

ASSEMBLY, No. 5221

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED FEBRUARY 23, 2023

Sponsored by:

Assemblywoman AURA K. DUNN

District 25 (Morris and Somerset)

SYNOPSIS

Permits excused student absences for mental or behavioral health reasons.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT permitting excused absences from public schools for
2 mental and behavioral health reasons and supplementing chapter
3 36 of Title 18A of the New Jersey Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

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8 1. a. Notwithstanding any law, rule, or regulation to the
9 contrary, any student absence from public school to care for the
10 student's mental or behavioral health needs shall be recorded as an
11 excused absence on the student's attendance record or on any group
12 class of which the student is a member.

13 b. A parent or guardian shall provide any documentation that
14 the superintendent or administrative principal of the school district
15 deems necessary to prove the student meets the requirements for the
16 excused absence related to mental or behavioral health pursuant to
17 subsection a. of this section.

18 c. Any student absent pursuant to this section shall have the
19 opportunity to make up any school work or examination missed. In
20 making a determination on whether a student has a perfect
21 attendance record for the school year, a school district shall not
22 consider as an absence an excused absence authorized pursuant to
23 this section.

24 d. Any transcript, application, employment form, or any similar
25 form that concerns a student's attendance record shall not include
26 any excused absences authorized pursuant to this section.

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28 2. The Commissioner of Education, in consultation with the
29 Commissioner of Health, shall develop guidelines defining an
30 excused absence from school based on the mental or behavioral
31 health of a student pursuant to section 1 of this act.

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33 3. This act shall take effect on the first day of the first full
34 school year following the date of enactment. The Commissioners
35 of Education and Health may take any anticipatory action as shall
36 be necessary for the implementation of this act.

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39 STATEMENT

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41 This bill requires school districts to recognize and record public
42 school student absences for mental or behavioral health reasons as
43 excused absences. In order to have the absence recognized as a
44 mental or behavioral health absence, the parent or guardian is
45 required to provide any documentation that the superintendent or
46 administrative principal of the school district deems necessary to
47 prove the student's absence is related to mental or behavioral
48 health.

1 As an excused absence, students are required to be given the
2 opportunity to: 1) be eligible for any award or recognition offer by
3 the school on the basis of attendance; and 2) make up any school
4 work or examination that was missed during the mental or
5 behavioral health absence.

6 This bill requires the Commissioner of Education, in consultation
7 with the Commissioner of Health, to develop guidelines that define
8 an excused absence related to the mental or behavioral health of the
9 student.

10 Twelve states have legislation excusing student absences for
11 mental or behavioral health reasons. Recognizing the importance
12 that mental health has on public school students, the sponsor
13 intends for this bill to provide students with the flexibility they need
14 to address their mental and behavioral health needs.