

## 16. School Attendance [EAS 42-719]

All children in an assistance unit (AU) for whom school attendance is required (ages 6 through 17) must regularly attend school as defined by the school district. The school attendance requirement applies to the any other child who is in the AU, whether or not the needs of that child are met.

Effective January 1, 2015, a child shall be presumed to be attending school unless he or she has been deemed a chronic truant.

The cash aid must be reduced (a penalty applied) if a child aged 16 through 17 (under 18) years of age has been deemed a chronic truant and does not meet any of the exception criteria.



### Note:

If an 18 year old child who is expected to graduate before their 19<sup>th</sup> birthday is not regularly attending school, he/she is not eligible for CalWORKs.

This requirement does not apply to children who are subject to Cal-Learn requirements (a pregnant or parenting teen).

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### 16.1 Definitions

The following definitions are used in this section:

**Chronic Truant:** For CalWORKs purposes, any student age 16 through 17 years of age subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse for 10 percent or more of the school days in one school year, from the date of enrollment to the current date, is deemed a chronic truant.

**Regular School Attendance:** For CalWORKs purposes, regular school attendance is defined by the local school districts. Generally this means the child is attending 90% or more of the time.

**SARB:** The School Attendance Review Board (SARB) is the group of individuals who will determine if a student has failed to attend school regularly and the intervention methods have failed to secure the child's regular attendance.

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### 16.2 Verification of Enrollment

Effective January 1, 2015, verification of school enrollment for CalWORKs children is no longer required at application and at the annual CalWORKs redetermination.

## 16.3 Chronic Truant

If the county learns that a child 16 through 17 years of age has not been attending school and is deemed a chronic truant, the needs of the child shall not be considered in computing the grant of the family. This shall apply for any month in which the county is informed by a school district or a SARB that the child is a chronic truant, unless one of the following exception criteria exists:

- The county is provided with evidence that the child's attendance records are not available.
- The county is provided with evidence that the child has been attending school.
- Good cause for school non-participation exists at any time during the month.
- Any member of the household is eligible to participate in the Family Services (FS) program.
- The county is provided with evidence that the child, parent, or caregiver is complying with requirements imposed by a SARB, the county probation department, or the district attorney; or
- A member of the household is cooperating with a plan developed by a county welfare agency such as Juvenile Probation, County Child Protective Services or Foster Care.

A child whose needs have not been considered in computing the grant of the family shall remain eligible for services that may lead to attendance in school.

### 16.3.1 Referral to Family Services Program

Anytime the county learns that a child in a CalWORKs AU is a chronic truant, the family must be referred to the FS program for evaluation of FS eligibility requirements. If the family does not meet FS eligibility requirements or truancy services are not provided, but a mandatory participant is unable to complete their work requirements due to a minor's truancy issues, then the case must be reviewed for WTW good cause and members of the family may be referred to counseling services.

### 16.3.2 Verification of School Attendance

All school age children are assumed to be regularly attending school unless notified by the school district or the county SARB that the child is not attending school regularly.

### 16.3.3 School Attendance Review Board (SARB) Intervention

Schools will explore all methods of intervention for any child that is not regularly attending school before requesting a penalty.

Schools will notify the County when a child has been deemed a chronic truant. The notification is sent to the Program Section and then forwarded to the Eligibility Worker (EW) and EW Supervisor for appropriate action.

The school's methods of intervention include, but are not limited to: parent conferences, student conferences, referrals to community-based organizations and/or Social Services Agency Child Welfare Services staff, referrals to the School Attendance Review Board (SARB), and any other methods the school deems appropriate.

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## 16.4 School Notification to Benefits of Non-Attendance

When it is determined, by the school or the SARB, that a child 16 through 17 years of age has been deemed a chronic truant and all methods of intervention have failed, the school district will notify the County.

The school district will send all of the following documents to the CalWORKs Social Work Unit:

- A letter on school district letterhead, requesting that the CalWORKs penalty be imposed, as appropriate.
- A copy of the school district's letter which was sent to the child's parent, notifying the parent that a request is being made to have the CalWORKs penalty imposed.
- A "CalWORKs Checklist", showing the intervention methods used, prior to requesting the penalty

This request will be scanned/indexed and forwarded to the case-carrying EW by the CalWORKs designee. The penalty must be imposed as soon as an adequate and timely (10-day) notice can be given by the EW to the AU. The EW Supervisor will also be sent a copy of the request to insure that timely action is taken.

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## 16.5 Applying the Penalty

A non-cooperation penalty is applied by the EW for the following reason:

- Notification from the school district or SARB that a student age 16 through 17 years of age has been deemed a chronic truant.

### 16.5.1 Determining Who to Penalize

When it has been determined that a child age 16 through 17 years of age has been deemed a chronic truant and does not meet any of the exception criteria, the penalty is applied by the Eligibility Worker as follows:

If...	Then the Needs of...
A child aged 16 through 17 has been deemed a chronic truant and does not meet any of the exception criteria.	That child is deleted from the AU. The income and property of that child are used to determine the AU's eligibility and aid payment. Refer the family to the CalWORKs Social Worker.

### 16.5.2 Applying the Penalty

The penalty is applied to:

- The 16 - 17 year old child.

### 16.5.3 Only Child in AU

If the child aged 16 through 17 is the only child in the AU and that child has been deemed a chronic truant, the grant for the AU is zero.

## 16.6 Removing the Benefits Penalty

This section explains the criteria for removing a penalty. The penalty will be lifted in the following manner:

If the penalty occurred...	Then the penalty...
For a child aged 16 through 17 years of age being deemed a chronic truant	Will NOT be lifted until the school district has notified our Agency to lift the penalty or the child reaches age 18.

### 16.6.1 EW Action

Once the EW is notified, by the school district, that a teen is regularly attending high school or its equivalent the EW must take appropriate action to remove the penalty.

## 16.6.2 Restoration of Cash Aid

The needs of the penalized individual are added to the AU effective the first of the month following the month in which verification is received, if otherwise eligible, regardless of the date received by the case-carrying EW, verifying that:

- The child is regularly attending school.

## 16.6.3 Exception Criteria

If good cause exists, the penalty may be lifted by the EW upon receipt of an email or telephone contact, and the teen may be referred to the CalWORKs Social Worker or by the CWES Worker if a referral has not previously been made by either the EW or the CWES Worker. A child may be determined to have good cause for not enrolling in school when that child:

- Has already graduated from high school.
- Has a serious illness, injury or incapacity which prevents the child from enrolling and attending school. The parent/caretaker relative must provide a written doctor's statement concerning the illness, injury or incapacity and the inability of the student to currently attend school. This good cause criteria can not be used for longer than 90 days.

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## 16.7 Registration with Employment Services

Eligible children, 16 through 17 years of age, must be regularly attending high school or vocational/technical training or be registered with Employment Services, unless exempt. If enrolled in college, the child must be referred to Employment Services.

Children 18 years of age are eligible for CalWORKs only if:

- A full-time student, regularly attending, high school or the equivalent level of vocational or technical training, and
- Expected to complete the program (graduate) before reaching age 19 or if they meet the criteria for "Fry v. Saenz" [Refer to CalWORKs Handbook section 13-2.]

The school determines what constitutes regular attendance and which vocational/technical programs are equivalent to high school. This requirement may not be met by correspondence work.

### 16.7.1 Home Schooling

Home schooling is not an allowable WTW activity. While a parent maintains the right to home school his/her children, making this choice does not meet the basic intention of the WTW participation requirements. WTW is a comprehensive statewide employment program designed to enable participants to achieve self-sufficiency. Home schooling hours do not count as WTW core/non-core

However, if the child is being home-schooled to avoid the teen's enrollment into WTW, the statement from the parent is acceptable, as long as the parent also provides verification that an agreement has been entered into with the school district for this to occur. If the parent is unable to provide the supporting documentation, refer the parent in the AU to the CWES Social Work Unit.

### 16.7.2 Exemption Status

The 16 and 17, or 18 year-old is exempt from registration with CWES if that child is attending school on a full-time basis. If the EW is notified that the child is not attending school, the child must be registered to WTW. If the teen becomes non-compliant by not attending a WTW Orientation, a sanctioned must be imposed.

Teens who have graduated from high school, who are still on cash aid, but not attending a post secondary program or not planning to attend a post secondary program, are required to participate in WTW.

Teens who have graduated from high school and are attending a post secondary program, or planning to attend a post secondary program, are exempt from WTW.



#### Reminder:

The EW is required to exempt or register these older teens by completing appropriate CalWIN fields in student windows/tabs with appropriate information.



#### Note:

A 16- or 17-year old whose welfare-to-work activity is to attend school cannot re-qualify for this exemption by attending school. Once registered, an exemption is no longer applicable.

### 16.7.3 Attendance

A student enrolled in a full-time high school program is considered attending on a full-time basis unless notification is received from the school district that the child is not regularly attending.

## 16.8 Employment Services Participation

### 16.8.1 Hours of Participation

The hours of participation requirement under CalWORKs does not apply to 16- or 17-year old teens who have not completed high school or its equivalent.

Teens, age 16 and 17, who have completed high school or its equivalent are required to participate in welfare-to-work activities and are subject to all CWES Program requirements under CalWORKs.

### 16.8.2 Participation Requirements

CWES participation requirements for 16- and 17-year old teen children are outlined as follows:

If the teen, aged 16 - 17...	Then that teen...
Has not completed high school or its equivalent,	Is only referred to high school or its equivalent.
Has been referred to high school or its equivalent,	May volunteer to participate in additional welfare-to-work activities, including job search services and assessment, to the extent that these activities do not interfere with their school attendance.
Has completed high school or its equivalent,	Is required to participate in welfare-to-work activities and is subject to the hours of participation requirements under the CalWORKs program.

### 16.8.3 Verification of Enrollment in High School

A teen who has been referred to CWES and at Orientation provides verification of enrollment in high school (using the CSF 37) has fulfilled the school enrollment requirements.

The CWES Worker must fax the CSF 37 to the EW, requesting the penalty be lifted. The CWES case will remain open for any supportive service needs. The school district is responsible for monitoring attendance through the process established between the school district and the agency.

### 16.8.4 Referral to Assessment

A teen who has been referred to CWES and at orientation does not provide verification of enrollment in high school or its equivalent, is referred to:

- High school or the equivalent, or
- An appropriate CWES educational activity, or
- Assessment.

A referral to the CalWORKs Social Worker will have been made by the EW, once it was identified that the child was not enrolled in school. If it appears that the referral was not made, the CWES Worker must make the referral to link the teen to any necessary supportive services.

### 16.8.5 School Activity at Orientation

Use the following chart to determine the appropriate activity for the teen:

If the teen is...	Then the CWES Worker...
Enrolled in high school at the time of or after a CWES orientation,	Provides the completed CSF 37 to the EW and requests that the penalty be lifted. The case will remain open for any necessary supportive services. The school district is responsible for monitoring attendance through the process established between the school district and the agency.
Enrolled in a school program other than high school, at the time of the CWES Orientation,	Requests that the penalty be lifted and provides the completed CSF 37 to the EW. The CWES Worker is responsible for monitoring attendance according to CWES attendance requirements.

## 16.9 Non-Compliance with CWES

### 16.9.1 Attendance Problem

The CWES Worker monitors attendance, on a month-to-month basis. Teens enrolled in a vocational training program or any other non-high school program must submit an “Attendance and Child Care Billing” (SCD 1755) by the 5<sup>th</sup> day of each month.

Teens, in CWES, who fail to submit the SCD 1755 are subject to the 20-day non-compliance process. The parent of the teen is sent the “Notice to Parent/Legal Guardian” (SCD 1780) at the same time that the NA 840 is issued to the teen.

### 16.9.2 Good Cause

Use the following chart to determine the appropriate action when reviewing for good cause:

If the teen...	Then the teen...
Has good cause for not participating in the required activity and the teen can continue participation in the program in which enrolled,	Will be allowed to resume program participation based on the good cause determination.



If the teen...	Then the teen...
Has good cause for not participating in the required activity for 30 days or more, and cannot continue participation in the program in which enrolled due to good cause criteria,	Is placed in good cause status and monitored on a month-to-month basis until the teen can be referred back to the appropriate activity.
Has good cause for not participating in the required activity and the teen cannot continue participation in the program in which enrolled due to existing barriers,	Is referred to the CalWORKs Social Work Unit, if intervention is required, or back to Assessment.
Does not have good cause for not participating in required activity,	Is placed on a compliance plan for 30 days or until the end of the activity, whichever happens first.

### 16.9.3 Failed Teen Compliance Plan

When a teen has failed to keep the terms of his/her compliance plan, the penalty is imposed. The CWES Worker may determine that a referral to the CalWORKs Social Worker is appropriate, if one has not previously been made by either the EW or the CWES Worker.

### 16.9.4 Closing the CWES Case

The CWES teen case cannot be closed until the CalWORKs case is closed.

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## 16.10 Removing the CWES Penalty

This section explains the criteria for removing the penalty initiated by CWES. If the penalty occurred for a teen's failure to attend a required program, then the penalty is not lifted by the EW until the teen has cooperated with CWES.

### 16.10.1 EW Action

Once the EW is notified, by the CWES Worker, that a teen is regularly attending his/her required program, the EW must take appropriate action to remove the CWES penalty.

