

Regular Session, 2013

SENATE BILL NO. 206

BY SENATOR LAFLEUR

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

SCHOOLS. Provides for empowered community schools. (7/1/13)

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AN ACT

To enact Chapter 45 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4051 through 4057, relative to empowered community schools; to provide for the designation of such schools; to provide for the authority of principals of such schools; to provide for the applicability of school board policies; to provide for funding, reports, and audits; to provide for the liability of school boards; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 45 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:4051 through 4057, is hereby enacted to read as follows:

**CHAPTER 45. EMPOWERED COMMUNITY SCHOOLS ACT**

**§4051. Title**

**This Chapter shall be known as the "Empowered Community Schools Act".**

**§4052. Legislative findings**

**The legislature hereby finds and declares that:**

**(1) Public elementary and secondary schools throughout the state have**

1 diverse needs according to student population, geography, human and financial  
2 resources, and local economic conditions that require local strategies to meet the  
3 needs of students.

4 (2) In order to prepare all Louisiana students for college or a sustainable  
5 career, those closest to students, especially parents and educators, who know  
6 and serve their needs first-hand, must be afforded the ability to make decisions  
7 to support their academic and developmental growth.

8 (3) Capable school leaders, when empowered to make decisions to  
9 effectively lead their schools, can bring about significant growth in student  
10 achievement through the thoughtful management of human and financial  
11 resources.

12 (4) Superintendents annually evaluate the effectiveness of principals  
13 based on a rigorous combination of on-the-job observation and progress in  
14 student achievement.

15 §4053. Empowered community school; declaration; designation

16 A. Beginning with the 2013-2014 fiscal year, any public elementary or  
17 secondary school principal who meets the standard of effectiveness set forth by  
18 the State Board of Elementary and Secondary Education, hereinafter referred  
19 to as "state board", as determined by his superintendent, may declare his school  
20 an empowered community school for the following school year, beginning with  
21 the 2014-2015 school year, and receive school-level decision-making authority  
22 to meet the unique needs of the school and its students. Designation as an  
23 empowered community school shall confer upon the school principal the  
24 authority to manage instructional, personnel, and financial decisions as  
25 provided for in this Chapter.

26 B. Designation as an empowered community school shall remain in  
27 effect as long as the principal retains an effective rating pursuant to standards  
28 adopted by the state board or until the principal voluntarily reverses the  
29 empowered community school designation.

1           **C. Designation as an empowered community school shall remain in**  
2           **effect if the school's principal is replaced by another principal whose most**  
3           **recent evaluation rating is effective and who retains an effective rating pursuant**  
4           **to standards adopted by the state board.**

5           **D. Beginning with the 2014-2015 fiscal year, any superintendent of a**  
6           **city, parish, or other local public school system may designate an elementary or**  
7           **secondary school in the system an empowered community school. Designation**  
8           **as an empowered community school shall remain in effect for a period of time**  
9           **determined by the superintendent.**

10           **§4054. Principals of empowered community schools; authority; limitations**

11           **A. Principals of empowered community schools shall be given the sole**  
12           **authority to:**

13           **(1) Design and implement an instructional plan tailored to the needs of**  
14           **the school, its students, and its faculty, including daily schedule, school**  
15           **calendar, instructional time, professional development, and curriculum, texts**  
16           **and other instructional resources.**

17           **(2) Hire and evaluate personnel, assign personnel within the school, and**  
18           **dismiss personnel from the school, per applicable state law.**

19           **(3) Establish a budget for school-based expenditures using the following**  
20           **funds:**

21           **(a) A percentage of the Minimum Foundation Program formula per**  
22           **pupil amount, including any weighted amounts generated by the student**  
23           **population attending the empowered community school, as determined by the**  
24           **state board.**

25           **(b) All federal and other state funds received at a rate or formula**  
26           **equivalent to the rate or formula by which the district distributes such funds**  
27           **to all schools, pursuant to applicable regulations.**

28           **(4) Plan all expenditures associated with the daily operations of the**  
29           **school, other than costs associated with personnel retirement, capital**

1 infrastructure, employee benefits, and district debt service.

2 (5) Contract with the city, parish, or other local public school board to  
3 provide any other support services.

4 (6) Enter into any contract to support the school's operating needs.

5 (7) Participate in any program or pilot program offered through the  
6 state board or the Department of Education.

7 (8) Apply for publicly or privately sponsored grants on behalf of the  
8 school.

9 (9) Offer specialized instructional programs to meet local needs.

10 (10) Receive other flexibilities and waivers from state board regulations  
11 as determined by the state board.

12 B. Any action taken by the principal of an empowered community  
13 school must be in accordance with any court ordered desegregation plan in  
14 effect which applies to the school.

15 §4055. City, parish, or other local public school system policies; funding;  
16 liability

17 A. Empowered community schools shall abide by any city, parish or  
18 local school board policies with regard to grade configuration and services to  
19 students with exceptionalities.

20 B. A city, parish, or other local public school system having empowered  
21 community schools shall retain a percentage of the Minimum Foundation  
22 Program formula, federal, and other state funds attributable to each  
23 empowered community school in order to address the capital needs of the  
24 empowered community school, retirement and other legacy costs associated  
25 with the empowered community school, and administrative overhead expenses  
26 associated with the empowered community school as determined by the state  
27 board.

28 C. No person shall have a cause of action against any school district or  
29 school board arising from a contract entered into with the principal of an

1           **empowered community school.**

2           **§4056. Reports**

3                   **A superintendent of a district with empowered community schools may**  
4           **request and must be provided by the principal progress reports related to**  
5           **academic progress and school finances at intervals determined by the**  
6           **superintendent.**

7           **§4057. Audits**

8                   **The financial practices of the empowered community school shall be**  
9           **specifically included in the independent audit of the city, parish, or other local**  
10          **public school system.**

11          Section 2. This Act shall become effective on July 1, 2013.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry J. Guillot.

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DIGEST

Proposed law provides for the "Empowered Community Schools Act".

Provides the following legislative findings:

- (1) Public elementary and secondary schools throughout the state have diverse needs according to student population, geography, human and financial resources, and local economic conditions, that require local strategies to meet the needs of students.
- (2) In order to prepare all Louisiana students for college or a sustainable career, those closest to students, especially parents and educators, who know and serve their needs first-hand, must be afforded the ability to make decisions to support their academic and developmental growth.
- (3) Capable school leaders, when empowered to make decisions to effectively lead their schools, can bring about significant growth in student achievement through the thoughtful management of human and financial resources.
- (4) Superintendents annually evaluate effectiveness of principals based on a rigorous combination of on-the-job observation and progress in student achievement.

Provides that beginning with the 2013-2014 fiscal year, any public elementary or secondary school principal who meets the BESE standard of effectiveness, as determined by his superintendent, may declare his school an empowered community school for the following school year, beginning with the 2014-2015 school year, and receive school-level decision-making authority to meet the unique needs of the school and its students. Designation as an empowered community school shall confer upon the school principal the authority to manage instructional, personnel, and financial decisions as provided for in proposed law.

Provides that designation as an empowered community school shall remain in effect as long

as the principal retains an effective rating pursuant to BESE standards or until the principal voluntarily reverses the empowered community school designation.

Provides that designation as an empowered community school shall remain in effect if the school's principal is replaced by another principal whose most recent evaluation rating is effective and who retains an effective rating pursuant to BESE standards.

Provides that beginning with the 2014-2015 fiscal year, any superintendent of a city, parish, or local public school system may designate an elementary or secondary school in the system an empowered community school. Designation as an empowered community school shall remain in effect for a period of time determined by the superintendent.

Provides that principals of empowered community schools shall be given the sole authority to:

- (1) Design and implement an instructional plan tailored to the needs of the school, its students, and its faculty, including daily schedule, school calendar, instructional time, professional development, and curriculum, texts and other instructional resources.
- (2) Hire and evaluate personnel, assign personnel within the school, and dismiss personnel from the school, per applicable state laws.
- (3) Establish a budget for school-based expenditures using the following funds:
  - (a) A percentage of the Minimum Foundation Program formula per pupil amount, including any weighted amounts generated by the student population attending the empowered community school, as determined by BESE.
  - (b) All federal and other state funds received at a rate or formula equivalent to the rate or formula by which the district distributes such funds to all schools, pursuant to applicable regulations.
- (4) Plan all expenditures associated with the daily operations of the school, other than costs associated with personnel retirement, capital infrastructure, employee benefits, and district debt service.
- (5) Contract with the city, parish, or other local public school board to provide any other support services.
- (6) Enter into any contracts to support the school's operating needs.
- (7) Participate in any program or pilot program offered through BESE or the Department of Education.
- (8) Apply for publicly or privately sponsored grants on behalf of the school.
- (9) Offer specialized instructional programs to meet local needs.
- (10) Receive other flexibilities and waivers from BESE regulations as determined by BESE.

Requires that any action taken by the principal of an empowered community school be in accordance with any court ordered desegregation plan in effect which applies to the school.

Requires that empowered community schools abide by any city, parish or local public school board policies with regard to grade configuration and services to students with exceptionalities.

Requires that city, parish, and other local public school systems having empowered community schools retain a percentage of the MFP formula, federal, and other state funds attributable to each empowered community school in order to address the capital needs of the empowered community school, retirement and other legacy costs associated with the empowered community school, and administrative overhead expenses associated with the empowered community school as determined by BESE.

Provides that no person shall have a cause of action against any school district or school board arising from a contract entered into with the principal of an empowered community school.

Provides that superintendents of districts with empowered community schools may request and must be provided progress reports by the principals related to academic progress and school finances at intervals determined by the superintendent.

Provides that the financial practices of the empowered community school must be specifically included in the independent audit of the city, parish, or other local public school system.

Effective on July 1, 2013.

(Adds R.S. 17:4501- 4507)