

2019 Regular Session

HOUSE BILL NO. 517

BY REPRESENTATIVE SMITH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

STUDENTS: Provides relative to fees charged to students in elementary and secondary schools

1 AN ACT

2 To amend and reenact R.S. 17:4022(4), to enact R.S. 17:177, 178, and 3996(B)(54) and (55),
3 and to repeal R.S. 17:177(F), relative to students in elementary and secondary
4 schools; to require public school governing authorities to adopt policies relative to
5 the assessment, collection, and use of fees charged to such students or their parents
6 or legal guardians; to provide for certain components to be included in such policies
7 including information with regard to waivers and appeals; to require schools
8 participating in the Student Scholarships for Educational Excellence Program to
9 identify all fees paid with the scholarship funds; to require such participating schools
10 to provide policies to the parents or legal guardians of scholarship students relative
11 to certain fees and the purposes, amounts, and waivers related thereto; to provide
12 relative to school supplies for students; and to provide for related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 17:4022(4) is hereby amended and reenacted and R.S. 17:177, 178,
15 and 3996(B)(54) and (55) are hereby enacted to read as follows:

16 §177. Student fees; policies

17 A. By not later than December 1, 2019, the governing authority of each
18 public elementary and secondary school shall adopt and publish on its website a
19 policy for the assessment, collection, and use of fees charged to students or their
20 parents or legal guardians. The policy shall be revised annually as necessary.

1 B. For purposes of this Section, "fees" shall mean any monetary payment or
2 supplies required as a condition of a student being enrolled in school or participating
3 in any curricular or cocurricular activity. Fees shall not mean the cost of school
4 meals.

5 C. Each policy shall contain, at a minimum:

6 (1) A list of all fees, including the purpose, use, and the amount or
7 authorized range for each. Fees charged for the same item or service shall be
8 consistent among all schools under the jurisdiction of the school governing authority.

9 (2) A description of how each fee is collected and spent.

10 (3) A description of how a student or his parent or legal guardian may
11 request and receive a waiver of payment of a fee due to economic hardship and the
12 objective criteria on which the granting of a waiver is based which may include but
13 not be limited to the following relative to the student or his family:

14 (a) Is receiving unemployment benefits or public assistance including
15 Temporary Assistance for Needy Families, Supplemental Nutrition Assistance
16 Program, supplemental security income, or Medicaid.

17 (b) Is in foster care or is caring for children in foster care.

18 (c) Is homeless.

19 (d) Is serving in, or within the previous year has served in, active military
20 service.

21 (e) Is eligible for free or reduced priced meals in schools not participating
22 in the Community Eligibility Provision Program.

23 (f) Is an emancipated minor.

24 (4) An appeals process to the local superintendent or his designee for a
25 waiver request that is initially denied.

26 (5) A prohibition against assessing a fee not authorized by the policy.

27 (6) A statement that failure to pay any required fee shall not result in the
28 withholding of a student's educational record.

1 applicable to public schools and to public school officers and employees except for
2 the following laws otherwise applicable to public schools with the same grades:

3 * * *

4 (54) Student fees, R.S. 17:177.

5 (55) School supplies, R.S. 17:178.

6 * * *

7 §4022. Participating schools; requirements

8 Each participating school shall:

9 * * *

10 (4) Accept the scholarship amounts provided to scholarship recipients as full
11 payment of all educational costs, including incidental or supplementary fees that are
12 charged to all enrolled students including but not limited to meals, field trips, and
13 before- or after-school care. The school shall identify in writing all such fees that
14 are paid with the scholarship. For any fees not charged to all enrolled students and
15 not paid by the scholarship, the school shall adopt and disseminate to parents of
16 scholarship recipients a policy that lists the fee and its purpose and amount and
17 includes a process for parents of scholarship recipients to apply for and receive a
18 waiver of the fee due to economic hardship, including objective criteria for granting
19 such waivers. Such policy shall include a statement prohibiting the education
20 records of a scholarship recipient from being withheld due to failure to pay any fine,
21 debt, or other outstanding obligation.

22 * * *

23 Section 2. R.S. 17:177(F) is hereby repealed in its entirety.

24 Section 3. Section 1 and this Section of this Act shall become effective on August
25 1, 2019. Section 2 of this Act shall become effective on December 31, 2019.

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 517 Engrossed

2019 Regular Session

Smith

Abstract: Requires public school governing authorities to adopt policies relative to the assessment, collection, and use of fees charged to students in elementary and secondary schools or their parents or legal guardians. Requires schools participating in the voucher program to identify all fees paid with voucher funds and provide certain information about fees to the parents or legal guardians of voucher students.

Proposed law requires each public school governing authority to adopt and publish on its website a policy for the assessment, collection, and use of fees charged to students or their parent or legal guardians. Defines "fees" as any monetary payment or supplies required as a condition of a student being enrolled in school or participating in any curricular or cocurricular activity, excluding the cost of school meals. Requires specified components to be included in such policies including fee lists, amounts, and use, a process for requesting waivers due to economic hardship, and an appeals process when waivers are denied. Requires each public school to publish the policy on its website and include it in the school's student handbook. Requires the state Dept. of Education to report to the House and Senate education committees regarding the implementation and compliance with proposed law by public school governing authorities.

Present law, relative to the Student Scholarships for Educational Excellence Program, specifies requirements relative to schools (nonpublic and public) that participate in the program. Requires that participating schools accept the scholarship amounts provided to scholarship recipients as full payment of all educational costs, including incidental or supplementary fees that are charged to all enrolled students including but not limited to meals, field trips, and before- or after-school care. Proposed law additionally requires participating schools to identify all such fees that are paid with the scholarship. Provides that for any fees not charged to all enrolled students and not paid by the scholarship, the school shall adopt and disseminate to parents of scholarship recipients a policy that outlines the fee, its purpose, the amount charged, and a process by which parents of scholarship recipients may apply for and receive a waiver of the fee due to economic hardship, including objective criteria for granting such waivers. Requires that such policy shall include a statement prohibiting the education records of a scholarship recipient from being withheld due to failure to pay any fine, debt, or other outstanding obligation. Otherwise retains present law.

Proposed law provides that school supplies requested by classroom teachers of a student's parent or legal guardian shall not exceed a published amount per student per school year as determined by the public school governing authority. Requires school principals to approve school supplies. Requires that before assessing a school supplies fee or developing a school supply list, the existing school supply inventory shall be considered. Provides that a student shall not be denied the opportunity to participate in a classroom activity due to his inability to provide requested supplies.

(Amends R.S. 17:4022(4); Adds R.S. 17:177, 178, and 3996(B)(54) and (55); Repeals R.S. 17:177(F))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Add that prior to assessing a fee for school supplies or developing a school supply list, consideration shall be given to the existing school supply inventory.
2. Delete provision prohibiting school supplies requested by teachers from constituting more than what a student can reasonably consume throughout the school year.
3. Delete requirement that school principals adopt a process for inventory of school supplies and that school supplies leftover at the end of a school year be used in the following school year.