

Regular Session, 2013

SENATE BILL NO. 205

BY SENATORS LAFLEUR AND GUILLORY AND REPRESENTATIVE ORTEGO

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

SCHOOLS. Provides for the establishment of foreign language immersion programs in public school districts and repeals the Balanced Treatment for Creation-Science and Evolution-Science Act. (8/1/13)

AN ACT

To enact R.S. 17:273.3 and to repeal Subpart D-2 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:286.1 through 286.7, relative to curriculum and instruction; to provide relative to foreign language immersion programs; to authorize local public school boards to establish foreign language immersion programs; to provide for a process whereby parents may request a local public school board to establish a foreign language immersion program; to provide for certification of such programs; to provide with respect to foreign language teachers; to provide with respect to student transportation; to repeal the Balanced Treatment for Creation-Science and Evolution-Science Act; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:273.3 is hereby enacted to read as follows:

§273.3. Foreign language immersion programs; creation by local school boards; parent petition

A. This Section shall be known and may be cited as the "Immersion School Choice Act".

1 **B. The legislature finds that:**

2 **(1) Research indicates that students who participate in foreign language**
3 **immersion programs, particularly French, demonstrate greater levels of**
4 **proficiency in the English language, higher overall academic achievement, and**
5 **higher levels of self-esteem.**

6 **(2) Learning a second language has a positive effect on intellectual**
7 **growth and increased awareness of diverse cultures through access to history,**
8 **art, and literature.**

9 **(3) Students in foreign language immersion programs have been shown**
10 **to demonstrate enhanced cognitive functions in solving complex problems and**
11 **mathematical computations through the development of more divergent and**
12 **higher order thinking skills.**

13 **(4) In Louisiana, French language development and French language**
14 **immersion programs, in particular, provide a better understanding of the**
15 **state's social traditions and serve to promote, preserve, and develop our unique**
16 **bilingual culture.**

17 **C.(1) Any local public school board may establish a foreign language**
18 **immersion program in any school under its jurisdiction that shall be open to the**
19 **enrollment of any student who resides within the jurisdictional boundaries of**
20 **the school district.**

21 **(2)(a) Beginning with the 2014-2015 school year, a local school board,**
22 **if requested in writing by the parent or legal guardian of at least twenty-five**
23 **students enrolled in kindergarten who reside within the jurisdictional**
24 **boundaries of the school district, shall establish a foreign language immersion**
25 **program for such students, provided that all of the following apply:**

26 **(i) The parent or legal guardian of each student commits, in writing, that**
27 **the student will participate in the program.**

28 **(ii) The requisite number of written requests are submitted to the local**
29 **school board not later than March first prior to the school year in which the**

1 program is to be established.

2 (iii) The Minimum Foundation Program formula provides funding to
3 local school systems employing foreign language teachers to provide salary
4 supplements for such teachers.

5 (iv) A sufficient number of foreign language teachers with the required
6 credentials as prescribed by the State Board of Elementary and Secondary
7 Education are available through programs administered by the Department of
8 Education and the Council for the Development of French in Louisiana to
9 establish the program.

10 (v) There is no existing foreign language immersion program offered by
11 the local school board that has been certified by the State Board of Elementary
12 and Secondary Education pursuant to R.S. 17:273.2.

13 (b) Such program shall be continued as long as at least twenty students
14 remain enrolled in the program.

15 (c) The local school board shall ensure that any foreign language
16 immersion program established pursuant to this Section is designated as a
17 Certified Foreign Language Immersion Program by the State Board of
18 Elementary and Secondary Education in accordance with R.S. 17:273.2 within
19 three years from the date such program is established.

20 D. Notwithstanding any provision of R.S. 17:158 to the contrary, a local
21 school board shall not be required to provide transportation to any student
22 enrolled in a foreign language immersion program established pursuant to this
23 Section that is located outside of the attendance zone of the school the student
24 would otherwise attend, if providing such transportation would result in
25 additional transportation costs to the school system.

26 Section 2. Subpart D-2 of Part III of Chapter 1 of Title 17 of the Louisiana Revised
27 Statutes of 1950, comprised of R.S. 17:286.1 through 286.7, is hereby repealed.

The original instrument was prepared by Jeanne Johnston. The following digest, which does not constitute a part of the legislative instrument, was prepared by Michelle Broussard-Johnson.

DIGEST

LaFleur (SB 205)

Proposed law creates the "Immersion School Choice Act" and provides as follows:

- (1) Authorizes a local public school board to establish a foreign language immersion program in any school under its jurisdiction that shall be open to the enrollment of any student who resides within the jurisdictional boundaries of the school district.
- (2) Provides that, beginning with the 2014-2015 school year, a local public school board, if requested in writing signed by the parent or legal guardian of at least 25 students enrolled in kindergarten who reside within the jurisdictional boundaries of the school district, shall establish a foreign language immersion program for such students, provided:
 - (a) The parent or legal guardian of each student commits, in writing, that the student will participate in the program.
 - (b) The requisite number of signatures are submitted to the local school board not later than March first prior to the school year in which the program is to be established.
 - (c) The MFP formula provides funding to local school systems employing foreign language teachers to provide salary supplements for such teachers.
 - (d) A sufficient number of foreign language teachers, with the required credentials as prescribed by the State Board of Elementary and Secondary Education are available through programs administered by the Department of Education and the Council for the Development of French in Louisiana to establish the program.
 - (e) There is no existing foreign language immersion program offered by the local school board that has been certified by the State Board of Elementary and Secondary Education.
- (3) Provides that such program shall be continued as long as at least 20 students remain enrolled in the program.
- (4) Requires the local school board to ensure that any foreign language immersion program created pursuant to proposed law is designated as a Certified Foreign Language Immersion Program in accordance with applicable law and is established within three years from the date of such program.
- (5) A local school board shall not be required to provide transportation to any student enrolled in a foreign language immersion program established, that is located outside the attendance zone of the school the student would otherwise attend, if providing such transportation would result in additional transportation costs to the school system.

Present law provides for the Balanced Treatment for Creation-Science and Evolution-Science Act which required public schools in the state to give balanced treatment to creation-science and evolution-science in classroom instruction and instructional materials.

Proposed law repeals present law which was ruled unconstitutional by the U.S. Supreme Court. (Edwards v. Aguillard, La. 1987, 107 S. Ct. 2573, 96 L.Ed.2d 510.)

Effective August 1, 2013.

(Adds R.S. 17:273.3; repeals RS 17:286.1-286.7)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Replaces parent petition process with written request by specified number of parents.
2. Provides that the required number of written requests be submitted to the local school board by March first of the year prior to the school year in which the program will be established.
3. Requires the local school board to ensure that immersion programs established pursuant to proposed law are designated as a Certified Foreign Language Immersion Program by BESE.
4. Repeals the Balanced Treatment for Creation-Science and Evolution-Science Act.

Senate Floor Amendments to engrossed bill

1. Provides that a school board is not required to provide student transportation for students in the foreign language immersion program.
2. Makes technical change.
3. Adds requirements for the establishment of a foreign language immersion program.
4. Provides a time deadline to have the immersion program designated as a certified program.