



State of Wisconsin
2017 - 2018 LEGISLATURE

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2017 ASSEMBLY BILL 700

November 29, 2017 - Introduced by Representatives MASON, JAGLER, ANDERSON, BERCEAU, BOWEN, CONSIDINE, GENRICH, HEBL, HORLACHER, KITCHENS, KOLSTE, MURSAU, OHNSTAD, RIPP, SPIROS and SUBECK, cosponsored by Senators OLSEN and JOHNSON. Referred to Committee on Education.

- 1 **AN ACT to amend** 118.15 (3) (a); and **to create** 118.16 (2) (cg) 2m. of the statutes;
2 **relating to:** requiring an evaluation to determine whether a pupil with an
3 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 a pupil services professional to determine whether to refer a child who has been excused absent for ten or more days in a school year because the child is temporarily not in proper physical or mental condition to attend school 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. Under current law, a “pupil services professional” is a school counselor, school social worker, school psychologist, or school nurse. 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 also requires the school attendance officer to notify the parent or guardian of a pupil that has been absent without an excuse for part or all of five or more days that the parent or guardian may request an evaluation of whether the child is a child with a disability or, for a child who has been identified as a child with

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a disability and for whom an individualized education program has been prepared, a review and, if appropriate, revision of the child's IEP.

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

1 **SECTION 1.** 118.15 (3) (a) of the statutes is amended to read:

2 118.15 (3) (a) Any child who is excused by the school board because the child
3 is temporarily not in proper physical or mental condition to attend a school program
4 but who can be expected to return to a school program upon termination or
5 abatement of the illness or condition. The school attendance officer may request the
6 parent or guardian of the child to obtain a written statement from a licensed
7 physician, dentist, chiropractor, optometrist, psychologist, physician assistant, or
8 nurse practitioner, as defined in s. 255.06 (1) (d), or certified advanced practice nurse
9 prescriber or Christian Science practitioner living and residing in this state, who is
10 listed in the Christian Science Journal, as sufficient proof of the physical or mental
11 condition of the child. An excuse under this paragraph shall be in writing and shall
12 state the time period for which it is valid, not to exceed 30 days. A written attendance
13 policy established under s. 118.16 (4) (a) shall require the school attendance officer
14 to direct a pupil services professional, as defined in s. 118.257 (1) (c), to determine
15 whether to refer a child who is excused under this paragraph for 10 or more days in
16 a school year for an evaluation as to whether the child is a child with a disability
17 under s. 115.76 (5) if the district has not already identified the child as a child with
18 a disability. The school attendance officer shall direct the pupil services professional
19 to provide the parent or guardian of that child with the information described under
20 s. 115.777 (3) (d).

21 **SECTION 2.** 118.16 (2) (cg) 2m. of the statutes is created to read:

