Florida House of Representatives - 2001

By the Council for Lifelong Learning and Representatives Atwater, Lynn, Melvin, Negron, Wallace, Betancourt, Garcia, Jordan, Diaz de la Portilla, Gardiner, Mahon, Pickens, Haridopolos, Paul, Mack, Davis, Bennett, Kravitz, Attkisson, Bowen, Alexander, Harrington, Farkas, Brummer and Fiorentino

1 A bill to be entitled An act relating to school attendance; creating 2 3 s. 414.1251, F.S.; reestablishing the Learnfare 4 program; reducing temporary cash assistance 5 based on failure to meet certain education participation requirements; requiring 6 7 conferences between Learnfare participants and 8 school officials; requiring the development of 9 an electronic data transfer system; amending s. 228.041, F.S., relating to definitions; 10 11 correcting a cross reference; amending s. 230.23, F.S., relating to powers and duties of 12 13 district school boards; adding duties; repealing s. 414.125, F.S., relating to the 14 15 Learnfare program; providing an effective date. 16 17 Be It Enacted by the Legislature of the State of Florida: 18 19 Section 1. Section 414.1251, Florida Statutes, is 20 created to read: 21 414.1251 Learnfare program.--(1) The department shall reduce the temporary cash 22 23 assistance for a participant's eligible dependent child or for 24 an eligible teenage participant who has not been exempted from education participation requirements, if the eligible 25 26 dependent child or eligible teenage participant has been identified either as a habitual truant, pursuant to s. 27 228.041(28), or as a dropout, pursuant to s. 228.041(29). For 28 a student who has been identified as a habitual truant, the 29 temporary cash assistance must be reinstated after a 30 subsequent grading period in which the child's attendance has 31

1

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CS/HB 277

Florida House of Representatives - 2001 400-100-01

substantially improved. For a student who has been identified 1 2 as a dropout, the temporary cash assistance must be reinstated after the student enrolls in a public school, receives a high 3 school diploma or its equivalency, enrolls in preparation for 4 5 the General Educational Development Tests, or enrolls in other 6 educational activities approved by the district school board. 7 Good cause exemptions from the rule of unexcused absences 8 include the following: 9 (a) The student is expelled from school and alternative schooling is not available. 10 11 (b) No licensed day care is available for a child of 12 teen parents subject to Learnfare. 13 (c) Prohibitive transportation problems exist (e.g., 14 to and from day care). 15 Within 10 days after sanction notification, the participant 16 parent of a dependent child or the teenage participant may 17 file an internal fair hearings process review procedure 18 19 appeal, and no sanction shall be imposed until the appeal is 20 resolved. (2) Each participant with a school-age child is 21 22 required to have a conference with an appropriate school official of the child's school during each semester to assure 23 24 that the participant is involved in the child's educational 25 progress and is aware of any existing attendance or academic 26 problems. The conference must address acceptable student 27 attendance, grades, and behavior and must be documented by the 28 school and reported to the department. The department shall notify a school of any student in attendance at that school 29 who is a participant in the Learnfare program in order that 30 the required conferences are held. A participant who without 31

2

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Florida House of Representatives - 2001 400-100-01

good cause fails to attend a conference with a school official 1 2 is subject to the sanction provided in subsection (1). The 3 temporary cash assistance shall be reinstated after the participant attends the conference with the appropriate school 4 5 official and that conference is documented by the school and б reported to the department. 7 (3) The department shall develop an electronic data 8 transfer system to enable the department to collect, report, 9 and share data accurately and efficiently. In order to ensure 10 accountability and assess the effectiveness of the Learnfare 11 program, the department shall compile information including, 12 but not limited to, the number of students and families 13 reported by school districts as out of compliance, the number 14 of students and families sanctioned as a result, and the number of students and families reinstated after becoming 15 16 compliant. The information compiled shall be submitted in the 17 form of an annual report to the presiding officers of the Legislature by March 1. 18 19 Section 2. Subsection (28) of section 228.041, Florida 20 Statutes, is amended to read: 228.041 Definitions.--Specific definitions shall be as 21 22 follows, and wherever such defined words or terms are used in the Florida School Code, they shall be used as follows: 23 24 (28) HABITUAL TRUANT. -- A habitual truant is a student who has 15 unexcused absences within 90 calendar days with or 25 26 without the knowledge or consent of the student's parent or 27 legal guardian, is subject to compulsory school attendance 28 under s. 232.01, and is not exempt under s. 232.06 or s. 29 232.09, or by meeting the criteria for any other exemption specified by law or rules of the State Board of Education. 30 31 Such a student must have been the subject of the activities 3

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Florida House of Representatives - 2001 400-100-01 CS/HB 277

specified in ss. 232.17 and 232.19(3), without resultant 1 2 successful remediation of the truancy problem before being 3 dealt with as a child in need of services according to the provisions of chapter 984. 4 5 Section 3. Paragraph (b) of subsection (15) of section 230.23, Florida Statutes, is amended to read: б 7 230.23 Powers and duties of school board.--The school 8 board, acting as a board, shall exercise all powers and 9 perform all duties listed below: 10 (15) PUBLIC INFORMATION AND PARENTAL INVOLVEMENT PROGRAM. --11 12 (b) District school boards shall Encourage teachers 13 and administrators to keep parents and guardians informed of student progress, student programs, student attendance 14 15 requirements pursuant to ss. 232.17, 232.19, 414.1251, and 16 984.151, and availability of resources for academic 17 assistance. Section 4. Section 414.125, Florida Statutes, is 18 19 repealed. 20 Section 5. This act shall take effect upon becoming a 21 law. 22 23 24 25 26 27 28 29 30 31

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