
DIGEST

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HB No. 980

Abstract: Provides for a commission to propose a plan(s) for the structure and organization of governance of the public school system in Lafayette Parish, upon petition of 10,000 electors of the parish and approval of specified public officials and provides for the plan to become effective subject to voter approval.

Proposed law creates the Lafayette Parish School System Governance Commission to propose a plan(s) for the structure and organization of governance of the public school system in Lafayette Parish, but provides that the commission will be appointed and exercise its powers and duties only upon petition of 10,000 electors of the parish and approval by one of the following:

- (1) A majority of the Lafayette City-Parish Council.
- (2) At least three of the mayors of municipalities in Lafayette Parish, including Broussard, Carencro, Scott, Youngsville, and Duson.
- (3) The Lafayette City-Parish president.

Proposed law provides for the petition, including provisions for contents, eligibility of all parish electors to sign, circulation of multiple copies, withdrawal of a signature before the registrar of voters certifies that 10,000 electors have signed the petition, certification of signatures by the registrar, an additional 60 days to obtain signatures if less than 10,000 electors have signed after petitioners request the registrar to certify the petition, and submission by the registrar to the secretary of state of a certificate that 10,000 electors have signed.

Proposed law requires the secretary of state, upon receipt of the registrar of voters' certificate and documentation of approval of a majority of the city-parish council, or at least three mayors of municipalities in the parish, or the city-parish president, to transmit a copy of the registrar of voters' certificate and such documentation and a copy of proposed law to members of the commission designated by proposed law and to appointing authorities of other members to be appointed as provided by proposed law.

Proposed law provides for commission members as follows, all of whom must be residents and qualified voters of Lafayette Parish:

- (1) Three members appointed by the Lafayette City-Parish president, two of whom shall reside within the city of Lafayette and one of whom shall reside outside of the city of

Lafayette.

- (2) One member appointed by the Lafayette City-Parish Council.
- (3) One member appointed jointly by a majority of the mayors of the cities of Broussard, Carencro, Scott, and Youngsville and the town of Duson.
- (4) The president of the University of Louisiana at Lafayette, or his designee.
- (5) The chancellor of South Louisiana Community College, or his designee.
- (6) One member, who shall be a parent whose child or children are attending or have attended public school in Lafayette Parish within the preceding five years, appointed jointly by a majority of the members of the House of Representatives of the Legislature of Louisiana who represent House Districts 31, 39, 43, 44, and 45.
- (7) One member, who shall be a parent whose child or children are attending or have attended public school in Lafayette Parish within the preceding five years, appointed jointly by the members of the Senate of the Legislature of Louisiana who represent Senate Districts 23 and 24.
- (8) One member appointed by the Greater Lafayette Chamber of Commerce.
- (9) One member appointed by the Greater Southwest Louisiana Black Chamber of Commerce of Lafayette.
- (10) One member, who shall be a current or former public school teacher, principal, or vice principal of a Lafayette Parish school, appointed jointly by the Lafayette Parish Association of Educators and the Louisiana Federation of Teachers.
- (11) One member, who shall be a current or former public school teacher, principal, or vice principal of a Lafayette Parish school, appointed jointly by the Lafayette Education Foundation and the Lafayette Chapter of A+PEL (Associated Professional Educators of Louisiana).

Proposed law requires the secretary of state to facilitate and coordinate the members' appointments. Provides that if a member is not appointed within 30 days after the secretary of state sends the appointing authorities a copy of proposed law, the Lafayette City-Parish president shall within 30 day make such appointments and requires the secretary of state to notify any appointing authority that failed to make an appointment of the appointment by the Lafayette City-Parish president.

Proposed law provides for the secretary of state to call the first meeting of the commission. Provides that commission members shall serve without compensation. Provides for commission officers and rules. Requires that the rules provide for public hearings and other means to receive

comments and suggestions from parish citizens. Prohibits binding action unless a quorum is present. Requires approval of a majority of the members present and voting, a quorum being present, for commission action, but requires approval of a majority of the total membership for the commission to adopt a plan or alternative plans for the structure and organization of school system governance to submit to the voters.

Proposed law authorizes the commission to receive and expend fund for commission purposes. Requires maintenance of records of funds received and expenditures in commission records. Requires prior approval of the commission of proposed expenditures, but authorizes the commission to delegate such authority to an executive committee or other committee of the commission. Authorizes the commission to employ experts, employees, and consultants to the extent that funds are made available.

Proposed law specifies legislative intent that the electors of Lafayette Parish shall have wide latitude, subject to Const. Art. VIII, Sec. 9(C) (see HB No. 593), in adopting a plan for the structure and organization of governance for the parish school system to serve the needs of the parish community. Authorizes the commission to propose either a single plan or alternative plans. Specifies that alternative plans may consist alternative entire plans, alternative provisions for any plan, or a combination of these. Provides that the plan(s) may provide for:

- (1) Composition and selection of a school board or provide otherwise for a school system governing authority and for the structure and organization of system governance.
- (2) Management and administration of the school system, including such provisions as may be required to implement the plan of governance.
- (3) School system administrators; however, specifies that the chief executive officer or chief administrative officer shall be subject to provisions of law relative to superintendents of schools.
- (4) Extension of terms of members of the parish school board and election or other selection of a school system governing authority or administrators.
- (5) Distribution of federal, state, and local education funds.
- (6) Other provisions deemed necessary or appropriate by the commission.

Proposed law provides that the commission file the completed plan(s) with the secretary of state and the governor and submit copies to the Lafayette Parish School Board and the Lafayette City-Parish Council. Requires filing of plan(s) within two years after the commission's first meeting.

Proposed law provides for submission of the plan(s) to the Lafayette Parish voters at a special election held on a date and in accordance with the La. Election Code. Requires the commission to include in the plan provisions for placement of a proposition(s) on the ballot. Requires, if the commission submits two or more alternative entire plans, that the ballot structure allow the voter

to select one of the alternative entire plans or to reject all of such plans. Provides for the governor to call the election not later than 30 days after the commission files the plan with him and requires that the election be held within six months from the date of such filing. Requires the commission to provide for informing the public about the commission proposals. Requires publication of the text of the plan(s) in the parish journal. Provides for costs of publication and costs of the election to be paid as election expenses with expenses attributable to the ballot propositions to be paid from funds available to the commission.

Proposed law provides that if a majority of the votes cast on the respective proposition(s) are in favor of the plan or an alternative plan or alternative provisions, a certified copy of the plan as approved, including any alternative provisions approved, shall be filed with the secretary of state, and it shall become effective at such time or times as may be provided in the plan as finally approved. Provides that any elections required by the plan as approved shall be held as provided in the plan and in accordance with the La. Election Code.

Proposed law provides that it constitutes standing authority for the electors of Lafayette Parish to provide for the structure and organization of the governance of the parish school system, and that subject to the procedures in proposed law a new petition may be circulated, new commission members may be appointed, and the commission may be reconvened to propose a plan(s) for the structure and organization of the governance of the parish school system. Provides that no petition shall be submitted to the registrar of voters within three years after a commission is appointed nor within one year after a petition has been submitted to the registrar of voters and he finds that the required signatures have not been obtained.

Effective if and when the proposed amendment of Article VIII of the Constitution of La. contained in the Act which originated as House Bill No. 593 of this 2014 R.S. of the Legislature is adopted at a statewide election and becomes effective.

(Adds R.S. 17:62.1)