

2023 Regular Session

HOUSE BILL NO. 78

BY REPRESENTATIVE HUGHES

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

SCHOOLS: Provides relative to school facilities preservation and systemwide needs programs in certain school districts

1 AN ACT

2 To amend and reenact R.S. 17:100.11(G)(1) and (I)(2) and 100.12, relative to school  
3 facilities and needs in certain school districts; to provide relative to funds dedicated  
4 to preserving and improving school facilities; to provide for the systemwide needs  
5 program and for the funding and operation of such program; and to provide for  
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:100.11(G)(1) and (I)(2) and 100.12 are hereby amended and  
9 reenacted to read as follows:

10 §100.11. School facilities preservation; certain districts

11 \* \* \*

12 G.(1) The school board shall establish a capital improvement fund and make  
13 grants from the fund to schools that are in campuses in the school district to finance  
14 preservation, improvements, capital repairs, construction, and replacement of  
15 facilities ~~that were constructed prior to September 1, 2005, and that have not~~  
16 ~~received a renovation exceeding half the value of the facility's replacement cost since~~  
17 ~~that date, all in accordance with this Subsection.~~

18 \* \* \*

1 I. For purposes of this Section, the following terms shall have the meaning  
2 ascribed:

3 \* \* \*

4 (2) "School" means any public school with a unique site code assigned by  
5 the department or any educational program that serves public school students on a  
6 campus pursuant to a partnership with the school board as defined by school board  
7 policy governing school facilities preservation.

8 \* \* \*

9 §100.12. Systemwide needs program

10 A.(1) There is hereby established for each school district as defined in R.S.  
11 17:100.11(I) a systemwide needs program. The program shall be funded, structured,  
12 and operated as provided in this Section and ~~policies~~ in policies adopted by the school  
13 board.

14 (2) The purpose of the program is to direct initiatives that will result in  
15 districtwide improvements in areas that can be more efficiently and effectively  
16 addressed at the system level than at the school level.

17 B. The school district shall create a special fund for the purpose of  
18 dedicating money to the program. The district shall annually deposit into the fund  
19 one hundred twenty dollars per student in the district less the district's expenditures  
20 that year for costs identified in R.S. 17:1990(C)(2)(a)(iii)(aa)(I) through (IV). The  
21 office provided for in Subsection C of this Section shall receive ten dollars per  
22 student in the district from the fund. The school board may adjust this amount on an  
23 annual basis by the lesser of the most recent annual percentage increase in the  
24 Consumer Price Index published by the United States Department of Labor or the  
25 percentage increase in the minimum foundation program formula funds from the  
26 prior to the current year.

27 C. The school board shall create an office to manage and oversee the  
28 program. To the extent that funds are available, the office shall perform the  
29 following functions:

1           (1) Oversee the planning, development, engagement, and execution of the  
2           improvement plans provided for in Subsection D of this Section.

3           (2) Collect, analyze, and report on systemwide needs program performance  
4           data.

5           (3) Track key plan and program outputs, performance outcomes, and  
6           expenditure of funds.

7           (4) Monitor service offerings by funding recipients and tracking performance  
8           objectives.

9           (5) Perform administrative tasks related to the competitive process provided  
10          for in Subsection F of this Section, data management, and program budgeting.

11          (6) Oversee contract development and management.

12          D. The superintendent shall:

13                 (1) Develop and propose plans for improvement in particular areas of focus.

14                 The superintendent shall propose an improvement plan to use the systemwide needs  
15                 fund to support one or more areas of focus for no less than three years and shall  
16                 propose new areas of focus and improvement plans for school board approval not  
17                 more frequently than once every three years. The superintendent shall develop such  
18                 plans and proposed areas of focus in collaboration with school leaders in the school  
19                 district as more specifically provided by school board policy.

20                 (2) Include related performance objectives and a proposed level of funding  
21                 in any plan for improvement in an area of focus.

22                 (3) Submit such plans to the school board for approval; such approval  
23                 requires a majority vote of the entire membership of the board. The superintendent  
24                 shall demonstrate, to the satisfaction of the school board, that an area of focus will  
25                 impact at least fifty percent of the public school students or fifty percent of the public  
26                 schools over the course of the funding cycle for the area of focus.

27                 (4) Consider how the expenditures from the fund could be coordinated with  
28                 other funds in order to increase the effectiveness of the program.

1 (5) Annually report to the school board on the performance objectives and  
2 the expenditure of funds for the program.

3 ~~D. E.~~ E. The school board may approve a plan and proposed areas of focus and  
4 appropriate expenditures from the fund therefor.

5 E. F.(1) The superintendent shall implement an approved plan by awarding  
6 funds through a competitive process according to policies developed by the school  
7 board. Funds may be expended directly by the district ~~but shall not be used to pay,~~  
8 ~~directly or indirectly, for school district or school board personnel, staff, or operating~~  
9 ~~expenditures.~~ Funds awarded to schools may be used only for the following  
10 purposes:

11 (a) Procuring materials, services, or other supports from district-approved  
12 organizations or vendors.

13 (b) Providing services for students systemwide that are aligned with one or  
14 more board-approved areas of focus.

15 (2) An applicant for funds shall demonstrate how the proposed good or  
16 service will contribute to the achievement of the goals and objectives of the approved  
17 plan.

18 (3) An applicant for funds shall demonstrate that at least twenty-five percent  
19 of the funds it will expend to achieve its proposal are from sources other than this  
20 program.

21 (4) Funding applications shall be approved according to school board policy.  
22 No expenditure shall be made from the fund except as provided in this Subsection.  
23 No expenditure of funds shall be made in excess of the amount approved by the  
24 school board for a particular area of focus.

## 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 78 Engrossed

2023 Regular Session

Hughes

**Abstract:** Provides relative to school facilities preservation and systemwide needs programs.

**School Facilities Preservation**

Present law establishes a school facilities preservation program in school districts in which failing schools were transferred to the jurisdiction of the Recovery School District (RSD) in accordance with a specified provision of present law. Proposed law retains present law.

For purposes of present law relative to the program, present law defines "school" as the following: any public school with a unique site code assigned by the state Department of Education (DOE). Proposed law expands the definition to include any educational program that serves public school students on a school board campus pursuant to a partnership with the school board as defined by school board policy governing school facilities preservation.

**Capital Improvement Fund**

Present law requires the school board of each district in the program to establish a capital improvement fund from which the board shall make grants to schools to finance preservation, improvements, capital repairs, construction, and replacement of certain facilities. Requires the school board to adopt policies for the administration of the fund. Proposed law retains present law.

Present law provides that facilities that were constructed prior to Sept. 1, 2005, and that have not received a renovation exceeding half the value of the facility's replacement cost since that date are eligible for grants from the fund. Proposed law removes these eligibility criteria.

**Systemwide Needs Program**

Present law establishes a systemwide needs program in school districts in which failing schools were transferred to the jurisdiction of the RSD in accordance with a specified provision of present law. Proposed law retains present law.

Present law requires the school district to create a special fund to dedicate money to the program. Provides for the annual deposit into the fund of \$120 per student in the district less the district's expenditures that year for costs identified in present law relative to certain legacy expenses. Proposed law retains present law.

Proposed law requires the school board to create an office to manage and oversee the program. From the special fund, requires \$10 per student be dedicated to the office. Authorizes the school board to adjust this per-student amount.

To the extent that funds are available, the office shall perform the following:

- (1) Oversee the superintendent's improvement plans provided for in present law.
- (2) Report on systemwide needs program performance data.

- (3) Track plan and program outputs, performance outcomes, and expenditure of funds.
- (4) Monitoring of the services offered by those awarded funds and track performance objectives.
- (5) Administrative tasks related to the competitive process for awarding funds.
- (6) Oversee contract management.

Present law provides that the school district superintendent shall implement an approved plan by awarding funds through a competitive process according to policies developed by the school board. Funds may be expended directly by the district. Proposed law retains present law.

Present law prohibits funds from being used to pay for personnel or operating expenditures. Proposed law removes present law.

(Amends R.S. 17:100.11(G)(1) and (I)(2) and 100.12)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Amend regarding education programs that are included in the definition of school.