HLS 18RS-448 ORIGINAL

2018 Regular Session

HOUSE BILL NO. 294

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BY REPRESENTATIVE SMITH

STUDENTS: Changes references to "at-risk" students to students who are "economically disadvantaged" throughout Title 17 of the Louisiana Revised Statutes

AN ACT

2 To amend and reenact R.S. 17:7(2)(f)(i), 24.9(B)(introductory paragraph) and (2), 221.6(A), 3 392.1(B)(2)(c), 407(A)(2) and (3) and (B), 407.2, 407.5(F), 407.6(introductory 4 paragraph), 407.26(C) and (D), 407.91(C) and (D), 407.92(A), 3972(A), and 5 3991(B)(1)(c) and (7), and to repeal R.S. 17:7(16) and 24.9(C), relative to students who are at risk; to remove references to at-risk students in various education laws in 6 7 Title 17 of the Louisiana Revised Statutes of 1950; to refer to students who are 8 economically disadvantaged; to provide relative to the definition of "economically 9 disadvantaged" as defined by the State Board of Elementary and Secondary 10 Education in certain instances; to repeal obsolete provisions; and to provide for 11 related matters. 12 Be it enacted by the Legislature of Louisiana: 13 Section 1. R.S. 17:7(2)(f)(i), 24.9(B)(introductory paragraph) and (2), 221.6(A), 14 392.1(B)(2)(c), 407(A)(2) and (3) and (B), 407.2, 407.5(F), 407.6(introductory paragraph), 15 407.26(C) and (D), 407.91(C) and (D), 407.92(A), 3972(A), and 3991(B)(1)(c) and (7) are 16 hereby amended and reenacted to read as follows: 17 §7. Duties, functions, and responsibilities of board 18 In addition to the authorities granted by R.S. 17:6 and any powers, duties, and responsibilities vested by any other applicable laws, the board shall: 19 20

Page 1 of 10

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

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| HB NO. 294 |
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| (2) |
| * * * |
| (f)(i) In addition to any other requirements of the minimum foundation |
| program formula as most recently adopted by the State Board of Elementary and |
| Secondary Education and approved by the legislature, the state board, beginning with |
| the 2010-2011 school year and continuing thereafter, shall require each city, parish |
| or other local public school board to expend funds generated by applying the |
| weighted factors contained in such formula for at-risk economically disadvantaged |
| students, career and technical education course units, special education students other |
| than gifted and talented students, and gifted and talented students on personnel |
| professional services, instructional materials, equipment, and supplies that serve the |
| unique needs of students who generate such funds and to submit annually a writter |

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website in an easily understandable format.

§24.9. Quality early reading initiative; legislative findings; development; criteria; implementation; evaluation

report to the State Board of Elementary and Secondary Education that details the

types of activities on which these funds were expended to serve the needs of the

weighted students at all schools that serve such students. The information contained

in such annual report shall be published on the state Department of Education

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B. By the beginning of the 1997-1998 school year, the The state Department of Education shall develop a comprehensive and balanced early childhood reading initiative for students in kindergarten through third grade. The department shall provide criteria that are research-based and which provide, at a minimum, for the following:

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(2) A method for selecting schools having at-risk students who are economically disadvantaged as defined by the State Board of Elementary and

| 1 | Secondary Education and low-performing students in kindergarten through third |
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| 2 | grade. |
| 3 | * * * |
| 4 | §221.6. Louisiana School Dropout Recovery Program |
| 5 | A. Each school district and charter school that provides instruction to high |
| 6 | school students may offer a dropout recovery program for eligible students. School |
| 7 | districts and charter schools should maximize the use of federal Title 1 funds and at- |
| 8 | risk funds provided through the minimum foundation program formula to establish |
| 9 | such programs. |
| 10 | * * * |
| 11 | §392.1. Screening and intervention; purpose; applicability; city and parish school |
| 12 | system, duties |
| 13 | * * * |
| 14 | В. |
| 15 | * * * |
| 16 | (2) Such impediments shall include: |
| 17 | * * * |
| 18 | (c) Social and environmental factors that put a child "at risk" at risk of |
| 19 | dropping out of school as that term has been defined by the state Department of |
| 20 | Education, pursuant to R.S. 17:7.5(A). |
| 21 | * * * |
| 22 | §407. Legislative intent |
| 23 | A. The legislature finds and declares as follows: |
| 24 | * * * |
| 25 | (2) Early childhood education programs facilitate the development of |
| 26 | educationally at-risk young children who are economically disadvantaged and |
| 27 | increase the chances that they will be more successful students and ultimately more |
| 28 | productive citizens. |

| 1 | (3) Funding successful and innovative programs is required to increase the |
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| 2 | learning opportunities of at-risk children who are economically disadvantaged and |
| 3 | provide for their optimal development. |
| 4 | * * * |
| 5 | B. Therefore, it is the intention of the legislature that every at-risk preschool |
| 6 | child in Louisiana who is economically disadvantaged should have access to an |
| 7 | educationally appropriate early childhood program which shall include but not be |
| 8 | limited to parental involvement, center-based programs, and before and after care. |
| 9 | * * * |
| 10 | §407.2. Louisiana Early Childhood Opportunity Program |
| 11 | The department shall establish the Louisiana Early Childhood Opportunity |
| 12 | Program to assist in the development and funding of appropriate early childhood |
| 13 | programs for educationally at-risk children ages three to five years who are |
| 14 | economically disadvantaged as defined by the State Board of Elementary and |
| 15 | Secondary Education, referred to in this Section as the "state board". The |
| 16 | department, with the approval of its governing authority the state board, shall award |
| 17 | grants or contracts to qualified early childhood programs, including but not limited |
| 18 | to Head Start, HIPPY, Parents as Teachers, and programs for youngsters children |
| 19 | with developmental disabilities or who are educationally or environmentally at-risk |
| 20 | economically disadvantaged, selected by the department in accordance with specified |
| 21 | programmatic standards and guidelines to be established by the department with the |
| 22 | approval of its governing authority the state board. |
| 23 | * * * |
| 24 | §407.5. Early childhood programs; qualifications; funding |
| 25 | * * * |
| 26 | F. The department shall work to develop model curricula and curriculum |
| 27 | guidelines to encourage establishment of appropriate early childhood programs |
| 28 | serving at-risk children who are economically disadvantaged. |
| 29 | * * * |

| §407.6. Criteria for determining need |
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The department shall establish criteria for identifying and targeting areas of the state with the greatest need for early childhood programs and for identifying types of programs likely to provide greatest benefit to at-risk children who are economically disadvantaged. Among the criteria to be considered in developing guidelines for funding programs pursuant to the provisions of this Part; are the extent to which a program serves children who:

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§407.26. The Cecil J. Picard LA 4 Early Childhood Program

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C. The cost of the LA 4 program shall be as follows:

- (1) For children who are "at risk", economically disadvantaged as defined in the rules and regulations of the State Board of Elementary and Secondary Education, referred to in this Section as the "state board", the LA 4 program shall be provided at no cost, except for any applicable lunch cost and the cost of before and after care.
- (2) For children who are not "at risk" economically disadvantaged, tuition may be charged on a sliding scale in an amount not to exceed that necessary for the public school system to provide the program.
- (3) For all children, both "at risk" and not "at risk", each A public school system offering the LA 4 program may charge a fee for each child for the cost of meals and the cost of before and after care, subject to state board rules and regulations.
- D. Beginning with LA 4 program applications for the 2015-2016 school year:
- (1) The department shall annually determine the demand for the LA 4 program.

| 1 | (2) The state board shall consider such demand, the availability of public |
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| 2 | funds to support the program, and the eligibility of public school systems to receive |
| 3 | funds for the program and annually determine the following: |
| 4 | (a) The cost of funding all LA 4 program applicants who both meet the |
| 5 | eligibility requirements provided in Subsection B of this Section and who are |
| 6 | economically disadvantaged determined to be "at-risk". |
| 7 | (b) The method for equitably distributing available funds to eligible public |
| 8 | school systems. |
| 9 | (c) The difference in dollar amount between the funding required to meet the |
| 10 | measured funding demand and the funding available in the fiscal year. |
| 11 | * * * |
| 12 | §407.91. Definitions |
| 13 | As used in this Part, the following definitions shall apply: |
| 14 | * * * |
| 15 | C. "Local early learning enrollment coordinator" means an approved entity |
| 16 | that conducts a process for informing families about publicly-funded and Type III |
| 17 | licensed early childhood care and education programs in the coverage area; collects |
| 18 | family preferences; develops and uses a common application process; annually |
| 19 | determines demand for publicly-funded early childhood care and education within |
| 20 | the coverage area; and makes recommendations to the department for the distribution |
| 21 | of available publicly-funded early childhood care and education slots for at-risk |
| 22 | children who are economically disadvantaged as defined by the state board within |
| 23 | its coverage area. |
| 24 | D. "State Board board" means the State Board of Elementary and Secondary |
| 25 | Education. |
| 26 | §407.92. Authorization of local early learning enrollment coordinators |
| 27 | A. Prior to authorizing local early learning enrollment coordinators, the state |
| 28 | board shall: |
| 29 | (1) By September 1, 2014: |

| (a) Provide the governing authority of each public school system and each |
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| early learning center, nonpublic school which provides publicly-funded early |
| childhood services, and Head Start grantee located within the geographic boundaries |
| of the public school system with an assessment of the extent to which these providers |
| of early childhood services coordinate their efforts to: |
| (i)(a) Inform families about the availability of publicly-funded and Type III |
| licensed early childhood care and education programs serving students four years of |
| age or younger. |
| (ii)(b) Coordinate enrollment, eligibility criteria, and waiting lists to ensure |
| that families are referred to other available publicly-funded early childhood |
| programs should they be ineligible for or unable to access their primary choice. |
| (iii)(c) Collect family preferences regarding enrollment choices for |
| publicly-funded and Type III licensed early childhood care and education programs. |
| (iv)(d) Enroll at-risk children who are economically disadvantaged, using |
| available public funds, based upon stated family preferences. |
| (b)(2) Provide public school systems, early learning centers, nonpublic |
| schools, Early Head Start grantees, and Head Start grantees with a designated time |
| period in which the local early enrollment coordination activities will be developed |
| and implemented. |
| (2) By October 1, 2015: |
| (a)(3) Publish a list of public school systems within whose geographic |
| boundaries there is no coordinated effort by the public school system and the early |
| learning centers, nonpublic schools which provide publicly-funded early childhood |
| services, and Head Start grantees to: |
| (i)(a) Inform families about the availability of publicly-funded and Type III |
| licensed early childhood care and education programs serving students four years of |
| age or younger. |

| 1 | (ii)(b) Coordinate enrollment, eligibility criteria, and waiting lists to ensure |
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| 2 | that families are referred to other available publicly-funded early childhood |
| 3 | programs should they be ineligible for or unable to access their primary choice. |
| 4 | (iii)(c) Collect family preferences regarding enrollment choices for |
| 5 | publicly-funded and Type III licensed early childhood care and education programs. |
| 6 | (iv)(d) Enroll at-risk children who are economically disadvantaged, using |
| 7 | available public funds, based upon stated family preferences. |
| 8 | (b)(4) Provide public school systems, early learning centers, nonpublic |
| 9 | schools, Early Head Start grantees, and Head Start grantees with a designated time |
| 10 | period in which the local early enrollment coordination activities will be developed |
| 11 | and implemented. |
| 12 | (3) By June 30, 2015, approve (5) Approve a process to authorize entities |
| 13 | as local early learning enrollment coordinators to begin performing required services |
| 14 | in the geographic boundaries of public school systems identified pursuant to |
| 15 | Paragraph (1) of this Subsection, in the 2015-2016 school year. |
| 16 | (4)(6) Not certify any entity as a local early learning enrollment coordinator |
| 10 | |
| 17 | under this Section unless it is in compliance with procedures and regulations |
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| 17 | under this Section unless it is in compliance with procedures and regulations |
| 17 18 | under this Section unless it is in compliance with procedures and regulations established by the state board. The entity shall be a state agency, a public school |
| 17 18 19 | under this Section unless it is in compliance with procedures and regulations established by the state board. The entity shall be a state agency, a public school system, a nonprofit or for-profit corporation having an educational or social services |
| 17 18 19 20 | under this Section unless it is in compliance with procedures and regulations established by the state board. The entity shall be a state agency, a public school system, a nonprofit or for-profit corporation having an educational or social services mission, including but not limited to a nonprofit corporation of a philanthropic or |
| 17 18 19 20 21 | under this Section unless it is in compliance with procedures and regulations established by the state board. The entity shall be a state agency, a public school system, a nonprofit or for-profit corporation having an educational or social services mission, including but not limited to a nonprofit corporation of a philanthropic or policy nature, a Louisiana public postsecondary education institution, or a nonprofit |
| 17 18 19 20 21 22 | under this Section unless it is in compliance with procedures and regulations established by the state board. The entity shall be a state agency, a public school system, a nonprofit or for-profit corporation having an educational or social services mission, including but not limited to a nonprofit corporation of a philanthropic or policy nature, a Louisiana public postsecondary education institution, or a nonprofit corporation established by the governing authority of a parish or municipality. |
| 17 18 19 20 21 22 23 | under this Section unless it is in compliance with procedures and regulations established by the state board. The entity shall be a state agency, a public school system, a nonprofit or for-profit corporation having an educational or social services mission, including but not limited to a nonprofit corporation of a philanthropic or policy nature, a Louisiana public postsecondary education institution, or a nonprofit corporation established by the governing authority of a parish or municipality. (5)(7) Review each proposed local early learning enrollment coordinator in |
| 17 18 19 20 21 22 23 24 | under this Section unless it is in compliance with procedures and regulations established by the state board. The entity shall be a state agency, a public school system, a nonprofit or for-profit corporation having an educational or social services mission, including but not limited to a nonprofit corporation of a philanthropic or policy nature, a Louisiana public postsecondary education institution, or a nonprofit corporation established by the governing authority of a parish or municipality. (5)(7) Review each proposed local early learning enrollment coordinator in a timely manner and determine whether each proposed local early learning |
| 17 18 19 20 21 22 23 24 25 | under this Section unless it is in compliance with procedures and regulations established by the state board. The entity shall be a state agency, a public school system, a nonprofit or for-profit corporation having an educational or social services mission, including but not limited to a nonprofit corporation of a philanthropic or policy nature, a Louisiana public postsecondary education institution, or a nonprofit corporation established by the governing authority of a parish or municipality. (5)(7) Review each proposed local early learning enrollment coordinator in a timely manner and determine whether each proposed local early learning enrollment coordinator complies with the law and rules and whether the proposal is |

| 1 | (7)(9) Promulgate rules establishing an appeals process and designating the |
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| 2 | department to oversee the process through which families and early learning centers |
| 3 | have the opportunity to appeal decisions made by local early learning enrollment |
| 4 | coordinators. |
| 5 | * * * |
| 6 | §3972. Intent and purpose |
| 7 | A. It is the intention of the legislature in enacting this Chapter to authorize |
| 8 | experimentation by city and parish school boards by authorizing the creation of |
| 9 | innovative kinds of independent public schools for pupils. Further, it is the intention |
| 10 | of the legislature to provide a framework for such experimentation by the creation |
| 11 | of such schools, a means for all persons with valid ideas and motivation to |
| 12 | participate in the experiment, and a mechanism by which experiment results can be |
| 13 | analyzed, the positive results repeated or replicated, if appropriate, and the negative |
| 14 | results identified and eliminated. Finally, it is the intention of the legislature that the |
| 15 | best interests of at-risk pupils students who are economically disadvantaged shall be |
| 16 | the overriding consideration in implementing the provisions of this Chapter. |
| 17 | * * * |
| 18 | §3991. Charter schools; requirements; limitations; renewal; amendment; revocation |
| 19 | * * * |
| 20 | B. Each proposed charter shall contain or make provision for the following: |
| 21 | (1) |
| 22 | * * * |
| 23 | (c) For the purposes of this Section, students holding a valid passport from |
| 24 | the country of France shall not be counted when calculating the overall at-risk |
| 25 | percentage of students attending the charter school who are economically |
| 26 | disadvantaged. |
| 27 | * * * |

1 (7) A description of the education program offered by the school and how
2 specifically that program will meet the needs of the at-risk pupils economically
3 disadvantaged students to be served.
4 * * *

Section 2. R.S. 17:7(16) and 24.9(C) are hereby repealed in their entirety.

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 294 Original

2018 Regular Session

Smith

Abstract: Changes references to "at-risk" students to students who are "economically disadvantaged" throughout Title 17 of the La. Revised Statutes.

<u>Present law</u> refers to at-risk students in various education laws including but not limited to those relative to the weighted factors contained in the minimum foundation program formula, early childhood education programs, charter schools, and pilot programs for certain inner-city youth.

<u>Proposed law</u> changes <u>present law</u> references to at-risk students to students who are economically disadvantaged. Provides that "economically disadvantaged" shall be as defined by the State Bd. of Elementary and Secondary Education (BESE) in some instances. Deletes <u>present law</u> provision that required BESE to develop and implement a pilot program for inner-city at risk students in certain parishes. Makes technical changes.

(Amends R.S. 17:7(2)(f)(i), 24.9(B)(intro. para.) and (2), 221.6(A), 392.1(B)(2)(c), 407(A)(2) and (3) and (B), 407.2, 407.5(F), 407.6(intro. para.), 407.26(C) and (D), 407.91(C) and (D), 407.92(A), 3972(A), and 3991(B)(1)(c) and (7); Repeals R.S. 17:7(16) and 24.9(C))