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"New law requires report of absences," The Times, 1-5-08, p.A10

RWH 5/29/08

P.L. 2007, CHAPTER 248, *approved January 4, 2008*
Assembly, No. 868 (*First Reprint*)

1 AN ACT concerning public school district reporting of certain pupil
2 absences to the Division of Youth and Family Services and
3 supplementing chapter 36 of Title 18A of the New Jersey
4 Statutes.

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

8
9 1. a. If any child enrolled in a school district has an unexcused
10 absence from school for five consecutive school days, the
11 attendance officer of the district shall investigate the absence and
12 notify the district superintendent of the absence. ¹~~['The]~~ In the
13 event the investigation leads the district superintendent to have
14 reasonable cause to believe the child has been abused or neglected
15 as defined in section 1 of P.L.1974, c.119 (C.9:6-8.21), the¹ district
16 superintendent shall then notify the Division of Youth and Family
17 Services in the Department of ~~['Human Services]~~ Children and
18 Families¹ for its determination of whether the division is or has
19 been involved with the child and whether action, as appropriate, is
20 warranted.

21 b. When a child's parent, guardian or other person having charge
22 and control of the child notifies a school district that the child will
23 be withdrawing from the district and transferring to another school
24 district, the principal of the school from which the child is
25 withdrawing shall request that the parent, guardian or other person
26 having charge and control of the child provide the principal with the
27 name and location of the school district in which the child will
28 subsequently be enrolled and the expected date of enrollment. The
29 principal shall provide the information supplied by the parent,
30 guardian or other person having charge and control of the child to
31 the district superintendent. Five school days following the expected
32 date of enrollment, the superintendent of the district of last
33 attendance shall contact the school district in which the child is to
34 be subsequently enrolled to determine if the child has enrolled in
35 the district. If the child has not been so enrolled, the attendance
36 officer of the transfer district shall investigate the failure to enroll
37 and notify the superintendent of the transfer district of the failure to
38 enroll. ¹~~['The]~~ In the event the investigation leads the
39 superintendent of the transfer district to have reasonable cause to
40 believe the child has been abused or neglected as defined in section
41 1 of P.L.1974, c.119 (C.9:6-8.21), the¹ superintendent of the

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly floor amendments adopted March 15, 2007.

1 transfer district shall then notify the Division of Youth and Family
2 Services in the Department of ¹**【Human Services】** Children and
3 Families¹ for its determination of whether the division is or has
4 been involved with the child and whether action, as appropriate, is
5 warranted. If the child has been so enrolled, the district of last
6 attendance and the transfer district shall arrange for the transfer of
7 the child's records in accordance with the provisions of section 1 of
8 P.L.1986, c.160 (C.18A:36-19a) and subsection b. of section 4 of
9 P.L.1995, c.395 (C.18A:36-25.1).

10 c. School district policies for the early detection of missing and
11 abused children required pursuant to section 2 of P.L.1984, c.228
12 (C.18A:36-25) shall include provisions to implement the
13 requirements of this section.

14
15 2. The Commissioner of Education, pursuant to the
16 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
17 seq.), and in consultation with the Commissioner of ¹**【Human**
18 **Services】** Children and Families¹ shall adopt rules and regulations
19 necessary to effectuate the purposes of this act.

20

21 3. This act shall take effect immediately.

22

23

24

25

26 _____
27 Requires school districts to notify DYFS of certain pupil
absences.

ASSEMBLY, No. 868

STATE OF NEW JERSEY

212th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2006 SESSION

Sponsored by:

Assemblyman CRAIG A. STANLEY

District 28 (Essex)

Assemblywoman LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Co-Sponsored by:

Assemblymen Van Drew, Conaway and Connors

SYNOPSIS

Requires school districts to notify DYFS of certain pupil absences.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning public school district reporting of certain pupil
2 absences to the Division of Youth and Family Services and
3 supplementing chapter 36 of Title 18A of the New Jersey
4 Statutes.

5

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

8

9 1. a. If any child enrolled in a school district has an unexcused
10 absence from school for five consecutive school days, the
11 attendance officer of the district shall investigate the absence and
12 notify the district superintendent of the absence. The district
13 superintendent shall then notify the Division of Youth and Family
14 Services in the Department of Human Services for its determination
15 of whether the division is or has been involved with the child and
16 whether action, as appropriate, is warranted.

17 b. When a child's parent, guardian or other person having charge
18 and control of the child notifies a school district that the child will
19 be withdrawing from the district and transferring to another school
20 district, the principal of the school from which the child is
21 withdrawing shall request that the parent, guardian or other person
22 having charge and control of the child provide the principal with the
23 name and location of the school district in which the child will
24 subsequently be enrolled and the expected date of enrollment. The
25 principal shall provide the information supplied by the parent,
26 guardian or other person having charge and control of the child to
27 the district superintendent. Five school days following the expected
28 date of enrollment, the superintendent of the district of last
29 attendance shall contact the school district in which the child is to
30 be subsequently enrolled to determine if the child has enrolled in
31 the district. If the child has not been so enrolled, the attendance
32 officer of the transfer district shall investigate the failure to enroll
33 and notify the superintendent of the transfer district of the failure to
34 enroll. The superintendent of the transfer district shall then notify
35 the Division of Youth and Family Services in the Department of
36 Human Services for its determination of whether the division is or
37 has been involved with the child and whether action, as appropriate,
38 is warranted. If the child has been so enrolled, the district of last
39 attendance and the transfer district shall arrange for the transfer of
40 the child's records in accordance with the provisions of section 1 of
41 P.L.1986, c.160 (C.18A:36-19a) and subsection b. of section 4 of
42 P.L.1995, c.395 (C.18A:36-25.1).

43 c. School district policies for the early detection of missing and
44 abused children required pursuant to section 2 of P.L.1984, c.228
45 (C.18A:36-25) shall include provisions to implement the
46 requirements of this section.

1 2. The Commissioner of Education, pursuant to the
2 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
3 seq.), and in consultation with the Commissioner of Human
4 Services, shall adopt rules and regulations necessary to effectuate
5 the purposes of this act.

6
7 3. This act shall take effect immediately.
8
9

10 STATEMENT
11

12 This bill requires school districts to report, and the Division of
13 Youth and Family Services (DYFS) in the Department of Human
14 Services to investigate, certain unexcused student absences from
15 school.

16 Specifically, the bill provides as follows:

- 17 • If any child enrolled in a school district has an unexcused
18 absence for five consecutive school days, the attendance
19 officer of the district will investigate the absence and
20 notify the district superintendent of the absence. The
21 district superintendent is to notify DYFS for its
22 determination of whether DYFS is or has been involved
23 with the child and whether action, as appropriate, is
24 warranted.
- 25 • When a parent, guardian, or other person having charge
26 and control of a child notifies a school district that the
27 child will be withdrawing from the district and
28 transferring to another school district, the principal of the
29 school from which the child is withdrawing must request
30 that the parent, guardian, or other person having charge
31 and control of the child provide the principal with the
32 name and location of the school district in which the child
33 will subsequently be enrolled and the expected date of
34 enrollment. The principal is to provide this information
35 to the district superintendent. Five days following the
36 expected date of enrollment, the superintendent of the
37 district of last attendance must contact the school district
38 to which the child is transferring to determine if the child
39 has enrolled in the district. If the child has not enrolled,
40 the attendance officer of the transfer district is required to
41 investigate the failure to enroll and notify the
42 superintendent of the transfer district of the failure to
43 enroll. The superintendent of the transfer district must
44 then notify DYFS for its determination of whether DYFS
45 is or has been involved with the child and whether action,
46 as appropriate, is warranted.
- 47 • The Commissioner of Education, pursuant to the

A868 STANLEY, GREENSTEIN

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1 "Administrative Procedure Act," and in consultation with
2 the Commissioner of Human Services, is to adopt rules
3 and regulations to effectuate the purposes of the bill.

ASSEMBLY HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 868

STATE OF NEW JERSEY

DATED: FEBRUARY 6, 2006

This bill requires school districts to report, and the Division of Youth and Family Services (DYFS) in the Department of Human Services to investigate, certain unexcused student absences from school.

Specifically, the bill provides as follows:

- If any child enrolled in a school district has an unexcused absence for five consecutive school days, the attendance officer of the district will investigate the absence and notify the district superintendent of the absence. The district superintendent is to notify DYFS for its determination of whether DYFS is or has been involved with the child and whether action, as appropriate, is warranted.
- When a parent, guardian, or other person having charge and control of a child notifies a school district that the child will be withdrawing from the district and transferring to another school district, the principal of the school from which the child is withdrawing must request that the parent, guardian, or other person having charge and control of the child provide the principal with the name and location of the school district in which the child will subsequently be enrolled and the expected date of enrollment. The principal is to provide this information to the district superintendent. Five days following the expected date of enrollment, the superintendent of the district of last attendance must contact the school district to which the child is transferring to determine if the child has enrolled in the district. If the child has not enrolled, the attendance officer of the transfer district is required to investigate the failure to enroll and notify the superintendent of the transfer district of the failure to enroll. The superintendent of the transfer district must then notify DYFS for its determination of whether DYFS is or has been involved with the child and whether action, as appropriate, is warranted.

- The Commissioner of Education, pursuant to the "Administrative Procedure Act," and in consultation with the Commissioner of Human Services, is to adopt rules and regulations to effectuate the purposes of the bill.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 868

STATE OF NEW JERSEY

DATED: NOVEMBER 29, 2007

The Senate Health, Human Services and Senior Citizens Committee reports favorably Assembly No. 868 (1R).

This bill requires school districts to investigate certain unexcused student absences from school and notify the Division of Youth and Family Services (DYFS) in the Department of Children and Families if abuse or neglect is suspected.

Specifically, the bill provides as follows:

- If any child enrolled in a school district has an unexcused absence for five consecutive school days, the attendance officer of the district is to investigate the absence and notify the district superintendent of the absence. If the investigation leads the district superintendent to believe the child has been abused or neglected, he or she is to notify DYFS for its determination of whether DYFS is or has been involved with the child and whether action is warranted.
- When a parent, guardian, or other person having charge and control of a child notifies a school district that the child will be withdrawing from the district and transferring to another school district, the principal of the school from which the child is withdrawing is to request the name and location of the school district in which the child will subsequently be enrolled and the expected date of enrollment, then provide this information to the district superintendent. Five days following the expected date of enrollment, the superintendent of the district of last attendance is to contact the school district to which the child is transferring to determine if the child has enrolled in the district. If the child has not enrolled, the attendance officer of the transfer district is required to investigate and notify the superintendent of the transfer district of the failure to enroll. If the investigation leads the district superintendent to believe the child has been abused or neglected, he or she is to notify DYFS for its determination of whether DYFS is or has been involved with the child and whether action is warranted.

This bill is identical to Senate Bill No. 1523 (SCA) (Turner/Weinberg), which the committee also reported favorably on this date.

STATEMENT TO
ASSEMBLY, No. 868

with Assembly Floor Amendments
(Proposed By Assemblyman STANLEY)

ADOPTED: MARCH 15, 2007

This amendment clarifies that in the event the investigation of a child's unexcused absence leads a district superintendent to have reasonable cause to believe the child has been abused or neglected as defined in N.J.S.A.9:6-8.21, the superintendent shall notify the Division of Youth and Family Services in the Department of Children and Families.

The amendment also replaces references to the "Department of Human Services" and "Commissioner of Human Services" with the "Department of Children and Families" and "Commissioner of Children and Families," to reflect the transfer of the Division of Youth and Family Services from the Department of Human Services to the new Department of Children and Families.

SENATE, No. 1523

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED MARCH 2, 2006

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Mercer)

Senator LORETTA WEINBERG

District 37 (Bergen)

SYNOPSIS

Requires school districts to notify DYFS of certain pupil absences.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning public school district reporting of certain pupil
2 absences to the Division of Youth and Family Services and
3 supplementing chapter 36 of Title 18A of the New Jersey
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43 c. School district policies for the early detection of missing and
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1 2. The Commissioner of Education, pursuant to the
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3 seq.), and in consultation with the Commissioner of Human
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45 is or has been involved with the child and whether action,
46 as appropriate, is warranted.

S1523 TURNER, WEINBERG

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- The Commissioner of Education, pursuant to the "Administrative Procedure Act," and in consultation with the Commissioner of Human Services, is to adopt rules and regulations to effectuate the purposes of the bill.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 1523

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 29, 2007

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate No. 1523.

As amended by the committee, this bill requires school districts to investigate certain unexcused student absences from school and notify the Division of Youth and Family Services (DYFS) in the Department of Children and Families if abuse or neglect is suspected.

Specifically, the bill provides as follows:

- If any child enrolled in a school district has an unexcused absence for five consecutive school days, the attendance officer of the district is to investigate the absence and notify the district superintendent of the absence. If the investigation leads the district superintendent to believe the child has been abused or neglected, he or she is to notify DYFS for its determination of whether DYFS is or has been involved with the child and whether action is warranted.
- When a parent, guardian, or other person having charge and control of a child notifies a school district that the child will be withdrawing from the district and transferring to another school district, the principal of the school from which the child is withdrawing is to request the name and location of the school district in which the child will subsequently be enrolled and the expected date of enrollment, then provide this information to the district superintendent. Five days following the expected date of enrollment, the superintendent of the district of last attendance is to contact the school district to which the child is transferring to determine if the child has enrolled in the district. If the child has not enrolled, the attendance officer of the transfer district is required to investigate and notify the superintendent of the transfer district of the failure to enroll. If the investigation leads the district superintendent to believe the child has been abused or neglected, he or she is to notify DYFS for its determination of whether DYFS is or has been involved with the child and whether action is warranted.

The committee amendments:

- clarify that if an investigation of a child's unexcused absence leads a district superintendent to have reasonable cause to believe the child has been abused or neglected as defined in N.J.S.A.9:6-8.21, the superintendent is to notify DYFS; and
- updates references to reflect the transfer of DYFS from the Department of Human Services to the Department of Children and Families.

This bill is identical to Assembly Bill No. 868(1R) (Stanley/Greenstein/Voss), which the committee also reported favorably on this date.