

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 or
7 certified behavior analyst; amending s. 1003.21, F.S.;
8 requiring each district school board to adopt an
9 attendance policy authorizing a student's absence for
10 treatment of autism spectrum disorder; amending s.
11 1003.24, F.S.; revising an exemption relating to
12 parental responsibility for nonattendance of a student
13 to include treatment for autism spectrum disorder;
14 providing an effective date.

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

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

22 1002.20 K-12 student and parent rights.—Parents of public
23 school students must receive accurate and timely information
24 regarding their child's academic progress and must be informed
25 of ways they can help their child to succeed in school. K-12

26 | students and their parents are afforded numerous statutory
 27 | rights, including, but not limited to, the following:

28 | (2) ATTENDANCE.—

29 | (c) Absence for religious purposes.—A parent of a public
 30 | school student may request and be granted permission for absence
 31 | of the student from school for religious instruction or
 32 | religious holidays, in accordance with the provisions of s.
 33 | 1003.21(2)(b)1 ~~1003.21(2)(b)~~.

34 | (d) Absence for treatment of autism spectrum disorder.—A
 35 | parent of a public school student may request and be granted
 36 | permission for absence of the student from school for an
 37 | appointment scheduled to receive a therapy service provided by a
 38 | licensed health care practitioner or behavior analyst certified
 39 | pursuant to s. 393.17 for the treatment of autism spectrum
 40 | disorder pursuant to ss. 1003.21(2)(b)2. and 1003.24(4).

41 | Section 2. Paragraph (b) of subsection (2) of section
 42 | 1003.21, Florida Statutes, is amended to read:

43 | 1003.21 School attendance.—

44 | (2)

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

- 49 | 1. Religious instruction or religious holidays.
 50 | 2. An appointment scheduled to receive a therapy service

51 provided by a licensed health care practitioner or behavior
52 analyst certified pursuant to s. 393.17 for the treatment of
53 autism spectrum disorder, including, but not limited to, applied
54 behavioral analysis, speech therapy, and occupational therapy.

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

57 1003.24 Parents responsible for attendance of children;
58 attendance policy.—Each parent of a child within the compulsory
59 attendance age is responsible for the child's school attendance
60 as required by law. The absence of a student from school is
61 prima facie evidence of a violation of this section; however,
62 criminal prosecution under this chapter may not be brought
63 against a parent until the provisions of s. 1003.26 have been
64 complied with. A parent of a student is not responsible for the
65 student's nonattendance at school under any of the following
66 conditions:

67 (4) SICKNESS, INJURY, OR OTHER INSURMOUNTABLE CONDITION.—
68 Attendance was impracticable or inadvisable on account of
69 sickness or injury, as attested to by a written statement of a
70 licensed practicing physician, or was impracticable because of
71 some other stated insurmountable condition as defined by and
72 attested to in accordance with rules of the State Board of
73 Education. If a student is continually sick and repeatedly
74 absent from school, he or she must be under the supervision of a
75 physician, or if the absence is related to the student having

76 | autism spectrum disorder, receiving services from a licensed
77 | health care practitioner or behavior analyst certified pursuant
78 | to s. 393.17, in order to receive an excuse from attendance.

79 | Such excuse provides that a student's condition justifies
80 | absence for more than the number of days permitted by the
81 | district school board.

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

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