

2018 Regular Session

HOUSE BILL NO. 294

BY REPRESENTATIVE SMITH

STUDENTS: Changes references to "at-risk" students to students who are "economically disadvantaged" throughout Title 17 of the Louisiana Revised Statutes

1 AN ACT

2 To amend and reenact R.S. 17:7(2)(f)(i), 24.9(B)(introductory paragraph) and (2), 221.6(A),  
3 392.1(B)(2)(c), 407(A)(2) and (3) and (B), 407.2, 407.5(F), 407.6(introductory  
4 paragraph), 407.26(C) and (D), 407.91(C) and (D), 407.92(A), 3972(A), and  
5 3991(B)(1)(c) and (7), and to repeal R.S. 17:7(16) and 24.9(C), relative to students  
6 who are at risk; to remove references to at-risk students in various education laws in  
7 Title 17 of the Louisiana Revised Statutes of 1950; to refer to students who are  
8 economically disadvantaged; to provide relative to the definition of "economically  
9 disadvantaged" as defined by the State Board of Elementary and Secondary  
10 Education in certain instances; to repeal obsolete provisions; and to provide for  
11 related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 17:7(2)(f)(i), 24.9(B)(introductory paragraph) and (2), 221.6(A),  
14 392.1(B)(2)(c), 407(A)(2) and (3) and (B), 407.2, 407.5(F), 407.6(introductory paragraph),  
15 407.26(C) and (D), 407.91(C) and (D), 407.92(A), 3972(A), and 3991(B)(1)(c) and (7) are  
16 hereby amended and reenacted to read as follows:

17 §7. Duties, functions, and responsibilities of board

18 In addition to the authorities granted by R.S. 17:6 and any powers, duties, and  
19 responsibilities vested by any other applicable laws, the board shall:

20 \* \* \*

1 (2)

2 \* \* \*

3 (f)(i) In addition to any other requirements of the minimum foundation  
4 program formula as most recently adopted by the State Board of Elementary and  
5 Secondary Education and approved by the legislature, the state board, ~~beginning with~~  
6 ~~the 2010-2011 school year and continuing thereafter~~, shall require each city, parish,  
7 or other local public school board to expend funds generated by applying the  
8 weighted factors contained in such formula for ~~at-risk~~ economically disadvantaged  
9 students, career and technical education course units, special education students other  
10 than gifted and talented students, and gifted and talented students on personnel,  
11 professional services, instructional materials, equipment, and supplies that serve the  
12 unique needs of students who generate such funds and to submit annually a written  
13 report to the State Board of Elementary and Secondary Education that details the  
14 types of activities on which these funds were expended to serve the needs of the  
15 weighted students at all schools that serve such students. The information contained  
16 in such annual report shall be published on the state Department of Education  
17 website in an easily understandable format.

18 \* \* \*

19 §24.9. Quality early reading initiative; legislative findings; development; criteria;  
20 implementation; evaluation

21 \* \* \*

22 B. ~~By the beginning of the 1997-1998 school year, the~~ The state Department  
23 of Education shall develop a comprehensive and balanced early childhood reading  
24 initiative for students in kindergarten through third grade. The department shall  
25 provide criteria that are research-based and which provide, at a minimum, for the  
26 following:

27 \* \* \*

28 (2) A method for selecting schools having ~~at-risk~~ students who are  
29 economically disadvantaged as defined by the State Board of Elementary and



1           (3) Funding successful and innovative programs is required to increase the  
2 learning opportunities of ~~at-risk~~ children who are economically disadvantaged and  
3 provide for their optimal development.

4                                           \*       \*       \*

5           B. Therefore, it is the intention of the legislature that every ~~at-risk~~ preschool  
6 child in Louisiana who is economically disadvantaged should have access to an  
7 educationally appropriate early childhood program which shall include but not be  
8 limited to parental involvement, center-based programs, and before and after care.

9                                           \*       \*       \*

10 §407.2. Louisiana Early Childhood Opportunity Program

11           The department shall establish the Louisiana Early Childhood Opportunity  
12 Program to assist in the development and funding of appropriate early childhood  
13 programs for ~~educationally at-risk~~ children ages three to five years who are  
14 economically disadvantaged as defined by the State Board of Elementary and  
15 Secondary Education, referred to in this Section as the "state board". The  
16 department, with the approval of ~~its governing authority~~ the state board, shall award  
17 grants or contracts to qualified early childhood programs, including but not limited  
18 to Head Start, HIPPPY, Parents as Teachers, and programs for ~~youngsters~~ children  
19 with developmental disabilities or who are ~~educationally or environmentally at-risk~~  
20 economically disadvantaged, selected by the department in accordance with specified  
21 programmatic standards and guidelines to be established by the department with the  
22 approval of ~~its governing authority~~ the state board.

23                                           \*       \*       \*

24 §407.5. Early childhood programs; qualifications; funding

25                                           \*       \*       \*

26           F. The department shall work to develop model curricula and curriculum  
27 guidelines to encourage establishment of appropriate early childhood programs  
28 serving ~~at-risk~~ children who are economically disadvantaged.

29                                           \*       \*       \*

1 §407.6. Criteria for determining need

2 The department shall establish criteria for identifying and targeting areas of  
3 the state with the greatest need for early childhood programs and for identifying  
4 types of programs likely to provide greatest benefit to ~~at-risk~~ children who are  
5 economically disadvantaged. Among the criteria to be considered in developing  
6 guidelines for funding programs pursuant to the provisions of this Part; are the extent  
7 to which a program serves children who:

8 \* \* \*

9 §407.26. The Cecil J. Picard LA 4 Early Childhood Program

10 \* \* \*

11 C. The cost of the LA 4 program shall be as follows:

12 (1) For children who are ~~"at risk"~~, economically disadvantaged as defined  
13 in the rules and regulations of the State Board of Elementary and Secondary  
14 Education, referred to in this Section as the "state board", the LA 4 program shall be  
15 provided at no cost, except for any applicable lunch cost and the cost of before and  
16 after care.

17 (2) For children who are not ~~"at risk"~~ economically disadvantaged, tuition  
18 may be charged on a sliding scale in an amount not to exceed that necessary for the  
19 public school system to provide the program.

20 (3) ~~For all children, both "at risk" and not "at risk", each~~ A public school  
21 system offering the LA 4 program may charge a fee for each child for the cost of  
22 meals and the cost of before and after care, subject to state board rules and  
23 regulations.

24 D. ~~Beginning with LA 4 program applications for the 2015-2016 school~~  
25 ~~year:~~

26 (1) The department shall annually determine the demand for the LA 4  
27 program.

1 (2) The state board shall consider such demand, the availability of public  
2 funds to support the program, and the eligibility of public school systems to receive  
3 funds for the program and annually determine the following:

4 (a) The cost of funding all LA 4 program applicants who both meet the  
5 eligibility requirements provided in Subsection B of this Section and who are  
6 economically disadvantaged ~~determined to be "at-risk"~~.

7 (b) The method for equitably distributing available funds to eligible public  
8 school systems.

9 (c) The difference in dollar amount between the funding required to meet the  
10 measured funding demand and the funding available in the fiscal year.

11 \* \* \*

12 §407.91. Definitions

13 As used in this Part, the following definitions shall apply:

14 \* \* \*

15 C. "Local early learning enrollment coordinator" means an approved entity  
16 that conducts a process for informing families about publicly-funded and Type III  
17 licensed early childhood care and education programs in the coverage area; collects  
18 family preferences; develops and uses a common application process; annually  
19 determines demand for publicly-funded early childhood care and education within  
20 the coverage area; and makes recommendations to the department for the distribution  
21 of available publicly-funded early childhood care and education slots for ~~at-risk~~  
22 children who are economically disadvantaged as defined by the state board within  
23 its coverage area.

24 D. "State ~~Board~~ board" means the State Board of Elementary and Secondary  
25 Education.

26 §407.92. Authorization of local early learning enrollment coordinators

27 A. Prior to authorizing local early learning enrollment coordinators, the state  
28 board shall:

29 (1) ~~By September 1, 2014:~~

1           (a) Provide the governing authority of each public school system and each  
2 early learning center, nonpublic school which provides publicly-funded early  
3 childhood services, and Head Start grantee located within the geographic boundaries  
4 of the public school system with an assessment of the extent to which these providers  
5 of early childhood services coordinate their efforts to:

6           (i)(a) Inform families about the availability of publicly-funded and Type III  
7 licensed early childhood care and education programs serving students four years of  
8 age or younger.

9           (ii)(b) Coordinate enrollment, eligibility criteria, and waiting lists to ensure  
10 that families are referred to other available publicly-funded early childhood  
11 programs should they be ineligible for or unable to access their primary choice.

12           (iii)(c) Collect family preferences regarding enrollment choices for  
13 publicly-funded and Type III licensed early childhood care and education programs.

14           (iv)(d) Enroll ~~at-risk~~ children who are economically disadvantaged, using  
15 available public funds, based upon stated family preferences.

16           (b)(2) Provide public school systems, early learning centers, nonpublic  
17 schools, Early Head Start grantees, and Head Start grantees with a designated time  
18 period in which the local early enrollment coordination activities will be developed  
19 and implemented.

20           (2) ~~By October 1, 2015:~~

21           (a)(3) Publish a list of public school systems within whose geographic  
22 boundaries there is no coordinated effort by the public school system and the early  
23 learning centers, nonpublic schools which provide publicly-funded early childhood  
24 services, and Head Start grantees to:

25           (i)(a) Inform families about the availability of publicly-funded and Type III  
26 licensed early childhood care and education programs serving students four years of  
27 age or younger.

1           ~~(ii)~~(b) Coordinate enrollment, eligibility criteria, and waiting lists to ensure  
2 that families are referred to other available publicly-funded early childhood  
3 programs should they be ineligible for or unable to access their primary choice.

4           ~~(iii)~~(c) Collect family preferences regarding enrollment choices for  
5 publicly-funded and Type III licensed early childhood care and education programs.

6           ~~(iv)~~(d) Enroll ~~at-risk~~ children who are economically disadvantaged, using  
7 available public funds, based upon stated family preferences.

8           ~~(b)~~(4) Provide public school systems, early learning centers, nonpublic  
9 schools, Early Head Start grantees, and Head Start grantees with a designated time  
10 period in which the local early enrollment coordination activities will be developed  
11 and implemented.

12           ~~(3)~~ ~~By June 30, 2015, approve~~ (5) Approve a process to authorize entities  
13 as local early learning enrollment coordinators to begin performing required services  
14 in the geographic boundaries of public school systems identified pursuant to  
15 Paragraph (1) of this Subsection, ~~in the 2015-2016 school year~~.

16           ~~(4)~~(6) Not certify any entity as a local early learning enrollment coordinator  
17 under this Section unless it is in compliance with procedures and regulations  
18 established by the state board. The entity shall be a state agency, a public school  
19 system, a nonprofit or for-profit corporation having an educational or social services  
20 mission, including but not limited to a nonprofit corporation of a philanthropic or  
21 policy nature, a Louisiana public postsecondary education institution, or a nonprofit  
22 corporation established by the governing authority of a parish or municipality.

23           ~~(5)~~(7) Review each proposed local early learning enrollment coordinator in  
24 a timely manner and determine whether each proposed local early learning  
25 enrollment coordinator complies with the law and rules and whether the proposal is  
26 valid, complete, and financially well-structured.

27           ~~(6)~~(8) Approve a process by which the department serves as the local early  
28 learning enrollment coordinator for those coverage areas without an approved entity.



