
CalWORKs Handbook :. 42-1.1

School Attendance Requirements

Effective Date: Immediately

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Summary

The purpose of this handbook is to inform staff of the CalWORKs school attendance requirements.

Effective January 1, 2015, Assembly Bill (AB) 2382 removed the school attendance requirements to provide verification of school attendance for children under the age of 16. Additionally, under AB 2382, the needs of a teen 16 or older are excluded only when reported as truant and good cause does not exist.

This handbook is being updated to provide clarification to staff regarding when a school attendance penalty is applied and to add domestic abuse as a circumstance for good cause.

Updates are in blue.

I. General

School Attendance Requirements

1. Eligibility Services Technicians (ESTs) **do not have** to ask about children's school attendance or require applicants and recipients to provide verification of school attendance at application and annual redetermination.
 - Correspondence Form 40-129, "School Attendance Verification" is no longer being sent to recipients twice a year.
 - EST **shall** inform applicants and recipients of California's compulsory education law, which requires everyone between the ages of six and 18 years of age to attend school. Children who are 16 or 17 years old, who have graduated from high school or passed the California High School Proficiency Exam and obtained parental permission to leave, are exempt from this rule.
2. A child is presumed to be attending school unless notification has been received that they have been deemed chronically truant **by a school district or the School Attendance Review Board (SARB).**

II. Specifics

A. Children Under 16

Assistance Units (AUs) will not have their CalWORKs grant reduced when it is learned that a child under 16 years of age is not regularly attending school.

B. Children Age 16-18

1. If the EST receives verification that a child age 16 years of age or older has not been attending school and the school has deemed them chronically truant, a school attendance penalty may be applied and the needs of the child shall not be considered in computing the grant of the family.
2. The penalty **may** apply unless at least one of the following exceptions exists:
 - a. Evidence is provided that the child's attendance records are not available;
 - b. Evidence is provided that the child has been attending school;
 - c. Good cause for school nonparticipation exists at any time during the month;
 - d. Any member of the household is eligible to participate in the Family Stabilization program for any reason, including other siblings and parents;
 - Any time the EST learns that a child in a CalWORKs AU is chronically truant; the family may be referred to the Family Stabilization program for evaluation. [Refer to CalWORKs Handbook :. 42-7.5 Family Stabilization Program for CalWORKs Clients.](#)
 - e. Evidence is provided that the child, parent, or caregiver is complying with requirements imposed by a [SARB](#), the County Probation Department, or the District Attorney; or a plan developed by a county child welfare agency such as Juvenile Probation, Child Protective Services or Foster Care, etc.

C. Good Cause

Examples of good cause include, but are not limited to, the following:

- A doctor has verified in writing that the child was too ill to attend school.
- The school has removed the child, pending a decision regarding what actions will be taken.
- The child has already graduated from high school.
- The applicant/recipient is a past or present victim of domestic abuse which is preventing the child from attending school regularly.
 - If the abuse occurred in the past, the issue causing the truancy must be related to the current situation.

D. Referral to Welfare-to-Work

Children aged 16-18 who are attending school full-time are exempt from Welfare-to-Work. Therefore, the EST shall refer a child 16 years of age or older to WTW if verification is received that the child has been deemed chronically truant and does not meet the good cause criteria.

Refer to [Welfare-to-Work Handbook :. 42-7.0 Welfare-to-Work Overview](#) to register a child not attending school for WTW.

E. Applying School Attendance Penalty

The EST shall apply the school attendance penalty to the child after a WTW plan is signed, if:

- The child does not cooperate with the plan,

- The child remains truant, or
- Good cause does not exist.

F. Restoration of Aid

The needs of the child shall be restored effective the first of the month following the month the EST receives verification that the school attendance issue is resolved with the school district.

G. Verification of School Attendance

CalWORKs applicants and recipients are not required to provide verification of the child(ren)'s school attendance and the child(ren) will be presumed to be attending school unless the child(ren) have been deemed a chronic truant.

Verification of school attendance may be needed in the following situations:

1. School attendance for pregnant or parenting teens for Cal-Learn. Refer to [Cal-Learn Handbook :: 42-8.2 Cal-Learn Program Overview](#).
2. Verifying graduation date to determine continued CalWORKs eligibility for a child turning eighteen (18) years of age. Refer to [CalWORKs Handbook :: 42-1.2 Eligibility for Teens Turning 18 Years Old](#).

Note: The Attendance Information tab in the Collect Student Detail window in CalWIN shall be completed for 16-18 year-old children in the AU to prevent erroneous enrollment in WTW.

References

All County Letter 15-22, 15-22E, 18-34

California Education Code (EC) Section 48320 (Compulsory Education Law)

Education Code Section 48263.6

MPP 40-105.5

[Cal-Learn Handbook :: 42-8.2 Cal-Learn Program Overview](#)

[CalWORKs Handbook :: 42-1.2 Eligibility for Teens Turning 18 Years Old](#)

[CalWORKs Handbook :: 42-7.5 Family Stabilization Program for CalWORKs Clients](#)

[Welfare-to-Work Handbook :: 42-7.0 Welfare-to-Work Overview](#)