

2016 Regular Session

HOUSE BILL NO. 1108

BY REPRESENTATIVE BOUIE

SCHOOLS: Provides relative to the return of schools from the RSD to the transferring local school system

1 AN ACT

2 To amend and reenact R.S. 17:10.5(C)(1) and 10.7(C)(1) and (3) and to enact R.S.  
3 17:1990(B)(4)(b)(v), relative to the Recovery School District; to require the transfer  
4 of certain schools from the Recovery School District; to provide for time lines for  
5 such transfer; to provide relative to the rights and responsibilities of ownership of  
6 facilities of the school being transferred; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:10.5(C)(1) and 10.7(C)(1) and (3) are hereby amended and  
9 reenacted and R.S. 17:1990(B)(4)(b)(v) is hereby enacted to read as follows:

10 §10.5. School and district accountability; failing schools; transfer to Recovery  
11 School District; parent petitions

12 \* \* \*

13 C.(1) The Recovery School District shall retain jurisdiction of any school  
14 transferred to it pursuant to the provisions of this Section for a period of not less than  
15 five school years not including the school year in which the transfer occurred if the  
16 transfer occurred during a school year. If, at any time after the initial transfer period  
17 or any subsequent transfer period, the school is no longer designated as a failing  
18 school as determined pursuant to the school and district accountability system, the

1 school shall be returned to the administration and management of the city, parish, or  
2 other local public school board or other public entity from which it was transferred  
3 within two years from the date the school is no longer designated as a failing school.

4 \* \* \*

5 §10.7. School and district accountability; schools in districts in academic crisis;  
6 transfer to Recovery School District

7 \* \* \*

8 C.(1) The ~~recovery district~~ Recovery School District shall retain jurisdiction  
9 over any school transferred to it for a period of not less than five school years not  
10 including the school year in which the transfer occurred if the transfer occurred  
11 during a school year. ~~At the end of the initial transfer period, the school may be~~  
12 ~~returned to the system from which it was transferred unless the school is continued~~  
13 ~~in the recovery district in accordance with the provisions of Paragraph (3) of this~~  
14 ~~Subsection.~~ Each school no longer designated as a failing school as determined  
15 pursuant to the school and district accountability system shall be returned to the  
16 administration and management of the city, parish, or other local public school  
17 system from which it was transferred. Some schools shall be transferred by not later  
18 than July 1, 2017, and the remaining schools being transferred by not later than July  
19 1, 2018.

20 \* \* \*

21 (3) No later than six months prior to the expiration of the initial or  
22 subsequent transfer period, the state board shall take action on the recommendations  
23 of the recovery district. Additionally, no later than six months prior to the expiration  
24 of the initial or subsequent transfer period, the state board shall conduct a public  
25 hearing within the jurisdiction of the city, parish, or other local public school board  
26 from which the school was transferred relative to whether the school should be  
27 continued in the recovery district or returned to the system. ~~The~~ Except as otherwise  
28 provided in Paragraph (1) of this Subsection, the state board by a majority vote of its

1 membership may continue any school in the recovery district for additional periods  
2 of five years.

3 \* \* \*

4 §1990. Recovery School District; creation; governance; operation

5 \* \* \*

6 B.

7 \* \* \*

8 (4)

9 \* \* \*

10 (b)

11 \* \* \*

12 (v) When a school is returned to the administration and management of a  
13 city, parish, or other local public school board pursuant to R.S. 17:10.5 or 10.7, all  
14 rights and responsibilities of ownership regarding all land, buildings, facilities, and  
15 other property that are part of the school being transferred shall also be returned to  
16 the local public school board.

17 \* \* \*

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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)]

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HB 1108 Original

2016 Regular Session

Bouie

**Abstract:** Requires the transfer of schools that are no longer failing from the Recovery School District.

Present law creates the Recovery School District (RSD) to administer and manage any public school which fails to meet the standards of the statewide system of accountability.

Present law (R.S. 17:10.5 and 10.7) provides that the RSD shall retain jurisdiction over any school transferred to it for a period of not less than five school years not including the school year in which the transfer occurred if the transfer occurred during a school year.

Proposed law provides that if the school is no longer designated as a failing school as determined by the school and district accountability system, the school shall be returned to the administration and management of the system from which it was transferred. For schools transferred pursuant to present law, R.S. 17:10.5, specifies that such return shall occur within two years from the date the school is no longer designated as a failing school

and for schools transferred pursuant to present law, R.S. 17:10.7, specifies that some schools shall be returned by July 1, 2017, and the remaining schools returned by July 1, 2018.

Proposed law requires that when a school is returned to the administration and management of the school board from which it was transferred, all rights and responsibilities of ownership regarding all land, buildings, facilities, and other property that are part of the school shall also be returned to the school board.

(Amends R.S. 17:10.5(C)(1) and 10.7(C)(1) and (3); Adds R.S. 17:1990(B)(4)(b)(v))