

ORDINANCE NO. 68

AN ORDINANCE GOVERNING TRUANCY

The Town Board of the Town of Grand Rapids, Wood County, Wisconsin, pursuant to sec. 118.163 of the Wisconsin Statutes does, ordain as follows:

68.1 Purpose

This ordinance is intended to help ensure that school-age children attend school on a regular basis until graduation from high school.

68.2 Definitions

A. 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.

B. 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.

C. Dropout: shall mean a child who ceases 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.

68.3 School Attendance Required

Any person under the age of 18 years enrolled in school or home-based private education system shall not be a truant, a habitual truant, or a dropout.

68.4 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 \$50.00 plus costs for the first violation, or a forfeiture of not more than \$100 plus costs for any 2nd or subsequent violation committed within 12 months of a previous violation subject to Section 938.37 and subject to a maximum cumulative forfeiture amount of not more than \$500 for all violations committed during the school semester. All or part of the forfeiture plus costs may be assessed against the person, the parents or guardian of the person, or both.

C. An order for the person to report to a youth report center after school, in the evening, on weekends, on other nonschool days, or at any other time that the person is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center as described in 938.342 (1d) (c) Wis. Stats.

68.5 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 more than one (1) 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 supervised 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 educational 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 less than \$25.00 nor more than \$500.00, 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 guardian of the habitual truant, or both.

H. Any other reasonable condition 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, to attend school with the habitual truant, or both.

K. An order for the habitual truant to report to a youth report center after school, in the evening, on weekends, on other nonschool days, or at any other time that the person is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center as described in 938.342 (1g) (k) Wis. Stats.

68.6 Penalty (Dropout)

Any person who is adjudicated to be a dropout may be subject to the court suspending the person's operating privileges until the person reaches the age of 18. If suspended, the court shall immediately take possession of the 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.

68.7 School District Involvement

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 Town of Grand Rapids.

68.8 Additional Dispositional Information

A person who is under 17 years of age on the date of disposition is subject to sec. 938.342 Wis. Stats.

68.9 Application to Parents

Pursuant to sec. 938.342(1m) Wis. Stats., orders regarding habitual truants may be applied to the habitual truant's parent, guardian or legal custodian.

This ordinance shall take effect upon its passage and publication as provided by law.

HISTORY

ADOPTED: March 10, 2015

RESOLUTION: 2015 -12

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.