

ORDINANCE NO. 600.19

ORDINANCE TO PROHIBIT
HABITUAL TRUANCY

SECTION I: Pursuant to Section 118.163(2) of the Wisconsin Statutes authorizes the County Board to enact and enforce an ordinance to prohibit habitual truancy, and is created to read as follows:

HABITUAL TRUANCY PROHIBITED

- (1) Prohibition of Habitual Truancy. A child is prohibited from being a habitual truant.
- (2) Definitions. For purposes of this ordinance:
 - (a) "Habitual truant" shall mean a pupil who is absent from school without an acceptable excuse under Section 118.16(4) and Section 118.15 of the Wisconsin Statutes for either of the following:
 - (i) Part or all of five (5) or more days out of ten (10) consecutive days on which school is held during a semester.
 - (ii) Part or all of ten (10) or more days on which school is held during a school semester.
 - (b) "Dropout" has the meaning given in Section 118.153(1)(b) of the Wisconsin Statutes.
- (3) Penalty. Upon finding 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) of the Wisconsin Statutes for not less than thirty (30) or more than ninety (90) days. The judge 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) An order for the child to participate in counseling, community service or work program as provided under §938.34(5g), Wis. Stats.
 - (c) An order for the child to remain at home except during hour 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) An order for the child to attend an educational program under §938.34(7d), Wis. Stats.
 - (f) An order for the child to be placed in the Teen Court Program and the person admits or pleads no contest in open court with the child's parent, guardian, or legal custodian present, to the allegations that child violated the municipal ordinance.
 - (g) If a child under the age of 18 and over the age of 16 and has been adjudicated a "dropout" the judge may suspend the child's operating privileges as defined in Section 340.01(40) Wis. Stats. until the child reaches the age of 18. The court shall immediately take possession of any suspended license and forward it to the Department of Transportation together with a notice stating the reason for and the duration of the suspension. (see Wis. Stat. §938.342(2)(b).
- (4) Reference to Statutes. References to specific statutory sections whenever used in this ordinance shall mean the Wisconsin Statutes of 1995-96 as from time to time amended, modified, repealed or otherwise altered by the State Legislature.
- (5) Severability. If any section or part of this ordinance is adjudged unconstitutional or invalid by an court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

SECTION II: This ordinance shall be effective upon its passage and publication.