HLS 22RS-769 REENGROSSED

2022 Regular Session

HOUSE BILL NO. 261

1

BY REPRESENTATIVES MAGEE, AMEDEE, BROWN, BRYANT, EDMONSTON, EMERSON, FISHER, GREEN, HARRIS, LARVADAIN, MARINO, NELSON, ORGERON, PIERRE, STEFANSKI, THOMAS, THOMPSON, AND ZERINGUE

SCHOOLS: Creates a French immersion school in the community of Pointe-au-Chien in Terrebonne Parish

AN ACT

2	To enact Part II-E of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, to be
3	comprised of R.S. 17:1977.1 through 1977.3, and R.S. 36:651(C)(13), relative to
4	education; to create an independent public French immersion school; to provide for
5	the location of the school and the grade levels to be served; to provide for a board of
6	directors and a school director and the powers, duties, and responsibilities of each;
7	to provide for board membership, terms, and compensation; to provide for an
8	effective date; to provide for funding; and to provide for related matters.
9	Be it enacted by the Legislature of Louisiana:
10	Section 1. Part II-E of Chapter 8 of Title 17 of the Louisiana Revised Statutes of
11	1950, comprised of R.S. 17:1977.1 through 1977.3, is hereby enacted to read as follows:
12	PART II-E. ÉCOLE POINTE-AU-CHIEN
13	§1977.1. École Pointe-au-Chien; creation; location; governance
14	There is hereby created École Pointe-au-Chien, a public French immersion
15	school for students in grades prekindergarten through four. The school shall be
16	located in Terrebonne Parish. The school shall be independent of the control of the
17	state superintendent of education and of all local and state education boards except
18	its board of directors.

## Page 1 of 6

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	§1977.2. Board of directors; creation; membership; terms; powers; voting;
2	compensation
3	A. There is hereby created a board of directors for the school, referred to in
4	this Part as the "board". The board shall be composed of seven members as follows:
5	(1) Three members appointed by the state-recognized Pointe-au-Chien
6	Indian Tribe.
7	(2) One member appointed by the state-recognized Isle-De-Jean-Charles
8	Band of Biloxi-Chitimacha-Choctaw Indians of Louisiana.
9	(3) One member appointed by the governor.
10	(4) One member appointed by the Council for the Development of French
1	in Louisiana.
12	(5) One member appointed by the Consul General of France in Louisiana.
13	B. The terms of the members of the board shall be four years.
14	C. Four members of the board shall constitute a quorum for the transaction
15	of business, and all official action of the board shall require the favorable vote of a
16	majority of those members present and voting.
17	D. The board shall have the authority to do the following:
18	(1) Accept donations, bequests, or other forms of financial assistance for
19	educational purposes from any public or private person or agency and comply with
20	rules and regulations governing grants from the federal government or from any
21	other person or agency.
22	(2) Purchase land and equipment and make improvements to facilities
23	necessary for the use of the school in accordance with applicable law.
24	(3) Lease land or other property belonging to it or to the school, subject to
25	approval of the commissioner of administration and in accordance with law.
26	(4) Sell or exchange land or other real property not needed for school
27	purposes, but only when specifically authorized by law and then only in accordance
28	with the procedures provided in R.S. 41:892 for the sale of unused school lands. The
29	sale shall be authorized by resolution adopted by the board, and the act of sale shall

1

2	may be delegated by the board in the authorizing resolution.
3	(5) Adopt rules, regulations, and policies necessary or proper for the conduct
4	of the business of the board.
5	(6) Enter into contracts and agreements which have been recommended by
6	the director, in accordance with applicable law, and to the extent that funds are
7	specifically appropriated therefor, with other public agencies with respect to
8	cooperative enterprises and undertakings related to or associated with an educational
9	purpose or program affecting education in the school. This shall not preclude the
10	board from entering into other such contracts and agreements that it deems necessary
11	to carry out its duties and functions.
12	(7) Perform such other functions as are necessary for the governance of the
13	school.
14	E. In addition to the authorities granted by this Section and any powers,
15	duties, and responsibilities vested by any other applicable laws, the board shall:
16	(1) Adopt rules, regulations, and policies, including a student handbook, that
17	are necessary for the efficient operation of the school.
18	(2) Prescribe and select for use in the school free textbooks and other
19	materials of instruction for students enrolled in the school.
20	(3) Select a director who shall be the chief administrative officer of the
21	school and who shall administer the rules, regulations, and policies adopted by the
22	board. The board shall delegate to the director such of its powers and duties as it
23	deems appropriate to aid the director in the efficient administration of his
24	responsibility for the implementation of the policies of the board. The director shall
25	be responsible for all the administrative functions, duties, and needs of the board
26	including but not limited to the following:
27	(a) Preparing an annual budget necessary for the continued operation of the
28	school and submitting such budget to the board for adoption.

be signed by the president of the board or such other person to whom the signing

1	(b) Paying the expenses of the board and its members and the salaries and
2	expenses, including but not restricted to facilities, equipment, and supplies of the
3	faculty and staff of the school out of funds appropriated or otherwise made available
4	for the operating and administrative expenses of the board and the school.
5	(c) Exercising budgetary responsibility and allocating for expenditure by the
6	school all monies appropriated or otherwise made available for purposes of the board
7	and the school.
8	(d) Developing and annually updating a student handbook including but not
9	limited to all rules, regulations, and policies for the disciplining of students and
10	submitting such handbook to the board for adoption as provided in Paragraph (1) of
11	this Subsection.
12	(e) Determining faculty and staff positions necessary for the efficient
13	operation of the school and selecting personnel for such positions.
14	(f) Creating an advisory panel of individuals with expertise or interest in
15	matters pertaining to the school.
16	F. Members of the board shall not receive any compensation for their service
17	as members.
18	G. The school shall act as its own local education agency.
19	§1977.3. Funding; inclusion in the minimum foundation program formula; other
20	appropriated state funds
21	A. The board of directors of the school annually shall prepare and adopt a
22	recommended budget to adequately fund the educational programs at the school. The
23	budget shall have as its goal to provide state funding for the school which shall not
24	be less than the average funding on a per-student basis at peer institutions in other
25	states having similar programs and enrollments and may provide for achieving its
26	goal over a multi-year period. The recommended budget shall be submitted to the
27	division of administration as the total budget request for the school.
28	B. École Pointe-au-Chien shall be considered a public school and, as such,
29	shall be included by the State Board of Elementary and Secondary Education in the

1	formula required by Article VIII, Section 13 of the Constitution of Louisiana used
2	to determine the cost of a minimum foundation program of education in all public
3	elementary and secondary schools. Funding shall be provided through
4	appropriations made directly to the school from the state general fund and through
5	funds appropriated for the minimum foundation program and allocated to the school
6	by the state Department of Education.
7	Section 2. R.S. 36:651(C)(13) is hereby enacted to read as follows:
8	§651. Transfer of boards, commissions, departments, and agencies to Department
9	of Education; boards, commissions, and agencies within Department of
10	Education
11	* * *
12	C. The following agencies are transferred to and hereafter shall be within the
13	Department of Education as provided in R.S. 36:801.1:
14	* * *
15	(13) École Pointe-au-Chien board of directors (R.S. 17:1977.1 et seq.).
16	* * *
17	Section 3. This Act shall become effective upon signature by the governor or, if not
18	signed by the governor, upon expiration of the time for bills to become law without signature
19	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
20	vetoed by the governor and subsequently approved by the legislature, this Act shall become
21	effective on the day following such approval.

## **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)]

HB 261 Reengrossed

2022 Regular Session

Magee

**Abstract:** Creates an independent public French immersion school in Terrebonne Parish.

<u>Proposed law</u> creates École Pointe-au-Chien, an independent public French immersion school in Terrebonne Parish. Provides that the school shall be its own local education agency. Provides for governance by a seven-member board of directors, which shall be the school's sole governing authority. Provides for state funding and the education of students in grades prekindergarten through four.

## Page 5 of 6

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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

(Adds R.S. 17:1977.1-1977.3 and R.S. 36:651(C)(13))