

First Extraordinary Session, 2005

HOUSE BILL NO. 33

BY REPRESENTATIVE CRANE

SCHOOLS: Provides for applicability of provisions relative to minimum requirements for instructional time including certain work days per school year under specified circumstances (Item #38)

1 AN ACT

2 To amend and reenact R.S. 17:154.3 and to enact R.S. 17:154.1(A)(5), relative to minimum  
3 requirements for instructional time; to provide for applicability of such requirements  
4 including the required number of certain work days per school year under specified  
5 circumstances; to provide for certification by the state superintendent of education  
6 relative to the applicability of the minimum requirements for instructional time for  
7 certain public schools and school systems; to provide for rules and regulations  
8 adopted by the State Board of Elementary and Secondary Education relative to all  
9 such applicability; to provide for effectiveness; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 17:154.3 is hereby amended and reenacted and R.S. 17:154.1(A)(5)  
12 is hereby enacted to read as follows:

13 §154.1. Length of school day and year; requirements

14 A.

15 \* \* \*

16 (5)(a) Effective for the 2005-2006 school year, the provisions of Paragraph  
17 (1) of this Subsection shall not be applicable to any city, parish, or other local public  
18 school or school system which cannot meet the minimum requirements for  
19 instructional time as provided in Paragraph (1) of this Subsection for the 2005-2006

1 school year due to school closure for reasons of natural catastrophe or disaster as  
2 certified by the state superintendent of education and approved by the State Board  
3 of Elementary and Secondary Education.

4 (b) Such certification and approval shall be in accordance with criteria  
5 established pursuant to rules and regulations adopted by the board for such purpose.  
6 Such rules and regulations shall include but shall not be limited to requirements that:

7 (i) Any city, parish, or other local public school or school system not able  
8 to meet the requirements of Paragraph (1) of this Subsection shall submit to the state  
9 superintendent of education, in accordance with time lines established by the board,  
10 documented information explaining the reasons why such school or school system  
11 cannot meet such requirements and any efforts made by the school or school system  
12 toward meeting the requirements and a revised school calendar for the 2005-2006  
13 school year.

14 (ii) Schools and school systems subject to such certification and approval  
15 comply with the revised school calendar submitted to the state superintendent and  
16 any changes in such calendar that the board may require.

17 (c) The provisions of this Paragraph shall apply to an entire school system  
18 only if every school within the system is forced to close for reasons as provided in  
19 this Paragraph.

20 \* \* \*

21 §154.3. School schedules; minimum work days; instructional days

22 A. ~~AH~~ Except as otherwise provided in Subsection B of this Section, all  
23 teachers shall work not less than one hundred eighty-two days per school year and  
24 except as provided in R.S. 17:154.1(A), no fewer than one hundred seventy-seven  
25 of such days shall be used to provide instruction to students.

26 B. Effective for the 2005-2006 school year, the provisions of Subsection A  
27 of this Section relative to the requirement that teachers work not less than one  
28 hundred eighty-two days per school year shall not be applicable. However, the State

1           Board of Elementary and Secondary Education may adopt rules effective for the  
2           2005-2006 school year relative to the minimum number of teacher work days.

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

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

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Crane

HB No. 33

**Abstract:** Provides that, effective for the 2005-2006 school year, present law provisions relative to the minimum requirements for instructional time including certain work days per school year shall not be applicable under specified circumstances. Requires certification by the state superintendent of education and approval by the State Board of Elementary and Secondary Education (BESE) relative to the applicability of the minimum requirements for instructional time for certain public schools and school systems. Provides for rules and regulations adopted by BESE relative to all such applicability.

Present law (R.S. 17:154.1(A)(1)) provides that the minimum school day for grades one through 12 in every public school shall consist of 360 minutes of instructional time and the minimum school year shall consist of 177 days of instruction. Authorizes school governing authorities to modify the total number of instructional minutes per day and instructional days per year under certain conditions, provided the same minimum total instructional minutes for the year is not changed.

Present law (R.S. 17:154.1(A)(3) and (4)) exempts from present law requirements relative to instructional time, for the 2002-2003 school year and thereafter, certain public schools and school systems that cannot meet such requirements for the 2002-2003 school year due to certain school closures for reasons of natural catastrophe or disaster. Provides for certification by the state superintendent of education and approval by BESE of any school's or school system's failure to meet present law requirements. Requires such schools and school systems to submit documented information to the state superintendent explaining the reasons for not meeting such requirements and efforts made toward meeting the requirements. Further exempts from present law requirements, for the 2002-2003 school year, school systems in parishes having at least 475,000 persons that cannot meet such requirements for such school year due to the school system providing professional development for teachers during the school day and the reduced instructional time does not exceed 180 minutes.

Proposed law retains present law and adds that effective for the 2005-2006 school year, present law requirements relative to instructional time shall not be applicable to any public school or school system which cannot meet such requirements for the 2005-2006 school year due to school closure for reasons of natural catastrophe or disaster. Provides for certification of such applicability by the state superintendent of education and approval by BESE in accordance with rules and regulations adopted by BESE for such purpose. Specifies that

such rules and regulations shall include a requirement that any public school or school system not able to meet present law requirements submit to the state superintendent documented information explaining the reasons why such school or school system cannot meet such requirements and any efforts made by the school or school system toward meeting the requirements and a revised school calendar for the 2005-2006 school year. Requires that schools and school systems comply with the revised calendar and any changes in such calendar that the board may require. Provides that proposed law shall apply to an entire school system only if every school within the system is forced to close.

Present law (R.S. 17:154.1(B)) authorizes local superintendents to dismiss school due to emergency situations as defined by BESE provided that no school year shall be less than 177 days of instruction.

Proposed law retains present law.

Present law (R.S. 17:154.3) requires that all teachers shall work not less than 182 days per school year and except as provided in R.S. 17:154.1(A), no fewer than 177 of such days shall be used to provide instruction to students.

Proposed law retains present law except provides that, effective for the 2005-2006 school year, present law provisions relative to the requirement that teachers work not less than 182 days per school year shall not be applicable. Authorizes BESE to adopt rules effective for the 2005-2006 school year relative to the minimum number of teacher work days.

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

(Amends R.S. 17:154.3; Adds R.S. 17:154.1(A)(5))