HLS 22RS-1708 REENGROSSED

2022 Regular Session

HOUSE BILL NO. 946

1

BY REPRESENTATIVE DUSTIN MILLER

EDUCATION/SPECIAL: Provides relative to the membership and reports of special education advisory councils

AN ACT

2	To amend and reenact R.S. 17:1944.1(B)(1) and (C) and to enact R.S. 17:1944.1(B)(3)(c),
3	relative to local special education advisory councils; to provide relative to
4	membership on such councils; to provide relative to reports from such councils; and
5	to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 17:1944.1(B)(1) and (C) are hereby amended and reenacted and R.S.
8	17:1944.1(B)(3)(c) is hereby enacted to read as follows:
9	§1944.1. Local special education advisory councils; creation; purpose
10	* * *
11	B.(1) The number of council members and composition of the council shall
12	be determined by the local public school superintendent or the administrative head
13	of each charter school or other public school. However, the council's membership
14	shall be composed as follows:
15	(a) Fifty Except as otherwise provided by this Subparagraph, at least fifty
16	percent of the membership shall be parents or legal guardians of students with an
17	exceptionality, other than gifted and talented, who are enrolled in a school under the

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

jurisdiction of or who are receiving special education services from the public school
governing authority, none of whom shall be employees of the public school
governing authority. One high school student with an exceptionality, other than
gifted and talented, and one person who represents an entity that serves students with
disabilities or families of students with disabilities and who is not an employee of the
school governing authority may be counted to meet the requirement of this
Subparagraph.
(b) Twenty-five percent of the membership shall be teachers, principals, or
paraprofessionals.
(c) Twenty-five At least ten percent of the membership shall be other special
education stakeholders other than those provided for by Subparagraphs (a) and (c)
of this Paragraph.
(c) A teacher, principal, or paraprofessional shall be appointed to any
position on a council that is not filled by a person specified in Subparagraph (a) or
(b) of this Paragraph.
* * *
(3)
* * *
(c) A council should be comprised of at least eight members. If a council
has fewer than eight members, the superintendent or administrative head of a charter
school shall provide an explanation of his decision to establish a council with fewer
than eight members. The explanation shall be provided to the council, and the
council shall include it as an addendum to the report required by Subsection C of this
Section.
C. Each special education advisory council shall meet at least three times a
year and shall submit a written report to the local public school superintendent or the
administrative head of the charter school or other public school and the Special
Education Advisory Panel in May of each year regarding its activities. The local
public school superintendent or the administrative head of the charter school or other

public school shall ensure that the report is posted on the district's or the school's

website, and all such reports shall be submitted to the state Department of Education

and published on its website.

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 946 Reengrossed

2022 Regular Session

Dustin Miller

Abstract: Provides relative to membership on and reports produced by local special education advisory councils, which advise public schools regarding special education.

<u>Present law</u> requires 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 advice and feedback regarding special education policies, procedures, and resources. Provides that such a council shall also engage in outreach activities to increase the level of knowledge, support, and collaboration with respect to special education.

<u>Present law</u> provides that the number of council members is determined by the authority creating the council. <u>Proposed law</u> retains <u>present law</u> but provides that if the council has fewer than eight members, the authority creating the council shall explain this decision to the council, which shall include the explanation in its report as required by <u>proposed law</u>.

Proposed law modifies requirements regarding groups represented on the council as follows:

(1) Parents or legal guardians of current students with an exceptionality, other than gifted and talented:

<u>Present law</u> requires that 50% of council membership be members of this group. <u>Proposed law</u> requires that *at least* 50% of council membership be members of this group, except that this group may include parents of children receiving special education services from the public school governing authority, one high school student with an exceptionality, other than gifted and talented, and one person who represents an entity that serves students with disabilities or their families. Also prohibits inclusion of school employees in this membership group.

(2) Special education stakeholders other than parents and teachers, principals, or paraprofessionals:

<u>Present law</u> requires that 25% of council membership be members of this group. <u>Proposed law</u> requires that *at least 10%* of council membership be members of this group.

(3) Teachers, principals, or paraprofessionals:

<u>Present law</u> requires that 25% of council membership be members of this group. <u>Proposed law</u> requires the balance of the council membership be appointed from this group.

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<u>Present law</u> requires that each local special education advisory council report annually to the superintendent or administrative head.

<u>Proposed law</u> requires each council to also report to the Special Education Advisory Panel. Requires that the superintendent or administrative head ensure that the report is posted on the district's or the school's website. Further requires publication of all such reports on the state Dept. of Education's website.

(Amends R.S. 17:1944.1(B)(1) and (C); Adds R.S. 17:1944.1(B)(3)(c))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Education</u> to the original bill:

- 1. Change <u>proposed law</u> regarding minimum number of council members <u>from</u> 13 <u>to</u> nine and limit applicability of this provision to schools or school systems with more than 1,000 students.
- 2. Authorize inclusion of one high school student with an exceptionality and one person who represents an entity that serves students with disabilities or their families in the parents groups of council members.

The House Floor Amendments to the engrossed bill:

- 1. Remove requirement that certain councils be comprised of not fewer than nine members and require instead that if a council has fewer than eight members, the authority creating the council shall explain this decision.
- 2. Authorize inclusion of parents of children receiving special education services from the public school governing authority on the councils.