

**POLICY 5.094**

**5-E** I recommend the Board approve the proposed revisions to Policy 5.094, entitled "Violation of Attendance Requirements for the Learnfare Program."

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

◆ **Development**

- 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).

CONSENT ITEM

**PROPOSED REVISIONS TO POLICY 5.094**

**VIOLATION OF ATTENDANCE REQUIREMENTS  
FOR THE LEARNFARE PROGRAM**

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

- 36 5. For purposes of the Learnfare program, Good cause exemptions from the rule of  
37 unexcused student absences include the following, as stated in Fla. Stat. §  
38 414.1251: a) the student is expelled from school and alternative schooling is not  
39 available, b) the teen has a child under 6 months of age, cb) no licensed day care  
40 is available for a child of teen parents subject to Learnfare, or dc) prohibitive  
41 transportation problems exist (e.g. to and from day care), e) the teen is over 16  
42 years of age and not expected to graduate from high school by age 20.
- 43 6. Each recipient with a school-age child is required to have a conference with an  
44 appropriate school official of the child's school during each grading period semester  
45 to assure the recipient is involved in the child's educational progress and is aware  
46 of any existing attendance or academic problems.
- 47 a. The School District shall be responsible for completing a DCF school  
48 conference verification form or, in lieu of that form, may provide the requested  
49 information on official District letterhead or by direct contact with the  
50 appropriate DCF official.
- 51 b. As provided in F.A.C. r. 65A-4.2131, the caretaker relatives whose needs are  
52 not included in the TCA assistance group, and parents or included caretaker  
53 relatives that homeschool their children with the approval of the School  
54 District, are exempt from the school conference requirement.
- 55 7. Any list or other documentation containing personally-identifiable student  
56 information concerning truant children or dropouts provided to DCF by the School  
57 District shall remain confidential as provided by Fla. Stat. § 228.093. Any list of  
58 Temporary Cash Assistance recipients provided to the School District shall also  
59 remain confidential as provided by law.
- 60 8. ~~For the purpose of this policy, an accumulated number of unexcused absences~~  
61 ~~from school that is sufficient to jeopardize the student's academic progress will be~~  
62 ~~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 LAWS 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 ~~10C-1.518 (11), Florida~~  
69 ~~Administrative Code; 10C-32.227(7)(d), Florida~~  
70 ~~Administrative Code~~

71 HISTORY ADOPTED: 05/07/97; \_\_/\_\_/\_\_

Legal signoff:

The Legal Department has reviewed proposed Policy 5.094 and finds it legally sufficient for development by the Board.

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Attorney

\_\_\_\_\_  
Date