2024 Regular Session

HOUSE BILL NO. 362

BY REPRESENTATIVE KERNER

EDUCATION/SPECIAL: Requires schools to provide information regarding tutorship to the parents of certain students at Individualized Education Program (IEP) meetings

1   AN ACT

2   To enact R.S. 17:1944(H), relative to students with exceptionalities; to require local

3   education agencies to adopt policies relative to the provision of information to

4   parents at annual Individualized Education Program meetings; to specify that the

5   information contain information about tutorship; to require the state Department of

6   Education to develop the information and provide it to local education agencies; and

7   to provide for related matters.

8   Be it enacted by the Legislature of Louisiana:

9   Section 1. R.S. 17:1944(H) is hereby enacted to read as follows:

10   §1944. Local education agency; responsibilities

11   *   *   *

12   H.(1) Each local education agency shall adopt a policy requiring each school

13   under its jurisdiction to provide written information regarding continuing or

14   permanent tutorship to parents as provided in this Subsection.

15   (2) The document shall inform parents that they may be unable to make

16   decisions for their child, including but not limited to educational decisions, financial

17   decisions, and medical decisions, when he reaches the age of eighteen unless they

18   establish continuing or permanent tutorship and shall provide the procedures for

19   establishing tutorship as provided by Civil Code Article 354 et seq.

1   (3) The document shall be provided to a parent of each child who is fifteen,

2   sixteen, or seventeen years old at the child's first Individualized Education Program

3   meeting of the school year. Parents shall be provided a form by which to confirm

4   receipt of the information.

5   (4) The state Department of Education shall develop the information and

6   provide it to each local education agency for this purpose.

7   (5) For purposes of this Subsection, "parent" means a child's parent, tutor,

8   or legal guardian.

9   Section 2. If Senate Bill No. 61 of this 2024 Regular Session of the Legislature

10   becomes law, the Louisiana State Law Institute is hereby authorized and directed to change

11   "continuing or permanent" as it appears in this Act to "full or limited continuing".

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)]

HB 362 Engrossed   2024 Regular Session   Kerner

Abstract: Requires that information about tutorship be provided at IEP meetings for students who are 15, 16, and 17 years old.

Present law provides the responsibilities of each local education agency (LEA) relative to special education. Proposed law additionally requires that:

(1)   Each LEA adopt a policy requiring schools to provide written information regarding continuing or permanent tutorship to parents.

(2)   The document inform parents that they may be unable to make decisions, including educational, medical, and financial decisions, for their child when he turns 18 unless they establish continuing or permanent tutorship and provide present law procedures for establishing tutorship (C.C. Art. 354 et seq.).

(3)   The document be provided to a parent of each child who is 15, 16, or 17 years old at the child's first IEP meeting of the school year.

(4)   Parents be provided a form by which to confirm receipt.

(5)   The state Dept. of Education develop the information and provide it to each LEA.

Proposed law provides for the La. State Law Institute to make proposed law terminology relative to tutorship consistent with the terminology in SB61 of this 2024 R.S. if that bill becomes law.

(Adds R.S. 17:1944(H))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Education</u> to the <u>original</u> bill:

1.   Provide for terminology relative to tutorship to be consistent with the terminology used in SB61.

CODING: Words in ~~struck through~~ type are deletions from existing law; words <u>underscored</u> are additions.