

ACT No. 628

HOUSE BILL NO. 218

BY REPRESENTATIVES LAFLEUR, BOYD, BRASS, CARPENTER, CARVER, CHASSION, ECHOLS, EDMONSTON, FISHER, FREEMAN, FREIBERG, GREEN, DANA HENRY, JACKSON, MIKE JOHNSON, JORDAN, KNOX, TERRY LANDRY, LARVADAIN, LYONS, MARCELLE, MARTINEZ, MURRAY, TAYLOR, WALTERS, AND YOUNG

1 AN ACT

2 To enact R.S. 17:2113 and 3996(B)(24), relative to student questionnaires; to provide for the
3 inclusion of questions pertaining to food insecurity on a residency questionnaire; to
4 provide for the administration of the questionnaire; to provide for the confidentiality
5 of responses; to provide for information on resources and services; to provide for
6 applicability; to provide a limitation of liability; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:2113 and 3996(B)(24) are hereby enacted to read as follows:

9 §2113. Food insecurity

10 A.(1) The state Department of Education, in consultation with the Louisiana
11 Department of Health, shall include questions pertaining to food insecurity on the
12 residency questionnaire administered for purposes of the federal McKinney-Vento
13 Homeless Children and Youth Assistance Act.

14 (2) Each public school shall annually distribute the questionnaire to each
15 student in grades kindergarten through twelve upon enrollment, change of address,
16 and reasonable suspicion of food insecurity by school personnel or school-based
17 health clinics.

18 B.(1) If the questionnaire responses indicate that a student is at risk for food
19 insecurity, the school shall provide the parents or legal guardian information on

1 federal, state, community, and school resources and services that may be available,
2 including but not limited to public assistance applications, social services,
3 community food banks and food pantries, and school meal programs and food
4 pantries. For any emancipated minor or student who has reached the age of majority,
5 the school shall provide the information directly to the student.

6 (2) The information on federal, state, and community resources shall be
7 compiled by the Louisiana Department of Health, which shall provide the
8 information to each school at no cost to the school or its school board.

9 C. Responses to the questionnaire shall remain confidential except for
10 disclosure to a student's parent or legal guardian or to the student if he has reached
11 the age of majority or is an emancipated minor and to authorized school personnel
12 responsible for the provision of information as provided in Subsection B of this
13 Section.

14 D. No school employee shall use questionnaire responses to make any
15 decision relating to student instruction, academic opportunities, or discipline.

16 E. No school board or employee thereof shall be liable for damages in a civil
17 action for injury, death, or loss to person or property that allegedly arises from an act
18 or omission associated with the provisions of this Section unless the act or omission
19 constitutes willful or wanton misconduct.

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21 §3996. Charter schools; exemptions; requirements

22 * * *

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

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(24) Food insecurity questions on residency questionnaire, R.S. 17:2113.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____