

2022 Regular Session

SENATE BILL NO. 124

BY SENATOR ABRAHAM

SCHOOLS. Requires the state Department of Education to provide student attendance data of certain students to local school governing authorities. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:221(E), relative to school attendance; to provide relative to
3 reporting and recording attendance of certain students by the Louisiana Department
4 of Education; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 17:221(E) is hereby amended and reenacted to read as follows:

7 §221. School attendance; compulsory ages; duty of parents; excessive absences;
8 condition for driving privileges

9 * * *

10 E.(1)(a) Nothing in this Section shall be construed to prohibit a child from
11 enrolling in an approved home study program or a nonpublic school not seeking state
12 approval. The parent or legal guardian responsible for the school attendance of such
13 a child, who is between the ages of five and eighteen, shall report **the legal name,**
14 **date of birth, physical address, and** the attendance of the child to the state
15 Department of Education within thirty days of the start of the school term ~~as~~
16 ~~provided in R.S. 17:232(C).~~

17 **(b) For each child enrolled in an approved home study program and**

1 each child whose attendance is reported to the department pursuant to
2 Subparagraph (a) of this Paragraph, the department shall:

3 (i) Immediately upon receipt of a report of attendance or upon receipt
4 of an application for a home study program pursuant to R.S. 17:236.1(A),
5 provide notification to the city, parish, or other local public school system in
6 which the child was most recently enrolled, and if different, the public school
7 system which the child's home address is located. The notification shall include
8 the child's legal name, date of birth, and physical address. "Immediately" as
9 used in this Item and R.S. 17:236.1(A), shall mean within thirty days of the
10 receipt of a report of attendance or an application.

11 (ii) Not record the child as a dropout attributable to the public school in
12 which the child was most recently enrolled or the public school which the child
13 would otherwise attend, unless the child subsequently enrolls in and attends the
14 public school.

15 (2) A parent or legal guardian responsible for the school attendance of a child
16 who is between the ages of five and eighteen and who is enrolled in an approved
17 home study program pursuant to R.S. 17:236.1 shall be considered in compliance
18 with the school attendance provisions of Paragraph (A)(1) of this Section.

19 (3) No city, parish, or other local public school system shall be
20 responsible for ensuring the school attendance of any child whose parent has
21 applied for an approved home study program or has reported the attendance
22 of the child to the department pursuant to Paragraph (1) of this Subsection,
23 even if such application or report of attendance is not resubmitted each year,
24 unless and until the parent subsequently enrolls the child in a public school
25 under the authority of the public school system.

26 * * *

27 Section 2. This Act shall become effective upon signature by the governor or, if not
28 signed by the governor, upon expiration of the time for bills to become law without signature
29 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cheryl Serrett.

DIGEST

SB 124 Engrossed

2022 Regular Session

Abraham

Present law requires compulsory school attendance.

Present law requires the parent or legal guardian of a child who is attending an approved home study program or a nonpublic school not seeking state approval to report the attendance of the child in such program or school to the state Department of Education (DOE). Present law only requires the parent to submit the number of children in attendance at the nonpublic school not seeking approval for attendance purposes.

Proposed law retains present law. Proposed law requires the parent to submit the name, date of birth, and physical address when reporting attendance.

Proposed law further requires DOE to immediately upon receipt of a report of attendance or an application for an approved home study program to notify the city, parish, or other public school system in which the child was most recently enrolled, and, if different, the public school system of the public school which the child's home address is located of the attendance or application. Further defines "immediately".

Proposed law also provides that DOE shall not record such a child as a dropout attributable to the public school where he was most recently enrolled or to the public school which he would otherwise attend, unless the child is subsequently enrolled in and attends the public school.

Proposed law provides that no city, parish, or other local public school system shall be responsible for ensuring the attendance of such students, even if such application or report of attendance is not resubmitted each year to the department, unless and until the parent subsequently enrolls the child in a public school under the authority of the school system.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:221(E))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Requires a parent to include the name, date of birth, and physical address of each child who is reported to the department by his parent that he is attending a nonpublic school, not seeking state approval.
2. Defines when the department shall report such attendance information to the local school system.
3. Removes language requiring the department to be responsible for ensuring the compulsory attendance of such a child.

4. Provides that the local school system shall not be responsible for ensuring the compulsory attendance of such a child.
5. Makes technical corrections.