

2018 Regular Session

HOUSE BILL NO. 387

BY REPRESENTATIVE EDMONDS

SCHOOLS: Revises the Parents' Bill of Rights for Public Schools

1 AN ACT

2 To amend and reenact R.S. 17:406.9(B)(introductory paragraph) and (2)(introductory  
3 paragraph) and (a) and to enact R.S. 17:406.9(B)(2)(e) through (h) and (10) through  
4 (13) and 3996(B)(45), relative to the rights of parents of public school children; to  
5 provide for the disclosure of certain student records to parents; to provide for  
6 parental notification; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:406.9(B)(introductory paragraph) and (2)(introductory paragraph)  
9 and (a) are hereby amended and reenacted and 17:406.9(B)(2)(e) through (h) and (10)  
10 through (13) and 3996(B)(45) are hereby enacted to read as follows:

11 §406.9. Parents' Bill of Rights for Public Schools

12 \* \* \*

13 B. Parents of public school children who have not reached the age of  
14 majority shall have all of the following rights:

15 \* \* \*

16 (2) To inspect and receive a photocopy, either at no cost or at a reasonable  
17 cost that is set forth in the official rules and regulations of the school governing  
18 authority, their child's school records; and to receive a copy of their child's records  
19 within ten business days of submitting a written request, either electronically or on  
20 paper. Parents shall not be required to appear in person for the purpose of requesting

1 or validating a request for their child's school records, and there shall be no charge  
2 to receive such records electronically. School records ~~including~~ include all of the  
3 following:

4 (a) Academic records, including but not limited to results of interim or  
5 benchmark assessments.

6 \* \* \*

7 (e) Records of discipline.

8 (f) Records of attendance.

9 (g) Records associated with a child's screening for learning challenges,  
10 exceptionalities, plans for an Individualized Education Program, or Individual  
11 Accommodation Plan.

12 (h) Any other student-specific file, document, or other materials that are  
13 maintained by the school.

14 \* \* \*

15 (10) To receive from the school the annual school calendar, no later than  
16 thirty days prior to the beginning of the school year, and to be notified in writing as  
17 soon as feasible of any revisions to such calendar. Such calendar shall be posted to  
18 the school's website and shall include, at a minimum, student attendance days and  
19 any event that requires parent or student attendance outside of normal school days  
20 or hours.

21 (11) To receive in writing each year or to view on the school's website a  
22 comprehensive listing of any required fee and its purpose and use and a description  
23 of how economic hardships may be addressed.

24 (12) To receive in writing upon request or to view on the school's website  
25 a description of the school's required uniform for students, including an estimated  
26 total cost per uniform.

27 (13) To be informed if their child's academic performance is such that it  
28 could threaten the child's ability to be promoted to the next grade level and to be  
29 offered an in-person meeting with the child's classroom teacher and school leader to

1 discuss any resources or strategies available to support and encourage the child's  
2 academic improvement.

3 \* \* \*

4 §3996. Charter schools; exemptions; requirements

5 \* \* \*

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

13 \* \* \*

14 (45) Parents' Bill of Rights for Public Schools, R.S. 17:406.9.

15 \* \* \*

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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)]

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HB 387 Reengrossed

2018 Regular Session

Edmonds

**Abstract:** Amends the "Parents' Bill of Rights for Public Schools".

Present law provides that the parents of public school children shall have all of the following rights:

- (1) To examine the textbooks, lesson plans, curriculum, and supplemental material used in their child's classroom.
- (2) Inspect their child's school records, including academic records, medical or health records, records of any mental health counseling, or records of any vocational counseling.
- (3) To be notified when medical services are being offered to their child.
- (4) To be notified if a criminal action is deemed to have been committed against their child.

- (5) To be notified before the school allows law enforcement personnel to question their child.
- (6) To be notified before their child is taken or removed from the school campus.
- (7) To request and expect their child's family religious beliefs to be respected.
- (8) To receive written notice and to opt out of any surveys that include invasive questions about student's sexual experiences or attractions, the student's family beliefs, morality, religion, or political affiliations as well as any mental health or psychological problems of the student or a family member.
- (9) To receive written notice and to opt out of controversial instruction on topics associated with sexual activity.

Proposed law retains present law except for the following revisions:

- (1) Limits applicability of such rights to parents of public school children who have not reached the age of majority.
- (2) Relative to (2) above, further provides for parents' rights to receive a photocopy of the school records at no cost or a reasonable cost within 10 business days of a written request. Further defines academic records to include interim or benchmark assessments and provides that parents have a right to inspect and receive a copy of:
  - (a) Records of attendance.
  - (b) Records of discipline.
  - (c) Records associated with a student's screening for learning challenges, exceptionalities, an Individualized Education Program, or Individual Accommodation Plan.
  - (d) Other student-specific files, documents, or other materials that are maintained by the school.

Proposed law further provides that parents of public school children who have not reached the age of majority have the following additional rights:

- (1) To receive from the school the annual school calendar no later than 30 days prior to the beginning of the school year. At a minimum, school officials shall include on the calendar student attendance days and any events that require parent or student attendance outside of normal school hours.
- (2) To annually receive in writing or to view on the school's website:
  - (a) A list of required fees and their purpose and use.
  - (b) A description of the required student uniform, including the total estimated cost per uniform.
- (3) To be informed if their child's low academic performance could affect their child's ability to advance to the next grade level. Further provides such parents have a right to be offered a meeting with the student's teacher and school leader to discuss strategies and resources to improve the student's academic performance.

Proposed law makes present law as amended applicable to charter schools.

(Amends R.S. 17:406.9(B)(intro. para.) and (2)(intro. para.) and (a); Adds R.S. 17:406.9(B)(2)(e)-(h) and (10)-(13) and 3996(B)(45))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Make Parents' Bill of Rights for Public Schools applicable to charter schools.