AN ACT to amend 118.15 (3) (a) and 118.16 (4) (a); and to create 118.16 (2) (cg) 2m. of the statutes; relating to: requiring an evaluation by a local educational agency of whether a pupil with an extended absence from school is a child with a disability.

Analysis by the Legislative Reference Bureau

This bill requires a school attendance officer to direct the school board to determine whether to refer a child who has been excused absent for ten or more days for an evaluation as to whether the child is a child with a disability. Under current law, a child who has been evaluated and determined to be a child with a disability may be eligible for certain special education and related services. Current law defines a school attendance officer as an employee designated by the school board to deal with matters relating to school attendance and truancy. The bill requires the school attendance officer to notify the parent or guardian of a pupil that has been excused absent for ten or more days that the parent or guardian may request an evaluation of whether the child is a child with a disability.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 118.15 (3) (a) of the statutes is amended to read:
118.15 (3) (a) Any child who is excused by the school board because the child
is temporarily not in proper physical or mental condition to attend a school program
but who can be expected to return to a school program upon termination or
abatement of the illness or condition. The school attendance officer may request the
parent or guardian of the child to obtain a written statement from a licensed
physician, dentist, chiropractor, optometrist, psychologist, physician assistant, or
nurse practitioner, as defined in s. 255.06 (1) (d), or certified advanced practice nurse
prescriber or Christian Science practitioner living and residing in this state, who is
listed in the Christian Science Journal, as sufficient proof of the physical or mental
condition of the child. An excuse under this paragraph shall be in writing and shall
state the time period for which it is valid, not to exceed 30 days. The school
attendance officer shall direct the local educational agency, as defined in s. 115.76
(10), to determine whether to refer a child who is excused under this paragraph for
10 or more days for an evaluation as to whether the child is a child with a disability
under s. 115.76 (5). The school attendance officer shall direct the local educational
agency to provide the parent or guardian of that child with the information described
under s. 115.777 (3) (d).

SECTION 2. 118.16 (2) (cg) 2m. of the statutes is created to read:
118.16 (2) (cg) 2m. A statement that the parent or guardian may request a
referral under s. 115.777 for an evaluation of whether the child is a child with a
disability under s. 115.76 (5), together with the information described under s.
115.777 (3) (d).

SECTION 3. 118.16 (4) (a) of the statutes is amended to read:
118.16 (4) (a) The school board shall establish a written attendance policy
specifying the reasons for which pupils may be permitted to be absent from a public
school under s. 118.15 and shall require the teachers employed in the school district
to submit to the school attendance officer daily attendance reports on all pupils under
their charge. The attendance policy under this paragraph shall require the school
attendance officer to direct the local educational agency, as defined in s. 115.76 (10),
to determine whether to refer a child who is absent for 10 or more days for an
evaluation as to whether the child is a child with a disability under s. 115.76 (5).

(END)