

SENATE, No. 2151

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED MARCH 7, 2022

Sponsored by:

Senator RICHARD J. CODEY

District 27 (Essex and Morris)

Senator JOSEPH P. CRYAN

District 20 (Union)

SYNOPSIS

Requires school districts to permit students five excused absences for mental or behavioral health reasons.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/9/2023)

1 AN ACT allowing excused absences from public school for mental
2 and behavioral health reasons and supplementing chapter 36 of
3 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:*

7
8 1. a. During the course of each school year, a pupil of a public
9 school shall be entitled to up to five absences from school to care
10 for the pupil's mental or behavioral health needs, for which the
11 pupil shall be given the opportunity to make up any school work
12 missed during the absence. The pupil may be referred to the
13 appropriate school support personnel following the pupil's second
14 mental or behavioral health absence.

15 b. The five absences from school to care for a pupil's mental or
16 behavioral health needs shall be recorded as excused absences on
17 the pupil's attendance record or on that of any group or class of
18 which the pupil is a member. Any transcript, application,
19 employment form, or any similar form on which information
20 concerning a pupil's attendance record is requested shall not show,
21 with respect to absences, any excused absences authorized pursuant
22 to this subsection. In making a determination on whether or not a
23 pupil has a perfect attendance record for the school year, a school
24 district shall not consider as an absence an excused absence
25 authorized pursuant to this subsection.

26 c. A pupil shall provide such non-medical documentation as
27 the superintendent or administrative principal of the school district
28 deems necessary to prove the pupil meets the requirements for the
29 excused absence related to mental or behavioral health under
30 subsection a. of this section.

31
32 2. The Commissioner of Education, in consultation with the
33 Commissioner of Health, shall develop guidelines on defining an
34 excused absence from school based on the mental or behavioral
35 health of the pupil.

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37 3. This act shall take effect 180 days following the date of
38 enactment, but shall remain inoperative until the first day of the
39 first full school year following the effective date. The
40 Commissioner of Education may take such anticipatory action as
41 shall be necessary for the implementation of this act.

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44 STATEMENT

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46 This bill entitles each public school student in New Jersey to up
47 to five absences from school for mental or behavioral health reasons
48 which are to be considered State-recognized excused absences.

1 After two mental or behavioral health absences, the student may be
2 referred to the appropriate school support staff. The five mental or
3 behavioral health absences would not count toward the 10 percent
4 of days missed before a student is considered “chronically absent”
5 and cannot be used to exclude a student from any awards or
6 recognition on the basis of attendance. As an excused absence,
7 students are required to be given the opportunity to make up any
8 school work that was missed during the mental or behavioral health
9 absence. In order to have the absence recognized as a mental or
10 behavioral health absence the student may be required, by the
11 school district, to provide any non-medical documentation which
12 the superintendent or administrative principal of the school district
13 deems necessary.

14 This bill requires the Commissioner of Education, in consultation
15 with the Commissioner of Health, to develop guidelines which
16 would define an excused absence related to the mental or behavioral
17 health of the student.