HLS 18RS-448 ENGROSSED

2018 Regular Session

1

HOUSE BILL NO. 294

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

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

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(2)

2	* * *
3	(f)(i) In addition to any other requirements of the minimum foundation
4	program formula as most recently adopted by the State Board of Elementary and
5	Secondary Education and approved by the legislature, the state board, beginning with
6	the 2010-2011 school year and continuing thereafter, shall require each city, parish,
7	or other local public school board to expend funds generated by applying the
8	weighted factors contained in such formula for at-risk economically disadvantaged
9	students, career and technical education course units, special education students other
10	than gifted and talented students, and gifted and talented students on personnel,
11	professional services, instructional materials, equipment, and supplies that serve the
12	unique needs of students who generate such funds and to submit annually a written
13	report to the State Board of Elementary and Secondary Education that details the
14	types of activities on which these funds were expended to serve the needs of the
15	weighted students at all schools that serve such students. The information contained
16	in such annual report shall be published on the state Department of Education
17	website in an easily understandable format.
18	* * *
19	§24.9. Quality early reading initiative; legislative findings; development; criteria;
20	implementation; evaluation
21	* * *
22	B. By the beginning of the 1997-1998 school year, the The state Department
23	of Education shall develop a comprehensive and balanced early childhood reading
24	initiative for students in kindergarten through third grade. The department shall
25	provide criteria that are research-based and which provide, at a minimum, for the
26	following:
27	* * *
28	(2) A method for selecting schools having at-risk students who are
29	economically disadvantaged as defined by the State Board of Elementary and

1	Secondary Education and low-performing students in kindergarten through third
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	B.
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
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	* * *

26

27

program.

1	§407.6. Criteria for determining need
2	The department shall establish criteria for identifying and targeting areas of
3	the state with the greatest need for early childhood programs and for identifying
4	types of programs likely to provide greatest benefit to at-risk children who are
5	economically disadvantaged. Among the criteria to be considered in developing
6	guidelines for funding programs pursuant to the provisions of this Part, are the extent
7	to which a program serves children who:
8	* * *
9	§407.26. The Cecil J. Picard LA 4 Early Childhood Program
10	* * *
11	C. The cost of the LA 4 program shall be as follows:
12	(1) For children who are "at risk", economically disadvantaged as defined
13	in the rules and regulations of the State Board of Elementary and Secondary
14	Education, referred to in this Section as the "state board", the LA 4 program shall be
15	provided at no cost, except for any applicable lunch cost and the cost of before and
16	after care.
17	(2) For children who are not "at risk" economically disadvantaged, tuition
18	may be charged on a sliding scale in an amount not to exceed that necessary for the
19	public school system to provide the program.
20	(3) For all children, both "at risk" and not "at risk", each A public school
21	system offering the LA 4 program may charge a fee for each child for the cost of
22	meals and the cost of before and after care, subject to state board rules and
23	regulations.
24	D. Beginning with LA 4 program applications for the 2015-2016 school
25	year:

(1) The department shall annually determine the demand for the LA 4

1	(2) The state board shall consider such demand, the availability of public
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
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
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.
15 16	Paragraph (1) of this Subsection, in the 2015-2016 school year. (4)(6) Not certify any entity as a local early learning enrollment coordinator
16	(4)(6) Not certify any entity as a local early learning enrollment coordinator
16 17	(4)(6) Not certify any entity as a local early learning enrollment coordinator under this Section unless it is in compliance with procedures and regulations
16 17 18	(4)(6) Not certify any entity as a local early learning enrollment coordinator 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
16 17 18 19	(4)(6) Not certify any entity as a local early learning enrollment coordinator 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
16 17 18 19 20	(4)(6) Not certify any entity as a local early learning enrollment coordinator 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
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16 17 18 19 20 21 22	(4)(6) Not certify any entity as a local early learning enrollment coordinator 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.
16 17 18 19 20 21 22 23	(4)(6) Not certify any entity as a local early learning enrollment coordinator 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
16 17 18 19 20 21 22 23 24	(4)(6) Not certify any entity as a local early learning enrollment coordinator 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
16 17 18 19 20 21 22 23 24 25	(4)(6) Not certify any entity as a local early learning enrollment coordinator 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
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 Engrossed

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))