



Compulsory School Attendance

Prepared by: Katie Bender-Olson, Principal Attorney, and Emily Hicks, Staff Attorney

State law requires parents to have their students “attend school regularly,” unless the parent provides an acceptable excuse.¹ A student who misses a certain amount of school without an acceptable excuse is deemed “truant” or “habitually truant,” and schools must take certain actions to notify parents and guardians (hereinafter, “parents”). School boards have considerable discretion to determine what constitutes an acceptable excuse for missing school.

DEFINITIONS OF TRUANCY AND HABITUAL TRUANCY

A student is “truant” if he or she misses part or all of one or more days of school without notifying the school of an acceptable excuse. A student is a “habitual truant” if he or she misses part or all of five or more days during one semester without an acceptable excuse.²

Acceptable excuses for missing school include:

- **Excuses Specified in School Policy.** The absence is for a reason deemed acceptable under the school board’s written attendance policy.³
- **Advance Parental Excuse in Writing.** The parent excuses the student in writing before the absence, not to exceed 10 days in a school year.⁴
- **Temporary Illness.** The student is temporarily not in physical or mental condition to attend school, but is expected to return when the condition or illness abates. The excuse must be in writing and cannot exceed 30 days. The school may request a written statement from a medical practitioner.⁵
- **Teen Serving as Poll Worker.** A student’s parent and the principal of the student’s school excuse the student to serve as a poll worker.⁶

State law does not specify what amount of time constitutes “part of a day.” As a result, individual school districts decide how much of a school day a student may miss before the student is considered truant or habitually truant. One district may consider “part of a day” to be 15 minutes, while another may consider it to be a half day. The definition of “part of a day” is typically contained in the school district’s written attendance policy, which every public school is required to have and provide to students.⁷

PARENTAL NOTIFICATION REQUIREMENTS

Under state law, when a student is truant or habitually truant, the school district must take certain steps to notify the student’s parents.

Truant Students

If a student is truant, the school must: (1) notify the parents by electronic communication, personal contact, first class mail, or phone; and (2) direct the parent to return the student by the following day or provide an acceptable excuse.⁸

Habitually Truant Students

If a student is habitually truant, the school must notify the parents by registered, certified, or first class mail, as well as by electronic communication. The notice must: (1) inform parents about their responsibility to have the student attend, and about the option to request program or curriculum modifications; (2) request that the parents meet with school personnel to discuss the student’s truancy,

and include a date, time, and place for the meeting; and (3) state the penalties a parent may potentially face for failing to have the student attend school regularly.⁹

TRUANCY REFERRALS

A school may make a truancy referral to a juvenile court or municipal court under certain circumstances. Before making such a referral, the school must provide evidence that the school met with or attempted to meet with the parents, provided an opportunity for education counseling and curriculum modifications for the student, evaluated the student for learning or social problems that may be causing the truancy, and has taken appropriate action to address those problems.¹⁰

A juvenile court or municipal court may impose a variety of consequences on a habitually truant student, including counseling, community service, suspension of the student's driver's license, or a forfeiture of up to \$500. Parents of a habitually truant student may also face criminal or civil penalties, such as fines, imprisonment, or community service.¹¹

SCHOOL DISTRICT TRUANCY PLANS

Under current law, every school board must adopt a truancy plan that includes all of the following:

- Procedures to be followed for notifying the parents or guardians of the unexcused absences of habitual truants and for meeting and conferring with such parents or guardians.
- Plans and procedures for identifying truant children and returning them to school.
- Methods to increase and maintain public awareness of and involvement in responding to truancy within the school district.
- The immediate response to be made by school personnel when a truant child is returned to school.
- The types of truancy cases to be referred to the District Attorney (DA) and the time periods within which the DA will respond to and act on referrals.
- Plans and procedures to coordinate the responses to the problems of habitual truants with public and private social services agencies.
- Methods to involve the truant child's parent or guardian in dealing with and solving the child's truancy problem.¹²

School boards must review these truancy plans and revise them, if appropriate, every two years. In addition to these plans, each county must convene a truancy committee every four years to review and make recommendations to the school boards of all of the school districts located in the county on revisions to the districts' plans.¹³

¹ s. [118.15\(1\)\(a\)](#) and [\(am\)](#), Stats.

² s. [118.16\(1\)\(c\)](#) and [\(a\)](#), Stats.

³ s. [118.15\(3\)\(b\)](#), Stats.

⁴ s. [118.15\(3\)\(c\)](#), Stats.

⁵ s. [118.15\(3\)\(a\)](#), Stats.

⁶ s. [118.15\(3\)\(d\)](#), Stats. To be excused to serve as a poll worker, a student must be: (a) 16 or 17 years old; (b) enrolled in grades 9-12 in a public, private, home, or tribal school; and (c) have at least a 3.0 grade point average.

⁷ s. [118.16\(4\)\(a\)](#) and [\(d\)](#), Stats.

⁸ s. [118.16\(2\)\(c\)](#), Stats.

⁹ s. [118.16\(2\)\(cg\)](#), Stats. The required meeting must occur within five school days of the notice, except that with the parent's consent, the meeting may be extended for an additional five school days.

¹⁰ s. [118.16\(5\)](#), Stats.

¹¹ ss. [118.15\(5\)\(am\)](#), [118.16\(2\)](#), and [938.342\(1g\)](#), Stats. For a first offense, the parent can be penalized by a fine of not more than \$500 or imprisonment for not more than 30 days or both. For a second or subsequent offense, the parent can be penalized by a fine of not more than \$1,000 or imprisonment for not more than 90 days or both. The court may order community service work in lieu of these penalties. [s. [118.15\(5\)\(a\)](#), Stats.]

¹² s. [118.162\(4\)](#), Stats.

¹³ s. [118.162\(1\)](#) and [\(4m\)](#), Stats.