

1 provided in this Title. ~~The deputy superintendent shall be the first assistant to the~~
2 ~~superintendent appointed pursuant to Article IV, Section 13 of the Constitution of~~
3 ~~Louisiana.~~

4 B. No person serving as a state superintendent, deputy state superintendent,
5 or ~~assistant~~ deputy superintendent shall receive any additional salary from the state
6 other than that salary which he receives by virtue of serving in any one of such
7 offices.

8 C. Notwithstanding any provision of this Section to the contrary, subject to
9 approval of the state superintendent, any person serving as deputy state
10 superintendent or ~~assistant~~ deputy superintendent may receive additional
11 compensation for part-time services rendered as an instructor in post-secondary
12 educational institutions or as a member of the National Guard.

13 §644. ~~State Superintendent~~ superintendent of education

14 The state superintendent of education shall serve as the executive head and
15 chief administrative officer of the Department of Education and shall have the
16 responsibility for implementing educational policies, except as otherwise provided
17 by this Title, and for the administration, control, and operation of the functions,
18 programs, and affairs of the department to the extent provided by this Title.

19 §645. Powers and duties of state superintendent of education

20 A. In addition to the functions, powers, and duties otherwise vested in the
21 state superintendent by law, he shall:

22 (1) Represent the public interest in the administration of this Chapter and
23 ~~shall~~ be responsible to the legislature and the public therefor.

24 (2) Determine the policies of the department, except as otherwise provided
25 by this Title and by the Louisiana Constitution.

26 (3) In accordance with the Administrative Procedure Act, make, alter,
27 amend, and promulgate rules and regulations necessary for the administration of the
28 functions of the department, except as otherwise provided by this Title.

1 (4) Organize, plan, supervise, direct, administer, execute, and be responsible
2 for the functions and programs vested in the department, in the manner and to the
3 extent provided by this Title.

4 (5) Except for agencies transferred as provided in R.S. 36:801.1, and except
5 for provisions of the constitution to the contrary, act as the sole agent of the state or,
6 in necessary cases, designate one of the offices within the department or its ~~assistant~~
7 deputy superintendent, to cooperate with the federal government and with other state
8 and local agencies in matters of mutual concern and in the administration of federal
9 funds granted to the state or directly to the department or an office thereof to aid in
10 the furtherance of any function of the department and its offices. For this purpose he
11 may take such actions, in accordance with applicable state law, necessary to meet
12 such federal standards as are established for the administration and use of such
13 federal funds, except as otherwise specifically provided in this Title or by the
14 constitution and laws of this state.

15 (6) Make and publish an annual report to the legislature concerning the
16 operations of the department and submit with each report such recommendations as
17 he deems necessary for the more effective internal structure and administration of
18 the department and make other reports and recommendations on his own initiative
19 or upon request of the legislature or any committee or member thereof.

20 (7) Provide for the ongoing merger and consolidation of the agencies and
21 functions transferred to his the department and submit a report thereon to the
22 legislature, which report shall accompany the budget ~~statement~~ request which he
23 submits under provisions of ~~R.S. 39:45~~ R.S. 39:33. Such report shall include a
24 statement of the goals of the department and of the programs thereof and shall
25 summarize the accomplishments of the department in meeting such goals and
26 implementing such programs. The report shall also contain a specific statement of
27 the reorganization and consolidation plan for the department for the next year and
28 shall include a report on the implementation of such reorganization and consolidation
29 plan for the previous year. The report concerning reorganization shall specifically

1 detail the extent to which the department has achieved goals stated the previous year
 2 with respect to merger and consolidation of functions, abolition of agencies,
 3 consolidation of offices and administrative and programmatic divisions of the
 4 department, elimination of job positions, and efficiency and economy in delivery of
 5 services. The report shall contain any recommendations with respect to
 6 reorganization which may require legislative action. A copy of the report and
 7 recommended legislation shall also be submitted by the state superintendent to the
 8 presiding officer of both houses of the legislature. The presiding officer shall refer
 9 the report to the appropriate committee having jurisdiction of the subject matter as
 10 provided in the rules of the respective house.

11 (8) Perform the functions of the state relating to personnel management of
 12 the department in accordance with applicable law.

13 B. The state superintendent shall have authority to:

14 (1)(a) Except as otherwise specifically provided in R.S. 36:801, R.S.
 15 36:801.1, R.S. 36:801.2, and R.S. 36:803:

16 * * *

17 (i) Employ, appoint, remove, assign, and promote such personnel as is
 18 necessary for the efficient administration of the executive office of the state
 19 superintendent and the performance of its powers, duties, functions, and
 20 responsibilities and such other personnel, who are not assigned to an office, as may
 21 be necessary for the efficient administration of the department and for the
 22 performance of the responsibilities, powers, duties, and functions of agencies
 23 transferred to it;

24 * * *

25 C. The state superintendent shall perform and exercise his powers, duties,
 26 functions, and responsibilities in accordance with the provisions of R.S. 36:801.2 and
 27 the constitution.

1 §646. Deputy state superintendent

2 There ~~shall~~ may be a deputy state superintendent of the department, who shall
3 be appointed by the state superintendent with consent of the Senate ~~and who~~. He
4 shall serve at the pleasure of the state superintendent at a salary fixed by the state
5 superintendent, which salary shall not exceed the amount approved for such position
6 by the legislature while in session. ~~The deputy superintendent shall be the first~~
7 ~~assistant of the superintendent of education~~. The duties and functions of the deputy
8 state superintendent shall be determined and assigned by the state superintendent.
9 He shall serve as acting state superintendent in the absence of the state
10 superintendent ~~as provided by law~~. If no deputy state superintendent is appointed,
11 the state superintendent shall designate the deputy superintendent of management
12 and finance or the deputy superintendent of district support to serve in his absence.

13 §648. ~~Assistant deputy~~ Deputy superintendents

14 A. ~~Each office~~ The office of management and finance and office of district
15 support within the Department of Education shall each be under the immediate
16 supervision and direction of ~~an~~ a ~~assistant~~ deputy superintendent, who shall be
17 appointed by the state superintendent with consent of the Senate. Each shall serve
18 at the pleasure of the state superintendent and shall be paid a salary which shall be
19 fixed by the state superintendent and shall not exceed the amount approved for such
20 position by the legislature while in session.

21 B. Except as otherwise expressly provided in this Title, the duties and
22 functions of each office and its ~~assistant~~ deputy superintendent shall be determined
23 by the state superintendent, and all of such duties and functions shall be exercised
24 under the direct supervision and control of the state superintendent.

25 C. Each ~~assistant~~ deputy superintendent shall exercise all powers and
26 authority granted to him in this Title subject to the overall direction and control of
27 the state superintendent.

28 * * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 §649. Offices; purposes and functions relating to elementary and secondary
2 education

3 A. The purposes for which the offices in the Department of Education are
4 created shall be as set forth in this Section.

5 ~~B. The office of literacy shall perform the functions of the state relating to
6 reading and writing, all in accordance with applicable law.~~

7 ~~C. The office of science, technology, engineering, and mathematics shall
8 perform the functions of the state relating to science, technology, engineering, and
9 numeracy, all in accordance with applicable law.~~

10 ~~D. The office of college and career readiness shall perform the functions of
11 the state relating to dropout prevention and preparing students for college or career
12 and technical education, all in accordance with applicable law.~~

13 E B. The office of management and finance shall perform the functions of
14 the state relating to accounting and budget control, procurement and contract
15 management, management and program analysis, and grants management, and
16 ~~personnel management~~, all in accordance with applicable law.

17 ~~F. The office of departmental support shall perform the functions of the state
18 relating to parental options, charter schools, federal programs, nutritional programs,
19 foreign language programs, standards, assessments, and accountability, and
20 information management, all in accordance with applicable law.~~

21 ~~G. The office of innovation shall perform the functions of the state relating
22 to teacher preparation, certification, and professional development, school
23 leadership, support to local school districts, and school improvement, all in
24 accordance with applicable law.~~

25 C. The office of district support shall support local education agencies in
26 identifying opportunities and resources for improved instructional leadership,
27 effective policy and practice, and comprehensive intervention in their lowest-
28 performing schools. It shall serve as the office having primary responsibility for

Present law provides that each office within the Dept. of Education shall be under the immediate supervision and direction of an assistant deputy superintendent, who shall be appointed by the superintendent with consent of the Senate. Proposed law provides that the office of management and finance and office of district support shall be under the immediate supervision and direction of a deputy superintendent, who shall be appointed by the state superintendent with consent of the Senate.

Present law provides that the office of management and finance shall perform the functions of the state relating to accounting and budget control, procurement and contract management, management and program analysis, grants management, and personnel management, all in accordance with applicable law. Proposed law removes personnel management from list of functions; otherwise retains present law. Proposed law specifies that personnel management shall be a duty of the state superintendent of education.

Proposed law provides that the purpose and function of the office of district support is to support local education agencies in identifying opportunities and resources for improved instructional leadership, effective policy and practice, and comprehensive intervention in their lowest performing schools. It shall serve as the office having primary communications and support for all local superintendents, charter school leaders, and school administrative staff throughout the state.

Present law creates the Remedial Education Commission. The commission's purpose is to study and review the data on educational services provided in public and secondary schools and remedial education provided at public postsecondary education institutions, of recommending best practices and strategies to be used by public elementary and secondary schools and public postsecondary education institutions in providing such educational services, and of recommending any necessary statutory and regulatory changes to the legislature, the State Board of Elementary and Secondary Education, and the Board of Regents related to the study.

Present law provides that membership of the Remedial Education Association shall include the assistant deputy superintendent of the office of college and career readiness of the state Dept. of Education or his designee. Proposed law removes such provision and otherwise retains present law.

(Amends R.S. 36:642(B) and (C), 643, 644, 645(A), (B)(1)(a)(i), and (C), 646, 648, 649, and 651(B); Repeals R.S. 17:3138.1(C)(7))