

2016 Regular Session

HOUSE BILL NO. 712

BY REPRESENTATIVE JACKSON

CHILDREN/EXCEPTIONAL: Provides relative to assignment of students with exceptionalities to schools requested by their parents

1 AN ACT

2 To enact R.S. 17:1944(F), relative to assignment of students with exceptionalities; to require
3 local education agencies to assign a student to the school requested by the parent; to
4 provide for conditions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 17:1944(F) is hereby enacted to read as follows:

7 §1944. Local education agency; responsibilities

8 * * *

9 F. A student with an exceptionality, except a gifted or talented student, shall
10 be assigned to a school as requested by the parent if all of the following conditions
11 are met:

12 (1) The parent submits a written request to the local education agency
13 responsible for the student and the local education agency having jurisdiction over
14 the school being requested by not later than April first of the school year preceding
15 the school year for which the parent is requesting the school assignment. The
16 request shall include a recommendation from at least two licensed physicians who
17 have treated the student during the year prior to the submission of the request.

1 (2) The local education agency responsible for the student and the local
2 education agency having jurisdiction over the school being requested by the parent
3 enter into an agreement for the assignment of the student to the requested school.

4 (3) The requested school is located at least ten miles from the school the
5 student is assigned to in accordance with applicable school attendance zone
6 requirements.

7 (4) The requested school is located at least fifteen miles from the student's
8 home.

9 (5) The requested school is located in a public school district that does not
10 use a single application and enrollment process for public school enrollment.

11 Section 2. This Act shall be known and may be cited as "Aeden's Law".

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)]

HB 712 Engrossed

2016 Regular Session

Jackson

Abstract: Provides that a student with an exceptionality, except a gifted or talented student, shall be assigned to a school as requested by the parent if specified conditions are met.

Present law provides for the responsibilities of local education agencies in providing special education and related services to students with exceptionalities as defined in present law.

Proposed law adds that a student with an exceptionality, except a gifted or talented student, shall be assigned to a school as requested by the parent if all of the following conditions are met:

- (1) The parent submits a written request to the local education agency responsible for the student and the local education agency having jurisdiction over the school being requested including a recommendation from licensed physicians who have treated the student during the year prior.
- (2) The local education agency responsible for the student and the local education agency having jurisdiction over the school being requested by the parent enter into an agreement for the assignment of the student to the requested school.
- (3) The requested school is at least 10 miles from the school the student is assigned to and at least 15 miles from the student's home.
- (4) The requested school is located in a public school district that does not use a single application and enrollment process for public school enrollment.

Present law defines "local education agency" as a public board of education or other public authority legally constituted within La. for administrative control and direction of or to perform a service function for public elementary or secondary schools in a city, parish, or other local public school district or other political subdivision. The term includes an education service agency and special schools and school districts and any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(Adds R.S. 17:1944(F))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Add that a student with an exceptionality, except a gifted or talented student, shall be assigned to a school as requested by the parent if certain conditions are met as specified in proposed law.
2. Delete proposed law requirement that local education agencies, in accordance with federal law and to the greatest extent possible, ensure that a student with an exceptionality is educated in the school closest to the student's home regardless of the school attendance zone requirements.