

2022 Regular Session

HOUSE BILL NO. 261

BY REPRESENTATIVE MAGEE

SCHOOLS: Creates a French immersion school in the community of Pointe-au-Chien in Terrebonne Parish

1 AN ACT

2 To enact Part II-E of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, to be  
3 comprised of R.S. 17:1977.1 through 1977.3, and R.S. 36:651(C)(13), relative to  
4 education; to create an independent public French immersion school; to provide for  
5 the location of the school and the grade levels to be served; to provide for a board of  
6 directors and a school director and the powers, duties, and responsibilities of each;  
7 to provide for board membership, terms, and compensation; to provide for an  
8 effective date; to provide for funding; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Part II-E of Chapter 8 of Title 17 of the Louisiana Revised Statutes of  
11 1950, comprised of R.S. 17:1977.1 through 1977.3, is hereby enacted to read as follows:

12 PART II-E. ÉCOLE POINTE-AU-CHIEN

13 §1977.1. École Pointe-au-Chien; creation; location; governance

14 There is hereby created École Pointe-au-Chien, a public French immersion  
15 school for students in grades prekindergarten through four. The school shall be  
16 located in Terrebonne Parish. The school shall be independent of the control of the  
17 state superintendent of education and of all local and state education boards except  
18 its board of directors.

1        §1977.2. Board of directors; creation; membership; terms; powers; voting;  
2                compensation

3                A. There is hereby created a board of directors for the school, referred to in  
4        this Part referred to as the "board". The board shall be composed of seven members  
5        as follows:

6                (1) Three members appointed by the state-recognized Pointe-au-Chien  
7        Indian Tribe.

8                (2) One member appointed by the state-recognized Isle-De-Jean-Charles  
9        Band of Biloxi-Chitimacha-Choctaw Indians of Louisiana.

10               (3) One member appointed by the governor.

11               (4) One member appointed by the Council for the Development of French  
12        in Louisiana.

13               (5) One member appointed by the Consul General of France in Louisiana.

14               B. The terms of the members of the board shall be four years.

15               C. Four members of the board shall constitute a quorum for the transaction  
16        of business, and all official action of the board shall require the favorable vote of a  
17        majority of those members present and voting.

18               D. The board shall have the authority to do the following:

19               (1) Accept donations, bequests, or other forms of financial assistance for  
20        educational purposes from any public or private person or agency and comply with  
21        rules and regulations governing grants from the federal government or from any  
22        other person or agency.

23               (2) Purchase land and equipment and make improvements to facilities  
24        necessary for the use of the school in accordance with applicable law.

25               (3) Lease land or other property belonging to it or to the school, subject to  
26        approval of the commissioner of administration and in accordance with law.

27               (4) Sell or exchange land or other real property not needed for school  
28        purposes, but only when specifically authorized by law and then only in accordance  
29        with the procedures provided in R.S. 41:892 for the sale of unused school lands. The

1 sale shall be authorized by resolution adopted by the board, and the act of sale shall  
2 be signed by the president of the board or such other person to whom the signing  
3 may be delegated by the board in the authorizing resolution.

4 (5) Adopt rules, regulations, and policies necessary or proper for the conduct  
5 of the business of the board.

6 (6) Enter into contracts and agreements which have been recommended by  
7 the director, in accordance with applicable law, and to the extent that funds are  
8 specifically appropriated therefor, with other public agencies with respect to  
9 cooperative enterprises and undertakings related to or associated with an educational  
10 purpose or program affecting education in the school. This shall not preclude the  
11 board from entering into other such contracts and agreements that it deems necessary  
12 to carry out its duties and functions.

13 (7) Perform such other functions as are necessary for the governance of the  
14 school.

15 E. In addition to the authorities granted by this Section and any powers,  
16 duties, and responsibilities vested by any other applicable laws, the board shall:

17 (1) Adopt rules, regulations, and policies, including a student handbook, that  
18 are necessary for the efficient operation of the school.

19 (2) Prescribe and select for use in the school free textbooks and other  
20 materials of instruction for students enrolled in the school.

21 (3) Select a director who shall be the chief administrative officer of the  
22 school and who shall administer the rules, regulations, and policies adopted by the  
23 board. The board shall delegate to the director such of its powers and duties as it  
24 deems appropriate to aid the director in the efficient administration of his  
25 responsibility for the implementation of the policies of the board. The director shall  
26 be responsible for all the administrative functions, duties, and needs of the board  
27 including but not limited to the following:

28 (a) Preparing an annual budget necessary for the continued operation of the  
29 school and submitting such budget to the board for adoption.

1           (b) Paying the expenses of the board and its members and the salaries and  
2           expenses, including but not restricted to facilities, equipment, and supplies of the  
3           faculty and staff of the school out of funds appropriated or otherwise made available  
4           for the operating and administrative expenses of the board and the school.

5           (c) Exercising budgetary responsibility and allocating for expenditure by the  
6           school all monies appropriated or otherwise made available for purposes of the board  
7           and the school.

8           (d) Developing and annually updating a student handbook including but not  
9           limited to all rules, regulations, and policies for the disciplining of students and  
10          submitting such handbook to the board for adoption as provided in Paragraph (1) of  
11          this Subsection.

12          (e) Determining faculty and staff positions necessary for the efficient  
13          operation of the school and selecting personnel for such positions.

14          (f) Creating an advisory panel of individuals with expertise or interest in  
15          matters pertaining to the school.

16          F. Members of the board shall not receive any compensation for their service  
17          as members.

18          G. The school shall act as its own local education agency.

19          §1977.3. Funding; inclusion in the minimum foundation program formula; other  
20          appropriated state funds

21          A. The board of directors of the school annually shall prepare and adopt a  
22          recommended budget to adequately fund the educational programs at the school. The  
23          budget shall have as its goal to provide state funding for the school which shall not  
24          be less than the average funding on a per-student basis at peer institutions in other  
25          states having similar programs and enrollments and may provide for achieving its  
26          goal over a multi-year period. The recommended budget shall be submitted to the  
27          division of administration as the total budget request for the school.

28          B. École Pointe-au-Chien shall be considered a public school for purposes  
29          of receiving funding through the minimum foundation program of education, in the

1        same manner as for other public schools as contained in the minimum foundation  
2        program budget letter approved by the State Board of Elementary and Secondary  
3        Education. The school shall also be eligible to receive such other funding as may be  
4        specifically appropriated by the legislature.

5        Section 2. R.S. 36:651(C)(13) is hereby enacted to read as follows:

6        §651. Transfer of boards, commissions, departments, and agencies to Department  
7                of Education; boards, commissions, and agencies within Department of  
8                Education

9                                \*        \*        \*

10        C. The following agencies are transferred to and hereafter shall be within the  
11        Department of Education as provided in R.S. 36:801.1:

12                                \*        \*        \*

13                (13) École Pointe-au-Chien board of directors (R.S. 17:1977.1 et seq.).

14                                \*        \*        \*

15        Section 3. 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 261 Original

2022 Regular Session

Magee

**Abstract:** Creates an independent public French immersion school in Terrebonne Parish.

Proposed law creates École Pointe-au-Chien, an independent public French immersion school in Terrebonne Parish. Provides that the school shall be its own local education agency. Provides for governance by a seven-member board of directors, which shall be the school's sole governing authority. Provides for state funding and the education of students in grades prekindergarten through four.

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

(Adds R.S. 17:1977.1-1977.3 and R.S. 36:651(C)(13))