

2024 Regular Session

SENATE BILL NO. 253

BY SENATOR FOIL

SCHOOLS. Provides relative to parental consent for changes to an individualized education program. (gov sig)

1 AN ACT

2 To enact R.S. 17:1946.1, relative to parental consent; to provide relative to an individualized
3 education program; to provide for written informed consent from a parent or other
4 legal guardian; to provide for student consent under certain circumstances; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:1946.1 is hereby enacted to read as follows:

8 **§1946.1. Parental consent; exception**

9 **A.(1) Notwithstanding any provision of law to the contrary, a local**
10 **education agency shall obtain written informed consent from a student's parent**
11 **or other legal guardian before it can initially provide a student with special**
12 **education or related services in any setting.**

13 **(2) If the initial individualized education program placement requires a**
14 **reduction or removal of any special education or related services, the local**
15 **education agency shall obtain written informed consent from the student's**
16 **parent or other legal guardian before the change can be implemented.**

17 **B. Except as provided in Subsection A of this Section, when a student has**

1 reached the age of majority, the local education agency shall obtain written
2 informed consent from the student before the local education agency can
3 initially provide the student with special education or related services in any
4 setting. In the event the student's individualized education program is changed
5 for any reason, the local education agency shall obtain written informed consent
6 from the student before the change can be implemented.

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

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Mary Frances Aucoin.

DIGEST

SB 253 Original 2024 Regular Session Foil

Proposed law requires local education agencies to obtain written informed consent from a student's parent or other legal guardian before it can initially provide a student with special education or related services in any setting.

Proposed law requires local education agencies to obtain written informed consent from the student's parent or other legal guardian before a reduction or removal of special education or related services from the initial individualized education program can be implemented.

Proposed law requires the local education agency to obtain written informed consent from the student before it can initially provide the student with special education or related services if student has reached the age of majority.

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

(Adds R.S. 17:1946.1)