

2024 Regular Session

HOUSE BILL NO. 550

BY REPRESENTATIVE AMEDEE

STUDENT/HOME STUDY: Terminates approval of home study programs by the State Board of Elementary and Secondary Education (BESE), provides for the enrollment of students in home schools, and provides for one-time notification to BESE upon such enrollment

1 AN ACT

2 To amend and reenact R.S. 17:151.3(D)(3), 221(E)(3), 232(C), 236(A), 236.2(A), 240(D),

3 3991(E)(2), 4002.3(3)(c), and 4036.1(F), to enact R.S.17:236.1(H) and 236.4, and

4 to repeal R.S. 17:170.4(A)(1)(c), 170.5(A)(2), 221(E)(1) and (2), and 351.1(A)(2),

5 relative to home schooling; to provide for the termination of the approval of home

6 study programs by the State Board of Elementary and Secondary Education; to

7 provide relative to the authority of parents of children enrolled in home schools; to

8 require parents to submit a single notification to the state board upon the enrollment

9 of a child in a home school and to specify the contents of the notification; to provide

10 that enrollment in a home school satisfies compulsory attendance requirements; to

11 provide that home school diplomas carry the same weight as diplomas awarded by

12 approved nonpublic schools; to provide for an effective date; and to provide for

13 related matters.

14 Be it enacted by the Legislature of Louisiana:

15 Section 1. R.S. 17:151.3(D)(3), 221(E)(3), 232(C), 236(A), 236.2(A), 240(D),

16 3991(E)(2), 4002.3(3)(c), and 4036.1(F) are hereby amended and reenacted and R.S.

17 17:236.1(H) and 236.4 are hereby enacted to read as follows:

18 §151.3. Kindergarten; establishment; entrance age; prerequisites

19 * * *

1 D.

2 * * *

3 (3) Nothing in this Section shall be construed to prohibit a child from being
4 enrolled in and attending kindergarten ~~in a home study program~~ at a home school
5 as provided in R.S. 17:236.4.

6 * * *

7 §221. School attendance; compulsory ages; duty of parents; excessive absences;
8 condition for driving privileges

9 * * *

10 E.

11 * * *

12 (3) No city, parish, or other local public school system shall be responsible
13 for collecting and maintaining school attendance data for any child who is enrolled
14 ~~in an approved home study program~~ at a home school unless and until the parent
15 subsequently enrolls the child in a public school under the authority of the public
16 school system.

17 * * *

18 §232. Attendance records, principals' and teachers' duty to furnish; penalty for
19 violation; pupil absence upon own authority prohibited; notice

20 * * *

21 C. The provisions of this Section shall not apply to schools which receive no
22 local, state, or federal funds or support, directly or indirectly, and in which neither
23 students nor their parents are recipients or beneficiaries of any local, state, or federal
24 education program or assistance. However, such schools shall be required to report
25 to the state Department of Education their total attendance as of the thirtieth day of
26 their school term or session except for home schools, which shall report relative to
27 attendance as provided in R.S. 17:236.4.

28 * * *

1 §236. Definition of a school

2 A. For the purposes of this Chapter, a school is defined as an institution for
3 the teaching of children, consisting of an adequate physical plant, whether owned or
4 leased, instructional staff members, and students. For such an institution to be
5 classified as a school, within the meaning of this Chapter, instructional staff
6 members shall meet the following requirements: if a public day school or a
7 nonpublic school which receives local, state, or federal funds or support, directly or
8 indirectly, they shall be certified in accordance with rules established by the State
9 Board of Elementary and Secondary Education; if a nonpublic school which receives
10 no local, state, or federal funds or support, directly or indirectly, they shall meet such
11 requirements as may be prescribed by the school or the church. In addition, except
12 as otherwise provided in Subsection B of this Section, any such institution, to be
13 classified as a school, shall operate a minimum session of not less than one hundred
14 eighty days. ~~Solely for purposes of compulsory attendance in a nonpublic school,~~
15 ~~a child who participates in a home study program approved by the State Board of~~
16 ~~Elementary and Secondary Education shall be considered in attendance at a day~~
17 ~~school; a home study program shall be approved if it offers a sustained curriculum~~
18 ~~of a quality at least equal to that offered by public schools at the same grade level.~~

19 * * *

20 §236.1. Approval of home study programs; termination

21 * * *

22 H. Notwithstanding any other provision of law to the contrary, the State
23 Board of Elementary and Secondary Education shall terminate its process for
24 approving home study programs on July 1, 2024, after which enrollment in home
25 schools shall be subject to the provisions of R.S. 17:236.4.

26 §236.2. Home ~~study program participants;~~ school students; admission to public
27 schools

28 A. The State Board of Elementary and Secondary Education, ~~hereinafter~~
29 hereafter in this section referred to as the state board, shall adopt policies, rules, and

1 regulations establishing procedures to be followed by ~~city and parish~~ public school
 2 boards in admitting or readmitting to the public schools any child who, during the
 3 preceding school year or any portion thereof immediately preceding his admission
 4 or readmission to the public schools, ~~participated in an approved home study~~
 5 ~~program pursuant to the provisions of R.S. 17:236.~~ was enrolled in a home school
 6 as provided in R.S. 17:236.4.

7 * * *

8 §236.4. Home schools

9 A. A "home school" is defined as the private instruction of a child directed
 10 by the child's parent.

11 B. Within thirty days of enrolling a child in a home school, his parent shall
 12 provide a one-time notice to the State Board of Elementary and Secondary
 13 Education. The notice shall list the parent's name and address and the number of
 14 students being enrolled in the home school.

15 C. A parent who enrolls a child in a home school is solely responsible for:

- 16 (1) The educational philosophy.
- 17 (2) The selection of instructional materials, curriculum, and textbooks.
- 18 (3) The time, place, and method of instruction.
- 19 (4) The evaluation of the instruction.
- 20 (5) The student's graduation.
- 21 (6) The issuance of transcripts and diplomas.

22 D. A home school's not subject to provisions of law applicable to other types
 23 of nonpublic schools except as provided by law.

24 E. Enrollment in a home school as provided in this Section satisfies the
 25 compulsory attendance requirements provided in R.S. 17:221.

26 F. For purposes of this Section, a "parent" is a parent, legal guardian, or other
 27 person residing within the state and having control or charge of any child of school
 28 age.

1 (c) Is enrolled in a home ~~study program approved by the state board~~; school
2 as provided in R.S. 17:236.4.

3 * * *

4 §4036.1. Learning pods

5 * * *

6 F. This Chapter does not apply to or have any effect on any learning pod or
7 other group of students that is formed and operated by parents, regardless of whether
8 they are enrolled in a public school or a nonpublic school or ~~participating in a home~~
9 ~~study program~~ school as provided in R.S. 17:236.4.

10 Section 2. R.S. 17:170.4(A)(1)(c), 170.5(A)(2), 221(E)(1) and (2), and 351.1(A)(2)
11 are hereby repealed in their entirety.

12 Section 3. This Act shall become effective on July 1, 2024.

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 550 Original

2024 Regular Session

Amedee

Abstract: Terminates approval of home study programs by the State Bd. of Elementary and Secondary Education and provides for the authority of parents with respect to home schools.

Present law provides for the approval of home study programs by the State Bd. of Elementary and Secondary Education (BESE). Proposed law terminates BESE approval of these programs as of July 1, 2024, and instead provides for students enrolled in home schools as follows:

- (1) Defines home school as the private instruction of a child directed by his parent.
- (2) Requires parents, within 30 days of enrollment, to submit a one-time notification to BESE that includes the parent's name and address and the number of enrolled students.
- (3) Provides that parents are solely responsible for all aspects of the home school's educational program.
- (4) Exempts home schools from present law applicable to nonpublic schools unless provided otherwise by law.
- (5) Provides that enrollment satisfies present law compulsory attendance requirements.
- (6) Grants home school diplomas the same weight granted to approved nonpublic school diplomas.

Proposed law applies present law to home schools instead of approved home study programs as follows:

- (1) That nothing in present law relative to required kindergarten shall be construed to prohibit children from attending kindergarten at a home school.
- (2) The requirement that BESE provide by rule for home school students admitted or readmitted to public school.
- (3) That the prohibition on tobacco in schools does not apply to home schools.
- (4) The prohibition against a charter school resulting from the conversion of a home school.
- (5) That home school students are eligible to participate in the Course Choice program.
- (6) That present law relative to learning pods does not apply to home schools.

Proposed law repeals the following present law as applicable to students enrolled in approved home study programs:

- (1) The requirement that 11-year-olds and 16-year-olds provide satisfactory evidence of current immunization against meningococcal disease.
- (2) The requirement that DOE provide influenza immunization information to parents.
- (3) The requirement that DOE notify local school boards relative to home study applications.
- (4) The requirement that BESE provide by rule for the supply of textbooks to home study students.
- (5) Duplicative compulsory attendance provisions.

Effective July 1, 2024.

(Amends R.S. 17:151.3(D)(3), 221(E)(3), 232(C), 236(A), 236.2(A), 240(D), 3991(E)(2), 4002.3(3)(c), and 4036.1(F); Adds R.S.17:236.1(H) and 236.4; Repeals R.S. 170.4(A)(1)(c), 170.5(A)(2), 221(E)(1) and (2), and 351.1(A)(2))