

ACT No. 831

HOUSE BILL NO. 1209 (Substitute for House Bill No. 312 by Representative Richard)

BY REPRESENTATIVES RICHARD, ADAMS, ARNOLD, BADON, BERTHELOT, BILLIOT, WESLEY BISHOP, BROADWATER, HENRY BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANEY, COX, DIXON, EDWARDS, GAINES, GISCLAIR, GUILLORY, HOLLIS, HUNTER, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, JONES, LEGER, LIGI, MORENO, PIERRE, PRICE, REYNOLDS, SHADOIN, SMITH, ST. GERMAIN, THIBAUT, THIERRY, THOMPSON, ALFRED WILLIAMS, PATRICK WILLIAMS, AND WILLMOTT AND SENATORS ALARIO, ALLAIN, APPEL, BROOME, BROWN, CLAITOR, CORTEZ, CROWE, DORSEY-COLOMB, GUILLORY, KOSTELKA, LAFLEUR, LONG, MILLS, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD, AND WHITE

1 AN ACT

2 To amend and reenact R.S. 17:416(A)(2)(c) and 416.2(A) and (D) and to repeal R.S.
3 17:416.2(B) and (F), relative to students suspended or expelled from school; to
4 provide relative to placement of students in alternative education programs; to
5 require attendance of students placed in alternative schools or alternative education
6 programs; to require parents, tutors, and guardians of the students to assure
7 attendance, and to provide for enforcement and penalties for violations; to provide
8 relative to such programs, including provisions for agreements for provision of
9 education services to certain students; to remove the exclusion of certain students
10 from the requirement for supervision of expelled and suspended students; to repeal
11 provisions relative to waivers from a requirement for alternative education programs
12 and provisions prohibiting return of certain students to alternative education
13 programs; and to provide for related matters.

14 Be it enacted by the Legislature of Louisiana:

15 Section 1. R.S. 17:416(A)(2)(c) and 416.2(A) and (D) are hereby amended and
16 reenacted to read as follows:

1 §416. Discipline of pupils; suspension; expulsion

2 A.

3 * * *

4 (2) As used in this Section:

5 * * *

6 (c) Unless otherwise defined as a permanent expulsion and except as
7 otherwise provided by Subsections B and C of this Section, ~~an expulsion~~ "expulsion"
8 shall be defined as a removal from all regular school settings for a period of not less
9 than one school semester, ~~during which time~~ During an expulsion the city, parish, or
10 ~~other local public school board~~ superintendent shall place the pupil in an alternative
11 school or in an alternative ~~school setting~~ educational placement.

12 * * *

13 §416.2. Supervision of suspended or expelled students; alternative education
14 programs

15 A.(1) Any student suspended or expelled from school pursuant to the
16 provisions of R.S. 17:416, ~~other than a student expelled pursuant to the provisions~~
17 ~~of R.S. 17:416(B) and (C)(2)~~, shall remain under the supervision of the governing
18 authority of the city, parish, or other local public school system taking such action
19 using alternative education programs for suspended and expelled students.
20 Alternative education programs of any local public school shall be approved by the
21 State Board of Elementary and Secondary Education; however, no school system
22 shall be liable for any student attending an alternative education program at a
23 location other than a school site.

24 (2) A student expelled pursuant to the provisions of R.S. 17:416(B) and
25 (C)(2) may ~~only~~ be readmitted only to a city, parish, or other local public school;
26 ~~including an alternative education program~~, in the school system from which he was
27 expelled prior to the completion of the specified period of expulsion, in accordance
28 with the provisions of R.S. 17:416(C)(2)(d).

1 (3) Rules and regulations pursuant to Paragraph (2) of this Subsection shall
2 include all of the following:

3 (a) Such services shall be provided to the school governing authority at the
4 actual costs incurred by the provider, not to exceed for each student the pro rata share
5 of the combined state and local per pupil amount of the minimum foundation
6 program for such governing authority.

7 (b) In an effort to support the on-time graduation of students who are
8 suspended, expelled, or at high risk for dropping out or entry into the juvenile justice
9 system, academic, behavioral, and mental health interventions must be provided.
10 Interventions offered shall include but not be limited to the following:

11 (i) Academic interventions and supports:

12 (aa) Targeted academic interventions focused on assessed needs in math and
13 reading using an evidence-based and research-supported curriculum.

14 (bb) Use of validated monthly assessments to monitor individual student
15 academic progress.

16 (cc) Implementation of research-supported instructional strategies such as
17 differentiated instruction, experiential education, project-based learning, and
18 computer-assisted instruction to support assessed needs and content mastery.

19 (dd) Opportunities to participate in credit recovery to support progression
20 towards on-time graduation.

21 (ee) On-site access to at least one career or vocational certification option.

22 (ii) Behavioral interventions and supports:

23 (aa) Positive behavioral supports with a high ratio of positive reinforcement
24 over punishment.

25 (bb) Behavioral shaping steps aligned to assessed behavioral needs and
26 goals.

27 (cc) Mentoring and frequent behavioral feedback focused on individualized
28 shaping steps for students enrolled.

1 Section 3. This Act shall become effective upon signature by the governor or, if not
 2 signed by the governor, upon expiration of the time for bills to become law without signature
 3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 5 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____