

Regular Session, 2001

ACT No. 1151

HOUSE BILL NO. 19

BY REPRESENTATIVE THOMPSON AND SENATOR ULLO

AN ACT

To amend and reenact R.S. 17:221(A)(1) and (E) and to enact R.S. 17:221(F), (G), and (H), relative to school attendance; to require certain persons having control or charge of a child to send such child to school from the child's seventh birthday until his eighteenth birthday; to provide for individualized plans of education for certain students over age seventeen; to provide exceptions; to provide relative to participation in a Youth Challenge Program; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:221(A)(1) and (E) are hereby amended and reenacted and R.S. 17:221(F), (G), and (H) are hereby enacted to read as follows:

§221. School attendance; compulsory ages; duty of parents; excessive absences; consent to withdraw

A.(1) Every parent, tutor, or other person residing within the state of Louisiana, having control or charge of any child from that child's seventh birthday until his ~~seventeenth~~ eighteenth birthday, shall send such child to a public or private day school, unless the child graduates from high school prior to his ~~seventeenth~~ eighteenth birthday. Any child below the age of seven who legally enrolls in school shall also be subject to the provisions of this Subpart. Every

parent, tutor, or other person responsible for sending a child to a public or private day school under provisions of this Subpart shall also assure the attendance of such child in regularly assigned classes during regular school hours established by the school board.

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E. A child between the ages of ~~sixteen~~ seventeen and ~~seventeen~~ eighteen may withdraw from school prior to graduation with the written consent of his parent, tutor, or legal guardian. A parent, tutor, or legal guardian who has given written consent for a child under his control or charge to withdraw from school prior to graduation as provided in this Subsection ~~E of this Section~~ shall not be subject to the penalty provided for a violation of the requirement of Subsection A of this Section.

F. The parent, tutor, or legal guardian of a child who remains enrolled beyond his seventeenth birthday may request that the student be allowed to attend an alternative education program or a vocational-technical education program. In the case of a child who has no parent or guardian responsible for him, the superintendent of the city, parish, or other local public school system may act as the parent in making the request. Upon such request the superintendent of the city, parish, or other local school system in which the student is enrolled shall be responsible for the following:

(1) The determination of whether the student remains in the regular school setting or attends an alternative education program or a vocational-technical education program.

(2) The development and implementation of an individualized plan of education for such student.

G. The provisions of Paragraph (A)(1) of this Section shall not be applicable to any child who is under the age of seventeen and is attending or is seeking admission to a National Guard Youth Challenge Program in this state, and the parent, tutor, or legal guardian of any such child shall not be considered in violation of the provisions of Paragraph (A)(1) of this Section.

H. Nothing in this Section shall prohibit any child from attending or seeking admission to a National Guard Youth Challenge Program in this state.

Section 2. This Act shall become effective on July 1, 2001; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2001, or on the day following such approval by the legislature, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____