

2018 Regular Session

HOUSE BILL NO. 74

BY REPRESENTATIVE DAVIS

STUDENTS: Requires schools to provide information relative to influenza and immunization against the influenza virus

1 AN ACT

2 To enact R.S. 17:170.5 and 3996(B)(45), relative to immunization information for  
3 elementary and secondary school students; to require schools to provide information  
4 relative to influenza and immunization against the influenza virus to students'  
5 parents; to require the state Department of Education to provide such information to  
6 the parents of students enrolled in approved home study programs; to provide for  
7 rules and regulations; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:170.5 and 3996(B)(45) are hereby enacted to read as follows:

10 §170.5. Immunization information; influenza

11 A.(1) Each public and nonpublic school governing authority shall provide  
12 each student's parent or legal guardian with information relative to the risks  
13 associated with influenza and the availability, effectiveness, and known  
14 contraindications of immunization against the influenza virus. Such information  
15 shall include the causes and symptoms of influenza, the means by which influenza  
16 is spread, and the places where a parent or legal guardian may obtain additional  
17 information and where a student may be immunized against the influenza virus.

18 (2) The state Department of Education shall provide such information to the  
19 parents of students enrolled in a home study program approved by the State Board  
20 of Elementary and Secondary Education.

1           B.(1) The Louisiana Department of Health shall develop and provide such  
 2           information, which shall be updated annually if new information on influenza  
 3           becomes available, to the state Department of Education. The state Department of  
 4           Education shall provide such information to the governing authority of each school,  
 5           which shall provide such information to each student's parent or legal guardian as  
 6           required by Subsection A of this Section.

7           (2) The Louisiana Department of Health, the state Department of Education,  
 8           and each school governing authority shall determine respectively the most cost-  
 9           effective and efficient means of distributing such information, including but not  
 10          limited to posting on school websites and electronic distribution.

11          C. The Louisiana Department of Health, in consultation with the state  
 12          Department of Education, shall establish all guidelines and procedures for carrying  
 13          out the provisions of this Section by rule promulgated in accordance with the  
 14          Administrative Procedure Act.

15          D. Nothing in this Section shall be construed to require any school governing  
 16          authority, the state Department of Education, or the Louisiana Department of Health  
 17          to provide or pay for vaccines against the influenza virus.

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§3996. Charter schools; exemptions; requirements

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21          B. Notwithstanding any state law, rule, or regulation to the contrary and  
 22          except as may be otherwise specifically provided for in an approved charter, a  
 23          charter school established and operated in accordance with the provisions of this  
 24          Chapter and its approved charter and the school's officers and employees shall be  
 25          exempt from all statutory mandates or other statutory requirements that are  
 26          applicable to public schools and to public school officers and employees except for  
 27          the following laws otherwise applicable to public schools with the same grades:

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