

ACT No. 198

2024 Regular Session

HOUSE BILL NO. 153

BY REPRESENTATIVES BACALA, ADAMS, CHASSION, EDMONSTON, FISHER,
GREEN, KNOX, LAFLEUR, MELERINE, MOORE, OWEN, SELDERS,
TAYLOR, THOMPSON, AND WYBLE

1 AN ACT

2 To amend and reenact R.S. 17:53(A)(3), 1944.1(D), and 1946(B) and to enact R.S.
3 17:173(D), 1944.1(E), 1946(E), and 1948(G), relative to special education; to require
4 the inclusion of special education policy in school board member training
5 requirements; to require the State Board of Elementary and Secondary Education to
6 adopt rules relative to behavioral health services and provide for a dispute resolution
7 process regarding such services; to require public school governing authorities to
8 report annually to their special education advisory councils; to require the state board
9 to adopt rules relative to such reports; to extend the prescriptive period for special
10 education due process hearings; to authorize the state board to adopt rules for a
11 special education early resolution process; to provide that certain written agreements
12 developed through this process are enforceable in court; to require that cameras be
13 installed in special education classrooms within a specified time frame upon parental
14 request; and to provide for related matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. R.S. 17:53(A)(3), 1944.1(D), and 1946(B) are hereby amended and
17 reenacted and R.S. 17:173(D), 1944.1(E), 1946(E), and 1948(G) are hereby enacted to read
18 as follows:

19 §53. School board members; training required

20 A.

21 * * *

22 (3) The training and instruction referred to in Paragraphs (1) and (2) of this
23 Subsection shall be in the school laws of this state, in the laws governing the powers,
24 duties, and responsibilities of city, parish, and other local public school boards, and

1 in educational trends, research, and policy. Such training and instruction also shall
 2 include education policy issues, including but not limited to special education, the
 3 minimum foundation program and formula, literacy and numeracy, leadership
 4 development, dropout prevention, career and technical education, redesigning high
 5 schools, early childhood education, school discipline, and harassment, intimidation,
 6 and bullying. Training also shall include instruction relative to the provisions of the
 7 Open Meetings Law, R.S. 42:11 et seq., and the ~~Public Bid Law~~, public bid law,
 8 Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950.

9 * * *

10 §173. Behavioral health services for students

11 * * *

12 D. The State Board of Elementary and Secondary Education shall adopt rules
 13 for the implementation of this Section and provide for a dispute resolution process
 14 relative to the services provided pursuant to this Section according to guidelines
 15 established by the state Department of Education.

16 * * *

17 §1944.1. Local special education advisory councils; creation; purpose

18 * * *

19 D.(1) Each local public school superintendent and the administrative head
 20 of each charter school shall provide for an annual report to be made to its special
 21 education advisory council, which shall contain, at minimum, the following
 22 information as it pertains to his respective system or school, as applicable:

23 (a) Special education financial data, including federal, state, and local
 24 funding.

25 (b) Subgroup academic data on students receiving special education and
 26 related services.

27 (c) Compliance violations relative to special education requirements.

28 (2) The State Board of Elementary and Secondary Education shall adopt
 29 rules for the implementation of this Subsection.

1 ~~D: E.~~ There shall be no liability or cause of action against the public school
2 district, public charter school or other public school, or any officer or employee
3 thereof for any action taken by members of the council.

4 * * *

5 §1946. Procedural safeguards

6 * * *

7 B.(1) The right of a parent or public agency to initiate a request for a special
8 education due process hearing shall prescribe within ~~one year~~ two years of the date
9 the parent or public agency knew or should have known about the alleged action that
10 forms the basis of the request.

11 (2) The ~~one-year~~ two-year timeline does not apply to a parent if the parent
12 was prevented from filing the due process hearing request due to either specific
13 misrepresentations by the local education agency that it had resolved the problem
14 forming the basis of the due process hearing request or the local education agency's
15 withholding of information from the parent that was required to be provided by this
16 Chapter and the Individuals with Disabilities Education Improvement Act of 2004.

17 * * *

18 E.(1) The State Board of Elementary and Secondary Education may adopt
19 rules for the implementation of an early resolution process for the purpose of
20 establishing a nonadversarial means for individuals to resolve disputes with local
21 education agencies concerning the requirements of this Part and the policies adopted
22 by the state board for its implementation.

23 (2) A written agreement developed pursuant to the early resolution process
24 is enforceable in any court of competent jurisdiction.

25 * * *

26 §1948. Cameras in certain classrooms; definitions; required policies;
27 confidentiality; authorization of funding

28 * * *

1 G. Each public school governing authority shall install cameras within ninety
2 days of receipt of a parental request as provided in this Section.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____