

Regular Session, 2003

ACT No. 1293

SENATE BILL NO. 225 (Duplicate of House Bill No. 629)

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE AND
COAUTHORED BY SENATORS BOISSIERE, CRAVINS,
DARDENNE, DUPRE, FONTENOT, HAINKEL, HOLLIS,
IRONS, B. JONES, LAMBERT, LENTINI AND TARVER
AND REPRESENTATIVES ALARIO, ALEXANDER,
BRUNEAU, K. CARTER, CROWE, DAMICO, DARTEZ,
DEWITT, DIEZ, DOWNER, DOWNS, ERDEY, FLAVIN,
FRUGE, HAMMETT, M. JACKSON, JOHNS, KENNEY,
LAFLEUR, LANCASTER, LANDRIEU, LEBLANC,
MCVEA, MONTGOMERY, MORRISH, NEVERS, PINAC,
PITRE, SALTER, SCALISE, SNEED, STELLY, STRAIN,
THOMPSON, TOWNSEND, WALKER, WALSWORTH
AND WINSTON

A JOINT RESOLUTION

Proposing to amend Article VIII, Section 3(A) of the Constitution of Louisiana, relative to the powers, duties, and responsibilities of the State Board of Elementary and Secondary Education; to authorize the state board to supervise, manage, and operate or provide for the supervision, management, and operation of a public elementary or secondary school which has been determined to be failing; to authorize the state board to receive, control, and expend certain funds; to provide that this additional authority shall be exercised in the manner provided by and in accordance with law; to refer to city, parish, and other local public school boards rather than parish or city school boards; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal to amend Article VIII, Section 3(A) of the Constitution of Louisiana, to read as follows:

§3. State Board of Elementary and Secondary Education

Section 3.(A) Creation; Functions. The State Board of Elementary and Secondary Education is created as a body corporate. It shall supervise and control the public elementary and secondary schools and special schools under its jurisdiction and shall have budgetary responsibility for all funds appropriated or allocated by the state for those schools, all as provided by law. The board shall have other powers, duties, and responsibilities as provided by this constitution or by law, but shall have no control over the business affairs of a ~~parish or city~~, **parish, or other local public** school board or the selection or removal of its officers and employees; **however, the board shall have the power to supervise, manage, and operate or provide for the supervision, management, and operation of a public elementary or secondary school which has been determined to be failing, including the power to receive, control, and expend state funds appropriated and allocated pursuant to Section 13(B) of this Article, any local contribution required by Section 13 of this Article, and any other local revenue available to a school board with responsibility for a school determined to be failing in amounts that are calculated based on the number of students in attendance in such a school, all in the manner provided by and in accordance with law.**

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Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state at the gubernatorial primary election to be held in 2003.

Section 3. Be it further resolved that on the official ballot to be used at the election there shall be printed a proposition, upon which the electors of the state shall be permitted to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall read as follows:

To authorize the State Board of Elementary and Secondary Education to supervise, manage, and operate any public elementary or secondary school determined to be failing or to provide for others to do so; to authorize the state board to receive, control, and expend state minimum foundation program money and local money contributed pursuant to the minimum foundation program or otherwise in amounts calculated based on the number of students in attendance in such a school, all in the manner and in accordance with law. (Amends Article VIII, Section 3(A))

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES