

2015 Regular Session

HOUSE BILL NO. 166

BY REPRESENTATIVE BOUIE

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

SCHOOLS: Provides relative to the return of schools from the Recovery School District to the transferring local school system

1 AN ACT

2 To amend and reenact R.S. 17:10.5(C)(1) and 10.7(C)(1) and (3) and to enact R.S.
3 17:1990(B)(4)(b)(v), relative to the Recovery School District; to require the transfer
4 of certain schools from the Recovery School District to the local school system; to
5 provide time limits for the transfer of schools from the Recovery School District; to
6 provide relative to the rights and responsibilities of ownership of facilities of the
7 school being transferred; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:10.5(C)(1) and 10.7(C)(1) and (3) are hereby amended and
10 reenacted and R.S. 17:1990(B)(4)(b)(v) is hereby enacted to read as follows:

11 §10.5. School and district accountability; failing schools; transfer to Recovery
12 School District; parent petitions

13 * * *

14 C.(1) ~~The~~ Except as otherwise provided in this Paragraph, the Recovery
15 School District shall retain jurisdiction of any school transferred to it pursuant to the
16 provisions of this Section for a period of not less than five school years not including
17 the school year in which the transfer occurred if the transfer occurred during a school
18 year. If, at any time after the initial transfer period or any subsequent transfer period,
19 the school is no longer designated as a failed school as determined pursuant to the
20 school and district accountability system, the school shall be returned to the

1 administration and management of the city, parish, or other local public school board
2 or other public entity from which it was transferred within one year from the date the
3 school is no longer designated as a failed school.

4 * * *

5 §10.7. School and district accountability; schools in districts in academic crisis;
6 transfer to Recovery School District

7 * * *

8 C.(1) ~~The~~ Except as otherwise provided in this Paragraph the, recovery
9 district shall retain jurisdiction over any school transferred to it for a period of not
10 less than five school years not including the school year in which the transfer
11 occurred if the transfer occurred during a school year. ~~At the end of the initial~~
12 ~~transfer period, the school may be returned to the system from which it was~~
13 ~~transferred unless the school is continued in the recovery district in accordance with~~
14 ~~the provisions of Paragraph (3) of this Subsection. If the school is no longer~~
15 designated as a failing school as determined pursuant to the school and district
16 accountability system, the school shall be returned to the administration and
17 management of the city, parish, or other local public school system from which it
18 was transferred within one year from the date the school is no longer designated as
19 a failing school.

20 * * *

21 (3) No later than six months prior to the expiration of the initial or
22 subsequent transfer period, the state board shall take action on the recommendations
23 of the recovery district. Additionally, no later than six months prior to the expiration
24 of the initial or subsequent transfer period, the state board shall conduct a public
25 hearing within the jurisdiction of the city, parish, or other local public school board
26 from which the school was transferred relative to whether the school should be
27 continued in the recovery district or returned to the system. ~~The~~ Except as otherwise
28 provided in Paragraph (1) of this Subsection, the state board by a majority vote of its

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 membership may continue any school in the recovery district for additional periods
2 of five years.

3 * * *

4 §1990. Recovery School District; creation; governance; operation

5 * * *

6 B.

7 * * *

8 (4)

9 * * *

10 (b)

11 * * *

12 (v) When a school is returned to the administration and management of a
13 city, parish, or other local public school board pursuant to R.S. 17:10.5 or 10.7, all
14 rights and responsibilities of ownership regarding all land, buildings, facilities, and
15 other property that are part of the school being transferred shall also be returned to
16 the local public school board.

17 * * *

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)]

HB 166 Engrossed

2015 Regular Session

Bouie

Abstract: Requires the transfer of schools that are no longer failing from the Recovery School District (RSD). Provides time limits for such transfers. Provides for the rights and responsibilities of ownership of property of the school being transferred from the RSD.

Present law creates the RSD to administer and manage any public school which fails to meet the standards of the statewide system of accountability.

Present law (R.S. 17:10.5 and 10.7) provides that the RSD shall retain jurisdiction over any school transferred to it for a period of not less than five school years not including the school year in which the transfer occurred if the transfer occurred during a school year.

Proposed law provides that if the school is no longer designated as a failing school as determined by the school and district accountability system, the school shall be returned to

the administration and management of the system from which it was transferred within one year of the date the school is no longer designated as a failing school.

Present law provides for RSD use and control of property and facilities associated with any school transferred to it.

Proposed law requires that when a school is returned to the administration and management of the school board from which it was transferred, all rights and responsibilities of ownership regarding all land, buildings, facilities, and other property that are part of the school shall also be returned to the school board.

(Amends R.S. 17:10.5(C)(1) and 10.7(C)(1) and (3); Adds R.S. 17:1990(B)(4)(b)(v))