

*New Jersey Department of Education  
Office of Educational Support Services*

**STUDENT ATTENDANCE POLICIES AND PROCEDURES  
COMPLIANCE CHECKLIST**  
(*N.J.S.A. 18A:37-25 et. seq. and N.J.A.C. 6A:16-7.8*)

<b><u>Policy Requirement</u></b>		
<i>1. Each district board of education shall develop, adopt and, implement policies and procedures regarding the attendance of students at the public schools of the district or day schools in which students are provided with equivalent instruction. [N.J.S.A. 18A:38-25 and N.J.A.C. 6A:16-7.8(a)]</i>		
<b><u>Policy Components</u></b>		
	<b>Yes</b>	<b>No</b>
1) Does the policy include, at a minimum, the following:		
a) The expectations and consequences regarding timely arrival of students to:		
i. school?		
ii. classes?		
b) The expectations and consequences regarding attendance at:		
i. school?		
ii. classes?		
c) A definition of “unexcused absence” that is based on the definition of a school day, pursuant to <i>N.J.A.C. 6A:32-8.3</i> (i.e., a school day consists of not less than four hours of actual instruction, except that in an approved kindergarten one continuous session of 2 1/2 hours may be considered as a full day); and		
d) A definition of “unexcused absence,” that, at a minimum, includes the following:		
i. excused religious observances, pursuant to <i>N.J.S.A. 18A:36-14</i> through 16?		
ii. where appropriate, Individualized Education Programs, pursuant to <i>U.S.C. § 1400 et seq.</i> the Individuals with Disabilities Education Improvement Act?		
iii. where appropriate, accommodation plans, pursuant to 29 <i>U.S.C. § 794</i> and 705(20)?		
iv. where appropriate, individualized health care plans, pursuant to <i>N.J.A.C. 6A:16-2./3(b)2ix</i> ?		
2) Does the policy include the required school staff responses for the following categories of unexcused absences, per the district board of education’s definition of “unexcused absence:”		
a) For up to four cumulative unexcused absences, are the school staff required to –		
i. make a reasonable attempt to notify the student’s parents of each unexcused absence prior to the start of the following school day?		
ii. conduct an investigation to determine the cause of each unexcused absence, including contact with the student’s parents?		

iii. 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?		
iv. proceed in accordance with the provisions of <i>N.J.S.A.</i> 9:6-1 et seq. and <i>N.J.A.C.</i> 6A:16-11, if a potential missing or abused child situation is detected?		
v. cooperate with law enforcement and other authorities and agencies, as appropriate?		
b) For between five and nine cumulative unexcused absences, are the school staff required to –		
i. make a reasonable attempt to notify the student's parents of each unexcused absence prior to the start of the following school day?		
ii. conduct a follow-up investigation, including contact with the student's parents, to determine the cause of each unexcused absence?		
iii. evaluate the appropriateness of the action plan developed pursuant to <i>N.J.A.C.</i> 6A:16-7.8(a)4i(3)?		
iv. 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:		
(1) refer or consult with the building's Intervention and Referral Services team, pursuant to <i>N.J.A.C.</i> 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 a community-based social and health provider agency or other community resource?		
(5) refer to the court program designated by the New Jersey Administrative Office of the Courts?		
(6) proceed in accordance with the provisions of <i>N.J.S.A.</i> 9:6-1 et seq. and <i>N.J.A.C.</i> 6A:16-11, if a potential missing or abused child situation is detected?		
v. Cooperate with law enforcement and other authorities and agencies, as appropriate?		
c) For cumulative unexcused absences of 10 or more, the student between the ages of six and 16 is <i>truant</i> , pursuant to <i>N.J.S.A.</i> 18A:38-27. For each truant student, do the policies and procedures require the school district to –		
i. make a mandatory referral to the court program required by the New Jersey Administrative Office of the Courts?		
ii. make a reasonable attempt to notify the student's parents of the mandatory referral?		
iii. continue to consult with the parent and the involved agencies to support the student's return to school and regular attendance?		
iv. cooperate with law enforcement and other authorities and agencies, as appropriate?		
v. proceed in accordance with <i>N.J.S.A.</i> 18A:38-28 through 31, Article		

3B, Compelling Attendance at School, and other applicable State and Federal statutes, as required?		
3) Pursuant to <i>N.J.A.C.</i> 6A:16-7.1(c)6, are the policies and procedures regarding the attendance of students consistent with the board-approved code of student conduct, pursuant to <i>N.J.A.C.</i> 6A:16-7.1?		
4) For students with disabilities, does the policy require the attendance plans and punitive and remedial measures set forth therein to be applied, where applicable, in accordance with the students':		
a) Individualized Education Programs, pursuant to <i>U.S.C.</i> § 1400 et seq., the Individuals with Disabilities Education Improvement Act?		
b) Procedural protections set forth in <i>N.J.A.C.</i> 6A:14?		
c) Accommodation plans under 29 <i>U.S.C.</i> § 794 and 705(20)?		
d) Individualized health care plans, pursuant to <i>N.J.A.C.</i> 6A:16-2.3(b)2ix?		

***All School Districts – Considerations –***

1 Did the board of education give consideration to including the following in the definition of “unexcused absence,” pursuant to <i>N.J.A.C.</i> 6A:16-7.8(a)3:”		
a) family illness?		
b) death in family?		
c) written parental permission?		

***For Receiving Schools Only –***

1. Does the policy require the receiving school, pursuant to <i>N.J.A.C.</i> 6A:14-7.1(a), to act in accordance with <i>N.J.A.C.</i> 6A:16-7.8(a)4i [item #2a)i-v on the checklist above] for each student with up to four cumulative unexcused absences?		
2. Does the policy require the receiving school to report each student with five or more cumulative unexcused absences to the sending school district?		

***For Sending Schools Only –***

1. For each student with five or more cumulative unexcused absences reported by the receiving school, does the sending school district’s board-approved policies and procedures require school officials to proceed in accordance with the sending school district’s board-approved policies and procedures pursuant to <i>N.J.A.C.</i> 6A:16-7.8(a), <i>N.J.A.C.</i> 6A:16-7.8(a)4i through iii and <i>N.J.A.C.</i> 6A:16-7.8(b), as appropriate?		
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