

2018 Regular Session

HOUSE BILL NO. 294

BY REPRESENTATIVE SMITH

1 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)(a)(ii)(introductory paragraph) and (bb) and (c) and (7), and to repeal R.S.  
6 17:7(16) and 24.9(C), relative to students who are at risk; to remove references to at-  
7 risk students in various education laws in Title 17 of the Louisiana Revised Statutes  
8 of 1950; to refer to students who are economically disadvantaged; to provide relative  
9 to the definition of "economically disadvantaged" as defined by the State Board of  
10 Elementary and Secondary Education in certain instances; to repeal obsolete  
11 provisions; and to provide for 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  
16 3991(B)(1)(a)(ii)(introductory paragraph) and (bb) and (c) and (7) are hereby amended and  
17 reenacted to read as follows:

18 §7. Duties, functions, and responsibilities of board

19 In addition to the authorities granted by R.S. 17:6 and any powers, duties, and  
20 responsibilities vested by any other applicable laws, the board shall:

21 \* \* \*

22 (2)

23 \* \* \*

1 (f)(i) In addition to any other requirements of the minimum foundation  
 2 program formula as most recently adopted by the State Board of Elementary and  
 3 Secondary Education and approved by the legislature, the state board, ~~beginning with~~  
 4 ~~the 2010-2011 school year and continuing thereafter~~, shall require each city, parish,  
 5 or other local public school board to expend funds generated by applying the  
 6 weighted factors contained in such formula for ~~at-risk~~ economically disadvantaged  
 7 students, career and technical education course units, special education students other  
 8 than gifted and talented students, and gifted and talented students on personnel,  
 9 professional services, instructional materials, equipment, and supplies that serve the  
 10 unique needs of students who generate such funds and to submit annually a written  
 11 report to the State Board of Elementary and Secondary Education that details the  
 12 types of activities on which these funds were expended to serve the needs of the  
 13 weighted students at all schools that serve such students. The information contained  
 14 in such annual report shall be published on the state Department of Education  
 15 website in an easily understandable format.

\* \* \*

17 §24.9. Quality early reading initiative; legislative findings; development; criteria;  
 18 implementation; evaluation

\* \* \*

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

\* \* \*

26 (2) A method for selecting schools having ~~at-risk~~ students who are  
 27 economically disadvantaged as defined by the State Board of Elementary and  
 28 Secondary Education and low-performing students in kindergarten through third  
 29 grade.

\* \* \*

1           §221.6. Louisiana School Dropout Recovery Program

2                   A. Each school district and charter school that provides instruction to high  
3 school students may offer a dropout recovery program for eligible students. School  
4 districts and charter schools should maximize the use of federal Title 1 funds and ~~at-~~  
5 ~~risk~~ funds provided through the minimum foundation program formula to establish  
6 such programs.

7                                   \*       \*       \*

8           §392.1. Screening and intervention; purpose; applicability; city and parish school  
9 system, duties

10                                  \*       \*       \*

11                   B.

12                                  \*       \*       \*

13                           (2) Such impediments shall include:

14                                  \*       \*       \*

15                           (c) Social and environmental factors that put a child "~~at risk~~" at risk of  
16 dropping out of school ~~as that term has been defined by the state Department of~~  
17 ~~Education, pursuant to R.S. 17:7.5(A).~~

18                                  \*       \*       \*

19           §407. Legislative intent

20                           A. The legislature finds and declares as follows:

21                                  \*       \*       \*

22                           (2) Early childhood education programs facilitate the development of  
23 ~~educationally at-risk young~~ children who are economically disadvantaged and  
24 increase the chances that they will be more successful students and ultimately more  
25 productive citizens.

26                           (3) Funding successful and innovative programs is required to increase the  
27 learning opportunities of ~~at-risk~~ children who are economically disadvantaged and  
28 provide for their optimal development.

29                                  \*       \*       \*

1           B. Therefore, it is the intention of the legislature that every ~~at-risk~~ preschool  
2 child in Louisiana who is economically disadvantaged should have access to an  
3 educationally appropriate early childhood program which shall include but not be  
4 limited to parental involvement, center-based programs, and before and after care.

5   \*       \*       \*

6 §407.2. Louisiana Early Childhood Opportunity Program

7           The department shall establish the Louisiana Early Childhood Opportunity  
8 Program to assist in the development and funding of appropriate early childhood  
9 programs for ~~educationally at-risk~~ children ages three to five years who are  
10 economically disadvantaged as defined by the State Board of Elementary and  
11 Secondary Education, referred to in this Section as the "state board". The  
12 department, with the approval of ~~its governing authority~~ the state board, shall award  
13 grants or contracts to qualified early childhood programs, including but not limited  
14 to Head Start, HIPPY, Parents as Teachers, and programs for ~~youngsters~~ children  
15 with developmental disabilities or who are ~~educationally or environmentally at-risk~~  
16 economically disadvantaged, selected by the department in accordance with specified  
17 programmatic standards and guidelines to be established by the department with the  
18 approval of ~~its governing authority~~ the state board.

19   \*       \*       \*

20 §407.5. Early childhood programs; qualifications; funding

21   \*       \*       \*

22           F. The department shall work to develop model curricula and curriculum  
23 guidelines to encourage establishment of appropriate early childhood programs  
24 serving ~~at-risk~~ children who are economically disadvantaged.

25   \*       \*       \*

26 §407.6. Criteria for determining need

27           The department shall establish criteria for identifying and targeting areas of  
28 the state with the greatest need for early childhood programs and for identifying  
29 types of programs likely to provide greatest benefit to ~~at-risk~~ children who are  
30 economically disadvantaged. Among the criteria to be considered in developing

1 guidelines for funding programs pursuant to the provisions of this Part; are the extent  
2 to which a program serves children who:

3 \* \* \*

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

5 \* \* \*

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

7 (1) For children who are "~~at risk~~", economically disadvantaged as defined  
8 in the rules and regulations of the State Board of Elementary and Secondary  
9 Education, referred to in this Section as the "state board", the LA 4 program shall be  
10 provided at no cost, except for any applicable lunch cost and the cost of before and  
11 after care.

12 (2) For children who are not "~~at risk~~" economically disadvantaged, tuition  
13 may be charged on a sliding scale in an amount not to exceed that necessary for the  
14 public school system to provide the program.

15 (3) ~~For all children, both "at risk" and not "at risk", each~~ A public school  
16 system offering the LA 4 program may charge a fee for each child for the cost of  
17 meals and the cost of before and after care, subject to state board rules and  
18 regulations.

19 D. ~~Beginning with LA 4 program applications for the 2015-2016 school~~  
20 ~~year:~~

21 (1) The department shall annually determine the demand for the LA 4  
22 program.

23 (2) The state board shall consider such demand, the availability of public  
24 funds to support the program, and the eligibility of public school systems to receive  
25 funds for the program and annually determine the following:

26 (a) The cost of funding all LA 4 program applicants who both meet the  
27 eligibility requirements provided in Subsection B of this Section and who are  
28 economically disadvantaged ~~determined to be "at-risk"~~.

29 (b) The method for equitably distributing available funds to eligible public  
30 school systems.

1 (c) The difference in dollar amount between the funding required to meet the  
2 measured funding demand and the funding available in the fiscal year.

3 \* \* \*

4 §407.91. Definitions

5 As used in this Part, the following definitions shall apply:

6 \* \* \*

7 C. "Local early learning enrollment coordinator" means an approved entity  
8 that conducts a process for informing families about ~~publicly-funded~~ publicly funded  
9 and Type III licensed early childhood care and education programs in the coverage  
10 area; collects family preferences; develops and uses a common application process;  
11 annually determines demand for ~~publicly-funded~~ publicly funded early childhood  
12 care and education within the coverage area; and makes recommendations to the  
13 department for the distribution of available ~~publicly-funded~~ publicly funded early  
14 childhood care and education slots for ~~at-risk~~ children who are economically  
15 disadvantaged as defined by the state board within its coverage area.

16 D. "State ~~Board~~ board" means the State Board of Elementary and Secondary  
17 Education.

18 §407.92. Authorization of local early learning enrollment coordinators

19 A. Prior to authorizing local early learning enrollment coordinators, the state  
20 board shall:

21 (1) ~~By September 1, 2014:~~

22 (a) Provide the governing authority of each public school system and each  
23 early learning center, nonpublic school which provides ~~publicly-funded~~ publicly  
24 funded early childhood services, and Head Start grantee located within the  
25 geographic boundaries of the public school system with an assessment of the extent  
26 to which these providers of early childhood services coordinate their efforts to:

27 (i)(a) Inform families about the availability of ~~publicly-funded~~ publicly  
28 funded and Type III licensed early childhood care and education programs serving  
29 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~~ publicly funded early  
 3 childhood programs should they be ineligible for or unable to access their primary  
 4 choice.

5            ~~(iii)~~(c) Collect family preferences regarding enrollment choices for  
 6 ~~publicly-funded~~ publicly funded and Type III licensed early childhood care and  
 7 education programs. ~~(iv)~~(d) Enroll ~~at-risk~~ children who are economically  
 8 disadvantaged, using available public funds, based upon stated family preferences.

9            ~~(b)~~(2) Provide public school systems, early learning centers, nonpublic  
 10 schools, Early Head Start grantees, and Head Start grantees with a designated time  
 11 period in which the local early enrollment coordination activities will be developed  
 12 and implemented.

13            ~~(2)~~ By October 1, 2015:

14            ~~(a)~~(3) Publish a list of public school systems within whose geographic  
 15 boundaries there is no coordinated effort by the public school system and the early  
 16 learning centers, nonpublic schools which provide ~~publicly-funded~~ publicly funded  
 17 early childhood services, and Head Start grantees to:

18            ~~(i)~~(a) Inform families about the availability of ~~publicly-funded~~ publicly  
 19 funded and Type III licensed early childhood care and education programs serving  
 20 students four years of age or younger.

21            ~~(ii)~~(b) Coordinate enrollment, eligibility criteria, and waiting lists to ensure  
 22 that families are referred to other available ~~publicly-funded~~ publicly funded early  
 23 childhood programs should they be ineligible for or unable to access their primary  
 24 choice.

25            ~~(iii)~~(c) Collect family preferences regarding enrollment choices for  
 26 ~~publicly-funded~~ publicly funded and Type III licensed early childhood care and  
 27 education programs.

28            ~~(iv)~~(d) Enroll ~~at-risk~~ children who are economically disadvantaged, using  
 29 available public funds, based upon stated family preferences.

1                    ~~(b)~~(4) Provide public school systems, early learning centers, nonpublic  
2 schools, Early Head Start grantees, and Head Start grantees with a designated time  
3 period in which the local early enrollment coordination activities will be developed  
4 and implemented.

5                    ~~(3)~~ ~~By June 30, 2015, approve~~ (5) Approve a process to authorize entities  
6 as local early learning enrollment coordinators to begin performing required services  
7 in the geographic boundaries of public school systems identified pursuant to  
8 Paragraph (1) of this Subsection, ~~in the 2015-2016 school year.~~

9                    ~~(4)~~(6) Not certify any entity as a local early learning enrollment coordinator  
10 under this Section unless it is in compliance with procedures and regulations  
11 established by the state board. The entity shall be a state agency, a public school  
12 system, a nonprofit or for-profit corporation having an educational or social services  
13 mission, including but not limited to a nonprofit corporation of a philanthropic or  
14 policy nature, a Louisiana public postsecondary education institution, or a nonprofit  
15 corporation established by the governing authority of a parish or municipality.

16                    ~~(5)~~(7) Review each proposed local early learning enrollment coordinator in  
17 a timely manner and determine whether each proposed local early learning  
18 enrollment coordinator complies with the law and rules and whether the proposal is  
19 valid, complete, and financially well-structured.

20                    ~~(6)~~(8) Approve a process by which the department serves as the local early  
21 learning enrollment coordinator for those coverage areas without an approved entity.

22                    ~~(7)~~(9) Promulgate rules establishing an appeals process and designating the  
23 department to oversee the process through which families and early learning centers  
24 have the opportunity to appeal decisions made by local early learning enrollment  
25 coordinators.

26                    \*           \*           \*

27                    §3972. Intent and purpose

28                    A. It is the intention of the legislature in enacting this Chapter to authorize  
29 experimentation by city and parish school boards by authorizing the creation of  
30 innovative kinds of independent public schools for ~~pupils~~ students. Further, it is the



1 intention of the legislature to provide a framework for such experimentation by the  
 2 creation of such schools, a means for all persons with valid ideas and motivation to  
 3 participate in the experiment, and a mechanism by which experiment results can be  
 4 analyzed, the positive results repeated or replicated, if appropriate, and the negative  
 5 results identified and eliminated. Finally, it is the intention of the legislature that the  
 6 best interests of ~~at-risk pupils~~ students who are economically disadvantaged shall be  
 7 the overriding consideration in implementing the provisions of this Chapter.

\* \* \*

9 §3991. Charter schools; requirements; limitations; renewal; amendment; revocation

\* \* \*

11 B. Each proposed charter shall contain or make provision for the following:

12 (1)(a)

\* \* \*

14 (ii) Except as provided in Subitem (cc) of this Item, the requirements of Item  
 15 (i) of this Subparagraph shall not apply to any charter school which is established  
 16 with the educational mission of meeting the needs of ~~pupils~~ students who are the  
 17 dependent children of military personnel provided that all of the following conditions  
 18 are met:

\* \* \*

20 (bb) All dependent children of military personnel who seek admission to the  
 21 school and who are ~~at-risk~~ economically disadvantaged as defined in R.S.  
 22 17:3973~~(1)~~(4) are admitted to the school.

\* \* \*

24 (c) For the purposes of this Section, students holding a valid passport from  
 25 the country of France shall not be counted when calculating the overall ~~at-risk~~  
 26 percentage of students attending the charter school who are economically  
 27 disadvantaged.

\* \* \*

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.

\*       \*       \*

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_