
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jeanne C. Johnston.

DIGEST

SB 151 Engrossed

2019 Regular Session

Luneau

Present law creates the Special School District (SSD) as an educational service agency administered by the state Department of Education (DOE). Further provides that the SSD includes the Louisiana special schools and Special School Programs.

Present law designates the Louisiana Schools for the Deaf and Visually Impaired and the Louisiana Special Education Center (LSEC) as special schools within the Special School District and provides that these schools are residential schools established to provide academic, vocational, and other related services as required.

Proposed law provides for the transfer of the Louisiana Special Education Center from the Special School District to the Louisiana Department of Health (LDH) and renames the center as the "Central Louisiana Supports and Services Center."

Proposed law deletes references and provisions relative to the LSEC from all applicable statutory provisions and properly places the Central Louisiana Supports and Services Center within present law.

Present law provides for an annual appropriation to the LSEC from the Educational Excellence Fund. Proposed law removes the center from these provisions.

Present law provides that LDH facility administrators have the authority to develop policies and procedures necessary for the operation of the facility. Proposed law provides that the facility administrator makes recommendations on policy and procedures to the secretary of LDH and shall not implement those policies and procedures until approved by the secretary.

With respect to the transfer of the Louisiana Special Education Center to the La. Dept. of Health, proposed law provides as follows:

- (1) The process to transfer the LSEC to the LDH shall begin not later than August 1, 2019, and conclude not later than January 31, 2020.
- (2) Requires the State Board of Elementary and Secondary Education (BESE), DOE, and the SSD to fully cooperate with the LDH and take every action necessary to efficiently and expeditiously effect the transfer of the center.
- (3) The assets, funds, facilities, property, equipment, books, documents, records, obligations, programs, and functions relative to the LSEC shall be transferred to the LDH on the effective date of the transfer.

- (4) Prior to the effective date of the transfer of the LSEC, BESE, DOE, and the SSD shall not:
- (a) Sell, transfer, or otherwise remove any asset or thing of value, movable or immovable, tangible or intangible, attributable to or owned by center.
 - (b) Incur, transfer, or assign and debt or other responsibility or obligation to the center that is not properly attributable to the center.
 - (c) Reduce or reallocate the level of funding, staffing, or support that would otherwise be allocated to the center.
 - (d) Impose any budget reductions or changes in funding without the prior approval of the Joint Legislative Committee on the Budget.
 - (e) Take any personnel action with regard to any administrative, instructional or noninstructional employee of the center without the approval of the LDH.
- (5) The LDH, to the extent possible while aligning the operation of the LSEC with the operation of the other LDH operated twenty-four hour facilities, shall provide for the transfer of LSEC employees without loss of status, salary, and related benefits.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:43, 46(A)(1)(c), 81.9(A)(1)(b), 240(A)(1), 348(A), 419.2(A), 421.4, 422.6(B), and 1945(B)(1), R.S. 28:451.4, R.S. 39:98.3(C)(2) and 362(F), and R.S. 49:121(E); adds R.S. 28:22.8(A)(4) and R.S. 36:259(C)(8); repeals R.S. 17:348(B))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Provides that all policies and procedures relative to the operation of office for citizens with developmental disabilities' facilities shall be approved by the secretary of LDH.
2. Provides that the LSEC as a unique entity shall not effectuate certain acts or omissions in the course of the transfer.
3. Provides that the prohibition on reducing or reallocating funding and support during the transfer also applies to a prohibited reduction of staffing.
4. Provides that LDH shall align the operation of LSEC with the operation of the other LDH operated 24 hour facilities as it relates to the transfer of LSEC employees.