

By Senator Rouson

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1 A bill to be entitled
2 An act relating to school attendance; amending s.
3 1003.24, F.S.; providing that a parent of a student
4 within the compulsory attendance age is not
5 responsible for the student's nonattendance at school
6 if attendance was impracticable or inadvisable on
7 account of mental or physical sickness or injury, as
8 attested to by a written statement of a licensed
9 practicing physician; providing an effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Section 1003.24, Florida Statutes, is amended to
14 read:

15 1003.24 Parents responsible for attendance of children;
16 attendance policy.—Each parent of a child within the compulsory
17 attendance age is responsible for the child's school attendance
18 as required by law. The absence of a student from school is
19 prima facie evidence of a violation of this section; however,
20 criminal prosecution under this chapter may not be brought
21 against a parent until the provisions of s. 1003.26 have been
22 complied with. A parent of a student is not responsible for the
23 student's nonattendance at school under any of the following
24 conditions:

25 (1) WITH PERMISSION.—The absence was with permission of the
26 head of the school;

27 (2) WITHOUT KNOWLEDGE.—The absence was without the parent's
28 knowledge, consent, or connivance, in which case the student
29 shall be dealt with as a dependent child;

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30 (3) FINANCIAL INABILITY.—The parent was unable financially
31 to provide necessary clothes for the student, which inability
32 was reported in writing to the superintendent prior to the
33 opening of school or immediately after the beginning of such
34 inability, provided that the validity of any claim for exemption
35 under this subsection shall be determined by the district school
36 superintendent subject to appeal to the district school board;
37 or

38 (4) SICKNESS, INJURY, OR OTHER INSURMOUNTABLE CONDITION.—
39 Attendance was impracticable or inadvisable on account of mental
40 or physical sickness or injury, as attested to by a written
41 statement of a licensed practicing physician, or was
42 impracticable because of some other stated insurmountable
43 condition as defined by and attested to in accordance with rules
44 of the State Board of Education. If a student is continually
45 sick and repeatedly absent from school, he or she must be under
46 the supervision of a physician, or if the absence is related to
47 the student having autism spectrum disorder, receiving services
48 from a licensed health care practitioner or behavior analyst
49 certified pursuant to s. 393.17, in order to receive an excuse
50 from attendance. Such excuse provides that a student's condition
51 justifies absence for more than the number of days permitted by
52 the district school board.

53
54 Each district school board shall establish an attendance policy
55 that includes, but is not limited to, the required number of
56 days each school year that a student must be in attendance and
57 the number of absences and tardinesses after which a statement
58 explaining such absences and tardinesses must be on file at the

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59 school. Each school in the district must determine if an absence
60 or tardiness is excused or unexcused according to criteria
61 established by the district school board.

62 Section 2. This act shall take effect July 1, 2021.