# **POLICY 5.094**

**4-G** I recommend the Board adopt the proposed revisions to Policy 5.094, entitled "Violation of Attendance Requirements for the Learnfare Program."

[Contact: Ronald Armstrong or Jim Woolridge, 434-8821.]

## **Adoption**

#### **CONSENT ITEM**

- Based on information from Student Services, this proposed revision was suggested by the Legal Department to update the Policy to reflect current law and to facilitate cooperation with the Department of Children and Families concerning the Learnfare program, as required by Fla. Stat. § 414.1251(3).
- On Sept. 30, the Board approved this proposed revision for second reading/adoption on Nov. 18 (rescheduled to Dec. 2).

## **PROPOSED REVISIONS TO POLICY 5.094**

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## VIOLATION OF ATTENDANCE REQUIREMENTS FOR THE LEARNFARE PROGRAM

- As required by § Fla. Stat. 414.1251(3), the School District shall cooperate with the 4 Florida Department of Children and Families ("DCF") to match the list of school-age 5 children received from DCF with their school records and furnish the names of 6 noncompliant Learnfare students via an electronic data match. The purposes of 7 this cooperation is to facilitate DCF's reduction of temporary cash assistance 8 ("TCA") when a participant's dependent school-age child(ren) is determined to be a 9 habitual truant or school dropout without good cause (or the parent or caretaker 10 relative, whose needs are included in the TCA assistance group, fails to attend a 11 school conference each semester). 12
- 2. The Department of Children and Families shall reduce the benefit payments for a participant's eligible dependent child or for an eligible teenage participant who has not been exempted from education participation requirements For purposes of this Policy, habitual truancy is defined as having 15 unexcused absences in a 90-day period. during a grading period in which the child or teenage participant has accumulated a number of unexcused absences from school that is sufficient to jeopardize the student's academic progress.
- 20 <u>3. At the request of the parent/guardian, the School District may complete a</u> 21 <u>reinstatement form if the student meets the compliance requirements set forth in</u> 22 Fla. Stat. § 414.1251(1):
- 23 <u>a. "For a student who has been identified as a habitual truant, the temporary</u>
  24 <u>cash assistance must be reinstated after a subsequent grading period in which</u>
  25 <u>in which the child's attendance has substantially improved," as stated in §</u>
  26 <u>414.1251(1).</u>
- b. For a student who has been identified as a dropout, the temporary cash assistance must be reinstated after the student enrolls in a public school, receives a high school diploma or its equivalent, enrolls in preparation for the GED exam, or enrolls in other educational activities approved by the School Board, as provided in Fla. Stat. § 414.1251(1).
- 4. The parent/guardian shall be responsible for providing a notification of compliance
  to the appropriate DCF staff when a student who was sanctioned for failure to
  comply with the Learnfare provisions for truancy or drop-out status later
  demonstrates compliance with school attendance requirements.

- 5. For purposes of the Learnfare program, Ggood cause exemptions from the rule of unexcused student absences include the following, as stated in Fla. Stat. § 414.1251: a) the student is expelled from school and alternative schooling is not available, b) the teen has a child under 6 months of age, cb) no licensed day care is available for a child of teen parents subject to Learnfare, or dc) prohibitive transportation problems exist (e.g. to and from day care), e) the teen is over 16 years of age and not expected to graduate from high school by age 20.
- 6. Each recipient with a school-age child is required to have a conference with an appropriate school official of the child's school during each grading period semester to assure the recipient is involved in the child's educational progress and is aware of any existing attendance or academic problems.

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- a. The School District shall be responsible for completing a DCF school conference verification form or, in lieu of that form, may provide the requested information on official District letterhead or by direct contact with the appropriate DCF official.
- b. As provided in F.A.C. r. 65A-4.2131, the caretaker relatives whose needs are not included in the TCA assistance group, and parents or included caretaker relatives that homeschool their children with the approval of the School District, are exempt from the school conference requirement.
- 7. Any list or other documentation containing personally-identifiable student information concerning truant children or dropouts provided to DCF by the School District shall remain confidential as provided by Fla. Stat. § 228.093. Any list of Temporary Cash Assistance recipients provided to the School District shall also remain confidential as provided by law.
- 8. For the purpose of this policy, an accumulated number of unexcused absences from school that is sufficient to jeopardize the student's academic progress will be 15 days unexcused absences in any 90 day period.

63	STATUTORY AUTHORITY:	§§ 230.22(2); 230.23005(6), Fla. Stat. Section
64		409.1855, Florida Statutes
65	LAW <u>S</u> IMPLEMENTED:	§§ 228.041(28), (29); 228.093(3)(d); 232.01;
66	_	414.1251, Fla. Stat. Section 228.041, Florida Statutes
67	ADMINISTRATIVE CODE	
68	SUPPLEMENTED:	F.A.C. r. 65A-4.2131 <del>10C-1.518 (11), Florida</del>
69		Administrative Code; 10C-32.227(7)(d), Florida
70		Administrative Code
71	HISTORY <del>ADOPTED</del> :	05/07/97: / /

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Legal signoff:	
The Legal Department has reviewed propos development by the Board.	sed Policy 5.094 and finds it legally sufficient for
 Attorney	 Date