AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

PART II-E. ÉCOLE POINTE-AU-CHIEN

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

There is hereby created École Pointe-au-Chien, a public French immersion school for students in grades prekindergarten through four. The school shall be located in Terrebonne Parish. The school shall be independent of the control of the state superintendent of education and of all local and state education boards except its board of directors.
§1977.2. Board of directors; creation; membership; terms; powers; voting; compensation

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

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

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

(3) One member appointed by the governor.

(4) One member appointed by the Council for the Development of French in Louisiana who is an employee of the council.

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

(6) One member appointed by the Grand Caillou/Dulac Band of Biloxi-Chitimacha-Choctaw.

(7) One member appointed by the Bayou Lafourche Band of Biloxi-Chitimacha Confederation of Muskogees.

(8) One member appointed by the United Houma Nation.

(9) The state superintendent of education or his designee who is an employee of the state Department of Education.

(10) The member of the Louisiana Senate whose district encompasses the location of the school or his designee who is a resident of Pointe-aux-Chenes.

(11) The member of the Louisiana House of Representatives whose district encompasses the location of the school or his designee who is a resident of Pointe-aux-Chenes.

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

C. Seven members of the board shall constitute a quorum for the transaction of business, and all official action of the board shall require the favorable vote of a majority of those members present and voting.
D. The board shall have the authority to do the following:

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

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

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

(4) Sell or exchange land or other real property not needed for school purposes, but only when specifically authorized by law and then only in accordance with the procedures provided in R.S. 41:892 for the sale of unused school lands. The sale shall be authorized by resolution adopted by the board, and the act of sale shall be signed by the president of the board or such other person to whom the signing may be delegated by the board in the authorizing resolution.

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

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

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

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

(1) Adopt rules, regulations, and policies, including a student handbook, that are necessary for the efficient operation of the school.
(2) Prescribe and select for use in the school free textbooks and other materials of instruction for students enrolled in the school.

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

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

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

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

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

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

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

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

G. The school shall act as its own local education agency.
§1977.3. Funding; inclusion in the minimum foundation program formula; other appropriated state funds

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

B. École Pointe-au-Chien shall be considered a public school and, as such, shall be included by the State Board of Elementary and Secondary Education in the formula required by Article VIII, Section 13 of the Constitution of Louisiana used to determine the cost of a minimum foundation program of education in all public elementary and secondary schools. Funding shall be provided through appropriations made directly to the school from the state general fund and through funds appropriated for the minimum foundation program and allocated to the school by the state Department of Education.

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

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

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

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

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Section 3.(A) This Act shall become effective July 1, 2023, except as provided in Subsection B of this Section.
(B) The provisions of R.S. 17:1977.2 and R.S. 36:651(C)(13) as provided in this Act, relative to the creation of the board of directors, shall become effective upon signature of this Act by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and subsequently approved by the legislature, the provisions of R.S. 17:1977.2 and R.S. 36:651(C)(13) as provided in this Act, relative to the creation of the board of directors, shall become effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________________

CODING: Words in struck through type are deletions from existing law; words underscored are additions.