

Regular Session, 2010

SENATE BILL NO. 309

BY SENATOR LAFLEUR

EDUCATION ACCOUNTABILITY. Provides relative to habitual absence or tardiness of students. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:233(B)(1)(c), relative to compulsory school attendance; to
3 provide relative to habitual student absence or tardiness; to provide relative to
4 notification to the parent or legal guardian of a student who is at-risk of being
5 considered habitually absent or tardy; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:233(B)(1)(c) is hereby amended and reenacted to read as follows:

8 §233. Cases of habitual absence or tardiness referred to juvenile or family court;
9 denial or suspension of driving privileges

10 * * *

11 B.(1)

12 * * *

13 (c) The principal of the school, or his designee, shall notify the parent or
14 legal guardian in writing ~~upon~~ **on or before** a student's third unexcused absence or
15 unexcused occurrence of being tardy, ~~and shall hold a conference with such student's~~
16 ~~parent or legal guardian.~~ **This notification shall include information relative to the**
17 **parent or legal guardian's legal responsibility to enforce the student's**

1 **attendance at school and the civil penalties that may be incurred if the student**
 2 **is determined to be habitually absent or habitually tardy.** The student's parent or
 3 legal guardian shall sign a receipt for such notification.

4 * * *

5 Section 2. This Act shall become effective upon signature by the governor or, if not
 6 signed by the governor, upon expiration of the time for bills to become law without signature
 7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 9 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 Jeanne C. Johnston.

DIGEST

Present law provides that a student shall be considered habitually absent or habitually tardy when either condition continues to exist after all reasonable efforts by any school personnel, truancy officer, or other law enforcement personnel have failed to correct the condition after the fifth unexcused absence or the fifth unexcused occurrence of being tardy. Provides that the parent or legal guardian of a student shall enforce the attendance of the student at the school to which the student is assigned.

Proposed law retains present law.

Present law provides that the school principal, or his designee, shall notify the parent or legal guardian in writing upon a student's third unexcused absence or unexcused occurrence of being tardy and hold a conference with such student's parent or legal guardian. Further provides that the student's parent or legal guardian shall sign such notification.

Proposed law:

1. Requires that the student's parent or legal guardian be notified in writing "on or before" the student's third unexcused absence or unexcused occurrence of being tardy.
2. Deletes the requirement that a conference be held with the student's parent or legal guardian and instead provides that the notification sent to the parent or legal guardian upon the student's third unexcused absence or unexcused occurrence of being tardy shall include information relative to the parent or legal guardian's legal responsibility to enforce the student's attendance at school and the civil penalties that may be incurred if the student is determined to be habitually absent or habitually tardy.
3. Retains provision in present law that requires the parent or legal guardian to sign such notification.

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

(Amends R.S. 17:233(B)(1)(c))