

2019 Regular Session

HOUSE BILL NO. 62

BY REPRESENTATIVE STEVE CARTER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS: (Constitutional Amendment) Provides for appropriations from the Education Excellence Fund for certain schools

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A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.8(C)(3)(b) and (c) of the Constitution of Louisiana and to repeal Article VII, Section 10.8(C)(3)(d) of the Constitution of Louisiana, relative to the Education Excellence Fund; to provide for appropriations from the Education Excellence Fund for Thrive Academy and laboratory schools operated by public postsecondary education institutions; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article VII, Section 10.8(C)(3)(b) and (c) of the Constitution of Louisiana, to read as follows:

§10.8. Millennium Trust

Section 10.8. Millennium Trust

* * *

(C) Appropriations.

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(3) Appropriations from the Education Excellence Fund shall be limited as follows:

* * *

1 (b) Appropriations shall be made each year to the Louisiana School for the
 2 Deaf, the Louisiana School for the Visually Impaired, the Louisiana Special
 3 Education Center in Alexandria, the Jimmy D. Long, Sr. Louisiana School for Math,
 4 Science, and the Arts, the New Orleans Center for Creative Arts, ~~and~~ the Louis
 5 Armstrong High School for the Arts, and Thrive Academy, after such schools are
 6 operational, to provide for a payment to each school of seventy-five thousand dollars
 7 plus an allocation for each pupil equal to the average statewide per pupil amount
 8 provided each city, parish, and local school system pursuant to ~~Subsubparagraphs (d)~~
 9 ~~and~~ Subsubparagraph (e) of this Subparagraph.

10 (c) Appropriations may be made for independent public schools ~~which have~~
 11 ~~been~~ approved by the State Board of Elementary and Secondary Education or any
 12 city, parish, or other local school system, laboratory schools approved by the State
 13 Board of Elementary and Secondary Education and operated by a public
 14 postsecondary education institution, and for alternative schools and programs which
 15 are authorized and approved by the State Board of Elementary and Secondary
 16 Education but are not subject to the jurisdiction and management of any city, parish,
 17 or local school system; to provide for an allocation for each pupil, which shall be the
 18 average statewide per pupil amount provided in each city, parish, or local school
 19 system pursuant to ~~Subsubparagraphs (d) and~~ Subsubparagraph (e) of this
 20 Subparagraph.

21 * * *

22 Section 2. Be it resolved by the Legislature of Louisiana, two-thirds of the members
 23 elected to each house concurring, that there shall be submitted to the electors of the state of
 24 Louisiana, for their approval or rejection in the manner provided by law, a proposal to repeal
 25 Article VII, Section 10.8(C)(3)(d) of the Constitution of Louisiana.

26 Section 3. Be it further resolved that this proposed amendment shall be submitted
 27 to the electors of the state of Louisiana at the statewide election to be held on October 12,
 28 2019.

29 Section 4. Be it further resolved that on the official ballot to be used at the election,
 30 there shall be printed a proposition, upon which the electors of the state shall be permitted

1 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
2 follows:

3 Do you support an amendment to provide for appropriations from the
4 Education Excellence Fund for Thrive Academy and laboratory schools
5 operated by public postsecondary education institutions? (Amends Article
6 VII, Section 10.8(C)(3)(b) and (c); Repeals Article VII, Section
7 10.8(C)(3)(d))

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 62 Original

2019 Regular Session

Steve Carter

Abstract: Provides for appropriations from the Education Excellence Fund for Thrive Academy and laboratory schools operated by public postsecondary education institutions.

Present constitution provides for one-third of all monies received as a result of the Master Settlement Agreement of tobacco litigation, which are deposited into the Millennium Trust, and one-third of the investment earnings on such money to be credited to the Education Excellence Fund. Provides for appropriations from the Education Excellence Fund as follows:

- (1) 15% shall be appropriated to the state superintendent of education for distribution to private elementary and secondary schools approved by the State Bd. of Elementary and Secondary Education (BESE).
- (2) Appropriations to the La. School for the Deaf, La. School for the Visually Impaired, La. School for Math, Science & Arts, the La. Special Education Center, the New Orleans Center for Creative Arts, and the Louis Armstrong High School for the Arts shall be \$75,000 plus the average per pupil amount paid to public schools.
- (3) Appropriations equal to the average per pupil amount paid to public schools are authorized for certain charter schools and alternative schools.
- (4) All remaining monies shall be appropriated for each city, parish, and other local school system on a pro rata basis based on the ratio of the student population of that school or school system to that of the total state student population.

Present constitution restricts appropriations from the Education Excellence Fund to the purposes of prekindergarten through twelfth grade instructional enhancement, including early childhood education, remedial instruction, and assistance to children who fail tests required by state law or rule for advancement to a succeeding grade, or other educational programs approved by the legislature. Prohibits use of monies for maintenance, renovations and capital improvements, salary increases, or to supplant other state or local funding. Requires each recipient school or school system to prepare and submit to the Dept. of Education a prioritized plan for expenditure of funds it expects to receive from the Education

Excellence Fund. Provides that no funds may be distributed to a school or school system until its plan has been approved by the departmental and by the legislature.

Present constitution requires that amounts appropriated from the Education Excellence Fund which remain in the state treasury shall remain to the credit of the recipient school or school system at the close of each fiscal year, along with investment earnings on such amounts.

Proposed constitutional amendment adds that Thrive Academy shall receive an appropriation of \$75,000 plus the average per pupil amount paid to public schools. Authorizes appropriations for laboratory schools approved by BESE and operated by public postsecondary education institutions equal to the average per pupil amount paid to public schools.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Oct. 12, 2019.

(Amends Const. Art. VII, §10.8(C)(3)(b) and (c); Repeals Const. Art. VII, §10.0(C)(3)(d))