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**WOOD COUNTY ORDINANCE #224
HABITUAL TRUANCY**

Chapter 224 .01 DEFINITIONS

- a. "Habitual Truant": Shall mean a pupil who is absent from school without an acceptable excuse for part or all of five or more days on which school is held during a school semester.
- b. "Truant": Shall mean a pupil who is absent from school without an acceptable excuse for part or all of any day on which school is held during a school semester.
- c. "Dropout": Shall mean a child who ceased to attend school, does not attend a public or private school, technical college or home-based private education system on a full time basis, has not graduated from high school and does not have an acceptable excuse under Section 118.15(1)(b) to (d) or (3) of the Wisconsin Statutes and who is at least 16 years of age but less than 18 years of age.
- d. "Acceptable Excuse": Shall mean an acceptable excuse as defined in Section 118.15 and Section 118.16(4) of the Wisconsin Statutes.

224.02 Prohibited Conduct Any person under the age of 18 years enrolled in school is prohibited from being either a "habitual truant" or a "truant" or a "dropout."

224.03 Penalty (Truant) Any person who is deemed to be a "truant" may be subject to one or more of the following dispositions by the court:

- a. An order for the person to attend school.
- b. A forfeiture of not more than \$50 plus costs for a first violation, or a forfeiture of not more than \$100 plus costs for any second or subsequent violation committed within 12 months of a previous violation, subject to Section 938.37 of the Wisconsin Statutes and subject to a maximum cumulative forfeiture amount of not more than \$500 for all violations committed during a school semester. All or part of the forfeiture plus costs may be assessed against the truant, the parents or guardian of the truant, or both.

224.04 Penalty (Habitual Truant) Any person who is deemed to be a “habitual truant” may be subject to one or more of the following dispositions by the court:

- a. The suspension of the habitual truant’s operating privilege for not less than 30 days nor more than one year. The court shall immediately take possession of the suspended license and forward it to the Department of Transportation of the State of Wisconsin, together with a notice stating the reason for and the duration of the suspension.
- b. An order for the habitual truant to participate in counseling, a suspended work program or other community service work as described in Section 938.34(5g) of the Wisconsin Statutes. The costs of any such counseling, supervised work program or community service work may be assessed against the habitual truant, the parents or guardian of the habitual truant, or both.
- c. An order for the habitual truant to remain at home except during the hours in which the habitual truant 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 habitual truant to leave his or her home if the habitual truant is accompanied by a parent or guardian.
- d. An order for the habitual truant to attend an education program as described in Section 938.34(7d) of the Wisconsin Statutes.
- e. An order for the habitual truant to be placed in a teen court program as described in Section 938.342(1g)(f) of the Wisconsin Statutes.
- f. An order for the habitual truant to attend school.
- g. A forfeiture of not more than \$500 plus costs, subject to Section 938.37 of the Wisconsin Statutes. All or part of the forfeiture plus costs may be assessed against the habitual truant, the parents or guardians of the habitual truant, or both.
- h. Any other reasonable conditions consistent with this ordinance, including a curfew, restrictions as to going to or remaining on specified premises and/or restrictions on associating with other children and/or adults.
- i. An order placing the habitual truant under formal or informal supervision, as described in Section 938.34(2) of the Wisconsin Statutes, for up to one year.

- j. An order for the habitual truant's parent, guardian or legal custodian to participate in counseling at the parent's, guardian's, or legal custodian's own expense or to attend school with the habitual truant, or both.

224.05 Penalty (Dropout) Any person who is deemed to be a "dropout" may be subject to the court suspending the person's operating privileges until the person reaches the age of eighteen. The court shall immediately take possession of any suspended license and forward it to the Department of Transportation of the State of Wisconsin, together with a notice stating the reason for and the duration of the suspension.

224.06 The Court may order a school district to provide to the court a list of all persons who are known to the school district to be dropouts and who reside within the corporate boundaries of Wood County.

224.07 Any parent, guardian or other adult who knowingly allows a child to absent himself or herself from attendance at school without an "acceptable excuse" shall be in violation of this section of the ordinance and may be subject to a forfeiture of not less than \$50 or more than \$100 for the first offense; and not less than \$50 nor more than \$300 for any subsequent offense within a one year period.