

Regular Session, 2010

SENATE BILL NO. 285

BY SENATOR DONAHUE

SCHOOLS. Includes students educated in secure facilities under the jurisdiction of the office of juvenile justice in the MFP. (8/15/10)

1 AN ACT

2 To amend and reenact R.S. 17:100.1(C), relative to certain adjudicated students and students

3 in the custody of the office of juvenile justice; to provide that students educated in

4 secure care facilities under the jurisdiction of the office of juvenile justice are

5 provided for and included in the minimum foundation program; to provide for the

6 allocation of state and local minimum foundation program formula funds attributable

7 to such inclusion; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:100.1(C) is hereby amended and reenacted to read as follows

10 §100.1. Alternative educational programs; certain adjudicated students; students in

11 the custody of the office of juvenile justice; funding; authority of the

12 local school board to contract; **inclusion in minimum foundation**

13 **program; funding formula**

14 * * *

15 C. **(1) An alternative school located in a secure care facility under the**

16 **jurisdiction of the office of juvenile justice shall be considered a public**

17 **elementary or secondary school and, as such, shall be included by the State**

1 Board of Elementary and Secondary Education in the formula required by
2 Article VIII, Section 13 of the Constitution of Louisiana used to determine the
3 cost of a minimum foundation program of education in all public elementary
4 and secondary schools.

5 (2) Each student in such an alternative school shall be provided for and
6 funded at one hundred percent of the state share per pupil amount as provided
7 in the approved minimum foundation program formula for the city, parish, or
8 other local public school system in which such student would otherwise have
9 been enrolled, as contained in the budget letter approved by the State Board of
10 Elementary and Secondary Education, and the board shall allocate such funds
11 to the office of juvenile justice.

12 (3) In addition to the allocation of the state share per pupil amount
13 provided for in Paragraph (2) of this Subsection, the city, parish, or other local
14 public school system in which the student would have otherwise been enrolled
15 shall allocate and transfer to the office of juvenile justice an amount of money
16 equal to the local share per pupil amount allocated by such system times the
17 number of students enrolled in alternative schools located in secure care
18 facilities under the jurisdiction of the office of juvenile justice who would have
19 otherwise been enrolled in such local school system. The State Board of
20 Elementary and Secondary Education shall provide for the transfer of the local
21 share per pupil amount from the appropriate city, parish, or other local public
22 school system to the office of juvenile justice.

23 (4) The office of juvenile justice shall expend all minimum foundation
24 program funds allocated to it pursuant to this Subsection to operate the
25 alternative schools located in secure care facilities under its jurisdiction.

26 (5) The State Board of Elementary and Secondary Education, in
27 collaboration with the office of juvenile justice, shall develop an equitable means
28 by which to identify and determine the number of students eligible for funding
29 each year pursuant to this Subsection.

5. Requires BESE, in collaboration with the office of juvenile justice, to develop an equitable means by which to identify and determine the number of students eligible for funding pursuant to proposed law .

Present law requires BESE to adopt rules and regulations to assure that no funds provided through the MFP or any other state or federal program shall supplant any other funding provided to the office of juvenile justice for the educational services for such children.

Proposed law retains these provisions.

Effective August 15, 2010.

(Amends R.S. 17:100.1(C))