by written notification to the appropriate RA.
7. All educational staff shall be required to follow the schedule of the approved calendar.
8. At the time of hiring, it shall be made known to each prospective employee that following the schedule of the approved calendar is a condition of employment.

D. PROCEDURES: STUDENT ATTENDANCE

1. **The attendance standards which apply to each student are the standards from the student's district board of education.**
 - a. When a student enters or is scheduled for admission to a DCF or DHS SFEA education program, the ES or designee shall assure that a copy of the attendance requirements of the student's district board of education are obtained and placed in each student record.
 - b. Each district board of education's definition of "excused" and "unexcused" absences shall be applied to each respective student.
2. **The attendance standards for State responsible students shall be as follows:**
 - a. State responsible students attending a public or private school shall adhere to the attendance requirements of that public or private school.
 - b. State responsible students attending a DCF or DHS SFEA education program are subject to the attendance requirements described in Attachment 1.

3. A student may be exempted from the district's attendance requirements through the IEP process identified in OOE Policy #16 for a student with a disability or the program completion option specified in the IPP for a general education student.
4. The ES or designee shall request that parents/residential staff notify the DCF or DHS SFEA education program of student absences/ illnesses daily and provide a written rationale for each absence which is signed by the student's parent/residential staff, the applicable health-care provider and/or other appropriate person depending on the reason for the absence (e.g. court representative for court appointment).
 - a. If a parent/residential provider verbally (in person or by telephone) notifies the school of a student's absence, the information shall be documented in writing by the appropriate staff person.
 - b. When there is any doubt regarding the authenticity of a written note or of a caller's identity, the ES or designee shall attempt to verify the provided information.
 - c. The written notes and documented messages regarding student absences shall be maintained at the school, in a manner determined by the ES, for possible review by the student's district when requested.
5. Each unreported absence shall be investigated immediately by the ES or designee.
 - a. The ES or designee shall make a telephone call to the home/residence of any student who is absent for an unknown reason. The telephone call and resulting information shall be documented.
 - b. If attempts to reach an absent student's parent/residential staff are repeatedly unsuccessful, the ES shall consult with appropriate resources such as Probation Officers, community case managers affiliated with the student, individuals listed on the emergency contact form and personnel from the responsible district board of education.
 - c. If, at any time, the ES or designee suspects abuse or neglect while investigating unreported/unexplained absences for a student from school, he or she shall call the DYFS State Central Registry (SCR) (1-877-NJ ABUSE).
 - d. When a **day student** has five consecutive days of unexplained/undocumented absences ("AU" attendance code in the School Register), the ES or designee shall promptly report those absences to the student's district of residence using the letter found in Attachment 2.
 - e. When the student's unexplained/undocumented absences continue to accrue (especially if the absences reach 10 consecutive days) and the ES has not received a telephone call from the student's district in response to the letter, the ES or designee shall telephone the district of residence to solicit their assistance in resolving this attendance issue.

- f. If the attendance problem is not rectified and the ES is considering termination of the offending student from school, the ES shall convene a meeting within 10 school days with all involved parties as outlined in OOE Policy #36, Section M.
6. Attendance shall be recorded daily in the DCF OOE School Register by the teacher or other person authorized by the ES, according to the directions specified therein.
 - a. For a student to be marked as “Present - Full Day of Attendance”, he/she must, at a minimum, be under the guidance and direction of a teacher in the teaching process while school is in session and be present at least one hour in the morning and one hour in the afternoon. For a day in which school is in session for only the morning or only the afternoon, a student must be present for at least two hours in that session to be recorded as present for the full day.
 - b. For a student to be marked as “Present - Half Day of Attendance”, he/she must be present for a minimum of one hour in either the morning or afternoon.
 - c. A student shall be recorded as “Excused” (“E”) when the student is absent due to a religious holiday observance as prescribed annually by the Commissioner of Education or due to participation in “Bring Your Child to Work Day.”
 - 1) This type of excused absence is mandated by law.
 - 2) The parent/guardian/residential staff shall provide written evidence of such mandated excused absences.
 - 3) An absence that is recorded as a mandated excused absence as defined in this section shall not be counted as a day of possible attendance in the School Register.
 - d. Student absences, other than mandated excused absences, shall be recorded according to the coding system and directions specified in the School Register.
 - 1) Acceptable documentation for a student’s absence includes:
 - a) a written note from the student’s parent/residential provider;
 - b) a written note from an applicable health-care provider;
 - c) written evidence from another appropriate person depending on the reason for the absence; and/or
 - d) a telephone call from the student’s parent/residential provider which is documented by the school.
 - 2) As established in their respective attendance requirements, each district board of education determines which types of student absences are “excused” and “unexcused”, with the exception of the mandated excused absences.
 - e. The ES shall, at a minimum, review the School Registers on a monthly basis.
7. The ES shall assure that student attendance, as recorded in the School Register, is documented on the report card and forwarded to the student’s

district board of education and parent/guardian in accordance with OOE Policy # 38, "Reporting Student Progress and Administration of Statewide Assessments."

- a. When a student's district board of education requests a detailed report of the reasons for a student's absence, the ES shall complete the Student Attendance Record (Attachment 3) and provide it to the district.
 - b. The Student Attendance Record shall be completed by the ES or other person assigned by the ES and shall be based on the attendance information in the School Register for that student.
8. The ES or designee shall monitor tardiness and absences in adherence with the student's district board of education's attendance requirements.
- a. Habitual tardiness, unexcused/unexplained absences and/or excessive absences shall be discussed with the student, the student's parent/residential staff and the district board of education, as appropriate, to determine the cause of the tardiness/absences and to develop a plan to achieve a resolution to the attendance issue.
 - b. The ES or designee shall document all information, including the actions/proposed solutions for addressing the attendance issues.
 - c. If a student's attendance continues to be problematic, the ES shall confer with the RA to determine the appropriate plan of action.
9. When a **tuition student** is absent for five or more consecutive days, the ES shall:
- a. Document in writing and include in the student's education record the facts concerning this period of absenteeism including the attempts to resolve the attendance issue, as appropriate;
 - b. Report the absences and any known information, in writing, to the Director of Special Services or other appropriate person of the responsible district board of education, utilizing the letter found in Attachment 4;
 - c. Continue to notify the school district of every subsequent consecutive five-day absence and the known information, utilizing the letter found in Attachment 5;
 - d. In situations which are problematic and where a district has failed to respond, when so requested in previous letters or communications, send the letter found in Attachment 6; and
 - e. When considering the termination of a tuition student, follow the procedures in OOE Policy # 36, "Admission of Tuition and SFEA Students."

E. HOME INSTRUCTION DUE TO TEMPORARY OR CHRONIC HEALTH CONDITION

1. The ES or designee shall make parents/residential staff and/or medical/clinical staff aware that he/she must be notified whenever it is anticipated that a student will be absent for ten consecutive school days or 15 or more cumulative days during the school year for medical/clinical reasons.
2. To request home instruction due to temporary illness, injury or chronic health condition, the parent/residential staff shall submit to the ES or designee a written determination from a physician documenting the need for confinement at the student's residence for at least a ten-consecutive-school-days-or-more period of time.
3. Home Instruction services shall begin as soon as possible but no later than five school days after receipt of the physician's determination of the need for home instruction.
4. A record of the student's home instruction shall be maintained and documented in a separate home instruction school register.
 - a. For the period beginning the first day the student is absent and the day before the first day of home instruction, the student shall be marked absent in the regular classroom school register.
 - b. Thereafter, the student's attendance shall be recorded in a separate home instruction register while the student is on home instruction.
5. The teacher providing home instruction shall be appropriately certified as teacher of the handicapped or for the subject or level in which the instruction is given.
6. Home instruction shall be provided for no fewer than five hours per week on no fewer than three separate days of the week and, if the student is physically able, no fewer than five hours per week of additional guided learning experiences that may include the use of technology to provide audio and visual connections to the student's classroom.
7. Home instruction shall be provided at the student's place of confinement. If the student is confined to a hospital, convalescent home or other medical institution, the following criteria shall also apply:
 - a. Instruction shall be provided by the DCF/DHS educational program or contracted through a district board of education, educational services commission, another state-operated facility, jointure commission or approved clinic or agency at the student's place of confinement.
 - b. Instruction shall be provided:
 - 1) through one-to-one instruction according to #6 above; or
 - 2) through instruction to small groups as follows:
 - a) the number of hours of instruction per week for the group shall be determined by multiplying the number of students in the group by five hours; and
 - b) the hours of instruction shall be provided in no fewer than three separate days during the week.

8. Instruction may be provided by direct communication to a classroom program by distance learning devices. If provided, such instruction shall be in addition to the one-to-one according to #6 above or small group instruction according to #7 c) above.
9. Students shall receive a program that meets the promotion and graduation requirements of their district of residence/OOE, as appropriate.
10. For students with disabilities, a program shall be provided that is consistent with the student's IEP to the extent appropriate and shall meet the Core Curriculum Content Standards pursuant to N.J.A.C. 6A:8, Standards and Assessment. When the provision of home instruction will exceed 30 consecutive school days in a school year, the IEP team shall convene a meeting to review and, if appropriate, revise the student's IEP.
11. For a general education student, the home instruction shall meet the Core Curriculum Content Standards pursuant to N.J.A.C. 6A:8, Standards and Assessment, and the district of residence requirements for promotion at that grade level as well as the program of instruction outlined in the student's IPP.
12. For all students on home instruction, the teacher(s) providing the instruction shall maintain a record of instructional services and student progress.
13. When the provision of home instruction for a general education student will exceed 60 calendar days, the student shall be referred to the child study team for evaluation according to N.J.A.C. 6A:14.

Debra Stewart
Director
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Attachments:

[Attachment A-1](#): Attendance Standards - State Responsible Students

[Attachment A-2](#): Letter to District: Five Consecutive Unexcused Absences (Day Students)

[Attachment A-3](#): Student Attendance Record (All Students)

[Attachment A-4](#): First Letter: Five or More Consecutive Absences (Tuition Students)

[Attachment A-5](#): Second Letter: Five or More Consecutive Absences (Tuition Students)