SLS 13RS-258 **ORIGINAL**

Regular Session, 2013

SENATE BILL NO. 199

BY SENATOR WHITE

SCHOOLS. Creates and provides for the Southeast Baton Rouge Community School Board and school system in East Baton Rouge Parish. (See Act)

AN ACT

To enact R.S. 17:58.2(I), 67, and 67.1 through 67.4, relative to the Southeast Baton Rouge Community School System; to provide for the school system, including its establishment and geographic boundaries; to provide for the school board and an interim school board; to provide for board membership, apportionment, qualifications, method of selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide relative to facilities and property; to provide relative to the collection and remittance of certain taxes; to provide relative to the provision of certain student services; to provide relative to certain applications for funding; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:58.2(I), 67, and 67.1 through 67.4 are hereby enacted to read as follows:

§58.2. East Baton Rouge Parish School Board; reapportionment; election districts;

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

terms

* * *

I.(1) In addition to any other requirements in this Section, in the event the Southeast Baton Rouge Community School Board begins the actual operation of educating students within its jurisdiction as a separate school system in accordance with R.S. 17:67, the East Baton Rouge Parish School Board shall develop a plan to divide the parish, excluding the geographic area within the boundaries of the Southeast Baton Rouge Community School System, into single-member districts from each of which one member of such board shall be elected. Such districts shall be drawn with as equal population as possible, using population figures from the most recent federal decennial census.

(2) Prior to the final adoption of such plan, the East Baton Rouge Parish School Board shall order a public hearing on the proposed plan and shall cause to be published in its official journal, at least twenty days prior to the date of such hearing, the time and place thereof, a general summary and map of the proposed plan, and the times and places where copies of the proposed plan are available for public inspection.

(3) Notwithstanding any law to the contrary, each elected member of the East Baton Rouge Parish School Board holding office on the date the Southeast Baton Rouge Community School Board begins the actual operation of educating students within its jurisdiction as a separate school system shall serve the remainder of the term of office for which he was elected. If a vacancy occurs during his term of office, it shall be filled in accordance with law from districts in effect at the time the office is filled.

(4) At the next date on which a regular election for members of the East Baton Rouge Parish School Board would be held following the date the Southeast Baton Rouge Community School Board begins the actual operation of educating students within its jurisdiction as a separate school system, the members of the East Baton Rouge Parish School Board shall be elected from

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

single-member districts adopted in accordance with this Subsection. The members so elected and their successors in office shall serve four-year concurrent terms. Thereafter, the East Baton Rouge Parish School Board shall be reapportioned as otherwise provided by law.

* * *

§67. Southeast Baton Rouge Community School Board and school system; creation; membership; qualifications; apportionment; election; powers, duties, and functions; system operation

A.(1) Notwithstanding any provision of law to the contrary, upon the appointment of members of the interim school board as provided in R.S. 17:67.1, there shall be established a separate school system and school board for the Southeast Baton Rouge community in East Baton Rouge Parish. The school board shall be designated the Southeast Baton Rouge Community School Board. The board shall be composed of nine members, one from each of the single-member districts provided for in Subsection B of this Section, who shall be electors and shall meet the qualifications for office provided in R.S. 17:52(D) and (E).

(2) The geographic boundaries of the school system shall be as follows: Commence at a point where the centerlines of Interstate 10 and Interstate 12 intersect; thence proceed in an easterly direction along the centerline of Interstate 12 to its intersection with the Amite River; thence proceed in a southerly direction along the centerline of the Amite River to its intersection with Bayou Manchac; thence proceed in a westerly direction along the centerline of Bayou Manchac to its intersection with Interstate 10; thence proceed in a northwesterly direction along the centerline of Interstate 10 to the point of beginning.

B.(1) The interim school board shall, within one hundred eighty days of appointment, develop and adopt a plan to divide the geographic area encompassed by the Southeast Baton Rouge Community School System into

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

nine single-member districts, from each of which one member of the Southeast Baton Rouge Community School Board shall be elected. The districts shall be drawn in such a manner that each member of the Southeast Baton Rouge Community School Board represents as nearly as possible the same number of persons, using population figures from the latest federal decennial census.

(2) Prior to the final adoption of the apportionment plan required by Paragraph (1) of this Subsection, the interim school board shall order a public hearing on the proposed plan and shall cause to be published in its official journal, at least twenty days prior to the date of such hearing, the time and place thereof, a general summary and map of the proposed plan, and the times and places where copies of the proposed plan are available for public inspection.

C. The initial members of the Southeast Baton Rouge Community School Board shall be elected at the time and place provided by law generally for parish school board members occurring at least one year following appointment and shall take office as otherwise generally provided by law for parish school board members. Board members and their successors in office shall serve for four-year concurrent terms.

D. Vacancies on the board shall be filled as generally provided by law for parish school boards.

E.(1) The organization of the Southeast Baton Rouge Community School Board as well as the board's powers, duties, functions, and responsibilities shall be as generally provided by law for local public school boards. Compensation for board members and reimbursement for expenses shall be as generally provided by law for city, parish, and other local public school board members.

(2) The Southeast Baton Rouge Community School Board shall adopt rules, regulations, and procedures consistent with law to effectuate this Section and to administer the duties, functions, and responsibilities of the board.

F. The Southeast Baton Rouge Community School Board shall begin actual operation of providing for the education of students within its

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

jurisdiction on July first immediately following the effective date of this Act. Beginning on July first immediately following the effective date of this Act and thereafter, notwithstanding any provision of law or rule or regulation to the contrary and pursuant to the duty and responsibility placed with the legislature by Article VIII, Section 1 of the Constitution of Louisiana to establish and maintain a public educational system and the authority granted the legislature by Article VIII, Section 10(A) of the Constitution of Louisiana to enact laws affecting parish school board systems in existence on the effective date of the constitution, all lands, buildings, improvements, facilities, and other property having title vested in the public and subject to management, administration, and control by the East Baton Rouge Parish School Board for public education purposes located within the geographic boundaries of the Southeast Baton Rouge Community School System or used to provide student transportation services to such facilities, or both, shall be transferred to, managed, administered, and controlled by the Southeast Baton Rouge Community School Board.

G. The East Baton Rouge Parish School System shall transfer ownership of at least fifty school buses, each with at least sixty-passenger capacity that are of equal quality, age, and condition to the fleet owned and operated by the East Baton Rouge Parish School System to the Southeast Baton Rouge Community School System, including a sufficient number of handicapped-accessible buses to be used to transport the students needing special transportation services.

H. The East Baton Rouge Parish School System shall provide extended school year services, through August thirty-first immediately following the effective date of this Act, to public and non-public school students residing within the geographic boundaries of the Southeast Baton Rouge Community School System who qualified to receive such services prior to June thirtieth immediately following the effective date of this Act.

I. The East Baton Rouge Parish School System and any taxing district

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

created by the East Baton Rouge Parish School System shall be the recipient of all sales and use taxes levied for school purposes collected within the geographic boundaries of the Southeast Baton Rouge Community School System and remitted by the tax collector through June thirtieth immediately following the effective date of this Act. Beginning on July first immediately following the effective date of this Act, the sales and use tax collector shall remit all sales and use taxes levied for school purposes collected within the geographic boundaries of the Southeast Baton Rouge Community School System, including delinquent payments, to the Southeast Baton Rouge Community School System.

J. The East Baton Rouge Parish School System shall receive all ad valorem and property taxes levied for school purposes collected within the geographic boundaries of the Southeast Baton Rouge Community School System collected and remitted by the tax collector through June thirtieth immediately following the effective date of this Act. Beginning on July first immediately following the effective date of this Act, the tax collector shall remit all ad valorem and property taxes levied for school purposes collected within the geographic boundaries of the Southeast Baton Rouge Community School System, including delinquent payments, to the Southeast Baton Rouge Community School System.

K. For every application made by the East Baton Rouge Parish School System for funding for the school year immediately following the effective date of this Act, which has a due date on or before August fifteenth immediately following the effective date of this Act, the East Baton Rouge Parish School System shall disaggregate the data for the Southeast Baton Rouge Community School System and shall submit two applications, one for the East Baton Rouge Parish School System and one for the Southeast Baton Rouge Community School System.

L. Consistent with Article VIII of the Louisiana Constitution of 1974, relevant to equal educational opportunities, no state monies shall be used to

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

discriminate or to have the effect of discriminating and failing to provide an equal educational opportunity for all students.

§67.1. Southeast Baton Rouge Community School System; interim school board

A. Notwithstanding any provision of law to the contrary, upon the appointment of the members thereof as provided in Subsection C of this Section, there shall be and there is hereby created an interim school board for the Southeast Baton Rouge Community School System which shall continue in existence until the taking of office of the initial elected members of the Southeast Baton Rouge Community School Board as provided by R.S. 17:67.

B.(1) The interim school board shall be composed of seven members appointed at large as provided in Subsection C of this Section. An interim school board member shall have attained the age of eighteen, be an elector, have resided in the state for the two years preceding appointment, have been domiciled within the geographic boundaries of the school system for at least one year preceding appointment, meet the qualifications provided in R.S. 17:52(D), and reside within the geographic boundaries of the school system.

(2) Membership on the interim school board shall not disqualify an otherwise eligible person from qualifying as a candidate for election as a member of the Southeast Baton Rouge Community School Board.

C.(1) All members of the interim school board shall be appointed by the governor within thirty days after the effective date of this Section and shall serve until the taking of office of the initial members of the Southeast Baton Rouge Community School Board elected as provided in R.S. 17:67.

(2) Members appointed by the governor shall be from a list of nominees provided as follows:

(a) The members of the Louisiana Senate elected from district numbers six and sixteen shall each nominate three persons meeting the qualifications for office for each position to be appointed by the governor.

(b) The members of the Louisiana House of Representatives elected from

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

district numbers sixty-five, sixty-six, sixty-eight, and sixty-nine shall each nominate two persons meeting the qualifications for office for each position to be appointed by the governor.

(3) A vacancy on the interim school board shall be filled in the same manner as the original appointment.

D.(1) The interim school board shall constitute a body corporate in law.

(2) The organization of the interim school board as well as the board's powers, duties, functions, and responsibilities shall be as provided by law generally for city, parish, and other local public school boards.

(3) Members of the interim school board shall serve without compensation.

E. The interim school board shall adopt rules, regulations, and procedures consistent with law to effectuate this Section and to administer the duties, functions, and responsibilities of the interim board.

F. The provisions of R.S. 42:11 through 28, relative to open meetings, and the provisions of Chapter 1 of Title 44 of the Louisiana Revised Statutes of 1950, relative to public records, shall be applicable to the interim school board and its members.

G. All authority granted to the interim school board by this Section shall expire upon the taking of office of the initial members of the Southeast Baton Rouge Community School Board elected as provided by R.S. 17:67(C). However, the elected school board may take formal action to continue the interim school board as an advisory body on matters previously under the jurisdiction of the interim board.

H. The East Baton Rouge Parish School Board shall:

(1) Work cooperatively and collaboratively with the interim school board and the Southeast Baton Rouge Community School Board to effect the transfer of the students, buildings and other facilities, property, instructional materials, buses, and all other assets related to the schools located within the geographic

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

boundaries of the Southeast Baton Rouge Community School System in an efficient and expeditious manner.

(2) Provide the interim school board for the Southeast Baton Rouge Community School System with immediate and complete access to:

(a) All school buildings and facilities associated with the schools located within the geographic boundaries of the Southeast Baton Rouge Community School System. Such access shall include making the school buildings and facilities to be transferred available, free of charge, to the interim and elected school boards for the Southeast Baton Rouge Community School System for purposes of conducting board and community meetings and other functions and activities related to the operation of the Southeast Baton Rouge Community School System.

(b) All student records and any other student-related files associated with students enrolled in the schools to be transferred to the Southeast Baton Rouge Community School System.

(c) All financial records associated with the schools to be transferred to the Southeast Baton Rouge Community School System, including those related to building maintenance, taxes, insurance, and indebtedness.

I. The East Baton Rouge Parish School Board shall not:

(1) Interfere, or impede in any way, with the processes to transfer the students, buildings and other facilities, property, instructional materials and equipment, buses, and all other assets related to the schools located within the geographical boundaries of the Southeast Baton Rouge Community School System to the Southeast Baton Rouge Community School Board.

(2) Sell, transfer, or otherwise remove any asset or thing of value, movable or immovable, corporeal or incorporeal, attributable to the schools to be transferred to the Southeast Baton Rouge Community School System prior to such transfer.

(3) Incur, transfer, or assign any debt or other responsibility or

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

obligation to schools to be transferred to the Southeast Baton Rouge Community School System that is not properly attributable to such schools.

§67.2. Redistribution of minimum foundation program to other school systems

To ensure that the creation of the Southeast Baton Rouge Community School District does not have a negative impact on the minimum foundation program allocation to school systems, beginning in the fiscal year immediately following the effective date of this Act and continuing for the next four fiscal years, the State Board of Elementary and Secondary Education shall identify the districts in parishes other than East Baton Rouge on which the creation of the Southeast Baton Rouge Community School System causes a negative impact and determine the amount of the negative impact on the minimum foundation per pupil allocation. The State Board of Elementary and Secondary Education shall withhold the total of the amounts of the negative impact on all districts in parishes other than East Baton Rouge from the total minimum foundation program allocation to the Southeast Baton Rouge Community School District and transfer those funds on a per pupil basis to such districts.

§67.3. Benefits of reemployed retirees and Legacy Benefit Trust Fund for Retirees of East Baton Rouge Parish School System

A. The East Baton Rouge Parish School System shall annually provide to the Southeast Baton Rouge Community School System an itemization of all postemployment benefits to be paid by the East Baton Rouge Parish School Board for the benefit of every individual hired by the Southeast Baton Rouge Community School System as a full-time employee. The Southeast Baton Rouge Community School System shall reimburse East Baton Rouge Parish School System at least quarterly for all post employment benefits for any employee hired by Southeast Baton Rouge Community School System as a full-time employee until all post employment benefits to which said individual is entitled have been paid.

B. A trust to be known as the "Legacy Benefit Trust for Retirees of the

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

East Baton Rouge Parish School System" shall be established pursuant to R.S. 17:1224. Within twelve months of beginning operation, the Southeast Baton Rouge Community School System shall deposit into the trust an initial sum calculated using the per pupil formula used to calculate the amount of funds received by the East Baton Rouge Parish School Board from the State Board of Elementary and Secondary Education on behalf of the East Baton Rouge parish schools placed under the jurisdiction of the Recovery School District. Thereafter, on or before July first of each succeeding year, the Southeast Baton Rouge Community School District shall deposit into the trust an amount calculated using the per pupil formula used to calculate the amount of funds received by the East Baton Rouge Parish School Board from the State Board of Elementary and Secondary Education on behalf of the East Baton Rouge parish schools placed under the jurisdiction of the Recovery School District.

C. In the event it is determined by an actuarial study that the funds on deposit in the Legacy Benefit Trust for Retirees of the East Baton Rouge Parish School System are sufficient to pay the costs of the legacy benefits due to a proportionate share of individuals who retired from the East Baton Rouge Parish School System prior to the effective date of this Act, Southeast Baton Rouge Community School System shall not be required to make any additional payments to the Legacy Benefit Trust for Retirees of the East Baton Rouge Parish School System.

§67.4. Payments to East Baton Rouge Parish Educational Facilities Improvement District

A. Within thirty days of the effective date of this Act, the East Baton Rouge Parish Facilities Improvement District shall provide to the Southeast Baton Rouge Community School Board a schedule of values for any construction completed within the boundaries of the Southeast Baton Rouge Community School System with the proceeds of Qualified School Construction Bonds issued prior to the effective date of this Act, an accounting of payments

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

made and to be made through the effective date of this Act, on said bonds, and a payment schedule showing the unpaid principal and interest due for said projects.

B. Beginning on July first of the year following actual operation of the Southeast Baton Rouge Community School System, the Southeast Baton Rouge Community School System shall reimburse East Baton Rouge Parish Facilities Improvement District an amount equal to the percentage of the debt service paid in the preceding fiscal year attributable to the construction completed within the boundaries of the Southeast Baton Rouge Community School District. The reimbursement shall be made to East Baton Rouge Parish Educational Facilities Improvement District within thirty days of receipt by the Southeast Baton Rouge Community School District of confirmation of payment of the debt service attributable to construction completed within the boundaries of the Southeast Baton Rouge Community School System.

Section 2. Any high school student residing within the geographic boundaries of the Southeast Baton Rouge Community School System or the East Baton Rouge Parish School System may elect to remain enrolled in the high school he was attending on the effective date of this Act, until such time as the student graduates from high school. Such student shall be included in the membership count for the school system in which he is enrolled for all purposes, including state funding through the Minimum Foundation Program formula.

Section 3. This Act shall take effect and become operative if and when a proposed amendment to Article VIII, Section 13(D) of the Constitution of Louisiana is adopted at a statewide election and which amendment authorizes the Southeast Baton Rouge Community School System, as created in this Act or authorizes the creation of school districts by legislative act, as a system to be regarded and treated as a parish and have the authority granted to a parish school system as provided in Article VIII, Section 13 of the Constitution of Louisiana.

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

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

DIGEST

Proposed law provides for the establishment of the Southeast Baton Rouge Community School System and school board in East Baton Rouge Parish, and its operations.

Proposed law (R.S. 17:58.2(I)):

(1) Provides that in the event the SEBR Community School Board begins the actual operation of educating students within its jurisdiction as a separate school system, the EBR Parish School Board shall develop a plan to divide the parish, excluding the area of the SEBR Community School System, into single-member districts from each of which one board member shall be elected. States that such districts shall be drawn with as equal population as possible, using population figures from the most recent federal decennial census.

(2) Specifies that prior to the final adoption of such plan, the EBR Parish School Board shall order a public hearing on the proposed plan and must publish the time and place of the hearing, a general summary and map of the proposed plan, and the times and places where copies of the proposed plan are available for public inspection in its official journal at least 20 days prior to the date of such hearing.

(3) Provides that each elected member of the EBR Parish School Board holding office on the date the SEBR Community School Board begins the actual operation of educating students within its jurisdiction as a separate school system shall serve the remainder of the term of office for which elected. Provides that a vacancy occurring during such term of office will be filled in accordance with law from districts in effect when filled.

(4) Provides that at the next date on which a regular election for members of the EBR Parish School Board would be held following the date the SEBR Community School Board begins the actual operation of educating students as a separate school system, the members of the EBR Parish School Board shall be elected from single-member districts adopted in accordance with proposed law. Provides that the members so elected and their successors in office will serve four year concurrent terms.

Provides that any high school student residing within the geographic boundaries of the SEBR Community School System or the EBR Parish School System may elect to remain enrolled in the high school he was attending on the effective date of the Act, until such time as the student graduates from high school. Further provides that such student shall be included in the membership count for the school system in which he is enrolled for all purposes, including state funding through the Minimum Foundation Program (MFP) formula.

Proposed law (R.S. 17:67):

(1) Establishes a separate school system and school board for the Southeast Baton Rouge community (SEBR) in East Baton Rouge Parish (EBR). Specifies the geographic boundaries of the school system and provides that the SEBR Community School Board shall be composed of nine members elected from single-member districts. Requires that members be electors and meet the qualifications for office provided for in present law (R.S. 17:52(D)) and (E)) for school boards, (R.S. 17:52(D)), specifies that each member of a local school board shall be able to read and write, and (R.S. 17:52(E)) provides qualifications relative to age, residency, and domicile.

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

(2) Requires the interim school board, within 180 days of appointment, to develop and adopt a plan to divide the SEBR Community School System into nine single-member districts from each of which one member of the SEBR Community School Board will be elected. Provides that the districts shall be drawn in a manner such that each member of the SEBR Community School Board represents as nearly as possible the same number of persons, using population figures from the latest federal decennial census, and that the districts shall be effective in time for qualifying for the election established by law generally for school board members.

(3) Provides that prior to the final adoption of the apportionment plan, the interim school board must order a public hearing on the proposed plan. The interim school board must publish the time and place of the hearing, a general summary and map of the proposed plan, and the times and places where copies of the proposed plan are available for public inspection in its official journal at least 20 days prior to such hearing.

(4) Provides that the initial elected members of the board, each member of the SEBR Community School Board shall be elected at the time and place provided by law generally for local school board members. Provides that the members of the SEBR Community School Board elected at least one year immediately following the effective date of this Act shall assume office as otherwise provided by law generally for local school board members, and such members and their successors in office shall serve for four-year concurrent terms. Provides also that vacancies on the board shall be filled as provided by law generally for local school boards.

(5) Provides that the organization, powers, duties, functions, and responsibilities of the SEBR Community School Board and the board members' compensation and reimbursement for expenses shall be as provided by law generally for local school boards. Requires the school board to adopt rules, regulations, and procedures consistent with law to effectuate proposed law and to administer the duties, functions, and responsibilities of the board.

(6) Specifies that the SEBR Community School Board shall begin actual operation of providing for the education of students within its jurisdiction on July 1st immediately following the effective date of this Act.

(7) Provides that the interim school board shall begin such actual operation July 1st immediately following the effective date of this Act and shall exercise all powers granted to the SEBR Community School Board. Also provides that for purposes of proposed law, the SEBR Community School Board shall be deemed to have begun actual operation on such date.

(8) Provides that on the date such actual operation begins and thereafter, all lands, buildings, and improvements, facilities, and other property having title vested in the public and subject to management, administration, and control by the EBR Parish School Board for public education purposes but located within the geographic boundaries of the SEBR Community School System or used to provide student transportation services to such facilities shall be transferred to, managed, administered, and controlled by the SEBR Community School Board.

(9) Requires the EBR Parish School System to transfer ownership of at least 50 school buses each with at least 60-passenger capacity that are of equal quality, age, and condition to the fleet owned and operated by the EBR Parish School System to the SEBR Community School System, including a sufficient number of handicapped accessible buses to be used to transport the students needing special transportation services.

(10) Requires the EBR Parish School System to provide extended school year services,

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

through August 31st following the effective date, to public and non-public school students residing within the geographic boundaries of the SEBR Community School System who qualified to receive such services prior to June 30th of the year immediately following the effective date of this Act.

(11) Provides that the EBR Parish School System and any taxing district created by such school system shall be the recipient of all sales and use taxes levied for school purposes collected within the geographic boundaries of the SEBR Community School System collected and remitted by the tax collector through June 30th immediately following the effective date of this Act. Provides that beginning on July 1st immediately following the effective date of this Act, the sales and use tax collectors shall remit all sales and use taxes levied for school purposes collected within the geographic boundaries of the SEBR Community School System, including delinquent payments, to the SEBR Community School System.

(12) Provides that the EBR Parish School System shall receive all ad valorem and property taxes levied for school purposes collected within the geographic boundaries of the SEBR Community School System and remitted by the tax collector through June 30th immediately following the effective date of this Act. Provides that beginning July 1st immediately following the effective date of this Act, the tax collector shall remit all ad valorem and property taxes levied for school purposes collected within the geographic boundaries of the SEBR Community School System, including delinquent payments, to the SEBR Community School System.

(13) Provides that every application for funding made by the EBR Parish School System for funding for the school year immediately following the effective date of this Act which has a due date on or before August 15th immediately following the effective date of this Act, the EBR School System shall disaggregate the data for the SEBR Community School System and shall submit two applications, one for the EBR Parish School System and one for the SEBR Community School System.

(14) Provides that consistent with Article VIII of the La. Constitution of 1974, no state monies shall be used to discriminate or to have the effect of discriminating and failing to provide an equal educational opportunity for all students.

Proposed law (R.S. 17:67.1):

(1) Creates an interim school board for the SEBR Community School System and provides that the interim board shall continue in existence until the taking of office of the initial elected members of the SEBR Community School Board.

(2) Provides for the interim school board to be composed of seven members appointed at large. Requires that an interim school board member shall have attained the age of 18, be an elector, have resided in the state for the two years preceding appointment, have been actually domiciled within the geographic boundaries of the school system for at least one year preceding appointment, meet the qualifications provided in R.S. 17:52(D) relative to ability to read and write, and actually reside within the geographic boundaries of the school system. Specifies that membership on the interim school board shall not disqualify an otherwise eligible person from qualifying as a candidate for election as a member of the SEBR Community School Board.

(3) Provides that all members of the interim school board are to be appointed by the governor within 30 days after the effective date of proposed law and will serve until the initial elected members of the SEBR Community School Board take office. Requires that members appointed by the governor be from a list of nominees. Provides for the state senators from districts 6 and 16 to nominate three qualified persons and for the representatives from districts 65, 66, 68, and 69 to each nominate

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

two qualified persons for each position to be appointed by the governor.

(4) Provides that a vacancy on the interim school board will be filled in the same manner as the original appointment.

(5) Provides that the interim school board constitutes a body corporate in law and states that the organization of the interim school board as well as the board's powers, duties, functions, and responsibilities shall be as provided by law generally for local school boards.

(6) Requires the interim school board to adopt rules, regulations, and procedures consistent with law to effectuate proposed law and to administer the duties, functions, and responsibilities of the interim board.

(7) Provides that the interim school board and its members are subject to the state's open meetings and public records laws.

(8) Specifies that all authority granted to the interim school board by proposed law shall expire when the initial elected members of the SEBR Community School Board take office. Permits the school board, by formal action, to continue the interim school board as an advisory body on matters previously under the jurisdiction of the interim board.

(9) Provides that the EBR Parish School Board shall:

(a) Work cooperatively and collaboratively with the interim and elected SEBR school boards to effect the transfer of the students, buildings and other facilities, property, instructional materials, buses, and all other assets related to the schools located within the geographic boundaries of the new school system in an efficient and expeditious manner.

(b) Provide the SEBR interim school board with immediate and complete access to:

(i) All school buildings and facilities associated with the schools located within the boundaries of the SEBR Community School System. Such access shall include making the school buildings and facilities to be transferred available, free of charge, to the interim and elected school boards for purposes of conducting board and community meetings and other functions and activities related to the operation of the new school system.

(ii) All student records and any other student related files associated with students enrolled in the schools to be transferred to the SEBR Community School System.

(iii) All financial records associated with the schools to be transferred, including those related to building maintenance, taxes, insurance, and indebtedness.

(10) Provides that the EBR Parish School Board shall not:

(a) Interfere, or impede in any way, with the processes to transfer the students, buildings and other facilities, property, instructional materials and equipment, buses, and all other assets related to the schools located within the geographical boundaries of the SEBR Community School System.

(b) Sell, transfer, or otherwise remove any asset or thing of value, movable or

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

immovable, corporeal or incorporeal, attributable to the schools to be transferred to the SEBR school system prior to such transfer.

(c) Incur, transfer, or assign any debt or other responsibility or obligation to schools to be transferred to the SEBR school system that is not properly attributable to such schools.

Proposed law (R.S. 17:67.2):

Requires that the creation of the Southeast Baton Rouge Community School District does not have a negative impact on the minimum foundation program allocation to school systems, beginning in the fiscal year immediately following the effective date of this Act and continuing for the next four fiscal years, the State Board of Elementary and Secondary Education shall identify the districts in parishes other than East Baton Rouge on which the creation of the Southeast Baton Rouge Community School System causes a negative impact and determine the amount of the negative impact on the minimum foundation per pupil allocation. The State Board of Elementary and Secondary Education shall withhold the total of the amounts of the negative impact on all districts in parishes other than East Baton Rouge from the total minimum foundation program allocation to the Southeast Baton Rouge Community School District and transfer those funds on a per pupil basis to such districts.

Proposed law (R.S. 17:67.3):

(1) Requires the EBR School System to annually provide to the SEBR Community School System an itemization of all postemployment benefits to be paid by the East Baton Rouge Parish School Board for the benefit of every individual hired by the SEBR Community School System as a full-time employee. SEBR Community School System shall reimburse EBR Parish School System at least quarterly for all post employment benefits for any employee hired by SEBR Community School System as a full time employee until all post employment benefits to which said individual is entitled have been paid.

(2) Establishes the "Legacy Benefits Trust for Retirees of the EBR Parish School System". Requires the SEBR Community School System to deposit, within 12 months of beginning operation, into the trust an initial sum calculated using the per pupil formula used to calculate the amount of funds received by the EBR School Board from BESE on behalf of the EBR parish schools placed under the jurisdiction of the RSD. Thereafter, on or before July 1st of each succeeding year, the SEBR Community School District shall deposit into the trust an amount calculated using the per pupil formula used to calculate the amount of funds received by the EBR School Board from BESE on behalf of the EBR parish schools placed under the jurisdiction of the RSD.

(3) Provides that the SEBR Community School System shall not be required to make any additional payments to the trust in the event it is determined by an actuarial study that the funds on deposit in the trust are sufficient to pay the costs of the legacy benefits due to individuals who retired from the EBR Parish School System prior to the effective date of this Act.

Proposed law (R.S. 17:67.4):

Requires the EBR Parish Facilities Improvement District provide to the SEBR School Board within 30 days of the effective date of this Act, a schedule of values for any construction completed within the boundaries of the SEBR Community School System with the proceeds of Qualified School Construction Bonds issued prior to the effective date of this Act, an accounting of payments made and to be made through the effective date of this Act, on said bonds, and a payment schedule showing the unpaid principal and interest due for said projects.

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

Proposed law is effective if and when a proposed amendment to Article VIII, Section 13(D) of the Constitution of Louisiana is adopted at a statewide election and which amendment authorizes the SEBR Community School System, as created in this Act or authorizes the creation of school districts by legislative act, as a system to be regarded and treated as a parish and have the authority granted to a parish school system as provided in Article VIII, Section 13 of the Constitution of Louisiana.

(Adds R.S. 17:58.2(I), 67, and 67.1 through 67.4)

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.