SLS 21RS-140 **ORIGINAL**

2021 Regular Session

SENATE BILL NO. 10

BY SENATOR FIELDS

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

KINDERGARTEN. Provides for mandatory kindergarten attendance and requires compulsory school attendance beginning at age 5. (gov sig)

1	AN ACT
2	To amend and reenact R.S. 17:151.3, 221(A)(1), and 222, relative to compulsory school
3	attendance; to provide for mandatory attendance in kindergarten; to provide for
4	effectiveness; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 17:151.3, 221(A)(1), and 222 are hereby amended and reenacted to
7	read as follows:
8	§151.3. Kindergarten; establishment; entrance age; first grade enrollment,
9	prerequisites
10	A. Beginning with the 1990-1991 school year and thereafter, each Each city,
11	and parish, and other local public school system board shall provide for and offer,
12	in every school having a first grade or in a parish kindergarten center, full-day
13	kindergarten instruction to each child who is eligible as provided in Subsection B of
14	this Section.
15	B.(1) The youngest age at which a child may enter kindergarten provided for
16	in Subsection A of this Section shall be one year younger than the age required for
17	that child to enter first grade as provided by R.S. 17:222(A) or, through the 1995-

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1996 school year, one year younger than the age required by the city or parish school
board pursuant to R.S. 17:222(C)(1) who turns five years of age on or before
September thirtieth of the calendar year in which the school year begins.

(2)B. However, each city, and parish, and other local public school board, by rule, may provide, for a child younger than the age prescribed by Paragraph (1) of this Subsection (A) of this Section to enter kindergarten; provided that such the child has been evaluated and identified as gifted in accordance with the regulations of the state Department of Education for such evaluation. Notwithstanding the provisions of R.S. 17:222(A) or (C), any A child admitted to kindergarten pursuant to this Paragraph Subsection shall be eligible to enter first grade upon successful completion of kindergarten; provided all other applicable entrance requirements have been fulfilled.

C.(1)(a) Beginning with the 1991-1992 For the 2021-2022 school year and thereafter, every , a child, as a prerequisite to enrollment in any the first grade of a public school, shall have attended at least a full-day public or private kindergarten for a full school year, or shall have satisfactorily passed an academic readiness screening administered by the city, or parish, or other local public school system board prior to the time of enrollment for in the first grade. Each city, or parish, or other local public school system board shall establish the academic readiness level for its entry into the first grade based on criteria established by the system.

- (b) Beginning with the 2022-2023 school year, a child, as a prerequisite to enrollment in the first grade of a public school, shall have attended a full-day public or private kindergarten for a full school year, and shall have satisfactorily passed an academic readiness screening administered by the city, parish, or other local public school board prior to the time of enrollment in the first grade. Each city, parish, or other local public school board shall establish the academic readiness level for entry into the first grade.
- (2) Beginning with the 1991-1992 school year and thereafter, any $\underline{\mathbf{A}}$ child transferring into the first grade of a public school from out of state and not meeting

1	who does not meet the requirements herein as provided in Paragraph (1) of this
2	<u>Subsection</u> for kindergarten attendance, shall be required to satisfactorily pass an
3	academic readiness screening administered by the city, or parish, or other local
4	<u>public</u> school system <u>board</u> prior to the time of enrollment for the first grade.
5	(3) Beginning with the 1991-1992 school year and thereafter, any $\underline{\mathbf{A}}$ child not
6	able to meet the kindergarten attendance requirements of this Section as provided
7	in Paragraph (1) of this Subsection due to illness or extraordinary, extenuating
8	circumstances as determined by the city, or parish, or other local public school
9	board, shall be required to satisfactorily pass an academic readiness screening
10	administered by the city, or parish, or other local public school system board prior
11	to the time of enrollment for the first grade.
12	D.(1) Every parent, tutor, or other person having control or charge For the
13	2021-2022 school year, the parent or legal guardian of a child who is eligible, as
14	provided in Subsection $\frac{\mathbf{B}}{\mathbf{A}}$ of this Section, to attend full-day kindergarten for the
15	1990-1991 school year or thereafter, as a prerequisite to enrollment in any first grade
16	of a public school, shall send such the child, beginning with the 1990-1991 school
17	year, to attend public or private full-day kindergarten when such instruction is
18	offered in the public schools, or insure that such the child is administered an
19	academic readiness screening as provided in Subsection C of this Section prior to the
20	time established in R.S. 17:222 for the child to enter first grade.
21	(2) Beginning with the 2022-2023 school year, the parent or legal
22	guardian of a child who is eligible, as provided in Subsection A of this Section,
23	to attend full-day kindergarten shall send the child to a public or private
24	kindergarten in accordance with R.S. 17:221.
25	* * *
26	§221. School attendance; compulsory ages; duty of parents; excessive absences;
27	condition for driving privileges
28	A.(1)(a) Every parent, tutor, or other person For the 2021-2022 school year,
29	the parent or legal guardian of a child who is age seven through eighteen and

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residing within the state of Louisiana having control or charge of any child from that child's seventh birthday until his eighteenth birthday shall send such the child to a public or private day school, unless the child graduates from high school prior to his eighteenth birthday. Any A child below the age of seven who legally enrolls in school shall also be subject to the provisions of this Subpart.

(b) Beginning with the 2022-2023 school year, the parent or legal guardian of a child who resides in Louisiana and who is age five by September thirtieth of the calendar year in which the school year begins through eighteen shall send the child to a public or private school, unless the child graduates from high school prior to his eighteenth birthday. A child below the age of five who legally enrolls in school shall also be subject to the provisions of this Subpart.

(c) Every parent, tutor, or other person responsible for sending a child to a public or private day school under provisions of this Subpart The parent or legal guardian of the child shall also assure the attendance of such the child in regularly assigned classes during regular school hours established by the school board and shall assure that such the child is not habitually tardy from school pursuant to the provisions of R.S. 17:233.

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§222. Age of school School entrance; proof of age, race, and parentage required; exceptions

A. The age at which a child may enter the first grade of any public school at the beginning of the public school session shall be six years on or before September thirtieth of the calendar year in which the school year begins.

B.(1) All children upon entering a parish or city school system **public** or private school in the state of Louisiana for the first time shall be required to present a copy of their official birth record to the school principal. A short-form birth certification card shall be acceptable as a copy of an official birth record. Only records from the local or state registrar of vital statistics will be accepted for children born in Louisiana. Birth verification forms issued by the local registrar of the parish

1	of birth shall be valid and acceptable for entry into the parish or city schools or
2	private schools.
3	(2)(B)(1) Children born in Louisiana will be given a fifteen day grace period
4	to secure a copy of their birth record. Children born out of this state will be given
5	thirty days grace in which to produce a copy of their birth record.
6	(3)(2) In cases where birth certificates and/or birth verification forms cannot
7	be obtained, the school principal may accept whatever positive proof of age, race,
8	and parentage is available. It shall be left to the discretion of the parish or city
9	superintendent of schools, subject to the authority of the school board, as to whether
10	or not a child shall continue in school upon failure to comply herewith.
11	C.(1) Notwithstanding the provisions of Subsections A and B of this Section,
12	the parish school boards in Jefferson and Orleans parishes may adopt, by rule, and
13	enforce ages for entrance into first grade in the schools in their systems which vary
14	from the provisions of this Section. All children admitted into school as a result of
15	a rule adopted pursuant to this Subsection shall be counted in reports submitted for
16	funding under the Minimum Foundation Program and money allocated pursuant to
17	such program shall be based on the report which includes such children.
18	(2) The provisions of this Subsection shall become null and void on
19	<u>June 30, 2022.</u>
20	Section 2. This Act shall become effective upon signature by the governor or, if not
21	signed by the governor, upon expiration of the time for bills to become law without signature
22	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
23	vetoed by the governor and subsequently approved by the legislature, this Act shall become
24	effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cheryl Serrett.

DIGEST
SB 10 Original 2021 Regular Session

Fields

<u>Present law</u> (R.S. 17:151.3) requires public school systems to provide for and offer full-day kindergarten and establishes the minimum age for entrance into kindergarten as one year younger than the minimum age for entering first grade, which is six years old on or before

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Sept. 30th. Also requires that prior to entering first grade that a child must have either attended a full-day kindergarten or have passed an academic readiness screening established by the local school system. Requires parents and legal guardians to send a child to kindergarten or ensure that the child is administered a readiness screening prior to the child entering first grade.

<u>Proposed law</u> requires, beginning with the 2022-2023 school year, a child who turns five years of age on or before Sept. 30th to attend full-day kindergarten and to pass a readiness assessment prior to entering first grade.

<u>Present law</u> (R.S. 17:221) requires compulsory school attendance for children ages 7 through 18, unless the child graduates from high school prior to his 18th birthday.

<u>Proposed law</u> provides, beginning with the 2022-2023 school year, that compulsory school attendance begins the year during which a child turns 5 on or before September 30th.

<u>Present law</u> (R.S. 17:222) provides that the minimum age that a child may enter first grade of any public school is six years of age on or before Sept. 30th of the calendar year in which the school year begins. Allows the Jefferson and Orleans Parish School Boards to set by rule a different minimum age for first grade entrance. <u>Present law</u> also requires proof of age, race, and parentage.

<u>Proposed law</u> removes the minimum age threshold for entry into the first grade. Provides that the provisions of <u>present law</u> that allows Jefferson and Orleans Parishes to establish different entry standards shall become null and void on June 30, 2022.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:151.3, 221(A)(1), and 222)