

Regular Session, 2010

HOUSE BILL NO. 422

BY REPRESENTATIVE DOWNS

STUDENT/SCH ATTENDANCE: Provides relative to children exempted from the compulsory school attendance law

1 AN ACT

2 To amend and reenact R.S. 17:226(A), relative to exemptions from compulsory school  
3 attendance; to remove exemption for certain children deemed unable to perform  
4 school duties or profit from school experience; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 17:226(A) is hereby amended and reenacted to read as follows:

7 §226. Exemptions from compulsory attendance

8 A. The following ~~classes of children provided for in this Section~~ who are  
9 temporarily excused from school shall be exempted from the provisions of this

10 Subpart:

11 (1) ~~Children mentally, physically, or emotionally incapacitated to perform~~  
12 ~~school duties, and children unable to profit from further school experience, such~~  
13 ~~exemptions to be certified in writing by a psychiatrist, psychologist, recognized~~  
14 ~~evaluation center or clinic, or other professionally qualified person or agency~~  
15 ~~designated by the city, parish, or other local public school board.~~

16 (2) ~~Children temporarily excused from school, as follows:~~

17 (a) Children who are personally ill and whose attendance in school would  
18 endanger their own health or that of their classmates, each city, parish, or other local  
19 public school board being hereby authorized to adopt and promulgate or publish such  
20 resolutions as may seem wise and proper regarding the requirement of a certificate

1 from a physician or nurse practitioner licensed to practice in the state in  
2 substantiation of the absence of children under this authorization of temporary  
3 absence.

4 ~~(b)~~ (2) Children in whose families there is serious illness which would  
5 reasonably necessitate the absence from school if, in the judgment of the visiting  
6 teacher or supervisor of child welfare and attendance, such absence is justified, or  
7 if the illness is substantiated in writing by a physician or nurse practitioner licensed  
8 to practice in the state.

9 ~~(c)~~ (3) Children in whose immediate family a death has occurred, such  
10 absence not to exceed one week because of and at the time of such death.

11 ~~(d)~~ (4) Children whose religious faith requires absence for the observance  
12 of special and recognized holidays of the child's own faith.

13 ~~(e)~~(i) (5)(a) A child whose parent is a member of the United States Armed  
14 Forces or the National Guard of a state and such parent has been called to duty for  
15 or is on leave from overseas deployment to a combat zone or combat support posting  
16 shall be granted excused absences, not to exceed five school days per school year,  
17 for the day or days missed from school for the child to visit with his parent prior to  
18 the parent's deployment or during the parent's leave and, upon returning to school,  
19 shall be permitted to complete all class assignments, including all tests, missed while  
20 the child was absent pursuant to the provisions of this Item.

21 ~~(ii)~~ (b) For the purposes of this ~~Subparagraph~~, Paragraph, the term "parent"  
22 shall mean the person responsible by law for the child's school attendance.

23 \* \* \*

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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)]

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Downs

HB No. 422

**Abstract:** Deletes exemption from compulsory school attendance laws for children deemed to be mentally, physically, or emotionally unable to perform school duties or unable to profit from school experience.

Present law exempts certain children from provisions of state law relative to school attendance, including children mentally, physically, or emotionally incapacitated to perform school duties and children unable to profit from further school experience, as certified by a psychiatrist, psychologist, recognized evaluation center or clinic, or other professionally qualified person or agency. Proposed law deletes this exemption.

(Amends R.S. 17:226(A))