

2021 Regular Session

HOUSE BILL NO. 421

BY REPRESENTATIVE EMERSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS: Authorizes public school governing authorities to establish learning pods for the purpose of providing small group instruction for students enrolled in public schools

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AN ACT

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To enact R.S. 17:3996(B)(59) and Chapter 43-B of Title 17 of the Louisiana Revised

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Statutes of 1950, to be comprised of R.S. 17:4036.1, relative to elementary and

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secondary education; to authorize public school governing authorities to establish

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student learning pods for the purpose of providing small group instruction; to provide

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that students assigned to learning pods shall be enrolled in the school; to require

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instruction in learning pods to be provided by public school teachers; to provide

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relative to funding; to provide relative to policies and procedures; to provide for an

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effective date; and to provide for related matters.

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Be it enacted by the Legislature of Louisiana:

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Section 1. R.S. 17:3996(B)(59) and Chapter 43-B of Title 17 of the Louisiana

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Revised Statutes of 1950, comprised of R.S. 17:4036.1, are hereby enacted to read as

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follows:

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§3996. Charter schools; exemptions; requirements

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B. Notwithstanding any state law, rule, or regulation to the contrary and

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except as may be otherwise specifically provided for in an approved charter, a

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charter school established and operated in accordance with the provisions of this

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Chapter and its approved charter and the school's officers and employees shall be

1 exempt from all statutory mandates or other statutory requirements that are  
2 applicable to public schools and to public school officers and employees except for  
3 the following laws otherwise applicable to public schools with the same grades:

4 \* \* \*  
5 (59) Learning pods (R.S. 17:4036.1).

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7 CHAPTER 43-B. LEARNING PODS

8 §4036.1. Learning pods

9 A. Each public school governing authority may establish learning pods as  
10 an extension of any school under its jurisdiction. For purposes of this Section,  
11 "learning pod" means a group of at least ten students enrolled in the school who  
12 receive instruction in a small group setting.

13 B. A student shall only be assigned to a learning pod if the assignment is  
14 requested by his parent or authorized by his parent upon the recommendation of  
15 school officials.

16 C. All instruction provided to students assigned to learning pods shall be  
17 provided by teachers on the staff of the school who meet all qualifications and are  
18 subject to all requirements applicable to teachers at the school who are not assigned  
19 to a learning pod.

20 D. Students assigned to a learning pod shall be:

21 (1) Counted among the enrollment of the public school governing authority  
22 for purposes of full funding through the Minimum Foundation Program formula.

23 (2) Subject to all requirements applicable to students enrolled in the school  
24 who are not assigned to a learning pod.

25 (3) Eligible for participation in all services and activities for which they  
26 would be eligible if not assigned to a learning pod.

27 E. The establishment of learning pods shall be subject to policies and  
28 procedures adopted by a public school governing authority, which, at a minimum,  
29 shall provide for the following:

1                   (1) The student population of the learning pod, which may be a blended  
2                   population of students of different grade levels.

3                   (2) The method of instruction for the learning pod, which may occur in-  
4                   person at a physical location on the school campus, remotely through virtual  
5                   instruction, or through a hybrid approach that combines both methods.

6                   (3) Any specialized curriculum or program provided in the learning pod.

7                   (4) The process for a parent to request student assignment to a learning pod,  
8                   grant authorization for a student's assignment to a learning pod if recommended by  
9                   school officials, and withdraw a student from a learning pod.

10                  F. This Section does not apply to or have any effect on any learning pod or  
11                  other group of students that is formed and operated by parents, regardless of whether  
12                  they are enrolled in a public school or a nonpublic school or participating in a home  
13                  study program.

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

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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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HB 421 Engrossed

2021 Regular Session

Emerson

**Abstract:** Authorizes the establishment of learning pods as extensions of public schools for the purpose of small group instruction.

Proposed law authorizes each public school governing authority to establish learning pods as an extension of any school under its jurisdiction. Defines "learning pod" as a group of at least 10 students enrolled in the school who receive instruction in a small group setting and further provides:

(1) All instruction provided to students assigned to learning pods shall be provided by teachers on the school's staff.

- (2) Students shall only be assigned to a learning pod upon parental request or authorization upon recommendation of school officials and shall be:
- (a) Counted among the enrollment of the public school governing authority for purposes of full funding through the Minimum Foundation Program formula.
  - (b) Subject to all requirements applicable to students enrolled in the school who are not assigned to learning pods.
  - (c) Eligible for participation in all services and activities for which they would be eligible if not assigned to a learning pod.
- (3) Provides for local policies and procedures, which, at minimum, shall provide for:
- (a) The student population of the learning pod, which may be a blended population of students of different grade levels.
  - (b) The method of instruction for the learning pod, which may occur in-person at a physical location on the school campus, remotely through virtual instruction, or through a hybrid approach that combines both methods.
  - (c) Any specialized curriculum or program provided in the learning pod.
  - (d) The process for parents to request a student's assignment to a learning pod, grant authorization for a student's assignment to a learning pod if recommended by school officials, and withdraw a student from a learning pod.

Proposed law is applicable to all public schools, including charter schools; proposed law is not applicable to any learning pod or other group of students that is formed and operated by parents, regardless of whether they are enrolled in a public school or a nonpublic school or participating in a home study program.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 17:3996(B)(59) and 4036.1)

#### Summary of Amendments Adopted by House

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

1. Add that proposed law is not applicable to learning pods formed and operated by parents.