
DIGEST

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Carter

HB No. 1177

Abstract: Provides for governance and administration of large school systems.

Proposed law provides for the governance and administration of large school systems as follows:

- (1) Defines a large school system as any school system serving any parish with a population in excess of 440,000 persons according to the latest federal census and serving more than 40,000 school students according to the latest La. Dept. of Education Oct. total enrollment count.
- (2) Provides that proposed law is enacted to provide increased authority and decisionmaking power to school principals, to provide for significant parental involvement, and to provide strict accountability standards for schools. Provides that it applies only to large school systems and does not apply to charter schools except as specifically provided.
- (3) Specifies that proposed law is supplemental and in addition to present law relative to parish school boards, superintendents, and public schools; that it should be construed broadly to effect its purposes, and that it supersedes any law in conflict.
- (4) Provides that the school board for the system shall be responsible for review and approval of the following duties of the superintendent:
 - (a) Financial operations and adoption of a school system budget, including development and adoption of a central office budget. Specifies that school board shall have no responsibility for the development, adoption, or approval of a budget for any individual school.
 - (b) Collection and monitoring of all school system revenue.
 - (c) Allocation of funds for school system costs, including operations, retiree legacy costs, and bonded indebtedness. Requires the superintendent, with board approval, to establish a dedicated account solely for deposit and expenditure of funds for retiree legacy costs, that is postemployment financial obligations of the school system, as provided in present law.
 - (d) Allocation to schools on a per-pupil basis of all local, state, and federal funds available to the school system. Requires that allocations include funds for

populations of students with special characteristics or needs as provided in the Minimum Foundation Program (MFP) formula.

- (e) Oversight of expenditures except expenditures in an individual school budget.
 - (f) Construction of new schools and other appropriate facilities and maintenance of schools and facilities, except routine maintenance, but including major repairs to the physical plant of any local school, including electrical, plumbing, HVAC, and roofing.
 - (g) Enrollment zones as established by the superintendent (see 8(c) below).
 - (h) Preparation for and response to emergencies and disasters.
- (5) Requires the school system annually to retain up to three percent of the total per pupil amount established for each student in the system for expenditure for school system costs, excluding retiree legacy costs and bonded indebtedness (see (4)(c) above).
- (6) Requires the school board to adopt policies and procedures for its own government, consistent with law and with State Board of Elementary and Secondary Education regulations, as it deems proper.
- (7) Requires the school board to require the superintendent to:
- (a) Enter into contracts for independent operating management authority with the principal of each school (see (8) below).
 - (b) Hire and review performance of principals.
 - (c) Remove principals and reconstitute schools that do not meet state minimum accountability system benchmarks and accountability goals established for principals (see (10) below).
 - (d) Create and manage a common enrollment system.
 - (e) Establish enrollment zones (see 8(c) below).
 - (f) Oversee personnel management of central office staff, including recruiting, hiring, reviewing, and removing personnel.
 - (g) Review local school budgets for fiscal accountability and compliance with governmental and accounting regulations and law.
 - (h) Create a plan to address school excess capacity and excess demand for schools.
 - (i) Identify, recruit, retain, and train the best principals.

- (j) If requested by a principal, provide support services for the school pursuant to written agreements with the principal for such services as school food services, financial and accounting services, student appraisal for special education services, student transportation services, special services for at-risk students, special education services other than gifted and talented, gifted and talented student services, custodial and maintenance services, media services, technology services, library services, health services, and health benefits for active employees. Requires the school to reimburse the school board for the actual cost of such services unless an amount less than the actual cost is agreed to by both parties. Requires the superintendent to prepare and submit annually to each local school a written report of actual cost of services provided to the school and to prepare and submit a summary of this report to the local school board.
 - (k) Processing and reporting data for state accountability system purposes.
 - (l) Providing legal representation for the school system.
 - (m) Providing communications and public relations for the school system.
- (8) Requires the school board to require the superintendent to:
- (a) Develop and implement criteria and procedures for independent operating management authority by means of management contracts with principals that establish and hold principals and schools responsible for clear accountability goals in exchange for independent management authority. Provides that management contracts may vary from principal to principal, but must comply with proposed law relative to accountability goals (see (10) below). Provides that contracts shall establish principals' salaries, that contract duration shall be no more than five years and no less than one year, and that contracts may be terminated as provided in present law.
 - (b) Develop and implement policies to allow a school to use its designated school building and related facilities and property and to allow access to such additional facilities as are typically available to the school, its students, and faculty and staff. Provides that use be unrestricted, but makes the school responsible for routine maintenance and repair. Provides that extensive repair to buildings or facilities that would be considered a capital expense or as provided in (4)(f) above be provided by the school system or other public entity which is responsible for the facility.
 - (c) Develop an enrollment system for enrollment of students in all public schools in the school system. Requires that the enrollment system include at least three community-based enrollment zones approved by the school board and provisions for student choice, priority of schools for a student within the enrollment zone in which the student resides, access to schools across zones, and access to magnet

schools and programs and special education schools, programs, and services. Requires that the enrollment system include all public schools in all zones in which such schools are eligible to enroll students and that charter schools be included as an enrollment option in any enrollment zone from which they are eligible to enroll students.

- (9) Provides that the principal of each school is the school's chief executive officer and requires that the school board require each principal to have, as a minimum, responsibility for:
- (a) Development of a school budget for submission to the superintendent.
 - (b) Personnel management, including recruiting, hiring, reviewing, and removing of personnel necessary for school operation and instruction. Requires the principal to make all employment-related decisions based upon performance, effectiveness, and qualifications. Provides that effectiveness as determined pursuant to state law relative to evaluation of school personnel shall be the primary criterion for personnel decisions and that seniority or tenure shall not be the primary criterion in decisions regarding the hiring, assignment, or dismissal of teachers and other school employees.
 - (c) Student discipline.
 - (d) Student health and safety.
 - (e) Ensuring a safe workplace environment for teachers and other local school personnel.
 - (f) Preparation and maintenance of a daily school schedule.
 - (g) Development of the school curriculum and provision of related training.
 - (h) Instruction methods, instruction materials, and instructional support.
 - (i) Examinations and assessments not required by state law.
 - (j) School operations including resource management and procurement.
 - (k) Professional development.
 - (l) Compliance with district enrollment policies.
- (10) Requires that each principal be held accountable for achieving performance goals established in management contracts (see 8(a) above), including but not limited to goals in each of the following areas:

- (a) Student performance on state examinations, end-of-course tests, and other examinations, including but not limited to the American College Test (ACT) and Advanced Placement.
 - (b) Additional student achievement benchmarks determined by the superintendent.
 - (c) Health and safety.
 - (d) Attendance.
 - (e) Retention.
 - (f) Promotion.
 - (g) Course and examination passage rates.
 - (h) Graduation rates, at the high school level.
 - (i) College acceptance rates, at the high school level.
 - (j) Sound financial operation.
 - (k) School governance, leadership, and management.
- (11) Provides for community school councils as follows:
- (a) Provides that these provisions do not apply to or include charter schools.
 - (b) Requires the principals of all schools within an enrollment zone to establish one community school council for the enrollment zone. Provides that a council support principals, act as an advocate for schools, and engage surrounding communities.
 - (c) Provides that a council's responsibilities shall include:
 - (I) Actively engaging the community where the schools are located, driving support for the schools, and cultivating a sense of community ownership.
 - (II) Developing a written parent involvement policy for the schools in the enrollment zone that outlines the roles of parents and guardians.
 - (III) Working with principals in developing a school compact for parents, guardians, and students of schools in the zone that outlines each school's goals, academic focus, and behavioral and disciplinary expectations.
 - (d) Requires that each council have at least five members and not more than eleven

members. Requires that at least 50% of the membership be comprised of parents or guardians of students currently attending a school within the enrollment zone, and at least 40% include community and business members whose residence or place of business is located within the enrollment zone. Prohibits employment of a council member by the school system within the council's enrollment zone. Prohibits a current local school board member from serving on a council. Provides that council members serve two-year terms but prohibits service for more than six successive years. Provides that council service shall be uncompensated.

- (12) Permits each council to be assisted by a community academic coordinator, who is responsible for assisting the council in carrying out its duties. Provides that the coordinator be hired by and report to the principals of schools within the enrollment zone served by the council and that the principals be collectively and equally responsible, for their school budgets, for the salary, benefits, and related costs of employing the community academic coordinator.
- (13) Requires full implementation of the Act no later than July 1, 2017.

Effective Aug. 1, 2014.

(Adds R.S. 17:131-136)