

SENATE BILL NO. 335

BY SENATOR CLAITOR

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AN ACT

To enact R.S. 17:24.4(F)(5), 154.2, and 3991(E)(6), relative to public elementary and secondary education; to prohibit public schools from requiring disclosure of certain student information; to provide for the submission of petitions by certain students with exceptionalities; to provide for procedures, guidelines, and rules relative to such petitions; to provide for reporting requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:24.4(F)(5), 154.2, and 3991(E)(6) are hereby enacted to read as follows:

§24.4. Louisiana Competency-Based Education Program; statewide standards for required subjects; Louisiana Educational Assessment Program; parish or city school board comprehensive pupil progression plans; waivers

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(5)(a) A person who is no longer enrolled in a public school but was identified as a student with an exceptionality as defined in R.S. 17:1942(B), except a gifted or talented student, and who previously failed to receive a high school diploma or was denied graduation solely for failing to meet the exit examination requirements pursuant to State Board of Elementary and Secondary Education rules, regulations, or policy may petition the city, parish, or other local public school board to determine if he is eligible to receive a high school diploma pursuant to this Paragraph. A petition shall be submitted to the local school board by December 31, 2017.

(b) The local school board shall transmit diploma requests to the state Department of Education in accordance with department procedures and

1 guidelines. A person receiving a diploma pursuant to this Paragraph shall not
 2 be counted as a graduate in any graduation rate calculations for affected schools
 3 and districts, including calculations for any prior year.

4 (c) Not later than January 31, 2018, the state Department of Education
 5 shall report in writing to the State Board of Elementary and Secondary
 6 Education, the House Committee on Education, and the Senate Committee on
 7 Education the number of diplomas granted, by school district, pursuant to this
 8 Paragraph.

9 (d) The State Board of Elementary and Secondary Education shall
 10 promulgate rules in accordance with the Administrative Procedure Act for the
 11 implementation of this Paragraph. The state Department of Education shall
 12 disseminate a copy of the requirements of this Paragraph and procedures and
 13 guidelines for submitting petitions to each city, parish, and other local public
 14 school system not later than ninety days after the effective date of this
 15 Paragraph. Such procedures and guidelines shall include but shall not be
 16 limited to the following:

17 (i) The eligibility criteria for submitting a petition.

18 (ii) The petition process, including but not limited to the deadline for
 19 submitting a petition and all other applicable deadlines.

20 (iii) A contact name and phone number at the state Department of
 21 Education available to persons submitting petitions.

22 * * *

23 §154.2. Enrollment of students with special needs

24 A. No public school or public school governing authority shall require
 25 the parent or legal guardian of any student to disclose the student's medical
 26 information or special education needs prior to enrolling the student in a public
 27 school, unless otherwise specifically required by law.

28 B. Nothing in this Section shall prohibit a public school from providing
 29 an enrollment preference to a student with special needs when the student's
 30 parent or legal guardian has voluntarily provided the school with information

1 regarding such needs.

2 * * *

3 §3991. Charter schools; requirements; limitations; renewal; amendment; revocation

4 * * *

5 E. A charter school shall not:

6 * * *

7 (6)(a) Require the parent or legal guardian of any student to disclose
8 medical information or special education needs prior to the student's being
9 enrolled in the charter school, unless otherwise specifically required by law.

10 (b) Nothing in this Paragraph shall prohibit a charter school from
11 providing an enrollment preference to a student with special needs when the
12 student's parent or legal guardian has voluntarily provided the school with
13 information regarding such needs.

14 * * *

15 Section 2. This Act shall become effective upon signature by the governor or, if not
16 signed by the governor, upon expiration of the time for bills to become law without signature
17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
18 vetoed by the governor and subsequently approved by the legislature, this Act shall become
19 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____