

**TO:** Members of the Board of Education

**FROM:** Jay Affeldt, Executive Director of Student & Staff Support

**DATE:** August 8th, 2019

**SUBJECT:** MMSD Truancy Process overview

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- 1. Background:** Wisconsin State Statute [118.16](#), School Attendance Enforcement, provides guidance for school districts regarding school attendance procedures. This includes required procedures and interventions districts must have in place, and legal referrals districts may use when students remain habitually truant. The State has determined that the threshold for habitual truancy is reached when a student “is absent from school without an acceptable excuse...for part or all of 5 or more days on which school is held during a school semester.”

The Statute requires that districts keep daily records on student attendance including whether or not absences are considered excused by the established district standards. Districts must have systems in place to notify families whenever a student is absent, and must also regularly monitor students’ cumulative attendance record to identify students who have reached the “habitual truancy” threshold.

If a student has been identified as “habitual truant”, the district must notify families by mail. They must also schedule a meeting with the family to collaboratively discuss root causes, necessary supports, and interventions. This includes the possibility of additional counseling and evaluation regarding whether learning or social challenges may be related causes of the absences.

If a district has evidence that a student’s attendance has not improved, and evidence that the required interventions have either been put in place or evidence that the family or student did not participating in the interventions, the district may refer the student to the local court assigned to exercise jurisdiction for further action.

- 2. Current Status:** MMSD has formal procedures and systems in place to carry out all required steps as required by the State of Wisconsin. Student Support staff at each school are trained in these procedures, and are supported by a District level Attendance Social Worker and the District Lead Social Worker.

Our MMSD attendance system begins with proactive efforts, including an attendance campaign for secondary schools to launch the upcoming school year, and efforts in every school to build strong, trusting relationships with students and families, to fully engage every student through effective challenge and support.

There is an [attendance web page on the District website](#), intended to serve as a resource for families. This page suggests that families to take the following steps to prevent students from becoming “habitually truant”.

- Contact your school every time your child is not in attendance. (see [Reporting an Absence](#) for more information)
- Work with your school when they contact you by phone, email or letter regarding your child’s attendance.
- Reach out to your school’s Student Support Staff if you have concerns about your child’s attendance.

The MMSD attendance web page further outlines for families the actions schools are required to take if a student does reach the habitually truant threshold, including sending a notification letter via 1st class mail which includes an invitation to a conference to discuss the student’s attendance. The letter explains the intention to work together to find solutions that address the truancy. These solutions can include addressing needs at school regarding academic supports, class schedules, connecting student support staff and mental health resources, and additional evaluations, as well as needs outside of school including additional supports for the family. An Attendance Improvement Plan (AIP) is developed at the conference focusing on those solutions. Additional problem solving is done through the school’s Student Support and Intervention Team (SSIT) structures.

The student’s attendance is then monitored for a period of 30 days, and a 30-day review conference is scheduled to again meet with the student and family to determine if attendance has improved.

All students who are identified as habitually truant and who do not demonstrate improved attendance as a result of intervention are technically in violation of Wisconsin law, and may be referred to our Municipal Truancy Court.

In MMSD, through a partnership with Municipal Judge Daniel Koval that began in 2009, each high school has the capacity to hold Truancy Court hearings at the school as an additional Tier II intervention. This Truancy Court partnership creates a more formal venue and process for students, families, and staff to work together to identify issues contributing to the student’s disengagement from school, and to develop a more formal plan to support the student’s reengagement. Holding the hearings at the school increases accessibility to all parties, allowing for full collaboration among Judge Koval, the school team, the student, and family.

The school team will carefully consider referring the student in collaboration with the student and family. If they determine that Truancy Court would be a helpful intervention, the student will be issued a truancy citation by the school Educational Resource Officer or other MPD officer, and will be required to appear in the school-based Truancy Court.

Students will not be referred to Truancy Court:

- If they do not have an Attendance Improvement Plan in place and have not been provided with intervention.
- If they are 18 years old.

- If they are already involved in the court system.
- If their attendance is below 63% (Court is considered a Tier II intervention and has not shown high rates of success for students with Tier III attendance needs.
- If given the student’s individual or family circumstance it may be unsafe to become involved in the formal court system.

Beyond the collaborative problem-solving that occurs in a truancy hearing among the student, family, and school staff, Judge Koval may also issue orders for and in some cases facilitate additional interventions, including additional mental health counseling, formal drug and alcohol assessments, connections with community agencies, participation in school activities and accessing school supports.

Only if a student or family does not attempt to act on the orders would a monetary fine or additional sanctions be considered, including suspension of a driver’s license or community service. We are not aware of any school-based truancy case that has ever resulted in a fine or a student being taken into custody.

In general the feedback from both students and families has been positive. One family member commented *“We appreciate how much individual attention our student received and are grateful for all the help!”* on an exit survey.

**3. Related data:** The number of truancy citations has fallen over the past four years, from 56 in the 2015-16 school year to 19 in the 2018-19 school year. There is no clear reason for this decline in citations, but the following could be contributing factors:

- The increased focus on the total number of citations written by Educational Resource Officers, and the disproportionality of citations in schools and in the community.
- The focus on proactive supports and interventions prior to consideration for issuing a citation.
- An increase in students with Tier III needs, who are unlikely to benefit from this intervention.
- The success of a new “Ticket Alternative” developed in partnership with MMSD and Judge Koval which includes a student meeting with the Judge to discuss prior to a citation being issued.
- The development of a partnership with 1800 Days, a local organization who received a Dane County grant to work with MMSD students through a family systems approach.

	2015-16	2016-17	2017-18	2018-19
Total MMSD Truancy Citations	56	39	31	19
% of MMSD HS Students Cited	~0.74%	~0.51%	~0.40%	~0.24%

4. **Recommendations:** We recommend that as a District we continue to monitor the impact of our attendance systems and interventions, including all elements of our truancy process, and the impact of our Truancy Court partnership.
5. **Applicable Board Policies:** Policies [4031](#), [4032](#), [4035](#), [4039](#), and [4042](#).