

## CONFERENCE COMMITTEE REPORT

HB 253

2021 Regular Session

McKnight

June 7, 2021

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 253 by Representative McKnight, recommend the following concerning the Reengrossed bill:

1. That Senate Committee Amendment Nos. 1 through 7, 9 through 14, and 16 through 20 by the Senate Committee on Education (#2067) be adopted.
2. That Senate Committee Amendment Nos. 8 and 15 by the Senate Committee on Education (#2067) be rejected.
3. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 2, line 8, after "District" and before "shall" insert "is hereby created and"

AMENDMENT NO. 2

On page 3, line 16, after "composed of" and before "members," change "eleven" to "twelve"

AMENDMENT NO. 3

On page 5, between lines 3 and 4, insert the following:

"(11) One alumnus of a Louisiana Special School.

"B. Of the members appointed by the governor, there shall be at least one resident of each public health region established by the office of public health of the Louisiana Department of Health, with no more than two members from any region."

AMENDMENT NO. 4

On page 5, at the beginning of line 4, change "B." to "C."

AMENDMENT NO. 5

On page 5, at the end of line 8, insert "No member of the board shall be an employee of the Special School District."

AMENDMENT NO. 6

On page 5, at the beginning of line 9, change "C." to "D."

AMENDMENT NO. 7

On page 6, at the beginning of line 12, change "D." to "E."

AMENDMENT NO. 8

On page 7, at the beginning of line 18, change "E." to "F."

Respectfully submitted,

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Representative Markham Scott McKnight

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Senator Sharon Hewitt

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Representative Mark Wright

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Senator Cleo Fields

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Representative Barry Ivey

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Senator Regina Ashford Barrow

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)]

**CONFERENCE COMMITTEE REPORT DIGEST**

**HB 253**

**2021 Regular Session**

**McKnight**

**Keyword and oneliner of the instrument as it left the House**

SCHOOLS: Provides relative to the governance and funding of the Special School District, which provides special education services through its schools and programs

**Report adopts Senate amendments to:**

1. Provide for creation of the Special School District.
2. Relative to the board, increase board membership from 11 to 12. Specify that all board members are subject to Senate confirmation, and provide for election of officers.
3. Remove the district and its superintendent from the organizational structure of the Dept. of Education.

**Report rejects Senate amendments which would have:**

1. Provided for the additional board member to be the parent of an enrolled student.

**Report amends the bill to:**

1. Provide for the additional member to be an alumnus.
2. Require the governor to appoint at least one resident of each region established by the office of public health.
3. Prohibit district employees from being members of the board.

**Digest of the bill as proposed by the Conference Committee**

**Special School District, generally**

Present law provides that the Special School District (SSD) includes the La. Special Schools (the La. School for the Deaf and the La. School for the Visually Impaired) and Special School Programs, which provide services to students in state-operated facilities. Proposed law retains present law.

**Governance**

Present law provides that the SSD is an educational service agency administered by the Dept. of Education and governed by the state superintendent of education. Proposed law creates the district as an independent agency governed by a newly created board of directors with 12 members subject to Senate confirmation (one member of the State Board of Elementary and Secondary Education appointed by the state board president and 11 members appointed by the governor). Provides that of the 11 gubernatorial appointees, there shall be at least one resident of each region established by the office of public health, with no more than two members from any region. Provides for election of officers and the board's powers and duties

with respect to district governance and prohibits board members from being employees of the SSD.

**Administration**

Present law provides for the SSD to be under the administration of a district superintendent appointed by the state superintendent of education (subject to confirmation by the Senate), who shall set his salary and oversee his duties and functions. Proposed law transfers such authorities from the state superintendent to the board of directors.

**Funding**

Proposed law requires the board to adopt an annual budget to adequately fund the district and that the district shall be considered a public school and be included in the minimum foundation program (MFP) formula. Provides that funding shall be provided both through the MFP via fund allocation by the state Dept. of Education and through direct appropriations to the district.

**Enrollment**

Present law requires the Special Schools to establish an annual enrollment deadline for admission. Provides that after a school's deadline, any other children with hearing, visual, or orthopedic impairments may enroll if the school determines it has sufficient resources. Proposed law revises enrollment procedures by requiring the Schools for the Deaf and Visually Impaired, upon parental request, to enroll students with low incidence disabilities and students eligible under the Individuals with Disabilities Education Act requiring special education services upon their admission into state facilities in which the SSD provides special education services.

**Transition**

Proposed law provides for the transition to begin on July 1, 2021, for the governor to appoint the board members by July 15, 2021, and for the board to resume responsibility for providing for the education of students on Aug. 1, 2021.

Proposed law provides that the district superintendent serving upon the effective date of proposed law may continue to serve unless removed by the board.

Effective July 1, 2021.

(Amends R.S. 17:43(A) and (B)(1), 1945(A) and (B)(2), and 1946(A) and R.S. 36:642(C)(1), 643(A), and 648.1; Adds R.S. 17:1945.1 and 1945.2 and R.S. 36:651(D)(11))