

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; reducing temporary cash assistance  
5           based on failure to meet certain education  
6           participation requirements; requiring  
7           conferences between Learnfare participants and  
8           school officials; requiring the development of  
9           an electronic data transfer system; amending s.  
10          228.041, F.S., relating to definitions;  
11          correcting a cross reference; amending s.  
12          230.23, F.S., relating to powers and duties of  
13          district school boards; adding duties;  
14          repealing s. 414.125, F.S., relating to the  
15          Learnfare program; providing an appropriation;  
16          providing an effective date.

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

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20           Section 1. Section 414.1251, Florida Statutes, is  
21 created to read:

22           414.1251 Learnfare program.--

23           (1) The department shall reduce the temporary cash  
24 assistance for a participant's eligible dependent child or for  
25 an eligible teenage participant who has not been exempted from  
26 education participation requirements, if the eligible  
27 dependent child or eligible teenage participant has been  
28 identified either as a habitual truant, pursuant to s.  
29 228.041(28), or as a dropout, pursuant to s. 228.041(29). For  
30 a student who has been identified as a habitual truant, the  
31 temporary cash assistance must be reinstated after a

1 subsequent grading period in which the child's attendance has  
2 substantially improved. For a student who has been identified  
3 as a dropout, the temporary cash assistance must be reinstated  
4 after the student enrolls in a public school, receives a high  
5 school diploma or its equivalency, enrolls in preparation for  
6 the General Educational Development Tests, or enrolls in other  
7 educational activities approved by the district school board.  
8 Good cause exemptions from the rule of unexcused absences  
9 include the following:

10 (a) The student is expelled from school and  
11 alternative schooling is not available.

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

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

16  
17 Within 10 days after sanction notification, the participant  
18 parent of a dependent child or the teenage participant may  
19 file an internal fair hearings process review procedure  
20 appeal, and no sanction shall be imposed until the appeal is  
21 resolved.

22 (2) Each participant with a school-age child is  
23 required to have a conference with an appropriate school  
24 official of the child's school during each semester to assure  
25 that the participant is involved in the child's educational  
26 progress and is aware of any existing attendance or academic  
27 problems. The conference must address acceptable student  
28 attendance, grades, and behavior and must be documented by the  
29 school and reported to the department. The department shall  
30 notify a school of any student in attendance at that school  
31 who is a participant in the Learnfare program in order that

1 the required conferences are held. A participant who without  
2 good cause fails to attend a conference with a school official  
3 is subject to the sanction provided in subsection (1). The  
4 temporary cash assistance shall be reinstated after the  
5 participant attends the conference with the appropriate school  
6 official and that conference is documented by the school and  
7 reported to the department.

8 (3) The department shall develop an electronic data  
9 transfer system to enable the department to collect, report,  
10 and share data accurately and efficiently. In order to ensure  
11 accountability and assess the effectiveness of the Learnfare  
12 program, the department shall compile information including,  
13 but not limited to, the number of students and families  
14 reported by school districts as out of compliance, the number  
15 of students and families sanctioned as a result, and the  
16 number of students and families reinstated after becoming  
17 compliant. The information compiled shall be submitted in the  
18 form of an annual report to the presiding officers of the  
19 Legislature by March 1.

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

22 228.041 Definitions.--Specific definitions shall be as  
23 follows, and wherever such defined words or terms are used in  
24 the Florida School Code, they shall be used as follows:

25 (28) HABITUAL TRUANT.--A habitual truant is a student  
26 who has 15 unexcused absences within 90 calendar days with or  
27 without the knowledge or consent of the student's parent or  
28 legal guardian, is subject to compulsory school attendance  
29 under s. 232.01, and is not exempt under s. 232.06 or s.  
30 232.09, or by meeting the criteria for any other exemption  
31 specified by law or rules of the State Board of Education.

1 Such a student must have been the subject of the activities  
2 specified in ss. 232.17 and 232.19(3), without resultant  
3 successful remediation of the truancy problem before being  
4 dealt with as a child in need of services according to the  
5 provisions of chapter 984.

6 Section 3. Paragraph (b) of subsection (15) of section  
7 230.23, Florida Statutes, is amended to read:

8 230.23 Powers and duties of school board.--The school  
9 board, acting as a board, shall exercise all powers and  
10 perform all duties listed below:

11 (15) PUBLIC INFORMATION AND PARENTAL INVOLVEMENT  
12 PROGRAM.--

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

19 Section 4. Section 414.125, Florida Statutes, is  
20 repealed.

21 Section 5. The sum of \$251,000 in nonrecurring  
22 Temporary Assistance for Needy Families (TANF) funds is  
23 appropriated from the Federal Grants Trust Fund to the  
24 Department of Children and Family Services to develop an  
25 electronic data transfer system.

26 Section 6. This act shall take effect upon becoming a  
27 law.

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