

**ADMINISTRATIVE PROCEDURES OF THE  
MILWAUKEE PUBLIC SCHOOLS**

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**ADMINISTRATIVE PROCEDURE 8.14  
T R U A N C Y   P L A N**

**(1) LEVEL ONE**

**(a) Identifying Truant Students**

1. State law defines *truancy* as “any absence of part or all of one or more days from school when the parent or guardian has not notified the school of a legal excuse for the student’s absence” (see Administrative Policy 8.13).

2. State law defines *habitual truancy* as any absence from school without a legal excuse for part or all of five or more days on which school is held during a school semester.

3. Truancy includes intermittent attendance carried on for the purposes of defeating the intent of the compulsory school attendance law, such as unexcused morning or afternoon absences.

4. The school shall develop detailed attendance reports on student absences. Each building principal shall identify a local school attendance officer. All student absences shall be reported daily to the local school attendance officer. In the event the student absence is not an excused absence, the student’s parent(s) or guardian(s) shall be notified as required by state statute and MPS policy.

**(b) Parental Notification**

1. Before the end of the second school day after receiving a report of an unexcused absence, the school shall notify the parent(s) or guardian(s) of a student who is truant from school. Notification may be made by personal contact, mail, or telephone call.

a. Notice by personal contact or telephone call must be attempted before notice by mail or electronic communication is given.

b. A written record of telephone calls or electronic communication shall be kept by the school.

2. Parents or guardians shall be notified to return the student to regular school attendance and to provide an excuse for the absence(s). The student’s attendance record should be updated (excused or unexcused) to reflect the actual reason for the absence.

3. Schools must make concerted efforts to intervene with students and their families prior to the students’ being identified as habitual truants. Schools must identify staff members who are responsible for interventions intervening prior to the sending of the five-day habitual-truancy letter.

4. When the student has accumulated five (5) unexcused absences within the school semester, the principal or designee shall mail a habitual-truancy letter by certified or first-class mail. Notification may also be simultaneously made by an electronic communication such as email or text message to the parent(s) or guardian(s) of a student who is a habitual truant. The letter shall:

a. be sent by certified or first class mail. The parent/guardian can also be simultaneously notified by an electronic communication;

b. include a statement of the parent’s or guardian’s responsibility under Wis. Stat., § 118.15(1)(a) to cause the child to attend school regularly;

c. include a statement that the parent, guardian, or child may request programmatic or curricular modifications for the child under Wis. Stat., § 118.15(1)(d) and that the child may be eligible for enrollment in a program for children at risk under Wis. Stat., § 118.153(3);

d. request that the parent(s) or guardian(s) meet with school personnel within five (5) school days of the date of the letter to discuss the student’s truancy. The date for the meeting may be extended for an additional five days, with the consent of the parent or guardian;

- e. 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 within ten (10) days of the date that the habitual truancy notice was sent; and
- f. include a statement of the penalties that may be imposed on the parent or guardian under Wis. Stat., § 118.15(5) if he or she fails to cause the child to attend school regularly as required under Wis. Stat., § 118.15(1)(a).

The habitual-truancy letter is required to be sent only once per academic year.

5. The district shall maintain an electronic record of the habitual-truancy letter in the student database, which shall contain the name(s) of the school staff who made contacts with the parents or guardians before the mailing of the letter, the date of the proposed conference, and the date of the habitual-truancy letter.

6. If the school has not scheduled the habitual-truancy meeting with the parent or guardian within (5) five days after the date that the notice was sent or, with the consent of the parent or guardian, within (10) ten days after the date that the notice was sent, any subsequent legal referrals regarding the student's truancy cannot be made, per Wis. Stat., § 118.16(2)(cg)(3) and § 118.16(5)(a).

7. If the certified or first-class habitual-truancy letter is returned to the school unclaimed by the parent or guardian, the school must make diligent efforts to notify the parent or guardian by alternative means, including, but not limited to:

- a. electronic communication such as email or text message;
- b. telephone attempts (including attempts to locate parent by calling emergency contacts on file with the school);
- c. a notice sent with the student to the student's current place of residence, if deemed appropriate; or
- d. a visit to the home or student's current place of residence by designated school staff.

8. If the parent or guardian does not attend the scheduled habitual-truancy meeting within (10) school days after the letter is sent, the school shall implement the process for student evaluation and services as detailed in the district's truancy plan, per Wis. Stat., § 118.16(5).

### **(c) Disputing Student Truancy**

A parent or guardian who disagrees that his/her child's absence constitutes truancy (unexcused absence) should request a meeting with the building principal or designee within five (5) days of notification of the disputed truancy (unexcused absence). The purpose of the meeting is to discuss the reason for determination that the absence was truancy.

### **(d) Universal Attendance Practice**

School staff should engage in best practices for all students around attendance and truancy. Refer to Administrative Policy 8.14(5). Schools are required to identify staff that will be responsible for contacting parents regarding unexcused absences prior to the mailing of the habitual-truancy letter.

## **(2) LEVEL TWO**

### **(a) Resolving the Truancy Problem**

1. If the student's truancy level is not resolved after the habitual truancy conference has taken place, or if the scheduled conference was unsuccessful, additional supports and services shall be provided.

2. The building principal or designee will initiate and document referrals for student evaluation and services. Referrals and/or contacts may be made to:

- a. school-based supportive services and programs, such as the building intervention team and school counseling services;

- b. community-based supportive services and programs, such as wrap-around programs, juvenile probation/parole, and child welfare agencies.
3. The school social worker will intervene appropriately if the student accumulates eight or more absences in the school year.
4. Central Services shall mail a Level-2 Truancy letter to the parent(s) or guardian(s) of a student who is a habitual truant when the child has accumulated fifteen (15) unexcused absences within the school year.

**(b) Guidelines for Returning Habitual Truants**

1. Schools must develop re-entry plans for returning habitual truants and involve support personnel in developing the plan.
2. All returning habitual truants and their parents or guardians should report to the attendance officer of the school. It will be the responsibility of the school to make certain that the student is properly programmed for re-entry. This may include:
  - a. referral to the building intervention team for determination of needed support;
  - b. referral to at-risk program;
  - c. referral to school counselor
  - d. referral to school social worker, school psychologist, or other appropriate personnel or special programs;
  - e. referral to school tutorial programs;
  - f. provisions for supervised study;
  - g. provisions for regular program.
3. It is expected that the school shall maintain ongoing contact with the home while closely monitoring the returning student's adjustment. It will be necessary for the school to monitor the following indicators to determine the student's readjustment to school:
  - a. attendance records;
  - b. report cards/progress reports;
  - c. school performance;
  - d. social interaction;
  - e. discipline referrals.
4. A variety of available options and services available shall be offered at the school to return the student to regular student attendance. These options and services may include:
  - a. changes in the student's program;
  - b. educational counseling and curricular modifications;
  - c. special needs evaluation for social, emotional, or learning problems;
  - d. referrals to school-based interventions, supportive services, and community-based supportive services.
5. Reinstatement procedures for the student returning to regular school attendance should be developed and implemented.
6. Follow-up meetings with the parent(s)/guardian(s) should be scheduled in order to involve them in monitoring the student's progress after the truant student has returned to regular school attendance;

**(3) LEVEL THREE**

**(a) Preparation for Legal Referrals**

Before a legal referral to Truancy Abatement and Burglary Suppression (TABS) or the District Attorney may be made, the building principal or designee must provide evidence that the following procedures have been implemented or attempted (note: A referral to TABS must precede a referral to the District Attorney):

1. a habitual-truancy letter (certified or via first class mail) was sent after five (5) days of unexcused absence within the school semester;
2. a meeting was scheduled with the parent(s)/guardian(s) to resolve the student's truancy;
3. supports and services were provided and documented as described in Level Two.

**(b) Legal Referrals**

*1. Truancy Abatement and Burglary Suppression Program (TABS) Referral Process*

- a. The school must generate a Truancy Abatement and Burglary Suppression (TABS) referral when the child has accumulated twenty-five (25) unexcused absences within the school year (a referral may be made prior to 25 unexcused absences if necessary).
- b. The MPS social worker at the TABS office will review the referral and ensure that the referral is appropriate and that supporting documentation exists.
- c. TABS may issue a warning letter and/or forward to the Milwaukee Police Department (MPD).
  - i. If forwarding to the MPD, the MPS social worker at TABS will ensure that the appropriate release forms are acquired by the referring school principal for the release of attendance information to the MPD.
  - ii. The principal of the school will sign the attendance release and send it back to the TABS office, releasing the attendance records of the student to MPD for citation issuance.
  - iv. The MPD may provide further intervention and/or may issue a municipal citation per City of Milwaukee ordinance to the student, parent, or both, depending on the supporting documentation.
  - v. If issued a municipal citation, the parent and/or student will be provided an initial court date on the citation.
  - vi. Court advocacy and support will be available through the TABS office and/or the school social worker, if the student's truancy issues are resolved by the court date.

*2. District Attorney Referral Process*

- a. The building principal or designee shall initiate a referral for all students age 6 (by the first day of the school year) until the child reaches age 14 and, at the school's discretion, for a student over age 14 when the child has accumulated 35 unexcused absences (however, a referral may be made prior to 35 unexcused absences if necessary) to the district/court liaison by completing the district attorney referral form with all supporting documentation of the school's attempts to resolve the truancy.
- b. The district attorney referral form shall be submitted to the district/court liaison.
- c. The district/court liaison shall schedule an initial hearing with the district attorney's office. At the hearing, the parent(s)/guardian(s) and the truant student shall meet with the district attorney and the district/court liaison.
- d. The district attorney shall determine whether to continue meeting with the parents/guardians and the student, to drop the case, or to issue a criminal complaint against the parent(s)/guardian(s).
- e. The district/court liaison shall enter into the district student database a hearing disposition following each meeting with the district attorney.
- f. Legal referrals to the district attorney can take up to two semesters to resolve, either in the issuance of a criminal complaint or in the discontinuation of legal action after the student has returned to regular attendance.
- g. If a meeting is held that results in a return to a regular pattern of attendance, the building principal or designee may suspend referral to the district attorney. A referral is suggested in those

situations in which truanancies are continuing to be recorded in spite of a parent/school meeting and multiple interventions having taken place.

- h. Penalties for the violation of Wis. Stat., § 118.15, may include the following:
  - (1) for the first offense, a fine of not more than \$500, or imprisonment for not more than 30 days, or both;
  - (2) for a second or subsequent offense, a fine of not more than \$1,000, or imprisonment for not more than 90 days, or both;
  - (3) performance of community-service work for a public agency or a non-profit charitable organization;
  - (4) participation of parent or guardian in counseling at the parent/guardian’s expense, or attendance at school with the child (Wis. Stat., § 118.15(5)).

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**Legal Ref.:** W.S. Chapters 118.15(1)(a), 118.15(1)(d), 118.15(5), 118.16(4)(c), 118.153(3)  
**Cross Ref.:** Admin. Policy 8.13 Student Absences  
8.14 Truancy  
Admin. Proc. 8.13 Student Absences

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