HLS 13RS-4247 ENGROSSED

Regular Session, 2013

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## HOUSE CONCURRENT RESOLUTION NO. 188

BY REPRESENTATIVES EDWARDS, ADAMS, ANDERS, ARNOLD, BADON, BARROW, BILLIOT, WESLEY BISHOP, BROADWATER, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CHANEY, COX, CROMER, DIXON, FRANKLIN, GAINES, GISCLAIR, GREENE, GUILLORY, GUINN, HARRIS, HARRISON, HAVARD, HILL, HOFFMANN, HOLLIS, HONORE, HOWARD, HUNTER, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, KLECKLEY, LAMBERT, TERRY LANDRY, LEBAS, LEGER, LEOPOLD, MILLER, MONTOUCET, MORENO, JIM MORRIS, ORTEGO, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, RITCHIE, SHADOIN, SMITH, ST. GERMAIN, STOKES, THIBAUT, THIERRY, THOMPSON, ALFRED WILLIAMS, PATRICK WILLIAMS, AND WILLMOTT

SCHOOLS/FINANCE-MFP: Urges and requests BESE to recognize and include increased per pupil funding as part of FY 2013-2014 base per pupil funding and to maintain at least that combined per pupil amount for FY 2014-2015 MFP

## A CONCURRENT RESOLUTION

2	To urge and request the State Board of Elementary and Secondary Education to recognize
3	and include increased per pupil funding to city and parish school systems, as
4	provided in House Bill No. 1 of the 2013 Regular Session, as part of the 2013-2014
5	Fiscal Year base per pupil amount when developing and adopting a minimum
6	foundation program formula for the 2014-2015 Fiscal Year and to maintain at least
7	that combined amount of per pupil funding for the 2014-2015 Fiscal Year minimum
8	foundation program formula.
9	WHEREAS, Article VIII, Section 13(B) of the Constitution of Louisiana requires the
10	State Board of Elementary and Secondary Education to develop and adopt, annually, a
11	formula which is to be used to determine the cost of a minimum foundation program of
12	education in all public elementary and secondary schools as well as to allocate equitably the
13	funds to parish and city school systems; and

1	WHEREAS, on March 8, 2013, the State Board of Elementary and Secondary
2	Education (BESE) adopted such a formula to determine the cost and allocation of funds for
3	the 2013-2014 Fiscal Year and on March 15, 2013, and submitted it to the legislature; and
4	WHEREAS, such formula was timely submitted to the legislature, and an instrument
5	providing for legislative approval of the formula was introduced for consideration, Senate
6	Concurrent Resolution No. 23; and
7	WHEREAS, on May 7, 2013, the Supreme Court of Louisiana in the case of
8	Louisiana Federation of Teachers, et al v. State of Louisiana, et al, No. 2013-CA-0120, held
9	that Senate Concurrent Resolution No. 99 of the 2012 Regular Session, which approved the
10	minimum foundation program formula for 2012-2013 Fiscal Year, was null and void ab
11	initio; and
12	WHEREAS, the state constitution provides that if the legislature does not approve
13	the recommendation of the State Board of Elementary and Secondary Education, the
14	minimum foundation program formula last approved remains in effect; and
15	WHEREAS, the ruling of the Supreme Court results in the continued applicability
16	of the 2011-2012 minimum foundation program formula, approved by the legislature
17	through the passage of House Concurrent Resolution No. 130 of the 2011 Regular Session,
18	in determining the cost of a minimum foundation program of education in all public
19	elementary and secondary schools as well as allocating equitably the funds to parish and city
20	school systems; and
21	WHEREAS, Senate Concurrent Resolution No. 23 of the 2013 Regular Session was
22	considered by the Senate Committee on Education on May 21, 2013, and was not reported;
23	and
24	WHEREAS, the last valid minimum foundation program was approved in House
25	Concurrent Resolution No. 130 of the 2011 Regular Session; and
26	WHEREAS, the legislature finds that increasing the base per pupil amount of
27	funding for public schools by two and three-fourths percent (2.75%) would raise that amount
28	from \$3,855 to \$3,961 per student, generating money to partially cover inflationary increases
29	in expenditures and critical education initiatives; and

1	WHEREAS, the base per pupil amount of funding in the minimum foundation
2	program may be adjusted only through legislative approval of a formula adopted by the State
3	Board of Elementary and Secondary Education that provides for such an adjustment; and
4	WHEREAS, in order to provide for an increase in the base per pupil amount of
5	funding in the minimum foundation program, the legislature intends to amend House Bill
6	No. 1 of the 2013 Regular Session to provide for such an increase outside of the minimum
7	foundation program formula by directing the Department of Education to allocate such funds
8	in the same manner in which they would have been allocated pursuant to the minimum
9	foundation program formula; and
10	WHEREAS, it is the intent of the legislature that this increase in the per pupil
11	amount, although provided for outside of the minimum foundation program formula for the
12	2013-2014 Fiscal Year, be recognized and included by the State Board of Elementary and
13	Secondary Education as a minimum base per pupil amount in future years; and
14	WHEREAS, the office of the governor and the division of administration have
15	expressed their commitment to include these adjustments in the 2014-2015 Fiscal Year
16	executive budget as part of the minimum foundation program budget request and petition
17	the State Board of Elementary and Secondary Education to recognize them as being included
18	in the 2013-2014 Fiscal Year base per pupil amount when developing and adopting a new
19	formula for the 2014-2015 Fiscal Year.
20	THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
21	urge and request the State Board of Elementary and Secondary Education to recognize and
22	include the increased base per pupil amount in funding to city and parish school systems, as
23	provided in House Bill No. 1 of the 2013 Regular Session, as part of the 2013-2014 Fiscal
24	Year base per pupil amount when developing and adopting a minimum foundation program
25	formula for the 2014-2015 Fiscal Year.
26	BE IT FURTHER RESOLVED that the Legislature of Louisiana urges and requests
27	the State Board of Elementary and Secondary Education to maintain at least this combined
28	base per pupil amount for the 2014-2015 Fiscal Year minimum foundation program formula.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the

- 2 governor, commissioner of administration, president of the State Board of Elementary and
- 3 Secondary Education, and state superintendent of education.

## **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)]

Edwards HCR No. 188

Requests BESE to recognize and include increased per pupil funding to city and parish school systems, as appropriated in House Bill No. 1 of the 2013 R.S., as part of FY 2013-2014 base per pupil funding when developing and adopting a MFP formula for FY 2014-2015 and to maintain at least this combined per pupil amount for FY 2014-2015 MFP formula.