

ORDINANCE NO. 95-08-01

An Ordinance Relating to Habitual Truancy

The County Board of Supervisors of the County of Buffalo does hereby ordain as follows:

SECTION 1: Prohibition of Habitual Truancy. A child is prohibited from being habitually truant.

SECTION 2: Definitions. For purposes of this section:

(a) "Habitual Truant" shall mean a pupil who is absent from school without an acceptable excuse from either of the following:

1. Part or all of five or more days out of ten consecutive days on which school is held during a semester.
2. Part or all of ten or more days on which school is held during a school semester.

(b) "Acceptable Excuse" shall mean an excuse contemplated in Sections 118.15 and 118.16 (4), Wisconsin Statutes.

SECTION 3: Penalty. Upon findings that a child is a habitual truant, the court shall enter an order making one or more of the following dispositions:

- (a) Suspend the child's operating privilege, as defined in Section 340.01 (40), Wisconsin Statutes, for not less than 30 days nor more than 90 days. 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 duration of the suspension.
- (b) Order the child to participate in counseling, community service or a supervised work program under Section 48.34 (9), Wisconsin Statutes.
- (c) Order the child to remain at home except during the hours in which the child 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 child to leave his or her home if the

child is accompanied by a parent or guardian.

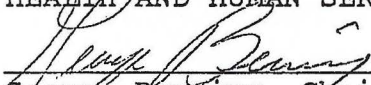
- (d) Order the child to attend an educational program under Section 48.34 (12) Wisconsin Statutes.

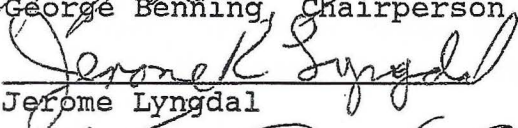
Section 4: References to Statutes. References to specific statutory sections wherever used in this ordinance shall mean the Wisconsin Statutes of 1991-92 as from time to time amended, modified, repealed, or otherwise altered by the State Legislature.

Section 5: Severability. If any section or part of this ordinance is adjudged unconstitutional or invalid by any court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

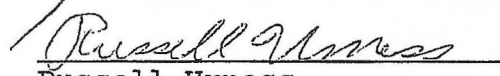
SECTION 6: Effective Date. This ordinance shall take effect upon publication.

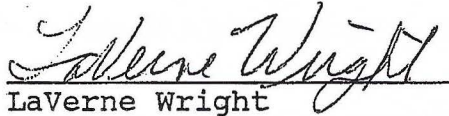
COUNTY OF BUFFALO
HEALTH AND HUMAN SERVICES BOARD:


George Benning, Chairperson

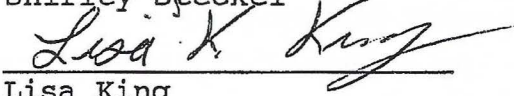

Jerome Lyngdal


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LaVerne Wright


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PROPOSED JUVENILE HABITUAL TRUANCY DISPOSITION

First Adjudication:

- A. If licensed driver, 30 days suspension of motor vehicle operation privilege
- B. If not licensed driver, Youth Diversion Program

Second Adjudication:

- A. If licensed driver, 60 days suspension of motor vehicle operating privilege
- B. If not licensed driver, Youth Diversion Program
- C. In either case, order child to remain home for a period of 30 days except when attending religious worship, attending school or school programs or when accompanied by parent or guardian

Third or More Adjudication:

- A. If licensed driver, 90 days suspension of motor vehicle privilege
- B. If not licensed driver, Youth Diversion Program
- C. In either case, order child to remain home for a period of 60 days except when attending religious worship, attending school or school programs or when accompanied by parent or guardian
- D. Child to attend mandatory counseling/educational program set up by school re: importance of attending school

PROPOSED PENALTY STRUCTURE
CONTRIBUTING TO TRUANCY OF A CHILD

First Offense:

\$100 forfeiture plus costs and assessment

Second Offense:

\$200 forfeiture plus costs and assessment

Third Offense and More:

\$400 forfeiture plus costs and assessment