



## Legislative Fiscal Bureau

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May 23, 2017

Joint Committee on Finance

Paper #205

### **Learnfare School Attendance Requirement (Children and Families -- Economic Support and Child Care)**

[LFB 2017-19 Budget Summary: Page 102, #6]

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#### **CURRENT LAW**

Dependent children between the ages of six through 17 in a W-2 group that includes a participant in a W-2 employment position (including a W-2 temporary employment match program placement, community service job, or transitional placement) are subject to the Learnfare school attendance requirement unless otherwise exempt. Each child must be enrolled in school, or must have been enrolled in the immediately preceding semester.

In addition, certain persons must participate in case management services, including: (a) children between the ages of six through 17 who are not enrolled in school; (b) a school dropout or returning dropout; (c) habitual truants (absent from school without an acceptable excuse for part or all of five or more school days during a semester); (d) minor parents; and (e) children of individuals participating in W-2 who have been unable to participate in assigned activities due to the child's school-related problems. A case management plan is required for each child subject to Learnfare case management, which must include services that maintain school enrollment, improve school attendance, and prepare children for a career.

W-2 agencies are required to verify enrollment during a case review. If the children and parent do not provide all information necessary for the W-2 agency to verify enrollment, the parent is not eligible for a W-2 employment position.

A financial penalty may be imposed if a child fails to meet the enrollment requirement without good cause. Financial sanctions do not apply to the failure to cooperate with case management (as opposed to enrollment).

According to the administrative rules, the penalty is a reduction in the W-2 participant's

cash benefit of \$50 per child per month, not to exceed \$150 per workgroup per month. The penalty is imposed each month until the child complies with the Learnfare requirements.

## **GOVERNOR**

Expand the Learnfare school attendance requirement to permit sanctions on the basis of attendance in addition to enrollment. The bill would expand the school attendance requirement to include habitual truants, such that a child would fail the attendance requirement by being absent from school without an acceptable excuse for part or all of five or more days during the current or previous semester.

## **DISCUSSION POINTS**

1. Research indicates that chronically absent students are more likely to have lower academic achievement than their peers and are at greater risk of dropping out of school. Children who are chronically absent in early grades are more likely to miss early learning milestones and are less likely to read at their grade level.

2. According to the Department of Public Instruction (DPI), the attendance rate in 2014-15 for economically disadvantaged children was 93.0% of school days whereas it was 95.9% of school days for children who were not economically disadvantaged. The dropout rate for economically disadvantaged children was 2.4% whereas it was 0.7% for children who were not economically disadvantaged.

3. The Learnfare program is intended to encourage school enrollment, regular attendance, high school graduation, and job attainment. For children in high school, case management focuses on graduation, career and employment planning, job readiness, job seeking, and job retention activities. For children in elementary and middle schools, case management focuses on maintaining school enrollment and attendance.

4. As of the end of 2016, approximately 10,000 children in W-2 groups were subject to the Learnfare requirements. As of September 2, 2016, there were 119 individual students receiving Learnfare case management and 101 referrals pending for enrollment into case management.

5. The Learnfare program currently sanctions W-2 participants for failing to enroll their children into school. Learnfare does not sanction participants based on actual attendance.

6. Since 2011, W-2 agencies have imposed one Learnfare sanction.

7. Identical Learnfare attendance requirement provisions have been included into separate legislation as part of 2017 Assembly Bill 240. The Committee on Public Benefit Reform recommended passage of Assembly Bill 240 during its executive session on April 20, 2017, by a vote of five to three. The Assembly passed Assembly Bill 240 on May 10, 2017, by a vote of 62 to 35.

8. DCF provided a fiscal estimate for Assembly Bill 240 which indicated that the attendance requirement would likely have a minimal effect on W-2 benefits and staffing costs at W-2 agencies.

9. The Committee could approve the Governor's recommendation (Alternative 1). The administration indicates that expanding the attendance requirement so that habitual truancy is sanctionable could improve graduation rates and employability for children in W-2 workgroups, thereby reducing dependency on public assistance.

10. On the other hand, other provisions of current law already penalize parents if their children do not attend school. It is a class C misdemeanor for anyone to knowingly encourage or contribute to the truancy of a person 17 years of age or less. Such persons are subject to a fine of not more than \$500, imprisonment for not more than 30 days, or both. In addition, a parent must ensure that his or her child attends school under the compulsory school attendance requirement. If a parent fails to do so, the parent may be fined not more than \$500 or imprisoned for not more than 30 days, or both, for a first offense. For a second or subsequent offense, the parent may be fined not more than \$1,000 or imprisoned for not more than 90 days, or both.

11. Because current law already penalizes habitual truancy, the Committee could conclude that it is unnecessary to expand the Learnfare attendance requirement. Therefore, the Committee could deny the Governor's recommendation (Alternative 2). Also, given that Assembly Bill 240, which addresses this provision, has been introduced and passed by the Assembly, the Committee could remove the item from the budget.

## **ALTERNATIVES**

1. Approve the Governor's recommendation to expand the Learnfare attendance requirement to permit W-2 sanctions on the basis of attendance.

2. Delete provision.

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