

GREEN SHEET REDIGEST

HB 253

2021 Regular Session

McKnight

SCHOOLS. Provides relative to the governance and funding of the Special School District, which provides special education services through its schools and programs.

DIGEST

Special School District, generally

Present law provides that the Special School District (SSD) includes the La. special schools (the La. School for the Deaf and the La. School for the Visually Impaired) and Special School Programs, which provide services to students in state-operated facilities.

Proposed law creates the Special School District and retains present law.

Governance

Present law provides that the SSD is an educational service agency administered by the Dept. of Education and governed by the state superintendent of education.

Proposed law instead provides for the district to be an independent agency governed by a newly created board of directors with 12 members (one member of the State Board of Elementary and Secondary Education appointed by the state board president and 11 members appointed by the governor, all who are confirmed by the Senate). Provides for officers of the board and for the board's powers and duties with respect to district governance.

Administration

Present law provides for the SSD to be under the administration of a district superintendent appointed by the state superintendent of education (subject to confirmation by the Senate), who shall set his salary and oversee his duties and functions.

Proposed law transfers such authorities from the state superintendent to the board of directors.

Funding

Proposed law requires the board to adopt an annual budget to adequately fund the district and that the district shall be considered a public school for purposes of receiving funding through the minimum foundation program (MFP). Provides that the district is also eligible to receive such other funding as may be appropriated by the legislature.

Enrollment

Present law requires the special schools to establish an annual enrollment deadline for admission. Provides that after a school's deadline, any other children with hearing, visual, or orthopedic impairments may enroll if the school determines it has sufficient resources. Proposed law revises enrollment procedures by requiring these schools, upon parental request, to enroll students with low incidence disabilities and students eligible under the Individuals with Disabilities Education Act requiring special education services upon their admission into state facilities in which the SSD provides special education services.

Transition

Proposed law provides for the transition to begin on July 1, 2021, for the governor to appoint the board members by July 15, 2021, and for the board to resume responsibility for providing for the education of students on Aug. 1, 2021.

Proposed law provides that the district superintendent serving upon the effective date of proposed law may continue to serve unless removed by the board.

Effective July 1, 2021.

(Amends R.S. 17:43(A) and (B)(1), 1945(A) and (B)(2), and 1946(A) and R.S. 36:642(C)(1), 643(A), and 648.1; adds R.S. 17:1945.1 and 1945.2 and R.S. 36:651(D)(11))

Summary of Amendments Adopted by House

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

1. Increase board membership from 9 to 11 by adding a member of BESE appointed by the BESE president and an additional member appointed by the governor.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the reengrossed bill

1. Creates the Special School District.
2. Provides that members of the board of directors are subject to Senate confirmation.
3. Adds an additional parent member to the board.
4. Provides for officers of the board.
5. Clarifies the funding language.
6. Amends the organizational structure of the state Department of Education to remove the Special School District and the employees of the district.
7. Makes technical changes.