



RIVER VALLEY SCHOOL DISTRICT

660 West Daley Street

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Spring Green, Wisconsin 53588

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Phone: 608-588-2551

431 Rule

Student Attendance and Truancy Guidelines

(Replaces entire OLD 431 Rule.....)

ATTENDANCE

State statute requires students enrolled in a public or private school to attend regularly during the full period and hours that school is in session during the school year. It is the responsibility of any person having control of a child to see that the child meets this requirement.

School attendance officers or their designees shall determine daily which students enrolled are absent from school and whether the absence is excused or unexcused. This determination shall be made in accordance with the district's student attendance policy and procedures.

A student **will should** not be excused by parent/guardian request more than 10 days/year.

Additional **excused** absences for the following reasons will not be more than 5 days/semester:

- Personal illness (doctors confirmation may be required)
- Medical appointments
- Religious observances in family
- Medical emergency in family
- Death in family

Students who have reached their 18th birthday are permitted to originate their own request for excuse for absence only if they (1) are not living with their parent/guardian and can certify they are not financially dependent on their parent/guardian or (2) the parent/guardian returns a signed permission form to the school stating the student is responsible for him or herself. The school will continue parent/guardian communication unless specifically requested in writing to stop. The student is still bound by the same set of acceptable reasons as listed in the school attendance policy.

Students who are withdrawn due to home schooling or enrollment into a regional private school will continue to be marked as absent until the district receives notification from the private school (through a records request) or from the state (home school application). Upon receipt of appropriate notification, the withdrawal date will be added and the attendance record amended.

Schools must accept their responsibility and accountability, and parent(s)/guardian should accept their responsibility and accountability. Recommendations to improve communication and mutual acceptance of this joint responsibility focus on the elementary level, where initial patterns of behavior are set.

The initial orientation at the elementary level for parent(s)/ guardian and students should include discussion of school policy concerning absences.

The school absence policy should spell out the responsibilities of the parent(s)/guardian, the child and the school. The policy should clearly explain the criteria for excused absences.

A written explanation of the school absence policy should be sent home with each student.

TRUANCY

Upon using all excused absences and medical/illness absences for the semester, the school attendance officer shall notify the parent or guardian of a child's truancy and direct the parent or guardian to return the child to school no later than the next day on which school is in session or to provide an excuse. The notice under this paragraph must be given before the end of the second school day after receiving a report of an unexcused absence and may be made by personal service, mail or telephone call on which a written record is kept.

“Truancy” means any absence of part or all of one or more school days during which the school attendance officer, principal or teacher has not been notified of the legal cause of such absence by the parent or guardian of the absent student, also means intermittent attendance carried on for the purpose of defeating the intent of the compulsory attendance law.

The school attendance officer shall notify the parent or guardian of a child who is a habitual truant at the time the child becomes a habitual truant. This will be done by registered or certified mail. The notice shall include the following:

- a. A statement of the parent's or guardian's responsibility under state law to cause the child to attend school regularly.
- b. 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.
- c. A request that the parent or guardian meet with the appropriate school personnel to discuss the child's truancy. The notice shall include the name of the school personnel with whom the parent or guardian should meet; a date, time and place for the meeting; and, the name, address and telephone number of a person to contact to arrange a different date, time, or place.
- d. A statement of the penalties under state law that may be imposed on the parent or guardian if he/she fails to cause the child to attend school regularly as required by state law and Board policy.

The school attendance officer may visit any place of employment to ascertain whether any minors are employed there contrary to state law. He/she shall require that school certificates and lists of minors who are employed there be produced for inspection and shall report all cases of illegal employment to the proper authorities.

The school attendance officer may have access to information regarding the attendance of any child between the ages of six (6) and eighteen (18) years who is a resident of the school district and claims to be in attendance at a private school located in the school district, including home-based private educational programs.

Annually, on or before August 1, the school attendance officer shall determine how many students enrolled in each school in the district were absent in the previous year and whether the absences were excused. This information will be forwarded to the Department of Public Instruction.

The school attendance officer shall furnish student attendance information to the county welfare agency as requested for implementation of Wisconsin's Learnfare Program. Student attendance information shall only be released if appropriate "release of confidentiality" forms have been filed with the district in accordance with provisions of state law and the district's student records policy.

The school attendance officer shall provide parents and students with information regarding program and curriculum modifications, including the types of modifications available, the procedures to be used in requesting and obtaining approval for modifications, their rights to request that the school board review decisions made in response to such requests and the time lines and procedures applicable to such board review.

Truancy Prevention Procedures

Upon a student's return to school after a truancy or repeated truanies, school personnel will take positive measures to help prevent additional truanies by the student. These measures may include:

1. A student conference with the school attendance officer in regards to truancy.
2. A student conference with guidance staff, psychologist, social worker or other designated personnel in regards to personal or social problems that may be influencing non-attendance or truancy.
3. A parental conference set up with the student and his/her parent(s)/guardian(s) to discuss the problem of truancy.
4. Enrollment of the student(s) in the district's children at risk program.
5. Evaluation of the student to discover if he/she is in need of special educational support services.
6. A meeting with the student and his/her parent(s) or guardian to discuss alternative education programs that are available within the district and county.

Procedure Toward Legal Referral

Prior to any legal proceeding being brought against a student or against the student's parent or guardian, the school attendance officer shall provide evidence that the appropriate school personnel in the district have, within the school year during which the truancy occurred:

1. Met with the student's parent(s) or guardian to discuss the student's truancy, or attempted to meet with the student's parent(s) or guardian and has been refused.
2. Provided an opportunity for educational counseling to the student to determine whether a change in the student's curriculum would resolve the student's truancy, and considered curriculum modifications.
3. Evaluated the student to determine whether learning problems may be a cause of the student's truancy and, if so, taken appropriate action or made appropriate referrals.
4. Conducted an evaluation to determine whether social problems may be a cause of the student's truancy and, if so, taken appropriate action or made appropriate referrals.

Legal Referral

1. Following receipt of evidence that activities under Procedure Toward Legal Referral have been completed, the school attendance officer may make a referral to the county authorities in which the student resides. This will be in accordance with each respective county truancy policy.
2. The school attendance officer may make referrals for prosecution of misdemeanor actions related to school truancy directly to the district attorney's office. Any referral should contain as complete and clear a statement of supporting facts as is possible and identify the author of the referral, telephone number and address at which he/she may be contacted for further information.

- a. Referrals may be made to the district attorney's office for prosecution of children and/or their parents under state law (section 118.15(5)). These referrals must include documentation that the activities required in Procedure Toward Legal Referral above have been completed by the school. In addition, the referral must indicate that the evidence unequivocally shows that the disobedience of the child has not rendered the parent(s), guardian(s), legal custodian(s) or other allegedly responsible party unable to comply with the law. This proceeding may not be pursued against a person with regard to a child who has been sanctioned under Wisconsin's Learnfare law.
- b. Referrals may be made to the district attorney's office for persons contributing to a child's truancy. Any person 18 years of age or older who, by any act or omission, knowingly encourages or contributes to the truancy of a child may be subject to a fine not to exceed \$500, imprisonment not to exceed 30 days, or both. Referrals containing allegations of evidence supporting such a charge may be referred directly to the district attorney's office, reported to local law enforcement agencies for further investigation, or included with information referred to the Department of Human Services in conjunction with other referred matter.

LEGAL REF.: Section 118.15
Section 118.16
Wisconsin Statutes 947.16
2009 Wisconsin Act 41

CROSS REF.: Student Handbooks

APPROVED: July 13, 1989
REVISED: April 9, 1992
APPROVED: May 14, 1992
REVISED: February 9, 1995
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