

# POLICY

## CLEMENTON BOARD OF EDUCATION

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AFFIRMATIVE ACTION PROGRAM

### 1140 AFFIRMATIVE ACTION PROGRAM

The Board of Education shall adopt and implement written educational equality and equity policies in accordance with the provisions of N.J.A.C. 6A:7 – Managing For Equality And Equity In Education.

The Board's affirmative action program shall recognize and value the diversity of persons and groups within society and promote the acceptance of persons of diverse backgrounds regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, **gender identity or expression**, religion, disability, or socioeconomic status. The affirmative action program will also promote equal educational opportunity and foster a learning environment that is free from all forms of prejudice, discrimination, and harassment based upon race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, **gender identity or expression**, religion, disability, or socioeconomic status in the policies, programs, and practices of the Board of Education.

The Board shall inform the school community it serves of these policies in a manner including, but not limited to, the district's customary methods of information dissemination. The Board shall develop a Comprehensive Equity Plan once every three years, which shall identify and correct all discriminatory and inequitable educational and hiring policies, patterns, programs, and practices affecting its facilities, programs, pupils, and staff.

The Board shall assess the district's needs for achieving equality and equity in educational programs based on an analysis of pupil performance data such as: National Assessment of Educational Progress and State assessment results, Pre-Kindergarten through grade twelve promotion/retention data, Pre-Kindergarten through grade twelve completion rates; re-examination and re-evaluation of classification and placement of pupils in special education programs if there is an over representation within certain groups; staffing practices; pupil demographic and behavioral data; quality of program data; and stakeholder satisfaction data prior to developing the Comprehensive Equity Plan. The purpose of the needs assessment is to identify and eliminate discriminatory practices and other barriers in achieving equality and equity in educational programs.

The Board shall annually designate a member of its staff as the Affirmative Action Officer and form an Affirmative Action Team, of whom the Affirmative Action Officer is a member, to coordinate and implement the requirements of N.J.A.C. 6A:7 – Managing For Equality And Equity in Education. The Board



## 1523 COMPREHENSIVE EQUITY PLAN (M)

The Board of Education shall submit a Comprehensive Equity Plan based on an assessment of the district's needs for achieving equity in educational programs that includes a cohesive set of policies, programs, and practices that ensure high expectations and positive achievement patterns and equal access to education opportunity for all learners, including pupils and teachers.

**The Board's obligation to be accountable for the requirements in N.J.A.C. 6A:7 is not precluded or alleviated by any rule or regulation of any organization, club, athletic association, or other league or group.**

The Comprehensive Equity Plan shall include the following:

1. ~~A needs assessment that includes pupil assessment and behavioral data disaggregated by gender, race, ethnicity, Limited English Proficiency, Special Education, Migrant, date of enrollment, pupil suspension, expulsion, Child Study Team referrals, Pre-Kindergarten through grade twelve promotion/retention data, Pre-Kindergarten through grade twelve completion rates, and re-examination and re-evaluation of classification and placement of pupils in special education programs if there is overrepresentation within a certain group; staffing practices; quality of program data; and stakeholder satisfaction data; An assessment of the school district's needs for achieving equity in educational programs. The assessment shall include staffing practices, quality-of-program data, stakeholder-satisfaction data, and student assessment and behavioral data disaggregated by gender, race, ethnicity, limited English proficiency, special education, migrant, date of enrollment, student suspension, expulsion, Child Study Team referrals, preschool through grade twelve promotion/retention data, preschool through grade twelve completion rates, and re-examination and re-evaluation of classification and placement of students in special education programs if there is overrepresentation within a certain group;~~  
**The assessment shall include staffing practices, quality-of-program data, stakeholder-satisfaction data, and student assessment and behavioral data disaggregated by gender, race, ethnicity, limited English proficiency, special education, migrant, date of enrollment, student suspension, expulsion, Child Study Team referrals, preschool through grade twelve promotion/retention data, preschool through grade twelve completion rates, and re-examination and re-evaluation of classification and placement of students in special education programs if there is overrepresentation within a certain group;**
2. A description of how other Federal, State, and district policies, programs, and practices are aligned to the Comprehensive Equity Plan;



3. ~~Adequate yearly p~~Progress targets for closing the achievement gap;
4. Professional development targets regarding the knowledge and skills needed to provide a thorough and efficient education as defined by the Core Curriculum Content Standards; differentiated instruction and formative assessments aligned to Core Curriculum Content Standards; and high expectations for teaching and learning; and
5. Annual targets addressing district needs in equity in school and classroom practices that are aligned to professional development targets.

A Comprehensive Equity Plan shall be ~~developed~~ **written** every three years and the Board of Education shall initiate the Comprehensive Equity Plan within sixty days of its approval and shall implement the plan in accordance with the timelines approved by the New Jersey Department of Education.

In the event the Board of Education does not implement the Comprehensive Equity Plan within one hundred eighty days of its approval date, or fails to report its progress annually, ~~or as required by the New Jersey Department of Education,~~ ~~sanctions~~ deemed to be appropriate by the Commissioner of Education or his/her designee shall be imposed, and may include action to suspend, terminate, or refuse to award continued Federal or State financial assistance, pursuant to N.J.S.A. 18A:55-2.

N.J.A.C. 6A:7-1.9

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shall assure that all stakeholders know who the Affirmative Action Officer is and how to access him or her.

The Affirmative Action Officer ~~must~~ **shall** have a New Jersey standard certification with an administrative, instructional, or educational services endorsement, pursuant to N.J.A.C. 6A:9B et seq. The Affirmative Action Officer shall: coordinate the required professional development training for certificated and non-certificated staff pursuant to N.J.A.C. 6A:7-1.6; notify all pupils and employees of district grievance procedures for handling discrimination complaints; and ensure the district grievance procedures, which include investigative responsibilities and reporting information, are followed.

The Affirmative Action Team shall: develop the Comprehensive Equity Plan pursuant to N.J.A.C. 6A:7-1.4(c); oversee the implementation of the district's Comprehensive Equity Plan pursuant to N.J.A.C. 6A:7-1.4(c); collaborate with the Affirmative Action Officer on coordination of the required professional development training for certificated and non-certificated staff pursuant to N.J.A.C. 6A:7-1.6; monitor the implementation of the Comprehensive Equity Plan; and conduct the annual district internal monitoring to ensure continuing compliance with State and Federal statutes governing educational equality and equity, pursuant to N.J.A.C. 6A:7-1.4(d).

The Board shall provide professional development training to all certificated and non-certificated school staff members on a continuing basis to identify and resolve problems associated with the pupil achievement gap and other inequities arising from prejudice on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, **gender identity or expression**, religion, disability, or socioeconomic status. All new certificated and non-certificated staff members shall be provided with professional development training on educational equality and equity issues within the first year of employment. Parents and other community members shall be invited to participate in the professional development training.

The Commissioner or his/her designee shall provide technical assistance to local school districts for the development of policy guidelines, procedures, and in-service training for Affirmative Action Officers so as to aid in the elimination of prejudice on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, **gender identity or expression**, religion, disability, or socioeconomic status.

N.J.A.C. 6A:7-1.4; 6A:7-1.5; 6A:7-1.6



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## EQUAL EMPLOYMENT OPPORTUNITY (M)

### 1530 EQUAL EMPLOYMENT OPPORTUNITY (M)

The Board of Education shall, in accordance with law, guarantee equal employment opportunity throughout the district.

The Board shall ensure all persons shall have equal and bias free access to all categories of employment and equal pay for equal work in this district without regard to the candidate's race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, **gender identity or expression**, socioeconomic status, or disability, pursuant to N.J.A.C. 6A:7-1.1. The school district's employment applications and pre-employment inquiries conform to the guidelines of the New Jersey Division of Civil Rights.

The Board will use equitable practices that prevent imbalance and isolation based on race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, **gender identity or expression**, socioeconomic status, or disability among the district's certificated and non-certificated staff and within every category of employment, including administration. Promotions and transfers will be monitored to ensure non-discrimination.

The Board shall not assign, transfer, promote or retain staff, or fail to assign, transfer, promote or retain staff, on the sole basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, **gender identity or expression**, religion, disability or socioeconomic status, pursuant to N.J.A.C. 6A:7-1.1.

The Board will target underutilized groups in every category of employment. The Board will provide among the faculty of each school role models of diverse racial and cultural backgrounds.

The Board shall not enter into a contract with a person, agency, or organization that discriminates in employment practices or in the provision of benefits or services, on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, **gender identity or expression**, socioeconomic status, or disability, either in employment practices or in the provision of benefits or services to pupils or employees, pursuant to N.J.A.C. 6A:7-1.1.



## EQUAL EMPLOYMENT OPPORTUNITY (M)

The Superintendent shall promulgate a complaint procedure for the adjudication of disputes alleging violation of the law prohibiting discrimination in employment or this policy.

The Board shall not discriminate against any person for that person's exercise of rights under the laws prohibiting discrimination in employment or this policy.

N.J.S.A. 18A:6-5; 18A:6-6; 18A:28-10; 18A:29-2  
N.J.A.C. 6A:7-1.1 et seq.; 6A:7-1.8

Cross reference: Policy Guide Nos. 1510, 1550 and  
Regulation Guide Nos. 1530

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# REGULATION

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## EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCEDURE (M)

### R 1530 EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCEDURE (M)

#### A. Purpose and Application

1. The purpose of this procedure is to give any district employee or candidate for employment the opportunity to appeal an alleged denial of equal employment opportunity in violation of State statutes and administrative codes, and Federal laws and Policy No. 1530, guaranteeing “equal access to all categories of employment without regard to the candidate’s race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, **gender identity or expression**, socioeconomic status, or disability.”
2. This procedure is intended to facilitate an equitable and just resolution of a dispute at the most immediate level and should be implemented in an informal manner.
3. Every reasonable effort will be made to expedite the process in the interest of a prompt resolution. Time limits may, however, be extended with the consent of all parties.
4. All participants in the procedure will respect the confidentiality that this district accords to information about individual employees.

#### B. Definitions

1. “Board of Education” means the Board of Education of the Clementon School District.
2. “Complaint” means an alleged discriminatory act or practice.
3. “Complainant” means a staff member who alleges a discriminatory act or practice.
4. “Day” means a working or calendar day as identified.





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5. "Discriminatory act or practice" means denial of equal employment opportunity in violation of State statutes and administrative codes and Federal laws and Policy ~~No.~~ 1530.

6. "School district" means the Clementon School District.

### C. Procedure

1. A complainant who believes that he/she has been harmed or adversely affected by a discriminatory practice or act prohibited by law and/or policy shall discuss the matter with his/her immediate supervisor in an attempt to resolve the matter informally.

2. If the matter is not resolved to the satisfaction of the complainant within thirty working days, the complainant may submit a written complaint to the Affirmative Action Officer. The complaint will include:

- a. The complainant's name and address,
- b. The specific act or practice that the complainant complains of,
- c. The school employee, if any, responsible for the allegedly discriminatory act,
- d. The results of discussions conducted in accordance with paragraph C1, and
- e. The reasons why those results are not satisfactory.

3. The Affirmative Action Officer will investigate the matter informally and will respond to the complaint in writing no later than seven working days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Superintendent.

4. The response of the Affirmative Action Officer may be appealed to the Superintendent in writing within three working days after it has been received by the complainant. The appeal will include the



## EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCEDURE (M)

original complaint, the response to the complaint, and the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have acted discriminatorily.

5. On his/her timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than seven working days after the request for a hearing has been submitted. The Superintendent may also require the presence at the hearing of the staff member charged with a discriminatory act and any other person with knowledge of the act complained of.
6. The Superintendent will render a written decision in the matter no later than seven working days after the appeal was filed or the hearing was held, whichever occurred later. Copies of the decision will be given to all parties.
7. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary no later than three working days after receipt of the Superintendent's decision. The appeal shall include:
  - a. The original complaint,
  - b. The response to the complaint,
  - c. The Superintendent's decision,
  - d. A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented, and
  - e. The complainant's reason for believing the Superintendent's decision should be changed.
8. A copy of the appeal to the Board must be given to the staff member, if any, charged with a discriminatory act.
9. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the complainant



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so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.

10. The Board will render a written decision no later than forty-five calendar days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.
11. The complainant will be informed of his/her right to appeal the Board's decision to the:
  - a. Commissioner of Education  
New Jersey State Department of Education  
P.O. Box 500  
Trenton, New Jersey 08625-0500  
Telephone: (877) 900-6960, or the
  - b. New Jersey Division on Civil Rights  
Trenton Regional Office  
Office of the Attorney General  
140 East Front Street – 6<sup>th</sup> Floor  
Trenton, New Jersey 08625-0090  
Telephone: (609) 292-4605

### D. Record

1. The records of any complaint processed in accordance with this procedure shall be maintained in a file kept by the Affirmative Action Officer.
2. A copy of the decision rendered at the highest level of appeal will be kept in the employee's personnel file.

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## 2610 EDUCATIONAL PROGRAM EVALUATION (M)

### M

The Board of Education directs the Superintendent to develop and implement a systematic plan for the continuous evaluation of the educational program against the educational goals established by this Board. To this end, the Superintendent shall employ such tests and methods as may be indicated by sound professional judgment. Wherever possible, the assessment program shall follow evaluation procedures set forth in the course guides.

The Superintendent shall maintain a calendar of assessment activities and shall make periodic evaluation reports to the Board during the school year. Findings of the assessment program may be used to evaluate the progress of pupils and the effectiveness of staff members. The Board will annually make available to the public the collective progress of pupils toward the goals of the district.

The Board will annually, prior to the end of the school year and in conjunction with appropriate members of the administrative staff, conduct a review of the educational progress of the district, assess district and pupil needs, and establish long range and short range objectives for the educational program. The Board's annual report will be submitted to the Commissioner of Education as required.

The Superintendent shall annually recommend improvements in the educational program based on the Board's evaluation of the district's program. The Board reserves the right to employ experts from outside the school district to serve in the evaluation process.

N.J.S.A. 18A:7A-11

N.J.A.C. ~~6:8-3.2~~; 6A:8-4.1 et seq.

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## 5750 EQUAL EDUCATIONAL OPPORTUNITY (M)

### M

The Board of Education directs that all pupils enrolled in this district shall be afforded equal educational opportunities in strict accordance with law. No pupil shall be denied access to or benefit from any educational program or activity or from a co-curricular or athletic activity on the basis of the pupil's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation ~~or sex~~, **gender, gender identity or expression**, ~~social or economic~~ **socioeconomic** status, or disability. The Board shall assure that all pupils are free from harassment, sexual or otherwise.

The Board directs the Superintendent to allocate faculty, administrators, support staff members, curriculum materials, and instructional equipment supplies among and between the school and classes of this district in a manner that ensures equivalency of educational opportunity throughout this district. The school district's curricula in the following areas will eliminate discrimination, promote mutual acceptance and respect among pupils, and enable pupils to interact effectively with others, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation ~~or sex~~, **gender, gender identity or expression**, ~~social or economic~~ **socioeconomic** status, or disability:

1. School climate/learning environment;
2. Courses of study, including Physical Education;
3. Instructional materials and strategies;
4. Library materials;
5. Software and audio-visual materials;
6. Guidance and counseling;
7. Extra-curricular programs and activities;
8. Testing and other assessments.

The school district's curricula will include Multi-cultural Education content and practices, instruction on African-American History in the teaching of U.S. History and instruction on the Holocaust and **Ggenocide**.



Affirmative action shall be taken to ensure that pupils are protected from the effects of discrimination, in accordance with Policy No. 2260. Pupils who experience less than equal educational opportunities or experience discrimination shall use the procedure established by Regulation No. 5750 to report and appeal any harassment or discriminatory practice.

The conduct of teaching staff members shall exemplify the highest principles of equality and democracy. Conduct and attitudes that display discrimination are contrary to the policies of this Board and, further, are destructive to the self-esteem that this Board wishes to encourage in all pupils. A teaching staff member's act of derision or enmity, in any form, against a person or persons on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation ~~or sex~~, **gender, gender identity or expression**, ~~social or economic~~ **socioeconomic** status, or disability shall be considered to be conduct unbecoming to a professional staff member of this district and shall be subject to appropriate discipline.

The Superintendent shall develop and promulgate a procedure by which a pupil or parent may appeal Board policy, district practice, or the act or omission of any district employee that allegedly violates this policy.

42 U.S.C.A. 12101  
N.J.S.A. 10:5-1  
N.J.S.A. 18A:4A-1, et seq.; 18A:6-5 et seq.; 18A:36-20  
N.J.A.C. 6A:7-1.1 et seq.; 6A:14-1.2

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## EQUITY IN EDUCATIONAL PROGRAMS AND SERVICES (M)

### 5755 EQUITY IN EDUCATIONAL PROGRAMS AND SERVICES (M)

#### M

##### Equity In Pupil Access

It is the policy of the Board of Education to ensure equal and bias-free access to all school facilities, courses, programs, activities, and services, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation ~~or sex~~, **gender, gender identity or expression** ~~social or economic~~ **socioeconomic** status, or disability.

The school district administration will ensure: that all pupils will have equal and barrier-free access to all school and classroom facilities, that minority and female pupils are not under-represented in gifted and talented or accelerated/advanced courses and that minority and male pupils are not over-represented in detentions, suspensions, expulsions, dropouts, or special needs classifications. Support services will be available to all pupils and that all limited English-proficient pupils and pupils with disabilities will have equal and bias-free access to all school programs and activities. The school district will ensure equal and bias-free access for all pupils to computers, computer classes, vocational education classes, and technologically-advanced instructional assistance, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation ~~or sex~~, **gender, gender identity or expression** ~~social or economic~~ **socioeconomic** status, or disability.

The Board of Education will refrain from locating new facilities in areas that will contribute to imbalanced, isolated, or racially identifiable school enrollments. The school district administration will assign pupils to ensure that the racial/national origin composition of the school's enrollment reflects the composition of the district-wide enrollment and so that school and classroom enrollments are not identifiable on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation ~~or sex~~, **gender, gender identity or expression** ~~social or economic~~ **socioeconomic** status, or disability.

Pupils will not be separated or isolated by race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation ~~or sex~~, **gender, gender identity or expression**, ~~social or economic~~ **socioeconomic** status, or disability within the school, courses, classes, programs, or extracurricular activities. Bias-free multiple measures for determining the special needs of language-minority pupils and pupils with disabilities will be utilized. Pregnant pupils will be permitted to remain in the regular



## EQUITY IN EDUCATIONAL PROGRAMS AND SERVICES (M)

school program and activities and if not permitted to attend school by her doctor, the pupil will be provided equivalent instruction.

### Equity in Guidance Programs and **Support Services**

The school district will ensure the guidance program **and support services** provides access to adequate and appropriate counseling services for **all students, including, but not limited to**, minority pupils, limited English-proficient pupils, non-college bound pupils, and pupils with disabilities. A full range of possible career, professional, and/or vocational choices will be presented to all pupils.

### Equity in Physical Education Training

All school district physical education programs will be co-educational, ~~with the exception of wrestling practice and a minimum of 75% of the electives are chosen by at least 30% of enrolled male and female pupils, when the physical education programs are elective~~ **with any exceptions to be in accordance with the Federal State laws and regulations.**

### Equity in Athletic Programs

The school district's athletic program will provide equitable opportunities for female and male pupils to participate in athletics and equitable support for cheerleading programs and comparable facilities for male and female teams. The athletic program will have relatively equal numbers of varsity and sub-varsity teams for male and female teams and equitable scheduling of night games, practice times, and numbers of games for male and female teams.

### Appeal Procedure

Any pupil or their parent(s) ~~or legal guardian(s)~~ may appeal school practices involving equity through the procedure established in Regulation ~~No.~~ 5750.

N.J.A.C. 6:4-1 et seq.  
Title IX of the Education Amendments of 1972  
~~Athletic Guidelines 1986~~  
N.J.A.C. 6A:7-11 et.seq.

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## R 5200 ATTENDANCE (M)

### M

#### 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.
  - a. A pupil in grades Kindergarten through eight must be present at least four hours total. Additionally, he/she must be in school four or more hours of actual class time. To be considered present for one-half day, a pupil must be present at least two hours during the school day.
  - b. A pupil in preschool must be present at least two hours to be recorded as a full day.
  - c. A pupil in grades preschool (a.m.) through eight must arrive by 8:25 a.m. Any pupil who arrives after 8:40 a.m. will be marked tardy. The teachers and administration will notify the parent(s) or legal guardian(s) when tardiness becomes an issue.
  - d. A pupil in p.m. preschool must arrive by 11:05 a.m. Any p.m. preschool pupil who arrives after 11:10 p.m. will be marked tardy. The teachers and administration will notify the parent(s) or legal guardian(s) when tardiness becomes an issue.
  - e. A pupil not present in school because of his/her participation in an approved school activity, such as a field trip, cooperative education assignment, or athletic/academic competition will be considered to be in attendance.
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.

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.
7. 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

1. "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.
2. "An 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, or any absence for the reasons listed below:
  - a. The student's illness supported by written notification to the school by the student's parent upon the student's return to school;
  - b. The student's required attendance in court;
  - c. 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;
  - d. The student's suspension from school;
  - e. Family illness or death supported by written notification from the parent upon the student's return to school;



- f. Visits to post-secondary educational institutions;
  - g. Interviews with a prospective employer or with an admissions officer of an institution of higher education;
  - h. Examination for a driver's license;
  - i. Necessary and unavoidable medical or dental appointments that cannot be scheduled at a time other than the school day;
  - j. Take Our Children to Work Day;
  - k. An absence considered excused by a New Jersey Department of Education rule;
  - l. An absence for a reason not listed above, but deemed excused by the Principal upon a written request by the student's parent stating the reason for the absence and requesting permission for the absence to be an excused absence.
3. "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 absence not listed in C.2 above shall be an unexcused absence counted toward truancy.
4. "Unexcused tardiness" may constitute an unexcused absence that counts toward truancy in accordance with Policy 5240.
- a. Late to School (arriving after the start of homeroom) age-appropriate consequences will be assigned for lateness. After **the first** five latenesses, students will be **assessed given** one unexcused absence. ~~F~~for every third lateness, **thereafter-** (ie: On the 8th, 11th, 14th, 17th, etc.), **students will be given** ~~Latenesses will be equivalent to~~ one unexcused absence.
- D. Notice to School of a Student's Absence
- 1. The parent or adult student is requested to call the school office before the start of the student's school day.



2. The parent of the student or an adult student who will attend 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.
3. The parent or adult student who anticipates a future absence or anticipates that an absence will be prolonged should notify the school office to arrange make-up work.

E. Readmission to School After an Absence

1. A student returning from an absence of any length of time must provide a written statement that is dated and signed by the parent or adult student listing the reasons for the absence. If this absence note is not received by school personnel within 4 days after the student returns to school, the absence will be considered unexcused. Absence notes not providing acceptable explanations will cause the absence to be considered unexcused. The school administration reserves the right to require official medical notes and legal documentation in cases where excessive student absences occur.
2. A note explaining a student's absence for a noncommunicable illness for a period of 5 or more consecutive school days must be accompanied by a physician's statement of the student's illness with medical clearance to return to school.
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 Board Policy.

F. Instruction

1. Students absent for any reason are expected to make up the work missed. The parent or student is responsible for requesting missed assignments and any assistance required. Teachers will provide make-up assignments as necessary.
2. Students will be allowed a reasonable amount of time as determined by the teacher to make up missed work. Missed work not made up within the determined time will receive partial and/or zero credit.



3. A student who missed a test or an exam shall be offered an opportunity to take the test, exam, or an appropriate alternate test. Tests announced prior to the absence are due by the second day of the student's return to school or at the teacher's discretion.
- G. Denial of Course Credit
1. The teacher will determine the credit to be awarded a student for make-up work. Where class participation is a factor in the learning process, the teacher may consider a student's absences in determining a final grade, except absences for the observance of a religious holiday or absence for a student's suspension from school will not adversely affect the student's grade. The teacher may record an incomplete grade for a student who has not had a full opportunity to make up missed work.
  2. An elementary student may be retained at grade level, in accordance with Policy 5410, when he/she has been absent 25 or more school days, whatever the reason for the absence, except that absences for the observance of a religious holiday and absences due to student's suspension will not count toward the total.
  3. Administration will take into consideration students who have demonstrated thorough completion of home assignments and/or home instruction that they have mastered the proficiencies established for the assigned courses of study.
- H. 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 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 thorough 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;



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- 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 that count toward truancy, the 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 thorough 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 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~~27~~, and the Principal or designee shall:
  - 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.
    - (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 a student with a disability, 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., the Individuals with Disabilities Education 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.
6. 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. above for each student with up to four cumulative unexcused absences that count toward truancy.
  - a. For each student 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.
    - (1) The sending school district shall proceed in accordance with the Board of Education's policies and procedures pursuant to N.J.A.C. 6A:16-7.6(a) and H.5. above and the provisions of N.J.A.C. 6A:16-7.6(a)4.ii. through iv. and H.2. through H.5. above, as appropriate.

## I. Discipline

1. Students may be denied participation in co-curricular activities if the Board establishes attendance standards for participation.
2. Students may be denied participation in athletic competition if the Board establishes attendance standards for participation.
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.

## J. Recording Attendance

1. A record shall be maintained of each excused absence and each unexcused absence that counts toward truancy as defined in Policy and Regulation 5200.

## 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 writing, to the Principal or designee by following the procedures listed below.
  - a. The student 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 each absence, any documentation that may support reducing the number of absences for the purposes of course credit, and reasons why the student should either continue to be enrolled in the course or receive course credit for a class the student completed.
  - b. The Principal or designee will respond in writing no later than seven school days after receiving the student's appeal.
  - c. If the student is not satisfied, he/she may submit a written request to the Principal for consideration by an Attendance Review Committee.
  - d. On a student's request for consideration by an Attendance Review Committee, the Principal shall convene an Attendance Review Committee. The Attendance Review Committee shall meet informally to hear the student's appeal. The student's parent and teacher(s) may attend the meeting.
  - e. The Attendance Review Committee shall decide the appeal and inform the student in writing within seven school days of the meeting.
  - f. The student may appeal an adverse decision of the Attendance Review Committee to the Superintendent/Principal, the Clementon Board of Education, and the Commissioner of Education in accordance with Board Policy, Pupil Grievance and N.J.S.A. 18A. An appeal to the Attendance Review Committee shall be considered to have exhausted the first two steps of the grievance procedure outlined in Policy 5710.

L. Attendance



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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.

Issued: 25 August 2008

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Revised, Second Reading and Adoption:



# POLICY

## Clementon Board of Education

Section: Bylaws

0145. BOARD MEMBER RESIGNATION AND REMOVAL

Date Created: July, 2009

Date Edited: July, 2009

### 0145- BOARD MEMBER RESIGNATION AND REMOVAL

The membership of a Board of Education member shall terminate immediately upon:

1. The cessation of the member's bona fide residency in the school district the member represents; or
2. The member's election or appointment to the office of mayor or member of the governing body of Clementon; or
3. The member's disqualification from voting pursuant to N.J.S.A. 19:4-1; or
4. The member's conviction for false swearing for having falsely affirmed or declared that he/she is qualified to vote;
5. The removal of the member by the Commissioner of Education; or
6. Recall of a Board member pursuant to N.J.S.A. 19:27A-1 et seq.

A member who fails to attend three consecutive **meetings, whether regular or worksession,** meetings of the Board without good cause may be removed from office on the affirmative votes of a majority of the remaining Board members. ~~provided that:~~

**If a board member is not in attendance the board following the roll call will vote as to whether that member's absence is with good cause.**

- ~~1. The member's removal was proposed at the immediately previous Board meeting;~~  
and

The vote to remove a board member with 3 unexcused absences shall take place at the next meeting following the 3<sup>rd</sup> consecutive unexcused absence.

- 2.

Notice of the proposed removal ~~will be~~ was given to the affected member at least seventy-two hours in advance of the meeting at which the vote will be taken.

N.J.S.A. 18A:12-2; 18A:12-3; 18A:12-29

N.J.S.A. 19:27A-1 et seq.

Adopted: 27 July 2009  
Revised, First Reading: November 28, 2016  
Revised, Second Reading and Adoption: