

By Representatives Atwater, Lynn, Melvin, Negrón, Wallace  
and Betancourt

1                                   A bill to be entitled  
2           An act relating to school attendance; creating  
3           s. 414.1251, F.S.; reestablishing the Learnfare  
4           program; amending s. 228.041, F.S., relating to  
5           definitions; correcting a cross reference;  
6           amending s. 230.23, F.S., relating to powers  
7           and duties of district school boards; adding  
8           duties; repealing s. 414.125, F.S., relating to  
9           the Learnfare program; providing an effective  
10          date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14           Section 1. Section 414.1251, Florida Statutes, is  
15 created to read:

16           414.1251 Learnfare program.--

17           (1) The department shall reduce the temporary cash  
18 assistance for a participant's eligible dependent child or for  
19 an eligible teenage participant who has not been exempted from  
20 education participation requirements and who has been  
21 identified as a habitual truant, pursuant to s. 228.041(28).

22 The temporary cash assistance must be reinstated after a  
23 subsequent grading period in which the child has substantially  
24 improved the child's attendance. Good cause exemptions from  
25 the rule of unexcused absences include the following:

26           (a) The student is expelled from school and  
27 alternative schooling is not available.

28           (b) No licensed day care is available for a child of  
29 teen parents subject to Learnfare.

30           (c) Prohibitive transportation problems exist (e.g.,  
31 to and from day care).

1       (d) The teen is over 16 years of age and not expected  
2 to graduate from high school by age 20.

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4 Within 10 days after sanction notification, the participant  
5 parent of a dependent child or the teenage participant may  
6 file an internal fair hearings process review procedure  
7 appeal, and no sanction shall be imposed until the appeal is  
8 resolved.

9       (2) Each participant with a school-age child is  
10 required to have a conference with an appropriate school  
11 official of the child's school during each semester to assure  
12 that the participant is involved in the child's educational  
13 progress and is aware of any existing attendance or academic  
14 problems. The conference must address acceptable student  
15 attendance, grades, and behavior and must be documented by the  
16 school and reported to the department. The department shall  
17 notify a school of any student in attendance at that school  
18 who is a participant in the Learnfare program in order that  
19 the required conferences are held. A participant who without  
20 good cause fails to attend a conference with a school official  
21 is subject to the sanction provided in subsection (1).

22       Section 2. Subsection (28) of section 228.041, Florida  
23 Statutes, is amended to read:

24       228.041 Definitions.--Specific definitions shall be as  
25 follows, and wherever such defined words or terms are used in  
26 the Florida School Code, they shall be used as follows:

27       (28) HABITUAL TRUANT.--A habitual truant is a student  
28 who has 15 unexcused absences within 90 calendar days with or  
29 without the knowledge or consent of the student's parent or  
30 legal guardian, is subject to compulsory school attendance  
31 under s. 232.01, and is not exempt under s. 232.06 or s.

1 232.09, or by meeting the criteria for any other exemption  
2 specified by law or rules of the State Board of Education.  
3 Such a student must have been the subject of the activities  
4 specified in ss. 232.17 and 232.19(3), without resultant  
5 successful remediation of the truancy problem before being  
6 dealt with as a child in need of services according to the  
7 provisions of chapter 984.

8 Section 3. Paragraph (b) of subsection (15) of section  
9 230.23, Florida Statutes, is amended to read:

10 230.23 Powers and duties of school board.--The school  
11 board, acting as a board, shall exercise all powers and  
12 perform all duties listed below:

13 (15) PUBLIC INFORMATION AND PARENTAL INVOLVEMENT  
14 PROGRAM.--

15 (b) ~~District school boards shall~~ Encourage teachers  
16 and administrators to keep parents and guardians informed of  
17 student progress, student programs, student attendance  
18 requirements pursuant to ss. 232.17, 232.19, 414.1251, and  
19 984.151, and availability of resources for academic  
20 assistance.

21 Section 4. Section 414.125, Florida Statutes, is  
22 repealed.

23 Section 5. This act shall take effect upon becoming a  
24 law.

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27 HOUSE SUMMARY

28 Reestablishes the Learnfare program. Amends the  
29 definition of "habitual truant" to correct a cross  
30 reference. Revises powers and duties of school boards to  
31 include duties relating to student attendance. Repeals  
the Learnfare program.