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.
An Act allowing excused absences from public school for mental and behavioral health reasons and supplementing chapter 36 of Title 18A of the New Jersey Statutes.

Be it enacted by the Senate and General Assembly of the State of New Jersey:

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

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

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

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

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

Statement

This bill entitles each public school student in New Jersey to up to five absences from school for mental or behavioral health reasons which are to be considered State-recognized excused absences.
After two mental or behavioral health absences, the student may be referred to the appropriate school support staff. The five mental or behavioral health absences would not count toward the 10 percent of days missed before a student is considered “chronically absent” and cannot be used to exclude a student from any awards or recognition on the basis of attendance. As an excused absence, students are required to be given the opportunity to make up any school work that was missed during the mental or behavioral health absence. In order to have the absence recognized as a mental or behavioral health absence the student may be required, by the school district, to provide any non-medical documentation which the superintendent or administrative principal of the school district deems necessary.

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