

Regular Session, 2011

SENATE BILL NO. 248

BY SENATOR WILLARD-LEWIS

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

EDUCATION ACCOUNTABILITY. Clarifies the process for returning back to the school system those schools that have been transferred to the RSD that are no longer academically unacceptable. (gov sig)

1 AN ACT

2 To enact R.S. 17:10.5(F) and 10.7(E), relative to school and district accountability; to  
3 require the Recovery School District to return certain schools to the transferring  
4 school system; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 17:10.5(F) and 10.7(E) are hereby enacted to read as follows:

7 §10.5. School and district accountability; failing schools; transfer to Recovery  
8 School District

9 \* \* \*

10 **F. Notwithstanding the provisions of Subsection C of this Section or any**  
11 **other provision of law, when a school transferred to the Recovery School**  
12 **District under the provisions of this Section is no longer deemed academically**  
13 **unacceptable pursuant to the Louisiana School and District Accountability**  
14 **System, the State Board of Elementary and Secondary Education shall require**  
15 **the administering agency of the district to seek agreement for the immediate**  
16 **return of the school to the administration and management of the transferring**  
17 **school system.**

\* \* \*

§10.7. School and district accountability; schools in districts in academic crisis;  
transfer to Recovery School District

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**E. Notwithstanding the provisions of Subsection C of this Section or any other provision of law, when a school transferred to the Recovery School District under the provisions of this Section is no longer deemed academically unacceptable pursuant to the Louisiana School and District Accountability System, the State Board of Elementary and Secondary Education shall require the administering agency of the district to seek agreement for the immediate return of the school to the administration and management of the transferring school system.**

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jeanne C. Johnston.

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DIGEST

Present law (R.S. 17:10.5(C) and 10.7(C):

Provide that the Recovery School District (RSD) shall retain jurisdiction of any school transferred to it for not less than five school years (not including the school year of the transfer, if applicable).

Require the RSD to report to BESE at least nine months prior to the expiration of the transfer period. Provides that the report include a recommendation as to whether a school should continue in the RSD under certain conditions, close, or be returned to the transferring system with stipulations and conditions for the return.

Require BESE to take action on such recommendations not later than six months prior to the expiration of each transfer period.

With respect to schools transferred to the RSD pursuant to R. S. 17:10.7, present law additionally provides as follows:

Authorizes BESE to continue any school in the RSD for additional 5-year periods by a majority vote of its membership.

Requires BESE to conduct a public hearing within the jurisdiction of school board from which a school was transferred at least six months prior to the expiration of the initial or subsequent transfer period.

Proposed law provides that notwithstanding any provision of present law, when a school transferred to the RSD is no longer deemed academically unacceptable, BESE shall require the administering agency of the RSD to seek agreement for the immediate return of the school to the administration and management of the transferring school system.

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

(Adds R.S. 17:10.5(F) and 10.7(E))