

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  
 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 provided by a  
 37 | licensed health care practitioner for the treatment of autism  
 38 | spectrum disorder pursuant to ss. 1003.21(2)(b)2. and  
 39 | 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  
 45 | of the State Board of Education, shall adopt policies  
 46 | authorizing a policy that authorizes a parent to request and be  
 47 | granted 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  
 50 | provided by a licensed health care practitioner for the

51 treatment of autism spectrum disorder, including, but not  
52 limited to, applied behavioral analysis, speech therapy, and  
53 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  
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  
88 | established by the district school board.

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