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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/03/2017	.	
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The Committee on Education (Farmer) recommended the following:

Senate Amendment (with title amendment)

Between lines 10 and 11
insert:

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

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child’s academic progress and must be informed



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12 of ways they can help their child to succeed in school. K-12
13 students and their parents are afforded numerous statutory
14 rights, including, but not limited to, the following:

15 (2) ATTENDANCE.—

16 (c) *Absence for religious purposes.*—A parent of a public
17 school student may request and be granted permission for absence
18 of the student from school for religious instruction or
19 religious holidays, in accordance with the provisions of s.
20 1003.21(2)(b)1 ~~1003.21(2)(b)~~.

21 (d) *Absence for treatment of autism spectrum disorder.*—A
22 parent of a public school student may request and be granted
23 permission for absence of the student from school for an
24 appointment scheduled to receive a therapy service or other
25 medical treatment provided by a licensed health care
26 practitioner for the treatment of autism spectrum disorder
27 pursuant to ss. 1003.21(2)(b)2. and 1003.24(4).

28 Section 2. Paragraph (b) of subsection (2) of section
29 1003.21, Florida Statutes, is amended to read:

30 1003.21 School attendance.—

31 (2)

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

36 1. Religious instruction or religious holidays.

37 2. An appointment scheduled to receive a therapy service or
38 other medical treatment provided by a licensed health care
39 practitioner for the treatment of autism spectrum disorder,
40 including, but not limited to, applied behavioral analysis,



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41 speech therapy, and occupational therapy.

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

44 1003.24 Parents responsible for attendance of children;
45 attendance policy.—Each parent of a child within the compulsory
46 attendance age is responsible for the child's school attendance
47 as required by law. The absence of a student from school is
48 prima facie evidence of a violation of this section; however,
49 criminal prosecution under this chapter may not be brought
50 against a parent until the provisions of s. 1003.26 have been
51 complied with. A parent of a student is not responsible for the
52 student's nonattendance at school under any of the following
53 conditions:

54 (4) SICKNESS, INJURY, OR OTHER INSURMOUNTABLE CONDITION.—
55 Attendance was impracticable or inadvisable on account of
56 sickness or injury, as attested to by a written statement of a
57 licensed practicing physician, or a written statement of a
58 licensed health care practitioner for the treatment of autism
59 spectrum disorder, or was impracticable because of some other
60 stated insurmountable condition as defined by rules of the State
61 Board of Education. If a student is continually sick and
62 repeatedly absent from school, he or she must be under the
63 supervision of a physician, or care of a licensed health care
64 practitioner for the treatment of autism spectrum disorder, in
65 order to receive an excuse from attendance. Such excuse provides
66 that a student's condition justifies absence for more than the
67 number of days permitted by the district school board.

68
69 Each district school board shall establish an attendance policy



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70 that includes, but is not limited to, the required number of
71 days each school year that a student must be in attendance and
72 the number of absences and tardinesses after which a statement
73 explaining such absences and tardinesses must be on file at the
74 school. Each school in the district must determine if an absence
75 or tardiness is excused or unexcused according to criteria
76 established by the district school board.

77
78 ===== T I T L E A M E N D M E N T =====

79 And the title is amended as follows:

80 Delete lines 2 - 3

81 and insert:

82 An act relating to exceptional students; amending s.
83 1002.20, F.S; authorizing a parent to request and be
84 granted permission for a student's absence from school
85 for treatment of autism spectrum disorder by a
86 licensed health care practitioner; amending s.
87 1003.21, F.S.; requiring each district school board to
88 adopt an attendance policy authorizing a student's
89 absence for treatment of autism spectrum disorder;
90 amending s. 1003.24, F.S.; revising an exemption
91 relating to parental responsibility for nonattendance
92 of a student to include treatment for autism spectrum
93 disorder;