

SCHOOL DISTRICT OF WAUPACA

SERIES 400 STUDENTS

CODE: 431

COMPULSORY SCHOOL ATTENDANCE

PHILOSOPHY

It has been demonstrated time and again that achievement in school is related to regular school attendance. Failure to attend school not only has an adverse effect on learning, but it also helps contribute to a feeling of alienation and nonparticipation. Simply stated, attending school for a child is comparable in importance to an adult reporting to his/her job. It should occupy a prominent place in his/her life.

The Waupaca School District has devised attendance procedures that stress the importance of regular school attendance and facilitate communication between all concerned parties, especially family and the school professional staff. It is clearly our intent to demonstrate a commitment of care and concern for the student's success in school. Enforcement of student attendance policies and truancy procedures shall be a shared responsibility between the schools, students, parents/guardians, service agencies, law enforcement officials and the community at large.

SCHOOL ATTENDANCE REQUIREMENTS, EXCEPTIONS AND ALTERNATIVES

1. General Requirements

Generally, any person having under his or her control a child who is between the ages of five and 18 (e.g., the child's parent or guardian) must cause the child to attend school regularly during the full period and hours, religious holidays excepted, that the public or private school in which the child should be enrolled is in session until the end of the school term, quarter or semester of the school year in which the child turns 18 years of age, unless the child has been excused or graduated from high school. (S. 118.15(1)(a) and (am) [Wisconsin Act 41]

Also, a school board may not grant a high school diploma to any pupil unless, during the high school grades, the pupil has been enrolled in a class or has participated in an activity approved by the school board during each class period of each school day or the pupil has been enrolled in an alternative education program. This requirement does not, however, prohibit a school board from establishing a program that allows a pupil enrolled in the high school grades who has demonstrated a high level of maturity and personal responsibility to leave the school premises for up to one class period each day if the pupil does not have a class scheduled during that class period. [S. 118.33(1)(b), Stats., as affected by 1997 Wisconsin Act 113]

2. **Exceptions and Alternatives**

The statutes contain the following exceptions and alternatives to the general requirement that a child attend a public or private school regularly:

- a. **Absences excused by a parent/guardian:** An exception to compulsory school attendance applies to a child who is excused, in writing, by his or her parent or guardian before the child's absence. A child may not be excused for more than 10 days in a school year under this provision and the child must make up the course work missed during the absence. [S. 118.15(3)(c), Stats., as created by 1997 Wisconsin Act 239.]
- b. **Religious Holidays:** As described above, the statutes provide an exception for religious holidays [S. 118.15(1)(a), Stats.]
- c. **Attendance at a Technical College:** Upon the child's request of the school board and with the written approval of the child's parent or guardian, a child who is 16 years of age or older and a child at risk may attend, in lieu of high school or on a part-time basis, a Technical College System school if the child and his or her parent or legal guardian agree, in writing, that the child will participate in a program leading to the child's high school graduation. The district board of the technical college district in which the child resides must admit the pupil. Every technical college district board must offer day class programs satisfactory to meet these requirements as a condition to the receipt of any state aid. The school board must pay tuition to the technical college district board and provide transportation or board and lodging. The pupils are included in the school district's membership for state school aid purposes and the school district also receives transportation aid. [ss. 118.15(1)(b) and (2) and 121.05(1)(a)5., Stats., as affected by 1997 Wisconsin Act 27.]
- d. **Program or curriculum modifications for 16- or 17-year olds:** Upon the child's request and with the written approval of the child's parent or guardian, any child who is 16 years of age or older may be excused by the school board from regular school attendance if the child and his or her parent or legal guardian agree, in writing, that the child will participate in a program or curriculum modification, described in item f, below, leading to the child's **high school graduation**. A child who is **17 years of age or older** may be similarly excused

from regular school attendance to participate in a program or curriculum modification leading to the child's **high school graduation** or to a **high school equivalency diploma**. Prior to a 16- or 17-year old child's admission to such a program, the child, his or her parent or guardian, the school board and a representative of the program must enter into a written agreement. The written agreement must state the services to be provided, the time period needed to complete the program and how the performance of the pupil will be monitored. The agreement must be monitored by the school board on a regular basis but not less often than once per semester. If the school board determines that the child is not complying with the agreement, the school board must notify the child, his or her parent or legal guardian and the operator of the program that the agreement may be modified or suspended in 30 days [s. 118.15(1)(c), Stats.]

- e. **Seventeen-year olds beginning programs in secured correctional facilities:** Upon the child's request and with the approval of the child's parent or guardian, a child who is 17 years of age or older must be excused by the school board from regular school attendance if the child had begun a program leading to a **high school equivalency diploma in a secured correctional facility, a secured child caring institution, a secured detention facility or the juvenile portion of a county jail** and the child and his or her parent or guardian agree that the child will continue to participate in such a program. The child and his or her parent or guardian must enter into a written agreement with the school board and a representative of the agency providing the program which is similar to the agreement described in item d., above. The State Superintendent of Public Instruction must grant a high school equivalency diploma to such a child who completes the general educational development (GED) test with a passing score, as determined by the State Superintendent, and completes additional requirements determined by the State Superintendent. School districts neither pay tuition nor other costs for these children nor counts these children in their memberships. If the program the child wishes to attend is provided by a technical college district, the district must admit the child. The child is not required to pay fees for attending the district; costs are borne by the technical college district, including through increased fees charged to other technical college students enrolled in post-secondary

and vocational education programs. [s. 118.15(1)(cm), Stats., as affected by 1997 Wisconsin Acts 27 and 205.]

f. Program or curriculum modifications: Any child's parent or guardian, or the child if the parent or guardian is notified, may request a school board, in writing, to provide the child with program or curriculum modifications, including but not limited to:

- (1) Modifications within the child's current academic program.
 - (2) A school work training or work-study program.
 - (3) Enrollment in any alternative public school or program located in the school district.
 - (4) Enrollment in any nonsectarian private school or program located in the school district, which complies with federal nondiscrimination laws. Such enrollment must be pursuant to a contractual agreement, which provides for the payment of the child's tuition by the school district.
 - (5) Homebound study, including nonsectarian correspondence courses or other courses of study approved by the school board or nonsectarian tutoring provided by the school in which the child is enrolled.
 - (6) Enrollment in any public educational program located outside the school district in which the child resides. Such enrollment must be pursuant to a contractual agreement between school districts.
- [s. 118.15(1)(d), Stats.]

A school board must render its decision regarding the requested curriculum or program modification, in writing, within 90 days of the request. However, if the request relates to a child who has been examined by an individual education program team under the special education laws and has not been recommended for special education, the school board must render its decision within 30 days of the request. If the school board denies a request, it must give its reasons for the denial. Any decision made by the school board or its designee in response to a request must be reviewed by the school board upon request of the child's parent or guardian. The school board's decision must be in writing, if requested by the parent or guardian. [s. 118.15(1)(dm) and (e), Stats., as affected by 1997 Wisconsin Act 164.]

The school board must notify pupils enrolled in the school district and their parents and guardians of the substance of their rights to request program or curriculum modifications under this provision at the beginning of each school term. [s. 118.15(1)(f), Stats.]

- g. Physical or mental conditions:** The school attendance requirement does not apply to a child who is excused by the school board because he or she is temporarily not in proper physical or mental condition to attend a school but can be expected to return to a school upon termination or abatement of the illness or conditions. A school attendance officer may request a parent or guardian to obtain a written statement from a licensed physician, dentist, chiropractor, optometrist or psychologist or a Christian Science practitioner living and residing in the state who is listed in the Christian Science Journal, as sufficient proof of the physical or mental condition of the child. The excuse must be in writing and state the time period for which it is valid, not to exceed 30 days. [s.118.15(3)(a), Stats., as affected by 1997 Wisconsin Act 164.]
- h. School board's attendance policy:** A child may be excused from the regular school attendance requirement by the school board in accordance with the school board's written attendance policy and with the written approval of the child's parent or guardian. The child's truancy, discipline or school achievement problems or disabilities may not be used as a reason for an excuse under this provision. The excuse must be in writing and state the time period for which it is effective, not to extend beyond the end of the current school year. [s. 118.15(3)(b), Stats., as affected by 1997 Wisconsin Act 164]
- i. Home-based private educational program:** Instruction in a home-based private educational program may be substituted for attendance at a private or public school if the program: (1) has a primary purpose of providing private or religious-based education; (2) is privately controlled; (3) provides at least 875 hours of instruction each school year; (4) provides a sequentially progressive curriculum of fundamental instruction in reading, language arts, mathematics, social studies, science and health; (5) is not operated or instituted for the purpose of avoiding or circumventing the compulsory school attendance

requirement; and (6) has as pupils children who, in the ordinary course of events, return annually to the homes of their parents or guardians for not less than two months of summer vacation, or is licensed as a child welfare agency. [ss. 118.15(4) and 118.165(1), Stats.]

- j. **Assessment period**: A pupil assigned to an assessment period, is not in violation of the compulsory attendance requirements. [s. 118.16(4)(cm), Stats.]

KEY DEFINITIONS RELATED TO TRUANCY AND SCHOOL ATTENDANCE ENFORCEMENT

The following key definitions apply under the statutes related to truancy and school attendance enforcement:

1. **"Truancy"** means either of the following:
 - (a) any absence of part or all of one or more days from school during which the school attendance officer, principal or teacher has not been notified of the legal cause of the absence by the pupil's parent or guardian.
 - (b) Intermittent attendance carried on for the purpose of defeating the intent of the compulsory attendance law. [s. 118.16(1)(c)., Stats.]
2. **"Truant"** means a pupil who is absent from school without an acceptable excuse for part or all of any day on which school is held during a school semester. [s.118.16(1)(a), Stats., as affected by 1997 Wisconsin Act 239.]
3. **"Habitual truant"** means a pupil who is 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. [s. 118.16(1)(a), Stats., as affected by 1997 Wisconsin Act 239.]
4. **"Dropout"** means a child who ceased to attend school, does not attend a public or private school, technical college or home-based private educational program on a full-time basis, has not graduated from high school, is not enrolled in a program leading to a high school graduation or a high school equivalency diploma and does not have an acceptable excuse for being absent from school. [ss. 118.153(1)(b) and 118.163(1)(a), Stats.]
5. **"School attendance officer"** means an employee designated by the school board to deal with matters relating to school attendance and truancy. "School attendance officer" does not include a person designated to take truants into custody unless that person has also been designated to deal with matters related to school attendance and truancy. [s. 118.16(1)(b), Stats.]

STUDENT ABSENCES AND EXCUSES

The responsibility for regular school attendance of a student rests upon the student's parents or guardian. All excused absences require parent/guardian verification, which is to be submitted to the school in advance of the absence or prior to re-admittance to school. Verification can be done in person, by telephone, or written message. The school has the right to determine which verification method is acceptable.

The school will approve an acceptable excuse to any student for the following reasons:

- A. Evidence that the student is temporarily not in proper physical or mental condition to attend school or an educational program. The district may request the parent or guardian to obtain a written statement from a physician or licensed practitioner as sufficient proof of the physical or mental condition of the student. Such excuse shall be made in writing, shall state the period of time for which it is valid, and shall not exceed 30 days. Any student seen in the school building for any school sponsored or non-school sponsored activity when they were called in ill that day will be asked to leave and will be considered unexcused.
- B. Parents are requested to make their medical, dental, chiropractic, optometrical, orthodontic or other valid professional appointments during non school hours and may be required to bring proof of any appointments made during school hours.
- C. A death or funeral in the immediate family.
- D. Religious holidays.
- E. Court Appearances or other legal procedures which require the attendance of the student.
- F. Approved school activities.
- G. Special circumstances that show good cause and are approved in advance by the school district when possible.

All students with excused absences will be given the opportunity to make up work missed during the absence. It is the student's responsibility to contact the teachers to make arrangements for making up work missed and the time lines for work completion.

UNEXCUSED ABSENCES AND TARDIES

Students who are absent from school with the consent of their parent/guardian but whose absence does not meet the above criteria will be considered unexcused.

Students who are absent from school for no particular reason or are truant will be considered unexcused. This includes students who oversleep or miss the bus.

It is an unexcused absence to be home from school to baby-sit for a sibling who is home ill.

No public school may deny a pupil credit in a course or subject solely because of the pupil's unexcused absence from school. (s 118.16(4)(b))

Unexcused absences from school can result in disciplinary measures being taken by the school against the student ranging from school detentions to suspensions.

A student who misses part of a school day (part or all of one or more classes) shall be considered tardy and may be subject to the same conditions and dispositions as a truancy.

PARENT/GUARDIAN RESPONSIBILITY

When a student is absent the **parent/guardian shall contact the school** during the day of the absence by the time established by the school. Failure to contact the school may result in a telephone call to the home or work place of the parent/guardian. Failure to notify the school may result in absences being listed as unexcused. If an absence is planned in advance, provisions must be made to notify the school so that work can be made up ahead of time.

STUDENT RESPONSIBILITY

Students are required to attend all of their scheduled classes, study halls and lunch periods (as appropriate).

Students must always check in and out at the school office when they leave or return to school during the school day.

No student will leave school ill without approval from the school nurse or health aide. Without the approval of the health staff the absence may be considered unexcused.

TEACHER RESPONSIBILITY

Teachers are required to emphasize the importance and necessity of regular attendance to students and parent/guardians. Classroom procedures and grading requirements will be developed which reflect the effect class attendance has on student progress. However, no pupil shall be denied credit in a course or subject solely because of his or her unexcused absence from school.

Teachers are required by law to take daily attendance (in some cases, period by period) in their classes and maintain a record of absences. This information must be reported to the school office. (s.118.16(2)(a) and (4)(a))

SCHOOL DISTRICT RESPONSIBILITY

The school district has a responsibility to stress the importance of regular school attendance to students, parents/guardians, employers, and the community.

They shall promote activities within the school that enhance school attendance and within the community that increase awareness and involvement in improving school attendance.

The school district shall promote cooperation between the home and the school in the implementation of the school district's attendance policy and procedures.

ATTENDANCE INTERVENTIONS EXCEPT TRUANCY

The school attendance officer or designee and classroom teachers will continually monitor student's attendance. When a poor attendance pattern, which may lead to habitual truancy and/or lack of school success, begins to develop, a review of the student's situation will be conducted by the school and may include a review of the student's records, conversations with the parent(s)/guardian, home visits, and interviews with the student to determine possible reasons for the poor patterns of attendance. Curriculum modifications may be investigated and possible referrals to school programs and/or community agencies will be considered.

The following levels of absenteeism have been established as appropriate times for school intervention:

- A. Any student may be required to submit to the office a written medical excuse from a licensed medical practitioner in order for any future absences due to illness to be excused.

- B. Students who are absent due to illness for four (4) consecutive school days will be referred to the school nurse or health aide who will contact the family to assess the medical reason for the absence and offer assistance.
- C. A meeting may be held for any student who has accumulated more than ten (10) days of absence in a semester for any reason. The meeting may involve the parent/guardian, school nurse, guidance counselor, school social worker and/or other school staff depending on the circumstance.

ATTENDANCE INTERVENTIONS FOR TRUANCY

When a student is truant from school, the school shall notify the parent/guardian and direct the parent/guardian to return the child to school or to provide an acceptable excuse for the absence. The contact with the parent/guardian may be done by telephone call, home visit, or letter. Notice by personal contact or telephone call shall be attempted before notice by mail. This type of notice must be given every time a child is truant from school until the time the student becomes a "habitual truant". s.118.16(2)(c)

If any parent/guardian is encouraging the absence of the student that parent/guardian may be cited for "contributing to truancy".

When a truant student returns to school a conference may be held with the student and if possible, the parent/guardian, to discuss the truant situation. It is important that the reasons for the truancy be addressed in a concerned and supportive manner. Conference with other school professionals should be arranged to assist the student and their family in dealing with the causes for the truancy. Some responses that may be considered are the following:

Assessment of factors contributing to truancy, discussion of curricular modifications to the present school program, referral considerations both in the school system and community, development of a plan for consequences to continued truancy, promotion of staff awareness of the problems the student is encountering, and review of legal requirements of compulsory attendance law.

If a student is truant from school more than one time, and in the opinion of the attendance officer the student may become a habitual truant, the following steps will be taken to assist the student and family. Documentation of these interventions is required in order to file truancy proceedings against the child under s 48.13(6) or the parent/guardian under s 118.15(1)(d). By state statute, these interventions must be completed during the current school year.

- A. Meet with, or have attempted to meet, with the child's parents/guardians to discuss the truancy.

Since parents and guardians are legally responsible to "cause" their student to attend school, it is extremely important that they be actively involved in addressing truancy situations. Every attempt should be made to assist parents/guardians in helping their students attend school regularly and have a positive school experience.

Documentation of all conferences, whether in person or by telephone, and copies of all correspondence will be maintained.

- B. Provide an opportunity for educational counseling to the child to determine whether a change in the child's curriculum would resolve the child's truancy and consider curriculum modifications possible within the current program.

Educational counseling should be done by the school counselor or school administrator and will review compulsory attendance and truancy laws regarding curriculum modification options.

- C. Evaluate the child to determine whether learning/behavioral problems may be a cause of the child's truancy, and if so, take appropriate action and make the necessary referrals.

This evaluation must be completed by the school psychologist certified to do such evaluations and will include a review of the student's records, and when appropriate, communication or attempted communication with the student, parents/guardians, and teachers.

If there is a suspected disability, a referral should be made for an Individualized Educational Program (IEP) team evaluation.

- D. Conduct an evaluation to determine whether social problems or family issues may be a cause of the child's truancy.

This evaluation will be conducted by the school social worker certified to do such evaluations and appropriate referrals should be made to school district professionals or community agencies.

If the student becomes a legal habitual truant the following procedures will be followed:

The school shall notify the parent or guardian of a child who is a habitual truant, by registered and certified mail, when the child initially becomes a habitual truant. The notice will include a statement of the parent's/guardian's responsibility, under s118.15(1)(a), to cause the child to attend school regularly, a statement that the parent/guardian or child may request program or curriculum modifications for the child and that the child may be eligible for enrollment in a program for children at risk under s 118.153(c), and a request that the parent or guardian meet with appropriate school personnel to discuss the child's truancy. The notice will include the name of the school personnel with whom the parent/guardian should meet, date, time, and location of meeting, and the name, address, and telephone number of a person to contact to arrange a different date, time, or place. The notice will also include a statement of the penalties, under s 118.15(5), that may be imposed on the parent/guardian or child if the child fails to attend or the parent/guardian fails to cause the child to regularly attend.

The school attendance officer will collect all specific documentation required and complete all referral forms, and submit this information to the Police Liaison Officer for citation or to the county juvenile intake officer for their review and follow-up. This is a critical part of the truancy procedures as it is necessary to establish that the student in question is "habitually truant".

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LEGAL REFERENCE: Wisconsin Statutes 118.15, 118.16, 118.153, 118.162, 118.165; Waupaca City Ordinance No. 9.061 (5-1995)

CONTRACT REFERENCE:

CROSS REFERENCE:

The School District of Waupaca does not discriminate on the basis of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional or learning disability.