

First Extraordinary Session, 2005

ACT No. 21

HOUSE BILL NO. 21

BY REPRESENTATIVE CRANE AND SENATORS CHAISSON, QUINN,
THEUNISSEN, AND ULLO

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
21 as otherwise provided in Subsection B of this Section, any such institution, to be
22 classified as a school, shall operate a minimum session of not less than one hundred
23 eighty days. Solely for purposes of compulsory attendance in a nonpublic school,

1 a child who participates in a home study program approved by the State Board of
 2 Elementary and Secondary Education shall be considered in attendance at a day
 3 school; a home study program shall be approved if it offers a sustained curriculum
 4 of a quality at least equal to that offered by public schools at the same grade level.

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

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____