

By Senator Atwater

25-357-03

See HB 9

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A bill to be entitled  
An act relating to public school attendance;  
amending ss. 1002.20, 1003.21, and 1003.51,  
F.S.; raising the age of compulsory school  
attendance from 16 years of age to 17 years of  
age; conforming provisions relating to a  
student's right to file a formal declaration of  
intent to terminate school enrollment;  
providing an effective date.

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

Section 1. Paragraphs (a) and (b) of subsection (2) of  
section 1002.20, Florida Statutes, are amended to read:

1002.20 K-12 student and parent rights.--K-12 students  
and their parents are afforded numerous statutory rights  
including, but not limited to, the following:

(2) ATTENDANCE.--

(a) Compulsory school attendance.--The compulsory  
school attendance laws apply to all children between the ages  
of 6 and 17 ~~16~~ years, as provided in s. 1003.21(1) and (2)(a),  
and, in accordance with the provisions of s. 1003.21(1) and  
(2)(a):

1. A student who attains the age of 17 ~~16~~ years during  
the school year has the right to file a formal declaration of  
intent to terminate school enrollment if the declaration is  
signed by the parent. The parent has the right to be notified  
by the school district of the district's receipt of the  
student's declaration of intent to terminate school  
enrollment.

1           2. Students who become or have become married or who  
2 are pregnant and parenting have the right to attend school and  
3 receive the same or equivalent educational instruction as  
4 other students.

5           (b) Regular school attendance.--Parents of students  
6 who have attained the age of 6 years by February 1 of any  
7 school year but who have not attained the age of 17 ~~16~~ years  
8 must comply with the compulsory school attendance laws.  
9 Parents have the option to comply with the school attendance  
10 laws by attendance of the student in a public school; a  
11 parochial, religious, or denominational school; a private  
12 school; a home education program; or a private tutoring  
13 program, in accordance with the provisions of s. 1003.01  
14 (13)~~(14)~~.

15           Section 2. Paragraphs (a) and (c) of subsection (1) of  
16 section 1003.21, Florida Statutes, are amended to read:

17           1003.21 School attendance.--

18           (1)(a)1. All children who have attained the age of 6  
19 years or who will have attained the age of 6 years by February  
20 1 of any school year or who are older than 6 years of age but  
21 who have not attained the age of 17 ~~16~~ years, except as  
22 otherwise provided, are required to attend school regularly  
23 during the entire school term.

24           2. Children who will have attained the age of 5 years  
25 on or before September 1 of the school year are eligible for  
26 admission to public kindergartens during that school year  
27 under rules adopted by the district school board.

28           (c) A student who attains the age of 17 ~~16~~ years  
29 during the school year is not subject to compulsory school  
30 attendance beyond the date upon which he or she attains that  
31 age if the student files a formal declaration of intent to

1 terminate school enrollment with the district school board.  
2 The declaration must acknowledge that terminating school  
3 enrollment is likely to reduce the student's earning potential  
4 and must be signed by the student and the student's parent.  
5 The school district must notify the student's parent of  
6 receipt of the student's declaration of intent to terminate  
7 school enrollment.

8 Section 3. Subsection (4) of section 1003.51, Florida  
9 Statutes, is amended to read:

10 1003.51 Other public educational services.--

11 (4) The Department of Education shall ensure that  
12 district school boards notify students in juvenile justice  
13 residential or nonresidential facilities who attain the age of  
14 17 ~~16~~ years of the provisions of law regarding compulsory  
15 school attendance and make available the option of enrolling  
16 in a program to attain a Florida high school diploma by taking  
17 the general educational development test prior to release from  
18 the facility. District school boards or community colleges, or  
19 both, shall waive GED testing fees for youth in Department of  
20 Juvenile Justice residential programs and shall, upon request,  
21 designate schools operating for the purpose of providing  
22 educational services to youth in Department of Juvenile  
23 Justice programs as GED testing centers, subject to GED  
24 testing center requirements. The administrative fees for the  
25 general education development test required by the Department  
26 of Education are the responsibility of district school boards  
27 and may be required of providers by contractual agreement.

28 Section 4. This act shall take effect July 1, 2003.  
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