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	* * *

ENROLLED

ACT No. 307

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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.
16	* * *
17	§24.9. Quality early reading initiative; legislative findings; development; criteria;
18	implementation; evaluation
19	* * *
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:
25	* * *
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.
30	* * *

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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	В.
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	* * *

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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

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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 \underline{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.

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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.

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(ii)(b) Coordinate enrollment, eligibility criteria, and waiting lists to ensure that families are referred to other available publicly-funded <u>publicly funded</u> 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 publicly funded and Type III licensed early childhood care and education programs. (iv)(d) Enroll at-risk children who are economically <u>disadvantaged</u>, 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.

(2) By October 1, 2015:

14(a)(3)Publish a list of public school systems within whose geographic15boundaries there is no coordinated effort by the public school system and the early16learning centers, nonpublic schools which provide publicly-funded publicly funded17early 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.

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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

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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.
8	* * *
9	§3991. Charter schools; requirements; limitations; renewal; amendment; revocation
10	* * *
11	B. Each proposed charter shall contain or make provision for the following:
12	(1)(a)
13	* * *
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:
19	* * *
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.
23	* * *
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.
28	* * *

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____