

Policies of the Board of Education

Series 400: Students

**TRUANCY**

430-Rule (4)

The principal shall be responsible for enforcing school attendance and shall have authority to perform duties of school attendance officer as described in state law.

A truant is defined as a student who is absent from school without an acceptable excuse. A habitual truant is a student absent from school without an acceptable excuse for part or all of five or more days on which school is held during a school semester.

The period of time during which a student is absent from school due to a suspension or expulsion is neither an absence without a legal cause for purposes of determining a student's truancy nor an absence without an acceptable excuse for purposes of determining a student's habitual truancy.

The appropriate principal may request a statement from a local health officer, physician or nurse explaining the student's absence.

The principal may visit any place of employment within the District to determine if minors are illegally employed.

A) Truancy Action

- 1) Each school attendance officer shall make determination of truant students under District excused/unexcused policy and procedures.
- 2) Parent/guardian notification of student truancy and review of Wisconsin requirements shall take place by phone or written contacts by the end of the second day after an unexcused absence.
- 3) Review of attendance obligations and responsibilities shall take place between designated attendance officer and student.
- 4) School officials will continue to monitor student attendance and explore schedule modification options if appropriate.
- 5) Students who have unexcused absences may be disciplined by the principal or attendance officer. Discipline may be detention, Saturday school, in-school suspension or other appropriate measures.

B) Habitual Truancy Action

- 1) Truancy notification will include a single notice by registered or certified mail.

The notification will include a statement quoting the state law governing school attendance. School attendance officer may use earlier notification programs than required above. The school attendance officer may use his/her own discretion on mailing of attendance notification in extenuating circumstances.

- 2) If poor attendance patterns continue, an administrative review of the case will be held to consider parent input (in person or by telephone), and medical input. A referral to the local truancy court may be filed under local ordinance. A legal referral may be initiated if the principal or principal's agent has completed the following:
  - a) Met with the student's parent or guardian to discuss the student's truancy, or has attempted to meet with the student's parent/guardian and has been refused or received no response. (As per #1 above)
  - b) Provided an opportunity for educational counseling to the student to determine whether a change in the student's curricular program, or a program modification would resolve the student's truancy.
  - c) Evaluated the student to determine whether learning problems may be the cause of the student's truancy and if so, has taken appropriate action or made appropriate referrals. A child need not be evaluated if tests administered to the child within the previous year indicate that the child is performing at his/her grade level.
  - d) Conducted an evaluation to determine whether social problems may be cause of the student's truancy and, if so, has taken appropriate action or made appropriate referrals.
  - e) The processes in items b) through d) need not be carried out if the school attendance officer provides evidence that appropriate school personnel were unable to carry out the activities due to the student's absences.

C) Taking Truants into Custody

A child who is absent from school without an acceptable excuse under the compulsory attendance law may be taken into custody by an individual designated by the superintendent, if the school attendance officer of the District in which the child resides or the child's parent/guardian or legal custodian requests that the child be taken into custody. The request shall specifically identify the child.

If a child is taken into custody, the person who took the child into custody may release the child to the child's parent/guardian or legal custodian or to the principal, or a school employee designated by the school administrator. If a child is released to a school administrator or administrator's designee under this paragraph, the school administrator or designee shall do all of the following:

- 1) Immediately notify the child's parent/guardian or legal custodian that the child was taken into custody and released to the school administrator or his/her designee.
- 2) Determine whether the child is at risk unless such assessment was already made during the current school year. If the child is found to be at risk, the district's at-risk plan must be followed.
- 3) Provide the child or his/her parent/guardian with an opportunity for educational counseling to determine whether a change in the child's program or curriculum would resolve the child's truancy problem, unless the child and his/her parent/guardian have been provided with an opportunity for educational counseling within the current school semester.

The superintendent may designate any of the following individuals to take a child into custody who resides in the District and who is absent from school without an acceptable excuse:

- 1) An employee of the District who is directly involved in the provision of educational programs to the truant child.
- 2) An employee of the District who is directly involved in the provision of a modified program or curriculum, a program for children at risk or an alternative educational program or any other alternative educational program to children who attend the school attended by the truant child, if the superintendent believes that the program or curriculum may be appropriate for the truant child.
- 3) A school social worker employed by the District who provides services to children attending the school attended by the truant child, if the superintendent believes that the services provided by the social worker may be appropriate for the truant child.
- 4) An employee of a social services agency who is directly involved in the provision of social services to the truant child or the child's family.
- 5) A school attendance officer, but only if the school attendance officer meets the criteria specified above.

The designation shall be in writing and shall specifically identify the child whom the individual is authorized to take into custody.

The superintendent may not designate an individual unless the individual agrees to the designation in writing.

The superintendent who makes the designation shall provide each individual so designated with an identification letter. The designee shall carry the identification letter on his/her person at all times while the designee is on official duty and shall exhibit the identification letter to any person to whom the designee represents himself/herself as a person authorized to take a child into custody.

The superintendent who makes a designation or the individual designated shall immediately attempt to notify, by personal contact or telephone call, the child's parent/guardian and legal custodian that the designation has been made and that the child may be taken into custody. The superintendent, or the designee, is not required to notify a parent/guardian or legal custodian under this paragraph if the parent/guardian or legal custodian is the person who requested that the child be taken into custody. A reasonable attempt to reach the parent/ guardian shall be made by the superintendent. Should the attempt result in lack of a parent response or no contact is made the child may still be taken into custody.

Legal Ref.: 118.15 Wisconsin Statutes  
118.16  
118.162  
1995 Wisconsin Act 77

Cross Ref.: 430, Attendance

Adopted: March 1994

Revised: 2/12/96  
8/10/98  
1/10/00  
June 2002

Waunakee Community School District