

2021 Regular Session

HOUSE BILL NO. 211

BY REPRESENTATIVE WRIGHT

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

SCHOOLS/CHOICE: Provides relative to public school choice

1 AN ACT

2 To amend and reenact R.S. 17:4035.1(C) through (E) and to enact R.S. 17:4035.1(F) and  
3 (G), relative to public school choice; to provide relative to school funding; to provide  
4 relative to the applicability of school and district accountability; to provide for an  
5 appeals process for public school choice enrollment denials; and to provide for  
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:4035.1(C) through (E) are hereby amended and reenacted and  
9 R.S. 17:4035.1(F) and (G) are hereby enacted to read as follows:

10 §4035.1. Public ~~School Choice~~ school choice

11 \* \* \*

12 C.(1) If a school or governing authority denies the enrollment request of a  
13 prospective student for an intradistrict transfer, the parent or legal guardian of the  
14 student may appeal the decision to the State Board of Elementary and Secondary  
15 Education. Within ninety days of receipt of an appeal, the state board shall approve  
16 or deny the request to enroll. If the state board approves the request, the student shall  
17 be allowed to enroll at the school within thirty days of the decision.

18 (2) If the state board approves a request for enrollment in a school with an  
19 enrollment waiting list, the school may use its discretion in determining to place the  
20 student ahead of any other prospective student on the waiting list.

21 (3) The state board shall adopt rules required for implementation of this  
22 Subsection.

1           D. Notwithstanding the provisions of R.S. 17:158 to the contrary, a school  
2 system shall not be required to provide transportation to any student enrolled in a  
3 public school pursuant to this Section that is located outside of the geographic  
4 boundaries of the school system in which the student resides, if providing such  
5 transportation will result in additional cost to the school system.

6           ~~D.~~ E.(1) Any student enrolled in a public school pursuant to the provisions  
7 of this Section shall be counted by the local public school system in which he is  
8 enrolled for purposes of the minimum foundation program and formula, and any  
9 other available state or federal funding for which the student is eligible.

10           (2) A student who enrolls in a school under the jurisdiction of a different  
11 governing authority than his previous school shall not be included in the school's  
12 school and district accountability system ratings for two years after enrollment.

13           (3) The state board shall make every effort to identify and pursue federal,  
14 state, and philanthropic sources of funding to provide financial incentives and  
15 student supports for schools that enroll students pursuant to this Section.

16           ~~E.~~ F.(1) The governing authority of each public elementary and secondary  
17 school shall work collaboratively and cooperatively to ensure compliance with the  
18 provisions of this Section and shall adopt a policy to govern student transfers  
19 authorized by this Section. ~~Each governing authority shall develop a definition for~~  
20 ~~"capacity" for each school and shall incorporate it into written policy.~~ The policies  
21 shall include:

22           (a) A definition of "capacity" for each school.

23           (b) The transfer request period, which shall begin no later than March first  
24 and end no earlier than March twenty-eighth, annually.

25           (2) Prior to the transfer request period, the public school governing authority  
26 shall notify parents and legal guardians of students enrolled in a school that received  
27 a "D" or "F" school performance letter grade pursuant to the state's school and  
28 district accountability system for the most recent school year of the following:

29           (a) The provisions of this Section.

1           (b) The schools under the jurisdiction of the governing authority that  
2           received an "A", "B", or "C" school performance letter grade, if any.

3           (c) The process for submitting student transfer requests.

4           (d) The page on the state Department of Education's website that contains  
5           school performance data.

6           (3) Such policies shall be posted to the school governing authority's website  
7           no later than ~~September 30, 2018~~, September 30, 2022, and reported to the state  
8           Department of Education no later than ~~December 31, 2018~~ December 31, 2022.

9           (2)(4) Any student transfer pursuant to the provisions of this Section shall  
10           comply with the policy adopted by the governing authority of the school in which the  
11           student seeks to enroll.

12           G. The state board shall report to the House Committee on Education and the  
13           Senate Committee on Education no later than October thirty-first annually regarding  
14           student transfers including but not limited to the following information,  
15           disaggregated by family income and race and ethnicity:

16           (1) The number of interdistrict student transfer requests received, accepted,  
17           appealed, and denied during the most recent school year.

18           (2) The number of intradistrict student transfer requests received, accepted,  
19           appealed, and denied during the most recent school year.

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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 211 Engrossed

2021 Regular Session

Wright

**Abstract:** Provides relative to the ability of students to attend the public school of their choice, including provisions for appealing a denial of enrollment to the State Bd. of Elementary and Secondary Education (BESE).

Present law allows parents to enroll children in the public school of their choice, without regard to residence, school system geographic boundaries, or attendance zones, if both of the following apply:

(1) The public school in which the student was most recently enrolled or would otherwise attend received a school performance letter grade of "D" or "F" for the most recent school year.

- (2) The school in which the student seeks to enroll received a school performance letter grade of "A", "B", or "C" for the most recent school year and has sufficient capacity at the appropriate grade level.

Proposed law retains present law.

Proposed law authorizes appeals to BESE by parents of students who are denied enrollment into their public school of choice. Provides if BESE overturns the denial of a transfer request and the student's desired school of attendance has a waiting list for enrollment, the school is authorized to determine the order of names on the list.

Present law requires each public school governing authority to adopt a policy to govern student transfers authorized by present law. Proposed law retains present law and further requires that the policy be posted to each of the governing authorities' websites by Sept. 30, 2022, and reported to the state Dept. of Education by Dec. 31, 2022.

Proposed law requires such policy to include an annual transfer request period. Requires public school governing authorities to notify parents and legal guardians of the policy; the provisions of R.S. 17:4035.1; "A", "B", and "C" schools under its jurisdiction; and where to find school performance letter grades on the department's website.

Proposed law requires BESE to pursue funds to provide financial incentives and student supports to schools enrolling students pursuant to present law and proposed law.

Proposed law provides that if a student chooses a school under a different governing authority, he shall not be included in the school's performance ratings for his first two years of attendance.

Proposed law requires BESE to submit a report on or before Oct. 31 annually to the legislative committees on education which includes data relative to student transfers during the most recent school year.

(Amends R.S. 17:4035.1(C) through (E); Adds R.S. 17:4035.1(F) and (G))