

MODEL POLICY #19

ATTENDANCE AND NOTICE OF TRUANCY (WISCONSIN)

Why Adopt This Policy?

Across the nation, there has been a trend of growing rates of chronic absenteeism, particularly since the pandemic. States have been addressing this issue, particularly using it as an indicator for the ESSA report card. These policies must be supported at the local district level. Unless student attendance improves, any efforts to address pandemic learning loss will fail. Numerous studies have found that missing significant amounts of school time has a negative effect on student performance.* Given the evidence of extensive learning loss during the pandemic, it is vital that students get back on track by not missing even more school.† While it is important to recognize that school culture can also improve absenteeism rates, this policy sets clear expectations for attendance and parental notice regarding truancy. See also this “Return to Learn” tracker which contains data about chronic absenteeism across the country over time.‡

Policy

This school board policy prioritizes effective parental notification regarding student truancy to ensure collaborative efforts in addressing attendance concerns. Parental notification will adhere to best practices, including timely communication through multiple channels. By fostering transparent communication, we aim to enhance parental engagement and promote student attendance and success.

Definitions: For purposes of this policy, a student is considered “truant” if he or she is absent from school for more than one-third of a day, without an acceptable excuse that has been provided by a parent to the school attendance officer, principal, or teacher, in accordance with absence reporting requirements.

For purposes of this policy, a student is considered “habitually truant” if he or she is absent from school for more than one-third of a day for five or more days of school during any given semester, without an acceptable excuse.

* Michael A. Gottfried (2014) Chronic Absenteeism and Its Effects on Students' Academic and Socioemotional Outcomes, *Journal of Education for Students Placed at Risk (JESPAR)*, 19:2, 53-75, DOI: [10.1080/10824669.2014.962696](https://doi.org/10.1080/10824669.2014.962696)

García, Emma, and Elaine Weiss. “Student Absenteeism: Who Misses School and How Missing School Matters for Performance.” Report, Economic Policy Institute, September 25, 2018, <https://files.epi.org/pdf/152438.pdf>.

† Betebenner, Damian W., and Richard J. Wenning. “Understanding Pandemic Learning Loss and Learning Recovery: The Role of Student Growth & Statewide Testing.” *National Center for the Improvement of Educational Assessment*, January 2021. Available at: <https://files.eric.ed.gov/fulltext/ED611296.pdf>.

‡ <https://www.returntolearnteacher.net/>

School Attendance Officer: The school board shall designate a school employee to be the school attendance officer, if one is not already required by law. This employee shall deal with matters relating to school attendance and truancy. This includes but is not limited to monitoring attendance, communicating with parents, and keeping accurate records of student attendance.

Attendance

All students between the ages of 6 and 18 enrolled in the district are expected to attend school regularly and punctually on a full-time basis.

Teachers in the district must accurately record and report student attendance, including instances of truancy and tardiness, and provide that data to the school attendance officer on a daily basis.

Excused Absences: It is important for parents to communicate with the school regarding their child being absent from school and to provide appropriate documentation when necessary. The following constitute acceptable excuses and are permissible reasons for which students may be absent for part or all of a school day:

1. Religious observance
2. Illness or health-related issues
3. Family emergency
4. Student is out of town for family reasons
5. Medical appointments
6. Unforeseen transportation problems
7. Legal obligations by court order

Parental Notification

When a student is identified as truant, school staff shall notify the parent in writing and by phone, by text message, or in person. This notice shall occur before the end of the school day after receiving a report from a teacher of an unexcused absence. If the staff cannot reach a parent, the school attendance officer may send notification by first class mail. The notice shall include:

1. Notification of truancy; and
2. Either a request for the parent to provide an acceptable excuse for the absence or direction for the parent to return the child to school no later than the next day on which school is in session.

When a student becomes habitually truant, the school attendance officer shall notify the parent by registered or certified mail or by first class mail, and where possible, should also send an electronic communication to the parent simultaneously with the mail. The notice shall include the following:

1. Statement about parental responsibility under state law to ensure that the child attends school regularly.
2. Notice that the parent may request program or curriculum modifications under state law and that the child may be eligible for enrollment in a program for children at risk of not graduating from high school.
3. Request that the parent meet with appropriate school personnel for a discussion about the habitual truancy of the child.

- a. This shall include the name of the school personnel with whom the parent should meet, a date, time, and place for the meeting, and the name and contact information of a person to contact to arrange a different date, time, or place.
- b. The date for the meeting shall be within 5 days after the date that the notice is sent, except that the parent may consent for the date of the meeting to be extended for an additional 5 school days.
4. Statement of penalties under state law that may be imposed on the parent if he or she fails to ensure that the child attends school regularly as required under state law.

For purposes of this policy, the term “parent” includes a legal guardian or other person who is legally responsible for the welfare of the child (such as a grandparent or stepparent with whom the child lives). Rights under this policy transfer from the parents to a student who is 18 years old or emancipated under state law.

Legal Analysis — National

See PL 114-95 (“Every Student Succeeds Act”) (defining chronic absence as missing 10 percent of school days within one academic year for any reason). Chronic absence is different from truancy, which counts only unexcused absences, and average daily attendance, which reports the average number of students who attend school each day.

Legal Analysis — Wisconsin

This policy operates supplementary to any truancy plan policies and truancy plan review policies and applicable state laws and does not replace them. In general, attendance laws vary from state to state and as such, truancy standards will be set by the state government. However, certain federal funding programs dictate attendance record-keeping for local educational agencies. 20 U.S.C. § 7355 (requiring local educational agencies seeking grants under this section to conduct a census each year to determine the number of students in average daily attendance in kindergarten through grade 12 and requiring local educational agencies to submit this information to the Secretary of Education).

Additionally, the Supreme Court of the United States has said that general applicability of state compulsory school attendance statutes is constitutional, so long as they do not impair the free exercise of religion or discriminate against protected groups. *Wisconsin v. Yoder*, 406 U.S. 205, 236 (1972); *Brown v. Bd. of Ed. of Topeka, Shawnee Cnty., Kan.*, 347 U.S. 483 (1954), supplemented sub nom. *Brown v. Bd. of Educ. of Topeka, Kan.*, 349 U.S. 294 (1955).

Wisconsin law governs compulsory school attendance and parental notification regarding truancy. This policy expands upon those requirements to clarify expectations and emphasize timely notice. See Wis. Stat. § 118.15 (compulsory school attendance); Wis. Stat. § 118.153 (children at risk of not graduating from high school); Wis. Stat. § 118.155 (released time for religious instruction); Wis. Stat. § 118.16 (school attendance enforcement); see also Wis. Stat. § 948.45 (criminal statute on contributing to truancy).