

Regular Session, 2014

SENATE BILL NO. 61

BY SENATOR NEVERS

EDUCATION ACCOUNTABILITY. Provides for the Louisiana Public School Choice Act.  
(gov sig)

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AN ACT

To amend the title of Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, and to enact Part III of Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4035 through 4035.1, relative to elementary and secondary education; to provide for public school choice; to provide for eligibility criteria for students and schools; to provide for restrictions; to provide relative to student transportation; to provide relative to funding; to provide relative to the responsibilities of public school systems; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The title of Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950 is hereby amended and reenacted and Part III of Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:4035 through 4035.1, is hereby enacted to read as follows:

CHAPTER 43. SCHOOL CHOICE ~~SCHOLARSHIPS~~

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PART III. PUBLIC SCHOOL CHOICE

§4035. Short title

1                    This Part shall be known and may be cited as the "Louisiana Public  
2                    School Choice Act".

3                    §4035.1. Public School Choice

4                    A. Notwithstanding any provision of law to the contrary, beginning with  
5                    the 2014-2015 school year, the parent or other legal guardian of any student  
6                    may enroll his child in the public school of his choice, without regard to  
7                    residence, school system geographic boundaries, or attendance zones, provided  
8                    both of the following apply:

9                    (1) The public school in which the student was most recently enrolled,  
10                   or would otherwise attend, received a school performance letter grade of "D"  
11                   or "F" for the most recent school year, pursuant to the state's school and  
12                   district accountability system.

13                   (2) The school in which the student seeks to enroll received a school  
14                   performance letter grade of "A", "B", or "C" for the most recent school year,  
15                   pursuant to the state's school and district accountability system, and has  
16                   sufficient capacity at the appropriate grade level.

17                   B. The authority to enroll a student in the public school of choice shall  
18                   not be permitted and shall not be exercised if doing so violates the order of a  
19                   court of competent jurisdiction.

20                   C. Notwithstanding the provisions of R.S. 17:158 to the contrary, a  
21                   school system shall not be required to provide transportation to any student  
22                   enrolled in a public school pursuant to this Section that is located outside of the  
23                   geographic boundaries of the school system in which the student resides, if  
24                   providing such transportation will result in additional cost to the school system.

25                   D. Any student enrolled in a public school pursuant to the provisions of  
26                   this Section shall be counted by the local public school system in which he is  
27                   enrolled for purposes of the Minimum Foundation Program and formula, and  
28                   any other available state or federal funding for which the student is eligible.

29                   E. The governing authority of each public elementary and secondary

1            **school shall work collaboratively and cooperatively to ensure compliance with**  
2            **the provisions of this Section.**

3            Section 2. This Act shall become effective upon signature by the governor or, if not  
4            signed by the governor, upon expiration of the time for bills to become law without signature  
5            by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
6            vetoed by the governor and subsequently approved by the legislature, this Act shall become  
7            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

Nevers (SB 61)

Proposed law changes the title of Ch. 43 of Title 17 of the La. Revised Statutes from "School Choice Scholarships" to "School Choice".

Proposed law provides for public school choice as follows:

- (1) Beginning with the 2014-2015 school year, the parent or other legal guardian of any student may enroll their child in the public school of their choice, without regard to residence, school system geographic boundaries, or attendance zones, provided both of the following apply:
  - (a) The public school in which the student was most recently enrolled, or would otherwise attend, received a school performance letter grade of "D" or "F" for the most recent school year.
  - (b) The school in which the student seeks to enroll received a school performance letter grade of "A", "B", or "C" for the most recent school year, and has sufficient capacity at the appropriate grade level.
- (2) Provides that the authority provided by proposed law to enroll a student in the public school of choice shall not be permitted and shall not be exercised, if doing so violates the order of a court of competent jurisdiction.
- (3) Provides that notwithstanding the provisions of present law, a school system shall not be required to provide transportation to any student enrolled in a public school pursuant to proposed law that is located outside of the geographic boundaries of the school system in which he resides, if it will result in additional cost to the school system.
- (4) Provides that a student enrolled in a public school pursuant to proposed law shall be counted by the school system in which he is enrolled for purposes of the Minimum Foundation Program and formula, and any other available state or federal funding for which the student is eligible.
- (5) Requires the governing authority of each public elementary and secondary school to work collaboratively and cooperatively to ensure compliance with proposed law.

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

(Adds R.S. 17:4035 and 4035.1)