

2022 Regular Session

HOUSE BILL NO. 516

BY REPRESENTATIVES LANDRY AND FREEMAN

EDUCATION: Requires each governing authority of a public high school to adopt policies regarding attendance, breastfeeding, and child care for students who are pregnant or parenting

1 AN ACT

2 To enact R.S. 17:221.8 and 3996(B)(67), relative to students; to require the governing  
3 authority of each public high school to adopt policies relative to students who are  
4 pregnant or parenting; to provide that policies shall address attendance,  
5 breastfeeding, and child care; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. This Act shall be known and may be cited as the "Support for Pregnant  
8 and Parenting Students Act".

9 Section 2. R.S. 17:221.8 and 3996(B)(67) are hereby enacted to read as follows:

10 §221.8. Pregnant or parenting students; policies; attendance, breastfeeding, and  
11 child care

12 A. The governing authority of each public high school shall adopt an  
13 attendance policy for pregnant and parenting students that shall:

14 (1)(a) Excuse absences due to conditions related to pregnancy or parenting,  
15 including but not limited to labor, delivery, and recovery; prenatal and postnatal  
16 medical appointments and other medically necessary pregnancy-related absences;  
17 a child's illness or medical appointment; and legal appointments related to pregnancy  
18 or parenting, including but not limited to adoption, custody, and visitation.

1           (b) Provide at least ten days of excused absences for both a parenting mother  
2           and a parenting father after the birth of a child.

3           (2) At the conclusion of any pregnancy-related or parenting-related period  
4           of absence, allow a student to make up missed work in a reasonable amount of time  
5           that shall not be less than the number of days the student was absent and choose from  
6           various options to make up the work, including retaking a semester, participating in  
7           an online course credit recovery program, being granted six weeks to continue at the  
8           same pace and finish at a later date, or receiving home-based instruction services.

9           (3) Provide that for any of the absences provided in Paragraph (1) of this  
10          Subsection, a school shall not require:

11           (a) Documentation from a physician.

12           (b) Permission from a parent or legal guardian for a student to check out of  
13          school.

14          B. The governing authority of each public high school shall adopt a policy  
15          relative to breastfeeding that shall:

16           (1) Provide for reasonable accommodations for a lactating student on a  
17          school campus to express breast milk, breastfeed, or address other breastfeeding  
18          needs, which shall include, at a minimum:

19           (a) Access to a private and secure room other than a restroom to express  
20          breast milk or breastfeed a child.

21           (b) Permission to bring a breast pump and any other equipment used to  
22          express breast milk to school.

23           (c) Access to a power source for a breast pump or any other equipment used  
24          to express breast milk.

25           (d) Access to a place to store breastmilk safely.

26           (2) Provide that a lactating student shall be provided a reasonable amount of  
27          time to accommodate the need to express breast milk or breastfeed a child while at  
28          school.

1           (3) Provide that a student shall not incur an academic penalty as a result of  
2           use, during the school day, of the reasonable accommodations specified in this  
3           Subsection and shall be provided the opportunity to make up any work missed due  
4           to such use.

5           C. If a public high school provides access to child care either on campus or  
6           off campus, the school's governing authority shall adopt a policy for notifying  
7           students of such child care options, which shall be available to both student mothers  
8           and student fathers. If a public high school does not provide such child care, its  
9           governing authority shall adopt a policy for assisting parenting students in  
10          identifying child care providers.

11   \*       \*       \*

12          §3996. Charter schools; exemptions; requirements

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14           B. Notwithstanding any state law, rule, or regulation to the contrary and  
15          except as may be otherwise specifically provided for in an approved charter, a  
16          charter school established and operated in accordance with the provisions of this  
17          Chapter and its approved charter and the school's officers and employees shall be  
18          exempt from all statutory mandates or other statutory requirements that are  
19          applicable to public schools and to public school officers and employees except for  
20          the following laws otherwise applicable to public schools with the same grades:

21   \*       \*       \*

22          (67) Students who are pregnant or parenting, R.S. 17:221.8.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 516 Original

2022 Regular Session

Landry

**Abstract:** Requires each governing authority of a public high school to adopt policies regarding attendance, breastfeeding, and child care for students who are pregnant or parenting.

Proposed law requires each governing authority of a public high school to adopt policies relative to attendance, breastfeeding, and child care for students who are pregnant or parenting as follows:

- (1) Relative to attendance, provides that absences for certain conditions and activities related to pregnancy or parenting shall be excused and requires that students be allowed to make up missed work.
- (2) Relative to breastfeeding, requires reasonable accommodations for lactating students to breastfeed or express breast milk at school.
- (3) Relative to child care, requires informing parenting students of school-provided child care; if no school-provided child care is available, requires assisting parenting students in locating child care.

Proposed law is applicable to all public high schools, including charter schools.

(Adds R.S. 17:221.8 and 3996(B)(67))