

POLICY 5310
STUDENT ATTENDANCE

In accordance with state law, all children who reside within the boundaries of the District and are between six (6) and eighteen (18) years of age must attend school regularly until the end of the term, quarter, or semester in which they become 18 years of age unless:

1. excused for physical or psychological reasons upon the written recommendation of persons designated under state law;
2. excused for reasons outlined in the District's student attendance procedures;
3. excused because of a Board-approved program or curriculum modification;
4. attending an approved private or parochial school or home-based private educational program; or
5. they have graduated from high school.

Legal responsibility for school attendance rests with the parent/guardian or with the student in the event a student is a student not covered by the compulsory attendance laws.

The District shall establish regulations pertaining to attendance, absence, tardiness, and the basis for excused absences. Each principal shall publish and disseminate the regulations to students and parents/guardians.

LEGAL REF.: Wisconsin Statutes

- Sections 118.125 Pupil Records
- 118.15 Compulsory School Attendance
- 118.153 Children at risk
- 118.16 School attendance enforcement
- 118.162 Truancy committee and plan
- 118.165 Private schools
- 118.163 Municipal truancy and school dropout ordinances

- CROSS REF.:
- 5125 Student Records
 - 5250 Admission of Emancipated Minors
 - 5311 Summer School Attendance
 - 5320 Student Attendance Areas
 - 5330 Assignment of Students to Schools
 - 5533.2 Pediculosis Policy
 - 6422 Homebound
 - 6452 Make-Up Work
 - KUSD K-12 Attendance Manual

AFFIRMED: August 13, 1991

REVISED: September 9, 1997
November 11, 1997
August 23, 2005
July 20, 2010

RULE 5310
STUDENT ATTENDANCE

The Executive Director of Educational Accountability is designated as the District attendance officer. The building principal/designee is designated as the school attendance officer.

A. Absence Reporting

1. An excuse from a parent/guardian is required for any student absence from school. For extended or excessive absence because of illness, a statement from a physician, dentist, or other qualified professional may be required.
2. It is the responsibility of the parent/guardian to notify the school during the morning of the day that the student is absent.
3. Students of legal age shall be responsible for providing absence excuses and school notification of such absences themselves.
4. Unusual or frequent absence by a student shall be reported to the principal and/or school attendance officer, and/or the Executive Director of School Leadership.
5. A record of attendance for each student will be kept and will be noted on the permanent record in accordance with established District procedures. Each teacher will keep an accurate daily record of each student's attendance including tardiness, and shall submit a report as directed by the principal. A student sign in log will be maintained by the office staff for those students arriving to school tardy.

B. Types of Absences

1. Excused absences: A student's absence may be excused by the principal/designee for acceptable reasons such as:
 - Personal illness
 - Illness in the immediate family
 - Death of a family member or relative
 - Other reasons of legitimate health or educational benefit to the student
 - Religious Holiday
 - The principal/school attendance officer is designated by the Board to deal with matters relating to school attendance. The principal/school attendance officer has the authority to approve or deny any request to permit a student to be absent and/or leave the building during school hours.

A student will be considered excused if incarcerated temporarily. The parent/guardian or court services worker must notify the school of the reason for the absence and the exact dates of incarceration must be documented.

2. Prearranged Absences: Approval of a request for a prearranged absence may be given in situations such as family, group, or individual activities of significant benefit to the student to warrant absence from school.

RULE 5310
STUDENT ATTENDANCE
PAGE 2

Building principals may approve the prearranged absence of students upon written request from a parent/guardian. Requests for approval of a prearranged absence will be submitted on the form provided by the school office, and will be considered after the necessary details are provided, including reason for the request, evaluative notations by the teachers, signature of the parent/guardian, and other information which may be requested. In emergencies where written request for prearranged absence is not feasible, direct contact should be made with principal/designee if possible. In such cases, a written statement should be provided following the absence in order for it to be considered excused.

Students who receive approval for a prearranged absence will be permitted to complete all school work for full credit and may arrange to do so either prior to or subsequent to the absence. Failure to complete prearranged absence procedure may result in an unexcused absence.

Under state statute 118.15 (3) (c), any child excused in writing by his or her parent or guardian before the absence. The Board shall require a child excused under this paragraph to complete any course work missed during the absence. A child may not be excused for more than 10 days in a school year under this paragraph.

Adult students shall provide their own excuse.

3. **Medical Absences:** Any absence that has been excused by an authorized medical professional that provides specific date (s) and time period in which the student is excused from attending school. Wisconsin State Statute 118.15 (3) (a), states an authorized medical professional is a licensed physician, dentist, chiropractor, optometrist or psychologist or Christian Science practitioner living and residing in this state, who is listed in the Christian Science Journal.
 - Extended absence is any absence that is four or more consecutive days. For extended absences, due to illness, a statement from an authorized medical professional may be required by the principal.
 - Excessive excused absences are ten or more cumulative days of absence, consecutive or non-consecutive within the school year. Principals may require medical documentation for any excessive absence to be excused. If appropriate medical documentation is not provided, the absence will be unexcused. Unexcused absences will be considered truancy.
 - The time period for which any medical certification is valid may not exceed thirty (30) days.
4. **Unexcused Absences:** An unexcused absence means any absence in which either the parent/guardian has not excused the student from school, or the parent/guardian has attempted to excuse the student from school but the attempt excuse does not meet the accepted excused absence criteria. Unexcused absences are considered truant.

RULE 5310
STUDENT ATTENDANCE
PAGE 3

5. Truancy: “Truancy” means 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 such absence by the parent or guardian of the absent pupil, and also means intermittent attendance carried on for the purpose of defeating the intent of the compulsory school attendance law.

If the parent/guardian or adult student does not notify the school during the morning on a day when his/her student is absent, it shall be assumed that the student is truant. Such truancy may be reclassified as an excused absence following investigation of the circumstances.

The school shall notify the parent or guardian of a child who has been truant of the 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 shall be given before the end of the 2nd school day after receiving a report of an unexcused absence. The notice may be made by personal contact, mail or telephone call of which a written record is kept, except that notice by personal contact or telephone call shall be attempted before notice by mail may be given.

The principal shall notify the Executive Director of School Leadership of names of students absent without cause. The Executive Director of School Leadership will determine the follow-up.

In those instances where the building principal/designee determines that court proceedings may be necessary because of violations of Wisconsin Statutes governing attendance, the Executive Director of School Leadership/designee will ascertain that during the school semester in which the truancy occurred appropriate District personnel have taken the appropriate actions for a court referral.

6. Habitual Truancy: Students who miss part or all of five (5) or more days within a semester, without an acceptable excuse will be considered habitually truant. School officials will initiate District truancy procedures for those students identified as habitually truant. School officials will meet with parents/guardians, develop an intervention plan, evaluate the educational learning status of the student and recommend appropriate interventions. Legal action including referral to Kenosha County Juvenile Court and/or City of Kenosha or Village of Pleasant Prairie Municipal Courts may be considered.

RULE 5310
STUDENT ATTENDANCE
PAGE 4

The school attendance officer shall notify the parent or guardian of a child who is habitually truant, by registered or certified mail, when the child initially becomes habitually truant. The notice shall include the following:

- a. A statement of the parent's or guardian's responsibility, under s. 118.15 (1) (a) Wis. Stats., 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 under s. 118.15 (1) (d). Wis. Stats., and that the child may be eligible for enrollment in a program for children at risk under s. 118.153 (3), Wis. Stats.
- c. A request that the parent or guardian meet with 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, or place. The date for the meeting shall be within five (5) school days after the date that the notice is sent, except that with the consent of the child's parent or guardian the date for the meeting may be extended for an additional five (5) school days.
- d. A statement of penalties, under s. 118.15 (5), Wis. Stats. that may be imposed on the parent or guardian if he or she fails to cause the child to attend school regularly as required by ss. 118.15 (1) (a) and (am), Wis. Stats.

7. Tardiness

- a. Tardy to School: The principal/designee will decide if the reason for being tardy is valid. If the reason is judged to be invalid, appropriate remedial action will be taken. After repeated offenses the student's parent/guardian will be notified by phone and/or in writing to alert them to the problem. Habitual chronic tardiness, as determined by school attendance officer/principal, may be handled according to the same procedure as habitual truancy.
- b. Tardy to Class: The teacher will determine the validity of the reason for the delay to class. If the reason is judged to be invalid, the teacher will admit the student to class and take remedial action to prevent the tardiness in the future, i.e., conference with student, detention after school, phone call to parent/guardian, etc. Should these techniques fail to solve the problem, the student may be sent to the office with a written referral form, and the principal/designee will take appropriate remedial action.

8. Student Suspension: A suspended student shall not be denied the opportunity to take any quarterly, semester, or grading period examinations or to complete course work missed during the suspension period.

RULE 5310
STUDENT ATTENDANCE
PAGE 5

For students who receive an in-school suspension, classroom work will be assigned by the student's teachers to be completed during in-school suspension. Credit will be given for work completed. Students failing to complete assigned work may have their in-school suspension time extended.

Following an out-of-school-suspension a the classroom teacher and student will have the responsibility, within the number of days equal to the length of the suspension, to develop a plan for making up any missed work, quizzes, examinations or equivalent work as determined by the teacher for full credit. If the agreed upon plan is not completed, the late work policy will be implemented.

- C. **Make-Up Work:** Students who are found to be truant will be permitted to make up school work and receive full credit. Upon returning to school following any type of absence including truancy, the classroom teacher/school designee and student will have the responsibility to make arrangements to develop a plan for making up any missed work, quizzes or examinations for full credit. A detention system may be established for a truant student's completion of assignments and exams.
- D. **Responsibilities for Attendance**
1. **Parent/Guardian Responsibility**
For all student absences from school, the student's parent/guardians are:
 - a. Legally responsible to ensure their child attends school.
 - b. Parents/guardians are required to notify the school office on the morning of the absence and provide a reason for the student's absence.
 - c. To encourage and support regular school attendance.
 2. **Student Responsibility**
 - a. Students are required to attend all of their scheduled classes, study halls and lunch periods.
 - b. Students that are approved to leave are required to sign in and out.
 - c. Students are expected to meet with their teachers and develop a plan to complete make-up work.
 - d. Students are ultimately responsible for completing missed school/home work.
 3. **Teacher Responsibility**
 - a. Teachers are required to emphasize the importance and necessity of good attendance.
 - b. Teachers are required by law to take daily attendance.
 - c. Teachers may participate in Student Intervention team Meetings regarding attendance.
 - d. Teachers are expected to meet with their students and develop a plan to complete any necessary make-up work.

RULE 5310
STUDENT ATTENDANCE
PAGE 6

4. Student Support Responsibility
 - a. Student Support personnel are required to emphasize the importance and necessity of good attendance.
 - b. Student Support personnel, in conjunction with other building staff (eg. Student intervention Team members, teachers, deans and administrators) are to develop appropriate attendance improvement intervention plans for students.
 - c. Student Support personnel are required to coordinate, participate and evaluate the educational, emotional and behavioral status of identified habitual truant students.

5. Principal/Designee Responsibility
 - a. Principals are identified as the school attendance officer.
 - b. Principals are responsible for distribution and enforcement of the compulsory school attendance law policy and procedures.
 - c. Principals shall maintain office records for all excused and unexcused absences.
 - d. The principal has the authority to approve or deny any request to permit a student to be absent and/or leave the building during school hours.
 - e. Principals are responsible for implementing and coordinating an Attendance Review Team.
 - f. Principals are authorized to update/correct attendance records as necessary throughout the school year.

6. District Responsibility
 - a. The District has a responsibility to emphasize the importance of regular school attendance to students, parents/guardians, employers and the community.
 - b. The District shall promote activities within the school that enhance attendance. This will be done by:
 - 1) Displaying the attendance policy, state compulsory attendance law and county ordinances.
 - 2) Recognizing students for good attendance.
 - 3) Reviewing the truancy plan and procedures during faculty in-service and student assemblies or homerooms.
 - c. The District shall promote activities that increase the community awareness of school attendance issues and policies.
 - d. The District shall promote parent/guardian-school communication in adhering to the attendance policy and procedures.
 - e. The District shall once every two years, convene to review and, if appropriate, revise the truancy plan.

E. Return of a Truant Student to School

- a. When a student returns to school after truancy, school personnel shall welcome the student back to school. All truants, whether occasional or habitual need attention. The degree of attention may vary, however, depending upon the age of the student and the pattern of the truancy.

RULE 5310
STUDENT ATTENDANCE
PAGE 7

- b. Evaluations and interventions for students returning to school may include:
 - Assessment of factors contributing to truancy
 - Discussion of alternative educational options and limitations
 - Community referral considerations

- c. Development of a plan for consequences to truancy
 - Counseling guided re-entry to classes/programs
 - Structured work experience programs
 - Discussion with student, parents and school officials regarding their commitment and responsibility to assist in return to regular programming
 - Follow-up on obligations of students and parents/guardians regarding attendance (commitment to joint cooperation)
 - Student Intervention Team referral
 - Counseling
 - Consideration of potential eligibility for special education or 504 evaluation

F. Procedures toward Legal Referral

Before any proceeding may be brought against a student for habitual truancy or against his/her parent/guardian for failure to cause the student to attend school regularly, the school attendance officer must provide evidence that appropriate school personnel have, within the school year during which the truancy occurred, done the following:

1. Met with the student's parent/guardian to discuss the student's truancy or attempted to meet with the student's parent/guardian and received no response or were refused. School officials shall notify the parent/guardian of the student who is habitually truant by certified mail when the student initially becomes a habitual truant.
2. Provided to the student an opportunity for educational counseling to determine whether a change in the student's curriculum would resolve the student's truancy, and have considered curriculum modifications possible within the current program.
3. Evaluated the student to determine whether learning/emotional problems maybe a cause of the student's truancy and if so, have taken steps to overcome the learning/emotional problems. The student need not be evaluated if tests administered to the student within the previous year indicate that the student is performing at his/her grade level.
4. Conducted an evaluation to determine whether social problems may be a cause of the student's truancy and, if so, took appropriate action or made appropriate referrals to community agencies.

G. Program or Curriculum Modifications

1. Any District Student

- a. Any student's parent/guardian or the student with parent/guardian permission, may request program or curriculum modifications. Program or curriculum modifications may include the following
 - 1) Modifications within the student'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 District;
 - 4) Enrollment in any nonsectarian private school or program located in the District which complies with federal nondiscrimination requirements;
 - 5) Home bound 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 outside the District.
- b. Requests for program or curriculum modifications should be initiated at the building or department level. Decisions on such requests shall be subject to review by the Superintendent/designee upon written request of the parent/guardian.
- c. Upon the request of a student's parent/guardian, any decision made in response to a request for program or curriculum modifications shall be reviewed by the Board. The Board shall render its determination in writing if so requested by the parent/guardian.

H. Children At Risk 16 Years of Age or Older Students

Under s118.153 (1)(b), Wis. Stats. Student's who are 16 years of age or older and meet the statutory definition of being a child at risk under s118.153 (1)(a). Wis. Stats. may take classes at the a technical college leading toward high school graduation

Under s118.153 (1) Wis. Stats., children at risk means pupils in grades 5 to 12 who are at risk of not graduating from high school because they are dropouts, or are 2 or more of the following:

- a. one of more years behind their age group in the number of high school credits attained;
- b. two or more years behind their age group in basic skill levels;
- c. habitual truants
- d. parents

RULE 5310
STUDENT ATTENDANCE
PAGE 9

- e. adjudicated delinquents;
- f. 8th grade pupils whose score in each subject area on the examination administered under s.118.30 (1m)(am)1. was below the basic level, 8th grade pupils who failed the examination under s.118.30 (1m)(am) 2., and 8th grade pupils who failed to be promoted to the 9th grade.

Under s.118.15 (1)(c) Wis. Stats., a child who is 16 years of age or older and who does not meet the statutory definition of being at risk, with the written permission of his/her parent or guardian, may request to attend the technical college to take classes leading to high school graduation. The School Board is not required to grant this request.

Under s.118.15 (1)(cm) 1, Wis. Stats., if a child who is 17 years of age or older, and who began a program leading to a high school equivalency diploma (HSED) while in a secured correctional facility, a secured child care institution, a secure detention facility, or juvenile portion of the county jail, with the approval of his/her parent or guardian, requests to finish the program at the technical college, the School Board is required to grant this request and enter into the written agreement with the technical college.

A high school student with a disability who is at least 17 years of age cannot be denied access to an HSED program because of his or her disability. The Individual Education Program (IEP) team determines which education program is appropriate to meet the needs of the student through the development of an Individual Educational Program. The IEP team must consider program modifications and support for school personnel. In addition, the IEP team must consider special factors when developing the individual education program which include behavior, limited

English proficiency, Braille, communication needs and assistive technology. If an IEP team determines that a 17 year old student's needs are best met through a HSED program, then the school district must enter into a contract agreement for such services.

ORDINANCE NO. 50-04

TO CREATE SECTION 11.032 OF THE CODE OF GENERAL ORDINANCES,
ENTITLED

‘TRUANCY’

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: Section 11.032 of the code of General Ordinances for the City of Kenosha, Wisconsin, is hereby created as follows:

11.032 TRUANCY

Pursuant to Section 118.163, Wisconsin Statutes, as may be amended from time to time, any person under the age of 18 years of age found to be a habitual truant as that term is defined under Section 118.15, Wisconsin Statutes, shall be subject to any of the following dispositions which are deemed to be available to the Municipal Court.

1. Suspension of the person’s operating privileges for not less than thirty (30) days, nor more than one (1) year. The Court shall immediately take possession of any suspended license and forward it to the Department of Transportation, together with a notice stating the reason for and the duration of the suspension.
2. An order for the person to participate in counseling or a supervised work program or other community service work as described in Section 938.34(5g), Wisconsin Statutes. The costs of any such counseling, supervised work program or other community service work may be assessed against the person, the parents, or the guardian of the person, or both.
3. An order for the person to remain at home except during hours in which the person is attending religious worship or a school program, including travel time required to get to and from the school program or place of worship. The order may permit a person to leave his or her home if the person is accompanied by a parent or guardian.
4. An order for the person to attend an educational program as described in Section 938.342(1g)(f), Wisconsin Statutes.
5. An order for the Department of Workforce Development to revoke, under Section 103.72, Wisconsin Statutes, a permit issued under Section 103.70, Wisconsin Statutes, authorizing the employment of the person.
6. An order for the person to be placed in a teen court program as described in Section 938.342 (1g)(f), Wisconsin Statutes.
7. An order for the person to attend school.
8. A forfeiture of not more than Five Hundred (\$500.00) Dollars, plus costs, subject to Section 938.37, Wisconsin Statutes. All or part of the forfeiture, plus costs, may be assessed against the person, the parents or guardians of the person, or both.

RULE 5310
STUDENT ATTENDANCE
PAGE 11

9. Any other reasonable conditions consistent with subsection 118.163(2), Wisconsin Statutes, including a curfew, restrictions as to going to or remaining on s specified premises, and restrictions on associating with other children or adult.
10. An order for the person under formal or informal supervision, as described in Section 938.42(2), Wisconsin Statutes, for up to one (1) year.
11. An order for the person's parent, guardian or legal custodian to participate in counseling at the parent's, guardian's or legal custodian's own expenses, or to attend school with the person, or both.
12. An order for the person to report to a youth report center after school, in the evening, on weekends, on other non-school days, or at any other time that the person is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center as described in Section 938.342 (1g)(k), Wisconsin Statutes.