

By Senator Farmer

34-01631A-17

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1 A bill to be entitled
2 An act relating to public school attendance policies;
3 amending s. 1002.20, F.S.; authorizing a parent to
4 request and be granted permission for a student's
5 absence from school for treatment of autism spectrum
6 disorder by a licensed health care practitioner;
7 amending s. 1003.21, F.S.; requiring each district
8 school board to adopt an attendance policy authorizing
9 a student's absence for treatment of autism spectrum
10 disorder; amending s. 1003.24, F.S.; revising an
11 exemption relating to parental responsibility for
12 nonattendance of a student to include treatment for
13 autism spectrum disorder; providing an effective date.

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

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17 Section 1. Paragraph (c) of subsection (2) of section
18 1002.20, Florida Statutes, is amended, paragraph (d) is
19 redesignated as paragraph (e), and a new paragraph (d) is added
20 to that subsection, to read:

21 1002.20 K-12 student and parent rights.—Parents of public
22 school students must receive accurate and timely information
23 regarding their child's academic progress and must be informed
24 of ways they can help their child to succeed in school. K-12
25 students and their parents are afforded numerous statutory
26 rights, including, but not limited to, the following:

27 (2) ATTENDANCE.—

28 (c) *Absence for religious purposes.*—A parent of a public
29 school student may request and be granted permission for absence

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30 of the student from school for religious instruction or
31 religious holidays, in accordance with the provisions of s.
32 1003.21(2)(b)1 ~~1003.21(2)(b)~~.

33 (d) Absence for treatment of autism spectrum disorder.—A
34 parent of a public school student may request and be granted
35 permission for absence of the student from school for an
36 appointment scheduled to receive a therapy service or other
37 medical treatment provided by a licensed health care
38 practitioner for the treatment of autism spectrum disorder
39 pursuant to ss. 1003.21(2)(b)2. and 1003.24(4).

40 Section 2. Paragraph (b) of subsection (2) of section
41 1003.21, Florida Statutes, is amended to read:

42 1003.21 School attendance.—

43 (2)

44 (b) Each district school board, in accordance with rules of
45 the State Board of Education, shall adopt policies authorizing a
46 ~~policy that authorizes~~ a parent to request and be granted
47 permission for absence of a student from school for:

48 1. Religious instruction or religious holidays.

49 2. An appointment scheduled to receive a therapy service or
50 other medical treatment provided by a licensed health care
51 practitioner for the treatment of autism spectrum disorder,
52 including, but not limited to, applied behavioral analysis,
53 speech therapy, and occupational therapy.

54 Section 3. Subsection (4) of section 1003.24, Florida
55 Statutes, is amended to read:

56 1003.24 Parents responsible for attendance of children;
57 attendance policy.—Each parent of a child within the compulsory
58 attendance age is responsible for the child's school attendance

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59 as required by law. The absence of a student from school is
60 prima facie evidence of a violation of this section; however,
61 criminal prosecution under this chapter may not be brought
62 against a parent until the provisions of s. 1003.26 have been
63 complied with. A parent of a student is not responsible for the
64 student's nonattendance at school under any of the following
65 conditions:

66 (4) SICKNESS, INJURY, OR OTHER INSURMOUNTABLE CONDITION.—
67 Attendance was impracticable or inadvisable on account of
68 sickness or injury, as attested to by a written statement of a
69 licensed practicing physician, or a written statement of a
70 licensed health care practitioner for the treatment of autism
71 spectrum disorder, or was impracticable because of some other
72 stated insurmountable condition as defined by rules of the State
73 Board of Education. If a student is continually sick and
74 repeatedly absent from school, he or she must be under the
75 supervision of a physician, or care of a licensed health care
76 practitioner for the treatment of autism spectrum disorder, in
77 order to receive an excuse from attendance. Such excuse provides
78 that a student's condition justifies absence for more than the
79 number of days permitted by the district school board.

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81 Each district school board shall establish an attendance policy
82 that includes, but is not limited to, the required number of
83 days each school year that a student must be in attendance and
84 the number of absences and tardinesses after which a statement
85 explaining such absences and tardinesses must be on file at the
86 school. Each school in the district must determine if an absence
87 or tardiness is excused or unexcused according to criteria

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88 established by the district school board.

89 Section 4. This act shall take effect July 1, 2017.