

AMENDED IN SENATE APRIL 1, 2013

SENATE BILL

No. 312

Introduced by Senator Knight

February 15, 2013

An act to amend Section 46010.1 of the Education Code, relating to school attendance.

LEGISLATIVE COUNSEL'S DIGEST

SB 312, as amended, Knight. Absences: confidential medical services: parent or guardian consent.

Existing law requires the governing board of each school district, each academic year, to notify pupils in grades 7 to 12, inclusive, and the parents or guardians of all pupils enrolled in the district, that the school authorities may excuse a pupil from the school for confidential medical services without the consent of the pupil's parent or guardian.

This bill would instead require the governing board to notify pupils in grades 9 to 12, inclusive, and the parents or guardians of all pupils enrolled in the district, that school authorities may excuse, for these purposes, a pupil 16 years ~~or age or order~~ *of age or older* from school without parental or guardian consent. *The bill would prohibit a school district from excusing a pupil 15 years of age or younger from the school for the purpose of obtaining confidential medical services without parental or guardian consent.* To the extent this bill would require a school district to change its notification policy and procedure, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 46010.1 of the Education Code is
2 amended to read:

3 46010.1. (a) (1) The governing board of each school district
4 shall, each academic year, notify pupils in grades 9 to 12, inclusive,
5 and the parents or guardians of all pupils enrolled in the district,
6 that school authorities may excuse a pupil 16 years of age or older
7 from the school for the purpose of obtaining confidential medical
8 services without the consent of the pupil’s parent or guardian.

9 (2) *In accordance with paragraph (1), a school district shall*
10 *not excuse a pupil 15 years of age or younger from the school for*
11 *the purpose of obtaining confidential medical services without the*
12 *consent of the pupil’s parent or guardian.*

13 (b) The notice required pursuant to this section may be included
14 with any other notice given pursuant to this code.

15 SEC. 2. If the Commission on State Mandates determines that
16 this act contains costs mandated by the state, reimbursement to
17 local agencies and school districts for those costs shall be made
18 pursuant to Part 7 (commencing with Section 17500) of Division
19 4 of Title 2 of the Government Code.

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