

2019 Regular Session

SENATE BILL NO. 158

BY SENATORS DONAHUE AND THOMPSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SPECIAL EDUCATION. Provides for the creation of local special education advisory councils. (gov sig)

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AN ACT

To enact R.S. 17:1944.1 and 3996(B)(54), relative to special education; to require each local public school superintendent and the administrative head of each charter school or other public school to create a special education advisory council; to provide relative to council membership and duties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:1944.1 and 3996(B)(54) are hereby enacted to read as follows:

§1944.1. Local special education advisory councils; creation; purpose

A. Not later than January 1, 2020, each local public school superintendent and the administrative head of each charter school or other public school shall create a special education advisory council to provide advice and feedback regarding special education policies, procedures, and resources. The council shall also engage in outreach activities to the community at large to increase the level of knowledge, support, and collaboration with respect to special education.

B.(1)The number of council members shall be determined by the local public school superintendent or the administrative head of each charter school

1 or other public school. However, the council's membership shall be composed
2 as follows:

3 (a) Fifty percent of the membership shall be parents or legal guardians
4 of students with an exceptionality, other than gifted and talented, who are
5 enrolled in a school under the jurisdiction of the public school governing
6 authority.

7 (b) Twenty-five percent of the membership shall be teachers, principals,
8 or paraprofessionals.

9 (c) Twenty-five percent of the membership shall be other special
10 education stakeholders.

11 (2)(a) Each local public school superintendent and administrative head
12 of a charter school or other public school shall seek applications for council
13 membership from parents of students with an exceptionality other than gifted
14 and talented, teachers, principals, paraprofessionals, and other stakeholders.

15 (b) In selecting council members, an effort shall be made to include
16 parents of students in all grade levels.

17 C. Each special education advisory council shall meet at least three times
18 a year and shall submit a written report to the local public school
19 superintendent or the administrative head of the charter school or other public
20 school in May of each year regarding its activities.

21 * * *

22 §3996. Charter schools; exemptions; requirements

23 A. * * *

24 B. Notwithstanding any state law, rule, or regulation to the contrary and
25 except as may be otherwise specifically provided for in an approved charter, a
26 charter school established and operated in accordance with the provisions of this
27 Chapter and its approved charter and the school's officers and employees shall be
28 exempt from all statutory mandates or other statutory requirements that are
29 applicable to public schools and to public school officers and employees except for

1 the following laws otherwise applicable to public schools with the same grades:

2 * * *

3 **(54) Special education advisory councils, R.S. 17:1944.1.**

4 * * *

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

The original instrument was prepared by Jeanne Johnston. The following digest, which does not constitute a part of the legislative instrument, was prepared by Tammy Crain-Waldrop.

DIGEST

SB 158 Reengrossed

2019 Regular Session

Donahue

Proposed law requires each local public school superintendent and the administrative head of each charter school to establish a special education advisory council to provide advice and feedback regarding special education policies, procedures, and resources and engage in community outreach, as follows:

- (1) Each council must be created not later than January 1, 2020.
- (2) The number of members shall be determined by the local public school superintendent or the administrative head of each charter or other public school and the membership shall be composed as follows:
 - (a) 50% of the membership shall be parents of students with an exceptionality, other than gifted and talented.
 - (b) 25% of the membership shall be teachers, principals, or paraprofessionals.
 - (c) 25% of the membership shall be other special education stakeholders.
- (3) Each local public school superintendent and administrative head of a charter or other public school shall seek applications for council membership from parents of students with an exceptionality, teachers, principals, paraprofessionals, and other stakeholders. Requires that an effort be made to include parents of students in all grade levels.
- (4) Each special education advisory council shall meet at least three times a year and shall submit a written report to the superintendent or the administrative head of the charter school or other public school in May of each year regarding its activities.

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

(Adds R.S. 17:1944.1 and 3996(B)(54))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Revises council membership.
2. Reduces number of meetings and reports.
3. Clarifies that proposed law applies to charter school governing authorities.

Senate Floor Amendments to engrossed bill

1. Makes technical changes.
2. Changes the appointing authority from the public school governing authority to the local public school superintendent and the administrative head of each charter or other public school.