

Regular Session, 2010

SENATE BILL NO. 509

BY SENATOR LONG AND REPRESENTATIVES ARMES, BOBBY BADON, BILLIOT, BURFORD, CARMODY, CHANDLER, CHANEY, DOERGE, FANNIN, GUILLORY, HAZEL, HENDERSON, HINES, HOFFMANN, HOWARD, HUTTER, JOHNSON, SAM JONES, NOWLIN, POPE, PATRICIA SMITH, ST. GERMAIN AND WOOTON

SCHOOLS. Includes the Louisiana School for Math, Science, and the Arts and the New Orleans Center for the Creative Arts in the MFP.
(gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:1970.27(A) and to enact R.S. 17:1968.1 and to repeal R.S.

3 17:1969, relative to funding for the Louisiana School for Math, Science, and the Arts

4 and the New Orleans Center for the Creative Arts; to provide for the inclusion of the

5 schools in the minimum foundation program formula; to provide for the allocation

6 of minimum foundation program funds attributable to such inclusion; to provide

7 relative to appropriations from the state general fund; to provide relative to the

8 annual budget of the Louisiana School for Math, Science, and the Arts; and to

9 provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 17:1970.27(A) is hereby amended and reenacted and R.S. 17:1968.1
12 is hereby enacted to read as follows:

13 **§1968.1. Funding; inclusion in the minimum foundation program formula;**

14 **other appropriated state funds**

15 **A.(1)The board of directors of the Louisiana School for Math, Science,**

16 **and the Arts annually shall prepare and adopt a recommended formula to**

17 **adequately fund the educational programs at the school. The formula shall**

1 have as its goal to provide state funding for the school which shall not be less
2 than the average funding on a per student basis at peer institutions in other
3 states having similar programs and enrollments and may provide for achieving
4 its goal over a multi-year period. The recommended formula shall be submitted
5 to the division of administration as the total budget request for the school.

6 (2) Funding for the school shall be provided through appropriations
7 made directly to the school from the state general fund and through funds
8 appropriated for the minimum foundation program and allocated to the school
9 by the Department of Education.

10 B.(1) For the purposes of this Section, the Louisiana School for Math,
11 Science, and the Arts shall be considered a public secondary school and, as such,
12 shall be included by the State Board of Elementary and Secondary Education
13 in the formula required by Article VIII, Section 13 of the Constitution of
14 Louisiana used to determine the cost of a minimum foundation program of
15 education in all public elementary and secondary schools.

16 (2) Minimum foundation program funds allocated to the school shall be
17 based upon the school's enrollment, which shall be determined in the same
18 manner as for other public schools, and each student shall be funded at one
19 hundred percent of the base per pupil amount as contained in the minimum
20 foundation program budget letter approved by the State Board of Elementary
21 and Secondary Education.

22 C. The amount of funding for any budget request submitted as provided
23 in this Section that is not provided through the minimum foundation program
24 formula shall be determined by the legislature.

25 * * *

26 §1970.27. Funding; acceptance of other funds

27 A. (1) Funds for the operation of the center New Orleans Center for the
28 Creative Arts and the programs provided by the center New Orleans Center for
29 the Creative Arts shall come from monies appropriated therefor by the legislature

1 and through funds appropriated for the minimum foundation program and
2 allocated to the school by the Department of Education.

3 (2) For the purposes of this Section, the New Orleans Center for the
4 Creative Arts shall be considered a public secondary school and, as such, shall
5 be included by the State Board of Elementary and Secondary Education in the
6 formula required by Article VIII, Section 13 of the Constitution of Louisiana
7 used to determine the cost of a minimum foundation program of education in
8 all public elementary and secondary schools.

9 (3) Minimum foundation program funds allocated to the New Orleans
10 Center for the Creative Arts shall be based upon that portion of the New
11 Orleans Center for the Creative Arts' enrollment which is not included in the
12 enrollment count for the minimum foundation program of any city, parish, or
13 other local public school system and each student shall be funded at one
14 hundred percent of the state base per pupil amount as contained in the
15 minimum foundation program budget letter approved by the State Board of
16 Elementary and Secondary Education.

17 (4) The amount of funding for any budget request submitted as provided
18 in this Section that is not provided through the minimum foundation program
19 formula shall be determined by the legislature.

20 * * *

21 Section 2. R.S. 17:1969 is hereby repealed in its entirety.

22 Section 3. This Act shall become effective upon signature by the governor or, if not
23 signed by the governor, upon expiration of the time for bills to become law without signature
24 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
25 vetoed by the governor and subsequently approved by the legislature, this Act shall become
26 effective on the day following such approval.

The original instrument was prepared by Jeanne Johnston. The following digest, which does not constitute a part of the legislative instrument, was prepared by Michelle Broussard-Johnson.

DIGEST

Long (SB 509)

Proposed law (R.S. 17:1968.1) provides with respect to the Louisiana School for Math, Science, and the Arts and the New Orleans Center for the Creative Arts as follows:

1. Requires the board of directors of the Louisiana School for Math, Science, and the Arts and the New Orleans Center for the Creative Arts to annually prepare and adopt a recommended formula to adequately fund the school's educational programs. The goal of such formula is to provide state funding for the schools which is not less than the average per student funding at peer institutions in other states having similar programs and enrollments and may provide for achieving its goal over a multi-year period. The recommended formula shall be submitted to the div. of administration as the total budget request for the schools.
2. Specifies that funding for the schools shall be achieved through appropriations made directly to the schools from the state general fund and through funds appropriated for the minimum foundation program and allocated to the school by the Dept. of Education.
3. For purposes of proposed law, the schools will be considered a public secondary school and included by the State Board of Elementary and Secondary Education in the minimum foundation program formula (MFP). MFP funds allocated to the school will be based upon the school's enrollment, which shall be determined in the same manner as for other public schools. Each student shall be funded at 100% of the base per pupil amount as contained in the MFP budget letter approved by BESE.
4. The amount of funding for the respective school's budget request not provided through the MFP shall be determined by the legislature.

Present law (R.S. 17:1969) requires the board of directors of the Louisiana School for Math, Science, and the Arts to annually prepare and adopt a recommended formula to adequately fund the school's educational programs. The goal of this formula is to provide state funding for the school which is not less than the average per student funding at peer institutions in other states having similar programs and enrollments and may provide for achieving its goal over a multi-year period. These provisions of present law were incorporated into proposed law.

Present law provides that, prior to approval, BESE may return the formula adopted by the board of directors and may recommend an amended formula for consideration by the board for submission to BESE for approval.

Provides that if BESE fails to approve the formula most recently adopted by the board of directors, the last formula adopted by the board and approved by BESE shall be used to adequately fund the educational programs at the school.

Requires the board of directors of the school to annually request sufficient monies to fully fund the cost to the state for the school based on the adopted and approved formula and to submit their budget request to the Joint Legislative Committee on the Budget.

Provides that if the BESE fails to approve the formula developed by the school's board of directors, the board shall prepare its annual budget request as otherwise provided by law.

Provides that the amount of funding for any budget request submitted by the board shall be determined by the legislature.

Proposed law repeals present law.

Effective upon signature by the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:1970.27(a); adds R.S. 17:1968.1; repeals R.S. 17:1969)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill.

1. Deletes requirement that the legislature annually fund the school at a level not less than the average per student funding provided to peer institutions.
2. Changes method of computation of student enrollment count.
3. Deletes language providing that MFP funding shall not supplant historical SGF funding of the school and provides that the level of funding outside of the MFP shall be determined by the legislature.

Senate Floor Amendments to reengrossed bill.

1. Adds the New Orleans Center for the Creative Arts in the MFP.