

2016 Regular Session

SENATE BILL NO. 353

BY SENATOR BISHOP AND REPRESENTATIVE HILFERTY

SCHOOLS. Provides for the Louisiana Expectant and Parenting Students Act. (8/1/16)

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AN ACT

To enact R.S. 17:221.7 and 3996(B)(42), relative to dropout prevention programs for high school students; to provide for the Louisiana Expectant and Parenting Students Act; to provide for a purpose for the Act; to require public high school governing authorities to adopt policies that support expectant and parenting students; to provide for reporting requirements and criteria; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:221.7 and 3996(B)(42) are hereby enacted to read as follows:

§221.7. Dropout prevention and recovery for expectant and parenting students

A. The Louisiana Legislature recognizes the need to ensure that all students graduate from high school, despite the many challenges they may face. The legislature acknowledges that pregnancy is consistently the most common family-related reason given by female students who drop out of high school. Further, the legislature finds that federal Title IX of the Education Amendments of 1972 protects the rights of expectant and parenting students, and encompassed in that protection is the right to a safe and supportive school

1 environment that promotes high school graduation.

2 B. Basic legal obligations of any education program or activity receiving
3 federal financial assistance under federal Title IX of the Education
4 Amendments of 1972 include:

5 (1) Prohibiting discrimination against a student based on pregnancy,
6 childbirth, false pregnancy, or recovery from any of these conditions.

7 (2) Prohibiting illegally excluding a pregnant student from participating
8 in any part of an educational program.

9 (3) Excusing a student's absence because of pregnancy or childbirth for
10 as long as the doctor or other medical professional deems the absence medically
11 necessary.

12 (4) Permitting a female student to return to the same academic and
13 extracurricular status as before her medical leave began.

14 C. (1) Each governing authority of a public secondary school receiving
15 federal financial assistance shall adopt a policy that complies with the
16 requirements of federal Title IX of the Education Amendments of 1972, and
17 shall submit a copy of such policy to the office of the attorney general.

18 (2) In addition to the basic legal obligations under federal Title IX of the
19 Education Amendments of 1972, the following key provisions shall be included
20 in a school governing authority's policy regarding expectant and parenting
21 students:

22 (a) Maintaining student confidentiality.

23 (b) Ensuring a safe and supportive learning environment.

24 (c) Promoting academic success.

25 (d) Implementing sensible attendance policies.

26 (e) Utilizing liaisons to share information.

27 (3) The office of the attorney general shall review each policy submitted
28 pursuant to this Section for compliance with applicable federal law, rules and
29 regulations.

1 **(4) The office of the attorney general shall also collect data from each**
 2 **public secondary school governing authority regarding the number of expectant**
 3 **and parenting students in the school who graduated from high school and those**
 4 **who did not.**

5 **(5) The attorney general shall submit a written report to the Senate and**
 6 **House committees on education and health and welfare at least sixty days before**
 7 **the 2017 Regular Session of the Louisiana Legislature which shall include the**
 8 **level of compliance of public school governing authorities with the provisions**
 9 **of this Section, a summary of the aggregate data related to the graduation rate**
 10 **of expectant and parenting students, and any recommendations for changes in**
 11 **policy or legislation. However, in no case shall personally identifiable student**
 12 **information be reported.**

§3996. Charter schools; exemptions; requirements

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

* * *

(42) Louisiana Expectant and Parenting Students Act, R.S. 17:221.7.

The original instrument was prepared by Christine Arbo Peck. The following digest, which does not constitute a part of the legislative instrument, was prepared by Cheryl M. Serrett.

DIGEST

SB 353 Engrossed 2016 Regular Session Bishop

Proposed law establishes the Louisiana Expectant and Parenting Students Act to recognize existing Federal Title IX obligations and policy provisions that shall be adopted by governing authorities of public secondary schools with respect to such students. Further, provides for a report by the attorney general on school compliance with policies and data on

rates of graduation for students who are expecting and parenting and recommendations for legislation. Specifies that no personally identifiable student information shall be reported.

Effective August 1, 2016.

(Adds R.S. 17:221.7 and 3996(B)(42))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Extends the authority to provide medical excuses to medical professionals in addition to doctors.
2. Changes responsibility for compliance, monitoring, data collection and reporting from the Department of Education to the office of the attorney general.
3. Prohibits reporting of personally identifiable student information.