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**HOUSE COMMITTEE AMENDMENTS**

2021 Regular Session

Substitute for Original House Bill No. 494 by Representative Mincey as proposed by the House Committee on Education

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**This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.**

To amend and reenact R.S. 17:4035.1(A) and (C), relative to public school choice; to remove performance score limitations on school selections; to provide relative to school funding; to require a written agreement between certain parties for students attending out-of-district schools; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:4035.1(A) and (C) are hereby amended and reenacted to read as follows:

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

A. (1) The parent or other legal guardian of any student may enroll his child in the public school of his choice, without regard to residence, school system geographic boundaries, or attendance zones, provided both of the following apply:

~~(1)~~ (a) 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, pursuant to the state's school and district accountability system.

~~(2)~~ (b) 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, pursuant to the state's school and district accountability system, and has sufficient capacity at the appropriate grade level.

(2) Notwithstanding Paragraph (1) of this Subsection, a student may enroll at the school of his choice without regard to school and district accountability scores.

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C. ~~Notwithstanding the provisions of R.S. 17:158 to the contrary, a school system shall not be required to provide transportation to any student enrolled in a~~

~~public school pursuant to this Section that is located outside of the geographic boundaries of the school system in which the student resides, if providing such transportation will result in additional cost to the school system.~~ (1) For any interdistrict school choice pursuant to Subsection A of this Section, an agreement is required, which at a minimum:

(a) Is a written agreement between the two affected public school governing authorities and a parent or legal guardian of the student.

(b) Arranges for transportation for the student to and from the admitting school.

(c) Provides for the transfer of sufficient local funds to account for the student's enrollment, including a schedule for payments.

(d) Establishes the conditions under which the agreement may be terminated prior to the end of its stated term, which shall account for the impact an early termination would have on the transfer of local funds as provided for in this Subsection.

(e) Includes an acknowledgment that the agreement does not create an entitlement to enrollment beyond the term of the agreement.

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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 Draft

2021 Regular Session

**Abstract:** Requires a written agreement between affected public school governing authorities and a parent for a student to attend the public school in another district.

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 provides that school performance letter grades do not limit school choice.

Present law provides that the authority to enroll a student in the public school of choice shall not be exercised if doing so violates a court order. Proposed law retains present law.

Present law provides a student enrolled in a public school shall be counted by the public school governing authority in which he is enrolled for purposes of the Minimum Foundation Program formula and any other available state or federal funding for which the student is eligible. Proposed law retains present law.

Present law provides a public school governing authority shall not be required to provide transportation to any student enrolled in a public school that is located outside the geographic boundaries of the school district in which he resides if it will result in additional cost to the governing authority. Proposed law removes present law.

Proposed law requires, for a student to enroll in a public school in another district, a written agreement between his current public school governing authority, his prospective public school governing authority, and his parent to address at a minimum:

- (1) Transportation for the student to and from the admitting school.
- (2) Local funds to be transferred to cover the cost of the student's transfer.
- (3) The conditions for which the agreement may be terminated.
- (4) An acknowledgment that the transfer agreement does not guarantee enrollment beyond the term of the agreement.

(Amends R.S. 17:4035.1(A) and (C))