

2019 Regular Session

HOUSE BILL NO. 517

BY REPRESENTATIVE SMITH

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.

29          D. All records associated with a fee waiver request due to economic hardship  
 30          shall not constitute a public record but may be audited to ensure compliance with the

1 school governing authority's policy. A student's personally identifiable information  
2 associated with such a waiver request shall not be made public.

3 E. Each school under the jurisdiction of the governing authority shall publish  
4 the policy on its website and include it in the school's student handbook which shall  
5 be provided to each student and his parent or legal guardian at the beginning of each  
6 school year in the manner determined by the school governing authority.

7 F. The state Department of Education shall submit a report to the House  
8 Committee on Education and the Senate Committee on Education not later than  
9 December 31, 2019, relative to the implementation of this Section and compliance  
10 by public school governing authorities.

11 §178. School supplies

12 School supplies requested by classroom teachers of a student's parent or legal  
13 guardian shall not exceed a published amount per student per school year as  
14 determined by the public school governing authority. Each school principal shall  
15 approve all school supplies requested by classroom teachers. Prior to assessing a fee  
16 for school supplies or developing a school supply list, consideration shall be given  
17 to the existing school supply inventory. A student shall not be denied the  
18 opportunity to participate in a classroom activity due to his inability to provide  
19 requested supplies.

20 \* \* \*

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:

30 \* \* \*

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

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

3                                   \*       \*       \*

4           §4022. Participating schools; requirements

5                   Each participating school shall:

6                                   \*       \*       \*

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

19                                   \*       \*       \*

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

21                  Section 3. Section 1 and this Section of this Act shall become effective on August  
22                  1, 2019. Section 2 of this Act shall become effective on December 31, 2019.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_