

Resolution #3-R-25: Truancy Ordinance Approved Version 10.1.25

Whereas Wisconsin Statute §118.163 allows municipalities to enact an ordinance prohibiting a person under 18 years of age from being habitually truant, and

Whereas the City of Appleton Municipal Code does not currently include an ordinance prohibiting habitual truancy, and

Whereas the Appleton Area School District (AASD) has requested assistance from the City of Appleton to support students who have not responded to school district attempts for resolution of habitual truancy and chronic absenteeism and are not on-pace to graduate,

Therefore, Be It Resolved that the City of Appleton will enact a truancy ordinance, and that said ordinance will adopt and conform to Wis. Stat. §118.163, and

Be It Further Resolved that the ordinance will be put in place for a trial period commencing 11/1/2025 through the end of the 2025-26 school year, unless amended by the City of Appleton Common Council. Throughout this trial period, upon request of the Chairman of the City's Safety & Licensing Committee, the City will conduct periodic reviews of the success of the ordinance in meetings of the City's Safety and Licensing Committee, and

Be It Further Resolved that the City truancy ordinance limit the available dispositions to those defined in State Statute to:

- **118.163(2)(b)**
An order for the person to participate in counseling or a supervised work program or other community service work as described in s. [938.34 \(5g\)](#). The costs of any such counseling, supervised work program or other community service work may be assessed against the person, the parents or guardian of the person, or both. Any county department of human services or social services, community agency, public agency or nonprofit charitable organization administering a supervised work program or other community service work to which a person is assigned pursuant to an order under this paragraph acting in good faith has immunity from any civil liability in excess of \$25,000 for any act or omission by or impacting on that person.
- **118.163(2)(d)**
An order for the person to attend an educational program as described in s. [938.34 \(7d\)](#).
- **118.163(2)(e)**
An order for the department of workforce development to revoke, under s. [103.72](#), a permit under s. [103.70](#) authorizing the employment of the person.
- **118.163(2)(g)**
An order for the person to attend school.
- **118.163(2)(h)**
A forfeiture of not more than \$500 plus costs, subject to s. [938.37](#). All or part of the forfeiture plus costs may be assessed against the person, the parents or guardian of the person, or both.
- **118.163(2)(j)**

An order placing the person under formal or informal supervision, as described in s. [938.34 \(2\)](#), for up to one year.

Be It Further Resolved that the Appleton Common Council requests the Appleton Area School District to:

- Develop and enforce a policy of internal supports and tools which will be uniformly applied to all students with truancy and chronic absenteeism issues, and
- Ensure said policy will include enforcement of this truancy ordinance to be used as a final measure should other supports be unsuccessful with a student, and
- Provide evidence of the supports that the district has offered to students with attendance issues before any court dispositions for truancy are levied upon a student.

These include but are not limited to:

- Number of truancy citations issued in the past semester
- Number of truancy citations from prior semesters eventually expunged due to student compliance (include semester original citation was issued for each expunged instance)
- Number of truancy citation convictions from previous semesters (including the dispositions that were applied)
- Updated absentee and truancy rate numbers for the previous semester
- Data should be provided in alignment with DPI reporting: for example: grade level, school, race/ethnicity, gender, disability status, economic status, EL status
- Track the counseling, supervised work program, and community service organizations utilized by students and compile a list of average costs
- Provide evidence of policy and applicable data per the recommendations of the 2018 Truancy Court Report including, but not limited to:
 - Orientation/guidance for judges involved in truancy matters including suggestions for a reasonable number of community service hours and education programs not including summer school
 - Maintain a community truancy task force which works collaboratively to meet the interests of the District, the courts, families, and students and reports to the school board
 - Continue to survey comparable school districts in Wisconsin to improve internal processes and report to the school board
- Provide data for any case where the judiciary exceeds suggestions
- Create a general contact email for parents or students dealing with attendance issues to seek help
- Create student and family survey and vehicle for anonymous feedback that reports to the board

Be It Further Resolved that during the Safety & Licensing Committee's periodic review of the truancy ordinance, APD and Legal Services will provide available data regarding the number of citations issued and dispositions along with experiences, observations and any concerns related to enforcement of the truancy ordinance.