
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jeanne C. Johnston.

DIGEST

Nevers (SB 80)

Present law (R.S. 36:642(C)(2)) provides that whenever the state superintendent determines that the administration of the functions of the Dept. of Education may be more efficiently performed by eliminating, merging, or consolidating existing offices or establishing new offices, he shall present a plan therefor to the legislature for its approval by statute.

Proposed law retains these provisions.

Present law (R.S. 36:642(C)(1)) provides that the Dept. of Education shall be composed of:

1. The executive office of the superintendent.
2. The office of management and finance.
3. The office of student and school performance.
4. The office of quality educators.
5. The office of school and community support.
6. The technical college system.
7. Special school district number one.
8. Such other offices as shall be created by law.

Proposed law provides instead that the Dept. of Education shall be composed of:

1. The executive office of the superintendent.
2. The office of management and finance.
3. The office of literacy.
4. The office of science, technology, engineering, and mathematics.
5. The office of college and career readiness.
6. The office of departmental support.

7. The office of innovation.
8. The Recovery School District.
9. Special school district number one.
10. Such other offices as shall be created by law.

Present law provides that the officers of the dept. of education shall be the superintendent of education, the deputy superintendent of education (if one is appointed), the deputy superintendent for management and finance, and an assistant superintendent for each office of the department.

Proposed law provides instead the the officers of the dept. of education shall be the superintendent of education, the deputy superintendent of education, and an assistant deputy superintendent for each office of the department.

Present law (La. Const. Article IV, Section 13) requires each elected official, except the governor and Lt. governor, to appoint a first assistant. The first assistant must be confirmed by the Senate and possess the same qualifications required for election to office. R.S. 17:23 statutorily mirrors this constitutional requirement.

Proposed law deletes this statutory requirement as the office of state superintendent is no longer elected and R.S. 36:643(A) provides that the deputy superintendent shall serve as first assistant, thus meeting the constitutional requirement.

Present law (R.S. 36:646) provides the state superintendent may appoint a deputy superintendent, subject to Senate confirmation, who serves at the pleasure of the state superintendent. Provides that the deputy superintendent of education's salary is fixed by the state superintendent, subject to legislative approval. Further provides that the deputy superintendent shall be the superintendent's first assistant and shall serve as acting superintendent in his absence.

Proposed law statutorily establishes the office of deputy superintendent of education, instead of such position being optional, but otherwise retains present law.

Present law (R.S. 36:647) provides that there shall be a deputy superintendent for management and finance who, through the office of management and finance, shall be responsible for accounting and budget control, procurement and contract management, management and program analysis, technology and information management, and grants management. Provides that the deputy superintendent for management and finance is directly responsible to the state superintendent and shall perform his functions under the supervision and control of the superintendent. Further provides that these duties and functions shall not be subject to change by the superintendent, except that the deputy superintendent for management and finance shall perform such additional duties and functions as are assigned by the superintendent.

Proposed law retains the functions of the office of management and finance but organizationally

realigns the office to be on par with the other offices within the department. Provides that the office of management and finance will be headed by an assistant deputy superintendent, as with the other offices in the department, and not a deputy superintendent reporting directly to the state superintendent and whose duties cannot be changed by the superintendent.

Present law (R.S. 36:648) provides that each office within the Dept. of Education, except the office of management and finance, shall be under the immediate supervision of an assistant superintendent appointed by the state superintendent, subject to Senate confirmation. Provides that the salary of each assistant superintendent is fixed by the state superintendent, subject to legislative approval.

Proposed law provides that all offices within the Dept. of Education shall be headed by an assistant deputy superintendent, but otherwise retains present law.

Proposed law provides that the state superintendent of education shall appoint a superintendent to serve as the administrative head of the Recovery School District (RSD) with prior approval of BESE. Further provides that the RSD superintendent shall possess the same qualifications established by BESE for the position of superintendent of a local school system and shall be subject to Senate confirmation.

Proposed law provides that special school district number one (SSD) shall be under the administration of a state director who shall be appointed by the state superintendent, subject to Senate confirmation.

Proposed law provides that the state superintendent shall fix the salaries of the RSD superintendent and the SSD state director which shall not exceed the amount approved for such position by the legislature while in session. Further provides that the RSD superintendent and the SSD state director shall exercise their duties and functions under the direct supervision and control of the state superintendent.

Present law (R.S. 36:649) provides for the purposes and functions of each of the offices (other than the office of management and finance) within the Dept. of Education as currently established in present law as follows:

1. The office of student and school performance shall perform the functions of the state relating to student and school standards, assessment, accountability, and assistance, including exceptional children.
2. The office of quality educators shall perform the functions of the state relating to teachers and administrators, including assessment and evaluation, certification, and staff development.
3. The office of school and community support shall perform the functions of the state relating to student, school, and community health and nutrition programs, transportation, community adult training programs, and postsecondary and workforce development

programs.

Proposed law deletes these provisions and provides instead for the purposes and functions of each of the offices within the Dept. of Education as follows:

1. The office of literacy shall perform the functions of the state relating to reading and writing.
2. The office of science, technology, engineering, and mathematics shall perform the functions of the state relating to numeracy, science, engineering, and technology.
3. The office of college and career readiness shall perform the functions of the state relating to dropout prevention and preparing students for college or career and technical education.
4. The office of management and finance shall perform the functions of the state relating to accounting and budget control, procurement and contract management, management and program analysis, grants management, and personnel management.
5. The office of departmental support shall perform the functions of the state relating to parental options, charter schools, federal programs, nutritional programs, foreign language programs, standards, assessments, and accountability, and information management.
6. The office of innovation shall perform the functions of the state relating to teacher preparation, certification, and professional development, school leadership, support to local school districts, and school improvement.

Proposed law deletes all relevant statutory references to the "deputy superintendent for management and finance" and changes all references to "assistant superintendent" to "assistant deputy superintendent."

Present law (R.S. 17:3781-3784) provides for the establishment of up to eight regional education service centers under the supervision of the Department of Education as follows:

1. Requires BESE to establish the regions to be served and the location of each center, provided that any center location shall be within an approximate 30 mile radius of a public college or university having a college of education.
2. Provides that each center shall be established in a manner to provide equal and cost effective services to school systems based upon student population and geographic location.
3. Provides that each center shall be governed by a board of directors comprised of the superintendent of each participating school system, or his designee. Provides that the dean of each college of education at a 4-yr. college or university located in the region

shall serve as an ex-officio, non-voting member of the board. Also provides for the duties of each board of directors.

4. Requires the Dept. of Education to maintain an office in Baton Rouge for the coordination and general supervision of the state and regional functions of the regional service centers.
5. Provides that the state superintendent of education, with BESE approval, shall determine regional service center programs and services, including support and technical assistance services and any other instructional or professional development program or service provided by the department to school systems which can be more effectively or efficiently coordinated through a regional center. Requires BESE, in making this determination, to consider the identified regional and local needs as determined by the board of directors for each center, legislative mandates, and local, state, and federal funding source priorities.

Proposed law deletes these provisions.

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

(Amends R.S. 36:642(C)(1), 643, 645(A)(5), 646, 648, and 649; enacts R.S. 36:648.1; repeals R.S. 17:23 and 3781 through 3784 and R.S. 36:647)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill.

1. Adds the office of departmental support, the office of innovation, and the Recovery School District to the list of entities that compose the Dept. of Education.
2. Provides for the appointment, qualifications, and salaries of the administrative head of the RSD and the Special School District.
3. Provides for the functions of the office of departmental support and the office of innovation.
4. Requires Senate confirmation of the administrative head of the office of departmental support, the office of innovation, the RSD, and SSD.