

1 WHEREAS, on March 8, 2013, the State Board of Elementary and Secondary
2 Education (BESE) adopted such a formula to determine the cost and allocation of funds for
3 the 2013-2014 Fiscal Year and on March 15, 2013, and submitted it to the legislature; and

4 WHEREAS, such formula was timely submitted to the legislature, and an instrument
5 providing for legislative approval of the formula was introduced for consideration, Senate
6 Concurrent Resolution No. 23; and

7 WHEREAS, on May 7, 2013, the Supreme Court of Louisiana in the case of
8 *Louisiana Federation of Teachers, et al v. State of Louisiana, et al*, No. 2013-CA-0120, held
9 that Senate Concurrent Resolution No. 99 of the 2012 Regular Session, which approved the
10 minimum foundation program formula for 2012-2013 Fiscal Year, was null and void ab
11 initio; and

12 WHEREAS, the state constitution provides that if the legislature does not approve
13 the recommendation of the State Board of Elementary and Secondary Education, the
14 minimum foundation program formula last approved remains in effect; and

15 WHEREAS, the ruling of the Supreme Court results in the continued applicability
16 of the 2011-2012 minimum foundation program formula, approved by the legislature
17 through the passage of House Concurrent Resolution No. 130 of the 2011 Regular Session,
18 in determining the cost of a minimum foundation program of education in all public
19 elementary and secondary schools as well as allocating equitably the funds to parish and city
20 school systems; and

21 WHEREAS, Senate Concurrent Resolution No. 23 of the 2013 Regular Session was
22 considered by the Senate Committee on Education on May 21, 2013, and was not reported;
23 and

24 WHEREAS, the last valid minimum foundation program was approved in House
25 Concurrent Resolution No. 130 of the 2011 Regular Session; and

26 WHEREAS, the legislature finds that increasing the base per pupil amount of
27 funding for public schools by two and three-fourths percent (2.75%) would raise that amount
28 from \$3,855 to \$3,961 per student, generating money to partially cover inflationary increases
29 in expenditures and critical education initiatives; and

1 WHEREAS, the base per pupil amount of funding in the minimum foundation
2 program may be adjusted only through legislative approval of a formula adopted by the State
3 Board of Elementary and Secondary Education that provides for such an adjustment; and

4 WHEREAS, in order to provide for an increase in the base per pupil amount of
5 funding in the minimum foundation program, the legislature intends to amend House Bill
6 No. 1 of the 2013 Regular Session to provide for such an increase outside of the minimum
7 foundation program formula by directing the Department of Education to allocate such funds
8 in the same manner in which they would have been allocated pursuant to the minimum
9 foundation program formula; and

10 WHEREAS, it is the intent of the legislature that this increase in the per pupil
11 amount, although provided for outside of the minimum foundation program formula for the
12 2013-2014 Fiscal Year, be recognized and included by the State Board of Elementary and
13 Secondary Education as a minimum base per pupil amount in future years; and

14 WHEREAS, the office of the governor and the division of administration have
15 expressed their commitment to include these adjustments in the 2014-2015 Fiscal Year
16 executive budget as part of the minimum foundation program budget request and petition
17 the State Board of Elementary and Secondary Education to recognize them as being included
18 in the 2013-2014 Fiscal Year base per pupil amount when developing and adopting a new
19 formula for the 2014-2015 Fiscal Year.

20 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
21 urge and request the State Board of Elementary and Secondary Education to recognize and
22 include the increased base per pupil amount in funding to city and parish school systems, as
23 provided in House Bill No. 1 of the 2013 Regular Session, as part of the 2013-2014 Fiscal
24 Year base per pupil amount when developing and adopting a minimum foundation program
25 formula for the 2014-2015 Fiscal Year.

26 BE IT FURTHER RESOLVED that the Legislature of Louisiana urges and requests
27 the State Board of Elementary and Secondary Education to maintain at least this combined
28 base per pupil amount for the 2014-2015 Fiscal Year minimum foundation program formula.

1 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
2 governor, commissioner of administration, president of the State Board of Elementary and
3 Secondary Education, and state superintendent of education.

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)]

Edwards

HCR No. 188

Requests BESE to recognize and include increased per pupil funding to city and parish school systems, as appropriated in House Bill No. 1 of the 2013 R.S., as part of FY 2013-2014 base per pupil funding when developing and adopting a MFP formula for FY 2014-2015 and to maintain at least this combined per pupil amount for FY 2014-2015 MFP formula.