
AMY BINSFELD

STATE REPRESENTATIVE • 27TH ASSEMBLY DISTRICT

Testimony before the Assembly Committee on Education

Representative Amy Binsfeld

February 7, 2024

Chairman Kitchens and esteemed members of the Education Committee,

Thank you for the opportunity to provide testimony in support Assembly Bill 1026, which relates to prohibiting grade promotion on the basis of absences from school.

Assembly Bill 1026 proposes a reasonable and necessary measure to address the issue of chronic absenteeism among students. By prohibiting the promotion of students who have been absent for more than the equivalent of 30 full days of school during the academic year, the bill sends a clear message that consistent attendance is fundamental to academic achievement.

Truancy has serious consequences for students' educational outcomes. Research consistently shows that students who miss significant amounts of school are at a higher risk of falling behind academically, disengaging from school, and ultimately dropping out. By implementing a policy that sets a reasonable limit on absences for grade promotion, AB 1026 aims to intervene early and prevent these negative outcomes.

The bill provides flexibility by exempting absences that fall under certain circumstances (s.118.15 (3)), such as illness or participation in civic duties like serving as an election official. This ensures that students facing legitimate barriers to attendance are not unfairly penalized.

Assembly Bill 1026 also mandates that each school entity adopt a written policy for grade promotion by July 1, 2025. This requirement will promote consistency and transparency across schools, ensuring that all students are held to the same standard when it comes to attendance and grade progression.

Thank you for taking the time to listen to my testimony and I am happy to answer any questions you may have.



DUEY STROEBEL

STATE SENATOR • 20TH DISTRICT

Testimony on AB 1026

February 7, 2024

Thank you Chairman Kitchens and committee members for holding today's public hearing on Assembly Bill 1026, a proposal I authored with Representative Binsfeld that was informed by the findings of the Speaker's Task Force on Truancy.

Specifically, the bill would prohibit school boards, choice schools and independent charter schools from promoting a student to the next grade if the student was absent for more than 30 full days of school during a school year. This requirement would first apply to the 2025-26 school year. Absences allowed under the compulsory school attendance law would not be counted for the purpose of the bill's requirement. Each school board, choice school and independent charter school would need to adopt a written policy on grade promotion by July 2025 that comports with the bill's requirement.

Since the onset of the COVID-19 pandemic, there has been a troubling trend both in Wisconsin and across the country of rising absenteeism in K-12 schools. The Department of Public Instruction's data shows that chronic absenteeism remained relatively stable until the 2020-21 school year, and dramatically increased to approximately 23% for the 2021-22 school year. A child's intellectual and social development is contingent on being regularly present in the classroom. This self-evident truth has been made more apparent in light of the significant learning loss that students experienced after a prolonged period of remote learning.

While Wisconsin's truancy statutes contain mechanisms for enforcing the compulsory attendance law, research has shown that charges and convictions are quite rare. While there are several demographic and school-level factors that contribute to chronic absenteeism, there has been a lack of consistent enforcement of existing mechanisms designed to ensure children are regularly in the classroom. AB 1026 would help to restore accountability by creating a clear and reasonable attendance threshold that would apply to K-12 students statewide. Thank you for your consideration of AB 1026.



February 7, 2024

Assembly Committee on Education

**Department of Public Instruction Testimony
2023 Assembly Bills 1024, 1025, 1026, 1027, 1028, and 1029**

Thank you, Chairman Kitchens and members of the committee, for the opportunity to testify on the legislation proposed by the Assembly Speaker's Taskforce on Truancy.

The Department of Public Instruction (DPI) is appreciative of the attention and policy proposals before the committee related to truancy. While we oppose most of what is before the committee today, we are optimistic that an ongoing conversation with policymakers will result in solutions that will benefit kids. Wisconsin, like states across the nation, is attempting to re-engage learners and families and make sure they attend school regularly.

Wisconsin is entering the challenge of student and family engagement from a position of deficit when compared to other states. During the pandemic, many states leveraged pandemic relief dollars to test and explore evidence-based strategies to draw learners back to school. By contrast, Wisconsin used a small portion of its state set-aside to contract with the Graduation Alliance to provide counseling and services to encourage families to re-enroll. While using Graduation Alliance proved to be a smart strategy, those funds are set to expire this Fall, and the service covers learners who disenroll – the deepest end of the continuum related to interventions related to attendance.

Before addressing the individual bills, the department wants to draw attention to the national trend related to using chronic absenteeism in place of truancy. The 2015 Every Student Succeeds Act (ESSA) altered state activities and data collections around truancy by asking states to focus on chronic absenteeism and ending the requirements that states report truancy to the federal government. Chronic absenteeism is strictly defined as missing instruction, where truancy focuses on whether a learner has an excuse for missing instruction. Many districts across Wisconsin are attempting to tackle their chronic absenteeism rates by leveraging strategies that focus on engagement and removing barriers to receiving instruction. There is an overlap between truancy and chronic absenteeism, and they also measure distinctly different things.

The department is providing testimony for information only on AB 1027 and 1028, the truancy grant program and enabling language. DPI is supportive of the intent of these bills and believes additional funding is needed to address student engagement issues. The need is far greater than a \$2 million, one-time grant that supports a single staff position within a district.

The department is opposed to AB 1024, the proposal to provide notification to parents of students experiencing truancy regarding special education services. We are open to an ongoing conversation

about how to improve notification and believe the eventual outcome of this bill will lead to better policy development. While this legislation targets one underlying factor which can contribute to truancy through notification changes, it does not consider a number of other factors known to be barriers to student engagement (transportation, the child or a family member's mental health challenges, substance abuse, economic instability and/or homelessness) DPI is concerned that focusing on disability status alone misses the opportunity to provide outreach to families who may be facing the other challenges that contribute to a child's truancy. It also may have an unintended outcome of families assuming that truancy is a condition of receiving special education services from their local districts.

The department opposes AB 1025, creating a uniform definition of truancy. We support the intent of the authors to create a statewide, clear definition of truancy. However, additional time and input is needed to ensure implementation is possible without adverse impacts to local communities and policies. The issue deserves additional time and input from all the impacted parties, as well as a longer implementation period to ensure proper services are in place to support the systems that will be impacted by using a more stringent definition of truancy.

The department opposes AB 1026, which requires retention of pupils based on truancy rates. Mandatory retention is not an evidence-based solution to attendance issues and increases the likelihood of dropouts. DPI can find no evidence of retention based on truancy alone across the nation, nor can it find any supporting evidence that the strategy will improve student outcomes. In fact, according to a recent [American Institutes of Research national scan of state attendance policies \(2023\)](#), state activities are trending toward diversion and juvenile justice reform, along with a combination of prevention strategies to intervene and remove barriers families face.

Finally, the department opposes AB 1029, requiring the publication of truancy rates on school and district report cards. DPI already includes chronic absenteeism as a part of its report card system. As discussed earlier, the state followed national trends in ending its focus on truancy, meaning we would need to begin collecting truancy data again, which would take time to implement. The 2024-25 timeframe cannot be met. We are also concerned that reporting on two closely related measures may cause confusion for schools, families, and communities.

We appreciate the ability to engage with committee members on the policies before you today, and hope these bills spur additional conversation to tackle the significant issues we agree need attention. There are far too many technical and implementation issues left in these bills that require time and energy to solve. We encourage this committee to take the additional time to get this right for the kids and communities you collectively serve.

If you have questions or want additional information, please contact Kevyn Radcliffe, Legislative Liaison, at kevyn.radcliffe@dpi.wi.gov or (608) 264-6716.