

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 48 by Representative White

SCHOOLS/FINANCE: (Constitutional Amendment) Grants the Central community school system in East Baton Rouge Parish the same authority granted parishes pursuant to Article VIII, Section 13 of the Constitution of Louisiana

Synopsis of Senate Amendments

1. Adds a provision prohibiting state dollars from being used to discriminate or to have the effect of discriminating in providing equal educational opportunity for all students.

Digest of Bill as Finally Passed by Senate

Abstract: Grants the Central community school system in East Baton Rouge Parish the same authority granted parishes for purposes of Article VIII, §13 of the Constitution of Louisiana, including purposes related to the minimum foundation program, funding for certain school books and instructional materials, and the raising of certain local revenues for the support of elementary and secondary schools. Provides that no state dollars shall be used to discriminate or to have the effect of discriminating in providing equal educational opportunity for all students.

Present constitution (Art. VIII, §13(D)(1)) states that for the effects and purposes of Art. VIII, §13, the Zachary community school system in East Baton Rouge Parish, and the municipalities of Baker in East Baton Rouge Parish, Monroe in Ouachita Parish, and Bogalusa in Washington Parish, and no others, shall be regarded and treated as parishes and shall have the authority granted parishes.

Proposed constitutional amendment retains present constitution. Provides additionally that for the effects and purposes of Art. VIII, §13, the Central community school system in East Baton Rouge Parish shall be regarded and treated as a parish and shall have the authority granted parishes. Provides that consistent with present constitution, no state dollars shall be used to discriminate or to have the effect of discriminating in providing equal educational opportunity for all students.

Present constitution, Art. VIII, §13, also provides as follows:

- (1) Requires the legislature to appropriate funds to supply free school books and other materials of instruction prescribed by the State Board of Elementary and Secondary Education (BESE) to the children of this state at the elementary and secondary levels.
- (2) Requires BESE to annually develop and adopt a formula which shall be used to determine the cost of a minimum foundation program (MFP) of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems. Specifies that the formula shall provide for a contribution by every city and parish school system.
- (3) Establishes the process for consideration and approval of the formula by the legislature.
- (4) Requires annual appropriations to fully fund a legislatively approved formula and permits the governor, in accordance with legislatively specified procedures and with legislative approval, to reduce such appropriations.

- (5) Requires that appropriated funds be equitably allocated to parish and city school systems according to the formula as adopted by BESE and approved by the legislature prior to making the appropriation.
- (6) Requires use of the last legislatively approved formula whenever the legislature fails to approve the formula most recently adopted by BESE.
- (7) States that local funds for the support of elementary and secondary schools shall be derived from the following sources:
 - (a) Requires each parish school board (except in Orleans Parish) and each municipality or city school board actually operating, maintaining, or supporting a separate system of public schools to levy annually an ad valorem maintenance tax not to exceed five mills on the dollar of assessed valuation on property subject to such taxation within the parish or city, respectively.
 - (b) Requires the Orleans Parish School Board to levy annually a tax not to exceed 13 mills on the dollar of the assessed valuation of property within the city of New Orleans assessed for city taxation and to certify the amount of the tax to the city's governing authority. Requires the governing authority to have the tax entered on city tax rolls and requires that the tax be collected in the manner, under the conditions, and with the interest and penalties prescribed by law for city taxes. Specifies that the money thus collected shall be paid daily to the Orleans Parish School Board.
 - (c) Permits, for giving additional support to public elementary and secondary schools, any parish, school district, or subschool district, or any municipality or city school board which supports a separate city system of public schools to levy an ad valorem tax for a specific purpose, when authorized by a majority of the electors voting in the parish, municipality, district, or subdistrict in an election held for that purpose. Requires that the amount, duration, and purpose of the tax be in accord with any limitation imposed by the legislature.

Proposed constitution retains present constitution.

Provides for submission of the proposed amendment to the voters at the statewide election to be held on November 7, 2006.

(Amends Const. Art. VIII, §13(D)(1))