

First Extraordinary Session, 2005

HOUSE BILL NO. 21

BY REPRESENTATIVE CRANE

SCHOOLS: Provides for applicability of provisions relative to the requirement for a minimum school session of not less than 180 days for certain purposes (Item #38)

1 AN ACT

2 To amend and reenact R.S. 17:236, relative to the requirement for a minimum school  
3 session; to provide for the applicability of the requirement for a minimum school  
4 session of not less than one hundred eighty days for school classification purposes;  
5 to provide for the State Board of Elementary and Secondary Education to adopt rules  
6 relative to the minimum school session; to provide for effectiveness; and to provide  
7 for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:236 is hereby amended and reenacted to read as follows:

10 §236. Definition of a school

11 A. For the purposes of this Chapter, a school is defined as an institution for  
12 the teaching of children, consisting of an adequate physical plant, whether owned or  
13 leased, instructional staff members, and students. For such an institution to be  
14 classified as a school, within the meaning of this Chapter, instructional staff  
15 members shall meet the following requirements: if a public day school or a  
16 nonpublic school which receives local, state, or federal funds or support, directly or  
17 indirectly, they shall be certified in accordance with rules established by the State  
18 Board of Elementary and Secondary Education; if a nonpublic school which receives  
19 no local, state, or federal funds or support, directly or indirectly, they shall meet such  
20 requirements as may be prescribed by the school or the church. In addition, except

1        as otherwise provided in Subsection B of this Section, any such institution, to be  
 2        classified as a school, shall operate a minimum session of not less than one hundred  
 3        eighty days. Solely for purposes of compulsory attendance in a nonpublic school,  
 4        a child who participates in a home study program approved by the State Board of  
 5        Elementary and Secondary Education shall be considered in attendance at a day  
 6        school; a home study program shall be approved if it offers a sustained curriculum  
 7        of a quality at least equal to that offered by public schools at the same grade level.

8                B. Effective for the 2005-2006 school year, the provisions of Subsection A  
 9        of this Section relative to the required operation of a minimum school session of not  
 10        less than one hundred eighty days shall not be applicable. However, the State Board  
 11        of Elementary and Secondary Education may adopt rules effective for the 2005-2006  
 12        school year relative to the minimum session required of any institution in order to  
 13        be classified as a school.

14        Section 2. This Act shall become effective upon signature by the governor or, if not  
 15        signed by the governor, upon expiration of the time for bills to become law without signature  
 16        by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 17        vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 18        effective on the day following such approval.

---

#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

---

Crane

HB No. 21

**Abstract:** Provides that present law provisions relative to the requirement for operation of a minimum school session of not less than 180 days (for school classification purposes) shall not be applicable for the 2005-2006 school year.

Present law defines a school as an institution for the teaching of children, consisting of an adequate physical plant, whether owned or leased, instructional staff members, and students. Provides that to be classified as a school, the school shall meet certain specified requirements including that the school operate a minimum session of not less than 180 days.

Proposed law retains present law except provides that effective for the 2005-2006 school year, the provisions of present law relative to the required operation of a minimum school session of not less than 180 days shall not be applicable. Further authorizes the State Board of Elementary and Secondary Education to adopt rules effective for the 2005-2006 school

year relative to the minimum session required of any institution in order to be classified as a school.

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

(Amends R.S. 17:236)