

2020 Regular Session

SENATE BILL NO. 22

BY SENATOR LUNEAU

SUPERINTENDENT OF ED. Provides relative to the appointment and Senate confirmation of the state superintendent of education. (gov sig)

1 AN ACT

2 To amend R.S. 17:21(C) and to enact R.S. 17:21(F), relative to the superintendent of
3 education; to provide relative to the superintendent's appointment, contract, and
4 confirmation; to require Senate reconfirmation of the superintendent under certain
5 circumstances; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:21(C) is hereby amended and R.S. 17:21(F) is hereby enacted to
8 read as follows:

9 §21. Superintendent of education for public elementary and secondary education;
10 general functions; appointment qualifications; vacancies;
11 compensation; **confirmation**

12 * * *

13 C.(1) The superintendent shall be appointed by a two-thirds vote of the total
14 membership of the State Board of Elementary and Secondary Education. The board
15 shall enter into a contract with the appointed superintendent. The length of the
16 contract shall be determined by the board but may not extend past the end of the term
17 of office of the board members making the appointment, ~~except that the contract may~~

1 provide that the superintendent may serve until the succeeding board has made an
2 appointment. The superintendent in office on the date the term of office of the
3 board members making the appointment ends may remain in office until his
4 successor is appointed and qualified.

5 (2) Any vacancy in the office of the appointed superintendent which occurs
6 prior to the expiration of the term of his contract shall be filled for the remainder of
7 the unexpired term by the method of appointment as provided in this Subsection.

8 * * *

9 F.(1) Notwithstanding the provisions of Subsection C of this Section, the
10 superintendent shall not serve beyond the end of the second regular session of
11 the legislature after the end of the term of office of the board which appointed
12 him, unless he has been reappointed, submitted to the Senate for confirmation
13 in accordance with R.S. 24:14, and confirmed by the Senate. If he is not
14 reappointed and confirmed by the Senate pursuant to this Subsection, the office
15 of the superintendent shall be declared vacant.

16 (2) The provisions of this Subsection shall apply to each superintendent
17 of education appointed by the State Board of Elementary and Secondary
18 Education after January 15, 2020.

19 Section 2. This Act shall become effective upon signature by the governor or, if not
20 signed by the governor, upon expiration of the time for bills to become law without signature
21 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
22 vetoed by the governor and subsequently approved by the legislature, this Act shall become
23 effective on the day following such approval.

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

SB 22 Original DIGEST 2020 Regular Session Luneau

Present law provides for the appointment of the superintendent of education by the State Board of Elementary and Secondary Education (BESE) and requires the board to enter into a contract with the appointed superintendent. Specifies that such contract may not extend past the term of office of the members of the board making the appointment. Further provides that the superintendent's contract may provide that the superintendent may serve

until the succeeding board makes an appointment.

Proposed law deletes language in present law that allows the superintendent's contract to provide that he may serve until the succeeding board makes an appointment and instead provides that the superintendent in office on the date the terms of office of the board members making the appointment end may continue to serve until his successor is appointed and qualified.

Proposed law provides that the superintendent shall not serve beyond the end of the second regular legislative session after the end of the term of office of the board that appointed him, unless he has been reappointed, submitted to the Senate for confirmation, and confirmed by the Senate. Further provides that if he is not reappointed and confirmed by the Senate pursuant to proposed law, the office of superintendent shall be declared vacant.

Proposed law applies to each superintendent of education appointed by BESE after January 15, 2020.

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

(Amends R.S. 17:21(C); adds R.S. 17:21(F))