

ACT No. 240

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.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____