

Regular Session, 2012

SENATE BILL NO. 155

BY SENATOR LAFLEUR

EARLY CHILDHOOD ED. Authorizes the Dept. of Education to grant waivers for certain LA 4 requirements. (8/1/12)

1 AN ACT

2 To amend and reenact R.S. 17:24.10(C)(1)(c), relative to early childhood education; to
3 authorize the Department of Education to grant waivers for certain enrichment
4 activity classes required in the Cecil J. Picard LA 4 Early Childhood Program; to
5 provide for annual renewal of such waivers; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:24.10(C)(1)(c) is hereby amended and reenacted to read as
8 follows:

9 §24.10. The Cecil J. Picard LA 4 Early Childhood Program; early childhood
10 development and enrichment activity classes; establishment;
11 eligibility; requirements; funding; study

12 * * *

13 C. Each LA 4 class shall include or have provided all of the following:

14 (1)

15 * * *

16 (c)(i) A waiver or partial waiver to the requirement for enrichment activities,
17 but not to the program of early childhood education during the period of the day that

1 school is actually in session, may be granted by the ~~state board~~ **department** to an
 2 applicant pursuant to rules adopted by the state board upon a showing acceptable to
 3 the ~~board~~ **department** that it is not possible or reasonably feasible for economically
 4 justifiable reasons for the applicant to provide sufficient enrichment activities
 5 preceding or subsequent to the early childhood education period of the day to
 6 provide the full ten-hour day otherwise required; ~~provided the applicant has specific~~
 7 ~~and achievable plans for meeting the full ten-hour requirement by no later than the~~
 8 ~~beginning of the third year of operation; such.~~ **Such** a waiver may be provided for
 9 only one operational year at a time, ~~for a total of no more than two consecutive~~
 10 ~~operational years, and only at the time of approval of the initial application or during~~
 11 ~~the applicant's initial year of operation.~~

12 (ii) A waiver or partial waiver to the requirement for enrichment activities,
 13 but not to the program of early childhood education during the period of the day that
 14 school is actually in session, may be granted by the ~~state board~~ **department** to an
 15 applicant pursuant to rules adopted by the state board upon a showing acceptable to
 16 the ~~board~~ **department** that, over time and consistently during the same period of the
 17 day, so few children are present for enrichment activities that providing the
 18 enrichment activities otherwise required for all or a portion of a full ten-hour day is
 19 not reasonably feasible. Such a waiver may be provided for only one year at a time,
 20 but may be renewed annually based on a continued showing that participation is so
 21 low that providing such activities is not reasonably feasible.

22 * * *

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Nancy Vicknair.

DIGEST

Present law requires that early childhood development and enrichment activity classes (LA 4 classes) be made available to every child within a school system's jurisdiction who will be eligible to enter public school kindergarten in the following year and who meets certain criteria.

Present law requires each LA 4 class to include a full program of not less than 10 hours per day for each day that the regular school program in the school system is in session that includes a program of early childhood education during the period of the day that school is

normally in session and a program of high quality enrichment activities during the before and after school session time. Requires each school system to determine the precise start and end times of the full day program according to the assessed needs of the community served by the program.

Proposed law retains present law.

Present law authorizes the State Board of Elementary and Secondary Education (BESE) to grant a waiver or partial waiver to the required enrichment activities of the LA 4 program, but not to the program of early childhood education during the period of the day that school is actually in session. Authorizes such waiver to be granted pursuant to rules adopted by BESE upon a showing that it is not possible or reasonably feasible for economically justifiable reasons to provide sufficient enrichment activities preceding or subsequent to the early childhood education period of the day to provide the full 10 hour day.

Proposed law transfers the authority to grant such waivers from BESE to the Dept. of Education and otherwise retains present law.

Present law requires each applicant requesting a waiver to provide specific and achievable plans for meeting the full 10 hour requirement by no later than the beginning of the third year of operation.

Proposed law deletes present law.

Present law authorizes a waiver to be provided for only one operational year at a time, for a total of no more than two consecutive operational years, and only at the time of approval of the initial application or during the applicant's initial year of operation.

Proposed law authorizes the department to provide a waiver for only one operational year at a time.

Present law provides that a waiver or partial waiver to the requirement for enrichment activities, but not to the program of early childhood education during the period of the day that school is actually in session, may be granted by BESE to an applicant pursuant to rules adopted by BESE upon a showing acceptable to BESE that, over time and consistently during the same period of the day, so few children are present for enrichment activities that providing the enrichment activities otherwise required for all or a portion of a full 10 hour day is not reasonably feasible. Further provides that such a waiver may be provided for only one year at a time, but may be renewed annually based on a continued showing that participation is so low that providing such activities is not reasonably feasible.

Proposed law retains present law, but transfers the authority to grant such waivers from BESE to the Dept. of Education.

Effective August 1, 2012.

(Amends R.S. 17:24.10(C)(1)(c))