

PROCEDURAL MANUAL
POLICY 5.5: ATTENDANCE

(Based on policy, as approved by the School Board, on 6/23/15)

The purpose of this procedural manual is to provide guidelines to the school staff in the implementation of the Attendance Policy. The information in red is the related procedural information that should provide clarification and information for the implementation of the Attendance Policy as approved by the School Board on 6/23/15. The Student Services Department may periodically update the procedural guidelines. Suggestions and questions are encouraged and should be directed to:

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ATTENDANCE POLICY

ALL COMPULSORY AGE STUDENTS ARE REQUIRED TO ATTEND SCHOOL EVERY DAY OF THE 180-DAY SCHOOL YEAR OR THE EQUIVALENT ON AN HOURLY BASIS PURSUANT TO THE STATE BOARD OF EDUCATION. PARENTS OF CHILDREN OF COMPULSORY SCHOOL AGE ARE RESPONSIBLE FOR THEIR CHILD'S DAILY SCHOOL ATTENDANCE. BECAUSE POOR ACADEMIC PERFORMANCE IS ASSOCIATED WITH NONATTENDANCE, SCHOOLS WILL RESPOND IN A TIMELY MANNER TO PREVENT THE DEVELOPMENT OF PATTERNS OF NON-ATTENDANCE WHICH MAY INDICATE EARLY SIGNS OF TRUANCY. SCHOOLS WILL COLLABORATE WITH APPROPRIATE LOCAL AND STATE AGENCIES THAT ARE INVOLVED IN TRUANCY PREVENTION, INTERVENTION, AND JUDICIAL ACTION.

ADDITIONAL INFORMATION RELATED TO ATTENDANCE CAN ALSO BE FOUND IN THE CURRENT EDITION OF THE CODE OF STUDENT CONDUCT APPROVED, AS SCHOOL BOARD POLICY.

RULES:

DEFINITIONS

I. COMPULSORY SCHOOL ATTENDANCE

A. All children who have attained the age of six years or who will have attained the age of six years by February 1 of any school year, or who are older than six years of age but who have not yet attained the age of 16 years or age specified by state statute, whichever is older, except as hereinafter provided, are required to attend school regularly during the entire 180-day or the equivalent on an hourly basis pursuant to the state Board of Education school term. (F.S.1003.21) (1) (a))

B. A student who attains the age of 16 years during the school year is not subject to compulsory school attendance beyond the date upon which he or she attains that age if the student files a formal declaration of intent to terminate school enrollment with the School Board. The declaration must acknowledge that terminating school enrollment is likely to reduce the student's earning potential and must be signed by the child and parent. A student who attains the age of 18 years during the school year is not subject to the legal sanctions for compulsory school attendance. (F.S.1003.21 (2) (c))

1. An exit interview must be conducted by school personnel to determine the reasons for the student's decision to terminate school enrollment and actions taken to keep the student in school. (F.S. 1003.21(2) (c)).
 - *The school must document an exit interview with the student, to be placed in the student's folder. Students who may be under credit and overage shall always be given information about the opportunity to continue their education.*
 - *Advise students and parents of alternative educational opportunities.*
 - *Students must be advised that the termination from school may result in the loss of driving privileges or loss of cash assistance if the student is eligible for Learnfare.*

C. Students under 16 years of age may not be withdrawn from school for any reason unless expelled through Board action or covered by an exemption allowed by Florida Statute (F.S.1002.20 (2)(b)).

D. Compulsory school attendance requirements may be met by attendance in a home education program (F.S.1002.01 (2) (b) 20 (2)(b)).

1. A "home education program" means the sequentially progressive instruction of a student directed by his or her parent in order to satisfy the attendance requirements of S.S. 1002.41, 1003.01(4) and 1003.21 (1).(F.S. 1002.01(1))
 - *If the parent decides to enroll a child in the Home Education program, it is the parent's responsibility to inform the Superintendent of this intention.*
 - *Parents intending to home educate should be provided with the appropriate form "Notice of Intent to Home Educate" (see appendix v).*
 - *Until the Superintendent receives the "Notice of Intent to Home Educate" form, a Child's absence from school will be considered an unexcused absence.*
 - *If the parent of a child who exhibits a pattern of non-attendance enrolls the child in a home education program, the parent should be provided with a copy of F.S. 1002.41 and the accountability requirements of the law.*
 - *The portfolio of a child enrolled in home education who exhibited a pattern of non-attendance will be reviewed within 30*

days and every 30 days during the district's regular school terms to ensure that the home education program is in compliance with the law.

- *If the parent fails to provide the portfolio, the superintendent shall terminate the home education program and the child will be ineligible to re-enroll in home education for 180 calendar days. The child must be immediately re-enrolled in the public school or in a private school if of compulsory school age.*

E. For students enrolled in Department of Juvenile Justice Programs, the compulsory school attendance requirement is governed by state law and regulations and includes a longer term (F.S. 1003.52).

II. PATTERNS OF NON-ATTENDANCE

Non-attendance for instructional activities is established by tardiness, early-sign-outs, or absences for all or any part of the day. The District recommends that students attend school every day.

- *Attendance must be taken for each period. Bear in mind that attendance records are legal documents so accuracy in taking attendance is imperative.*

A. Unless acceptable documentation is presented/submitted, an accumulation of daily absences (excused or unexcused), by tardiness, or early sign-outs that equals 5 days (30 hours) in a marking period or 10 days (60 hours) within two marking periods may establish a pattern of non-attendance.

Students are expected to attend school every day of each marking period. If a student has accumulated 5 days of absences, e.g. if a student signed out early 5 times, was absent 2 days, was tardy 10 times, and the accumulated minutes equals more than 5 days, the principal/designee will determine whether the student is establishing a pattern of nonattendance.

If no pattern is determined, e.g. a doctor's note for continued physical therapy etc., interventions may be provided. If, however, it is determined that there is a pattern of non-attendance then sanctions may be imposed (see below for possible sanctions).

To assist schools in managing and addressing non-attendance, every Monday your school will receive via OptiSpool, a "Pattern-of-Non-Attendance" document that lists the students in your school who have missed 5 days of school. Remember, this is an accumulation of absences (excused unexcused, tardy or early sign-out minutes) that equal 5 days of absences, i.e 1,800 minutes. Review the list weekly and excuse those students who have a legitimate reason for the absence. Follow further directions below for those without a legitimate reason for the absence

B. If the student exhibits a pattern of nonattendance, principals may request documentation for subsequent absences. (F.S. 1003.24(4)) Non-attendance for instructional activities is established by tardiness, early-sign-outs, or absences for all or any part of the day.

If the Principal determines that there is clear evidence of a pattern of nonattendance the case should be referred to the Collaborative Problem Solving Team (CPST).

- *If the CPST finds that a pattern of non-attendance is developing, whether the absences are excused or not, a meeting must be scheduled with the parent to identify potential remedies.*

- *On the elementary level, if the 5-day meeting determines that the reasons for the excessive absences are legitimate, the 076 Code is entered on the L27, thus the BTIP process is halted (a comment should be entered on the L27 explaining why the 076 Code was used).*

- *If the reasons are not accepted, the school monitors the case, and continues school-based interventions to remediate the truant behavior.*

- *The interventions may include, but need not be limited to:*

- 1. Frequent communication between the teacher and family*

- 2. Changes in the learning environment;*

- 3. Mentoring*

- 4. Student counseling*

- 5. Tutoring, including peer tutoring*

- 6. Placement into different classes*

- 7. Evaluation for alternative education programs*

- 8. Attendance contracts*

- 9. Referral to other agencies for family interventions or services*

- *Parents must be notified of their right to appeal the interventions.*

Appeals may be made to the Superintendent.

- *The Superintendent/designee shall provide a hearing officer to hear the appeal and make a recommendation for final action to the Board.*

C. "Habitual truant" means a student who has 15 unexcused absences within 90 calendar days with or without the knowledge or justifiable consent of the child's parent, is subject to compulsory school attendance under s. 1003.21 (1) and (2) (a), and is not exempt under F.S.1003.21 (3) or s. 1003.24, or by meeting the criteria for any other exemption specified by law or rules of the State Board of Education. (F.S.1003.01 (8)).

D. Home Education Program: For Home Education attendance requirements see Board Policy # 6000.1 (F.S. 1003.26(f)).

III. ABSENCES

A. EXCUSED ABSENCES

Students must be in school unless the absence has been permitted or excused for one of the reasons listed below (F.S. 1003.24(4), 1003.26)

Such approved programs may include, but re not limited to, virtual education classes, field trips, take daughter or son to work.

1. Illness of student.
2. Illness of an immediate family member.
3. Death in the family.
4. Religious holidays of the student's own faith.
5. Required court appearance or subpoena.
6. Special event. Examples of special events include important public functions, educational enrichment activities, conferences, state/national competitions, college/university campus tour/visit as well as exceptional cases of family need.
The school administrator should indicate the specific number of days granted for student to attend a special event, especially in cases of family need.
7. Scheduled medical or dental appointment.
8. Students having, or suspected of having, a communicable disease or infestation which can be transmitted are to be excluded from school and are not allowed to return to school until they no longer present a health hazard (F.S. 1003.22). Examples of communicable diseases and infestations include, but are not limited to, fleas, head lice, ringworm, impetigo and scabies. Students are allowed a maximum of five excused days absence for each infestation of head lice.
If a parent returns a child to school following 5 days of excused absences for an infestation of head lice, and the school finds that the infestation is not over subsequent absences shall be unexcused.
9. Students on field trips, and students who attend alternative to suspension programs or in internal in-school suspensions are not considered absent.

B. UNEXCUSED ABSENCES

Absences not excused as defined in the previous section, are considered unexcused.

1. Students without a completed Certificate of Immunization indicating compliance with the current required schedule of immunizations will not be allowed to attend classes until this document is provided or a waiver is obtained. Absences due to non-compliance with immunization requirements shall be considered unexcused. (F.S. 1003.22(1

• If the CPST finds that a pattern of non-attendance is developing, whether the absences are excused or unexcused, the parents must be given a menu of options to help remediate the behavior (Refer to the interventions listed in section II(c).

- *On the elementary level, if at the 5-day BTIP (Broward Truancy Intervention Program) meeting it is determined that the reasons for the excessive absences are legitimate, the principal/designee must enter the 076 Code on the L27 panel (a comment should be entered on the L27 explaining why the 076 Code was used).*
- *If the reasons are not accepted, the school monitors the case, and continues school-based interventions to remediate the truant behavior.*

Doctor's Note

- *If the school deems that the absences due to illness have been abused, the principal may require a doctor's note to excuse further absences.*
- *If the student is absent due to the illness of a family member and the school requests a doctor's note, the parent should provide the doctor's note verifying the family member's illness.*

2. For students transferring into Broward County, including but not limited to foster care students, or homeless students, a temporary 30-day waiver of both health examination documents and certificates of immunization must be granted. (F.S. 1003.22(1) (5) (e))

All students transferring into Broward County School from outside the County, shall be allowed to register in school and given 30 days to provide the appropriate health examination documents and certifications of immunization.

Families should be referred to the School Social Worker for assistance, as needed, in procuring the proper documentations.

3. Students who have been externally suspended may be offered an opportunity to participate in an alternative to suspension program. If they do not attend, the assigned days, the absences will be considered suspensions. For a student with a disability (SWD) if FAPE (Free and Appropriate Public Education) is provided and the student does not attend, the student will be marked absent based on this attendance policy. The SWD will be permitted to make up work whether they attend the alternative to suspension program or not.

ESE students are limited to 10 days of external suspension each year. As a student approaches the tenth day of external suspension, a Functional Behavioral Assessment (FBA) must be completed by the school. If they refuse to participate in the alternative to suspension program then those days will be marked excused or unexcused based on the reason given by the parent.

- C. **MAKE-UP WORK** (This does not apply to specific homework provided under FS 1003.01 to certain suspended students.)

1. All Absences and Field Trips:

All students shall be given an opportunity to make up work for full-earned credit and grade for **ALL** absences and field trips. Make-up work must be submitted within two days, not including the day of return, for each day of an absence. Previously assigned work is due the day of return. Under extenuating

circumstances and at teacher's discretion, additional time may be allowed.

2. Middle Schools:

Make-up work for credit and grade is allowed for ALL absences due to the statutory promotion requirements to high school and the impact on course recovery. Make-up work must be submitted within two days, not including the day of return, for each day of an unexcused absence. Previously assigned work is due the day of return. Under extenuating circumstances and at teacher's discretion, additional time may be allowed.

3. Suspensions:

Make-up work for credit and grade is allowed for all students. It is the student's responsibility to get the missed work. All work is due on the day of return from the suspension. Student is NOT allowed to participate in any school activities during the suspension period.

D. TARDINESS

Tardiness is defined as a student not being in the classroom when the class is scheduled to begin.

1. Parents must follow the same process to excuse a tardy as they do to excuse an absence.
2. Excessive tardiness will be addressed on a case-by-case basis to determine if there is a pattern of non-attendance. Non-attendance for instructional activities is established by tardiness, early-sign-outs, or absences for all or any part of the day.
3. Tardiness to any class without documentation may be considered unexcused.
4. Habitual tardiness is defined as being tardy 5 times within a marking period.
5. Principals have the discretion to excuse tardiness for extenuating circumstances.
6. Unless excused under the provisions of this policy, accumulated tardiness will be recorded as unexcused absences. (F.S. 1003.02 (1) (b))

Students who are tardy five times within a marking period may be establishing a pattern of non-attendance, and may be referred to the Collaborative Problem Solving Team (CPST).

The accumulation of tardy minutes will count towards the 5 days that a student is permitted to be absent within a marking period. The A17 panel will have a field available to capture these minutes.

• While there may be variations in how different schools admit tardy students to class, each school must ensure that policies are evenly enforced. With the single point of entry, if schools require a tardy pass to admit students to class, with many tardy students, that process might add as many as 20 minutes to a child's tardiness. It is recommended that the student who is late 10 minutes or less should go directly to class.

For more than 10 minutes, require that parents sign in the student. Schools are free to develop their own procedures and parents should be duly informed at the beginning of the school year.

• When a consistent pattern of tardiness exists, these students shall be referred to the Collaborative Problem Solving Team (CPST) for determination of a possible adjustment to the student's school day based on extenuating circumstances. Extenuating circumstances may include but are not limited to family hardship or medical reasons.

E. EARLY SIGN-OUTS

1. No students shall be released within the final 30 minutes of the school day unless the principal/designee determines it is an emergency.
Schools should record on the A17 panel in TERMS, the exact minutes of all early sign-outs. These minutes will count towards the five days of absences that flags a student for having a possible pattern of non-attendance.
2. All schools will establish procedures for early release that ensure that all students are treated consistently.
3. Excessive early sign-outs will be addressed on a case-by-case basis to determine if there is a pattern of non-attendance. Non-attendance for instructional activities is established by tardiness, early-sign-outs, or absences for all or any part of the day.
4. Unless excused under the provisions of this policy, accumulated early sign-outs will be recorded as unexcused absences. (F.S. 1003.02 (1) (b))

STUDENTS' RIGHTS AND RESPONSIBILITIES

1. RULES

- a. Students when age-appropriate, have a responsibility to ask their parents to notify the school when they are absent.
- b. Students when age-appropriate have a responsibility to ask teachers for, and to complete, make-up assignments. Two days (not including the day of return) are allowed for each day of excused absence or field trip. Previously assigned work is due the day of return. Under extenuating circumstances and at teacher's discretion, additional time may be allowed. Middle school students may make

up work for any absences as indicated in Section C. 2 of this policy.

Communication with the teacher and the school are very important regarding make-up work. Teacher discretion relies on communication.

- c. Students must maintain current classroom assignments while on internal suspension and turn in work daily.
- d. Students who are married, are parents, or are expectant parents have the right to remain in the regular school program or attend a special center program tailored to their specific needs.

Note: For additional information on students' rights and responsibilities, see the Code of Student Conduct as well as the Driving Privileges & Attendance section of this policy.

PARENTS' RIGHTS AND RESPONSIBILITIES

1. Parents have a right to be informed of the attendance responsibilities and consequences for truancy for both parents and students as described in the Code of Student Conduct.
2. Each parent of a child of compulsory school attendance age is responsible for the child's school attendance as required by law. (F.S. 1003.24)
3. Parents must report their child's absence in accordance with the procedures in the Code of Student Conduct. The parent shall provide documentation of illness from a physician or public health unit, if requested.
4. Parents have the right to request a hearing if they refuse to participate in the interventions developed by the child study team because they believe that those interventions are unnecessary or inappropriate.
(F.S.1003.26 (1) (b) (e))
Parents must be notified of their right to appeal the interventions. Appeals may be made to the Superintendent. The Superintendent /designee shall provide a hearing officer to hear the appeal and make a recommendation for final action to the Board.
5. The parents of a student expected to miss at least 15 consecutive school days due to illness, medical condition, or social/emotional reasons, or who would miss excessive days intermittently throughout the school year for the same reasons, and could benefit from instruction should notify the school and request a copy of the Hospital/Homebound referral packet.
6. Parents have a right to be notified if their child misses school and the parents have not reported the absence to the school (1003.26(1)).

The Parent Link program automatically telephones parents each day that a child is absent from school. It is the responsibility of parents to ensure that the school has correct current demographic information.

7. It is the parents' responsibility to maintain current contact information including telephone numbers with the school's registrar. Failure to comply may include the school needing to contact the proper authorities.
8. Florida law supports the active involvement of parents* until the student graduates from school (F.S. 743.07, 1003.26; 1003.21). It is presumed that students are dependent students (as defined by FERPA 34 C.F.R. §99.31(a)(8) and by Internal Revenue Code § 152). Parents will be notified that when a student reaches the age of majority (18 years of age), the parent shall continue to perform the parental functions of a dependent student, including, but not limited to, provide excusal of absences and tardiness, permission slips for early release, field trips, other activities, as necessary, and to register or terminate (withdraw) school enrollment, until the student graduates, except under the following circumstances:
 - (1) The student has submitted specific and acceptable documentation (such as rental agreement, lease etc.) to establish that he or she is independent of his/her parents and that the presumption of a dependent student does not apply to him or her.
 - (2) The student has been emancipated in compliance with Florida laws (FS 1003.21(1)(c), F.S. 743.07).
 - (3) When the student has no parent and this fact is verified by the school administration (e.g. by communications with relatives, the Homeless Education Program, or the Florida Department of Children and Families, as is appropriate).

* The term parent is defined to include biological parents, any guardian, any person in a parental relationship or "any person exercising supervisory authority over a student in place of the parent." 1000.21(5),F.S.

SCHOOL/DISTRICT RESPONSIBILITIES

1. MAINTAINING RECORDS AND IMPLEMENTING INTERVENTIONS

a. Each principal must make the necessary provisions to ensure that all school attendance reports are accurate and timely and must provide the necessary training opportunities for staff to accurately report attendance (F.S.1003.23 (1)). Principals are required to maintain an attendance record which shows the absence or attendance of each child enrolled for each school day of the year. (F.S.1003.23 (2)).

b. Upon each unexcused absence, the school shall contact the student's parent in a timely manner (F.S1003.26 (1) (a

It is the responsibility of the school to maintain accurate records of students' attendance.

- *The Parent Link program is the instrument utilized by the school to be in compliance with the state requirement of notifying parents of students' daily absences. It is the responsibility of parents to ensure that the school has correct current demographic information to make these calls possible.*
- *The principal/designee shall be responsible for informing students and parents of their rights and responsibilities related to attendance through the appropriate dissemination of the Code of Student Conduct.*
- *Patterns of non-attendance are determined at a duly convened Collaborative Problem Solving Team.*
- *Parents' failure to follow interventions to remediate patterns of nonattendance as provided under IIc above, may result in sanctions. At the elementary level: Parents may face criminal prosecution for non-compliance with compulsory school attendance. This is handled through the BTIP process as outlined in the BTIP manual. At the secondary level: Students may be referred to the CINS/FINS program or Case Staffing Committee. This is handled through a referral to the School Social Worker after the appropriate school interventions have been completed.*
- *The principal designee is responsible for documenting parent contacts and parent/student interventions.*
- *Teachers have a responsibility to provide make-up assignments to students with excused absences.*
- *The principal shall review the appropriateness of make-up work for unexcused absences.*

- c. If a student has accumulated five days (30 hours) of absences in a marking period or 10 days (60 hours) within two marking periods, the principal/designee shall determine if there may be a pattern of nonattendance. If there is no acceptable documentation, the principal/designee shall refer the student to the Collaborative Problem Solving Team to determine if early patterns of truancy are developing; and provide appropriate interventions. (F.S.1003.26(1)(b)).
- d. The principal/designee shall provide a Hospital/Homebound referral packet to the parent of a child who is expected to miss at least 15 or more consecutive school days due to illness, medical condition, or social/ emotional reasons, or who would miss excessive days intermittently throughout the year for the same reasons.
- e. If the parent or guardian of a child who has been identified as exhibiting a pattern of non-attendance enrolls the child in a home education program, the Superintendent/designee shall refer the parent to a home education review committee composed of the district contact person for home education and at least two home educators selected by the parent from a district list of all home educators who have conducted a home education program for at least three years and have indicated a willingness to serve on the committee.

DRIVING PRIVILEGES AND ATTENDANCE

Florida Statute 322.091 and 1003.27(2)(b) requires school districts to report to the Division of Highway Safety and Motor Vehicles (DHSMV) the names, dates of birth, sex and social security numbers of students ages 14–18 who accumulate 15 unexcused absences in any consecutive 90 calendar day period. Districts are also required to hold hardship hearings if requested by a student whose license has been suspended. The Board authorizes the Superintendent to develop administrative procedures to implement this legislation.

- a. The principal/designee will conduct the hardship hearing within 30 calendar days of receiving the request in accordance with the procedures established by the Superintendent.
- b. Students are eligible to have their driving privileges reinstated if they accumulate 30 consecutive days of attendance.

- *Information and Technology Department (I&T) will report absences electronically to the Department of Highway Safety and Motor Vehicles (DHSMV). Principals are responsible for maintaining electronic attendance records in an accurate and timely manner.*
- *Prior to the student receiving the intent to suspend driver's license notice from the DHSMV, schools may notify students of this possible action by utilizing the form letter that is provided in Appendix vi .*
- *If a student's driver's license is suspended, the student may request a hardship hearing. The purpose of the hardship hearing is to determine if the student should retain his/her driver's license despite having accumulated 15 unexcused absences within 90 days.*

Hardship Waiver Procedures:

The state demands that school districts have procedures to schedule hardship waiver hearings for students who receive a notice of intent to suspend. Unlicensed students are not eligible for a hardship waiver hearing. The purpose of the hardship waiver hearing is to review the pending suspension of a student's driving privileges. Hardship waivers may be related to one of the following criteria:

- 1) *"...a personal or family hardship that requires that the minor have a driver's license for his or her own, his or her family's, employment or medical care."*
- 2) *A hardship for employment is based on verification of need. The factor to be considered is the extent to which a student provides a substantial financial contribution for his/her livelihood or his/her family's needs relevant to food and shelter.*
- 3) *A hardship for medical care is based on the need for transportation for the student or his/her immediate family*

members living in the same household to access required treatment. Consideration should be given to whether there are other licensed drivers in the household.

The following timeframes are important for the hardship waiver process:

- A licensed student or his parent or guardian has 15 calendar days after the receipt of the notice of intent to suspend to request a hardship waiver hearing before the principal or the principal's designee. The student must complete and sign the Request for Hardship Hearing Form (see appendix vii). The form must be signed by the principal or designee and date stamped immediately upon receipt.*
- The school must schedule a hearing date within 24 hours of receipt of the request. It is advisable that the completed and signed request/notification form be faxed to DHSMV 850-414-7453. This alerts DHSMV that the waiver is pending a hearing.*
- The hearing must be conducted within 30 calendar days of the request.*
- The outcome of the hearing must be electronically transmitted to DHSMV, 850-414-7453, within 24 hours after the hearing.*

Any student who is denied a waiver may appeal the decision to the district School Board.

- The Board will designate a hearing officer to conduct the appeals hearing and submit recommendations to the Board, which shall then take final action.*
- Students who have lost their driving privileges because of truancy, may have those privileges restored if they attend school for 30 consecutive days with no unexcused absences. Driving privileges may be reinstated by contacting the SSWAD designee at 754 321-2490, and completing the requirements of the appropriate forms.*

CONSEQUENCES RELATED TO TRUANCY

- A child who is found to be truant may be taken to the Juvenile Assessment Center or other locations that are established by the school district to receive students who are absent from school. It is the responsibility of the Law Enforcement Officer to call the school to determine if the child is legitimately out of school.
- Students 14-18 years of age who have 15 unexcused absences within 90 calendar days and have a driver's license will have their driver's license

suspended by the Division of Highway Safety and Motor Vehicles or will not be issued a license if they apply for one.

- c. If a child subject to compulsory school attendance will not comply with attempts to enforce school attendance and the Superintendent elects not to file a truancy petition or if the child does not successfully complete the sanctions ordered by the Court, the child will be referred to the case staffing committee pursuant to Section 984.12. The staffing committee may file a child-in-need-of-services petition. (F.S. 1003.26)

If a child of the age of compulsory school attendance is not attending school and is not enrolled in either a private school or in home education, the superintendent shall institute criminal prosecution against the parents. In addition to the demographic data of the students and parents, the truancy petition must contain the number of out-of-school contacts between the school system and student's parent or guardian, and the number of days and dates the student has missed school.

- On the elementary level, initial truancy interventions are provided by the CPST, or by the school at the 5-day BTIP meeting.***
- Attendance is monitored by I&T, which flags Temporary Assistance to Needy Families (TANF) recipients and automatically sends records to the Department of Children and Families (DCF) through the Learnfare program.***
- Failure to remediate truant behavior may result in the child being referred to the Case Staffing Committee and/or the CINS/FINS(Children/Families In Need of Services) agencies.***

- d. If the parent refuses to participate in the truancy interventions and exercises the right to appeal to the School Board because the parent believes the interventions are unnecessary or inappropriate, the school district will provide a hearing officer who shall make a recommendation for final action to the Board. If the Board determines that the interventions are appropriate and the parent still refuses to participate or cooperate, the Superintendent/designee will seek criminal prosecution for noncompliance with compulsory school attendance. (F.S.1003.26 (1) (e)

- e. Students who are habitually truant may lose their Temporary Assistance for Needy Families (TANF) grants through the Learnfare Program. The grant will be restored only when conditions as provided by law are met (30 days of attendance with no unexcused absences).
- f. When a student transfers to another school district in an attempt to circumvent the applicable remedial truancy procedures, copies of all records pertaining to said procedures shall be forwarded to the new school district free of charge. (F.S.1003.28)

Laws Implemented: 1002.20(2), 1003.01(5), 1003.02(1)(g), 1003.21, 1003.22, 1003.23, 1003.24, 1003.25, 1003.26, 1003.27, 1003.28, 1003.29, 1003.31, 1003.32, 1003.4156, 1006.08_Fla. Stat.

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