

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 attendance of  
14 the child to the state Department of Education within thirty days of the start of the  
15 school term as provided in R.S. 17:232(C).

16 **(b) For each child enrolled in an approved home study program, the**  
17 **department shall:**

1                    **(i) Within thirty days of initial approval or denial of an application for**  
2                    **an approved home study program and the failure to receive an annual renewal**  
3                    **application for a previously approved home study program, provide notification**  
4                    **to the city, parish, or other local school system in which the child was most**  
5                    **recently enrolled, and if different, the school system in which the child resides.**  
6                    **The notification shall include the child's legal name, date of birth, and physical**  
7                    **residential address.**

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

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

16                   **(3) No city, parish, or other local public school system shall be**  
17                   **responsible for collecting and maintaining school attendance data for any child**  
18                   **who is enrolled in or has previously enrolled in an approved home study**  
19                   **program, unless and until the parent subsequently enrolls the child in a public**  
20                   **school under the authority of the public school system.**

21                   \*           \*           \*

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

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The original instrument was prepared by Cheryl Serrett. The following digest, which does not constitute a part of the legislative instrument, was prepared by Martha Hess.

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## DIGEST

SB 124 Reengrossed

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 further requires DOE to within 30 days of initial approval or denial of an application for an approved home school study program and the failure to receive an annual renewal application for a previously 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 resides. The notification shall include the child's legal name, date of birth, and physical residential address.

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 collecting and maintaining school attendance data for any child who is enrolled in or has previously enrolled in an approved home study program, unless and until the parent subsequently enrolls the child in a public school under the authority of the public 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.

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Deletes requirement for 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 an approved home study program or a nonpublic school, not seeking state approval.
2. Requires DOE to within thirty days of initial approval or denial of an application for an approved home school study program and the failure to receive an annual renewal application for a previously 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 resides. The notification shall include the child's legal name, date of birth, and physical residential address.
3. Provides that no city, parish, or other local public school system shall be responsible for collecting and maintaining school attendance data for any child who is enrolled in or has previously enrolled in an approved home study program, unless and until the parent subsequently enrolls the child in a public school under the authority of the public school system.