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

DIGEST

White (SB 636)

Proposed law provides for the governance and administration of large school systems as follows:

- (1) Defines a large school system as any school system serving any parish with a population in excess of 440,000 persons according to the latest federal census and serving more than 40,000 school students according to the latest La. Dept. of Education October total enrollment count.
- (2) Provides that proposed law is enacted to provide increased authority and decision-making power to school principals, to provide for significant parental involvement, and to provide strict accountability standards for schools. Provides that it applies only to large school systems and does not apply to charter schools except as specifically provided.
- (3) Specifies that proposed law is supplemental and in addition to present law relative to parish school boards, superintendents, and public schools, that it should be construed broadly to effect its purposes, and that it supersedes any law in conflict, excluding provisions in present law relative to transportation of students.
- (4) Provides that the school board for the system shall be responsible for examination and approval of the following duties of the superintendent:
 - (a) Financial operations and adoption of a school system budget, including development and adoption of a central office budget. Specifies that the school board shall have no responsibility for the development, adoption, or approval of a budget for any individual school.
 - (b) Collection and monitoring of all school system revenue.
 - (c) Allocation of funds for school system costs, including operations, retiree legacy costs, and bonded indebtedness. Requires the superintendent, with board approval, to establish a dedicated account solely for the deposit and expenditure of funds for retiree legacy costs as provided in present law.
 - (d) Allocation to schools on a per-pupil basis of all local, state, and federal funds available to the school system. Requires that allocations include funds for populations of students having special characteristics or needs as provided in the Minimum Foundation Program (MFP) formula.
 - (e) Oversight of expenditures, excluding expenditures in an individual school budget.
 - (f) Construction of new schools and other appropriate facilities and maintenance of existing and future schools and facilities, except routine maintenance, but including major repairs to the physical plant of any local school, including electrical, plumbing, HVAC, and roofing repairs.

- (g) Enrollment zones as established by the superintendent. (See 8(c)below)
 - (h) Preparation for and response to emergencies and disasters.
- (5) Requires the school system annually to retain up to three percent of the total per pupil amount established for each student in the system for expenditure for school system costs (See 4(c) above), excluding legacy costs and bonded indebtedness.
- (6) Requires the school board to adopt policies and procedures for its own government, consistent with law and with State Board of Elementary and Secondary Education regulations, as it deems proper.
- (7) Requires the school board to require the superintendent to:
- (a) Enter into contracts for independent operating management authority with the principal of each school (See 8 below).
 - (b) Hire and review performance of principals.
 - (c) Remove principals and reconstitute schools that do not meet state minimum accountability system benchmarks and performance goals established for principals (See 10 below).
 - (d) Create and manage a common enrollment system.
 - (e) Establish enrollment zones (See 8(c) below).
 - (f) Oversee personnel management of central office staff, including recruiting, hiring, reviewing, and removing personnel.
 - (g) Review local school budgets for fiscal accountability and compliance with governmental and accounting regulations and law.
 - (h) Create a plan to address school excess capacity and excess demand for schools.
 - (i) Identify, recruit, retain, and train the best principals.
 - (j) If requested by a principal, provide support services for the school pursuant to written agreements with the principal for such services as school food services, financial and accounting services, student appraisal for special education services, student transportation services, special services for at-risk students, special education services other than gifted and talented, gifted and talented student services, custodial and maintenance services, media services, technology services, library services, health services, and health benefits for active employees. Requires the school to reimburse the school board for the actual cost of such services unless an amount less than the actual cost is agreed to by both parties. Requires the superintendent to prepare and submit annually to each local school a written report of actual cost of services provided to the school and to prepare and submit a summary of this report to the local school board.
 - (k) Process and report data for state accountability system purposes.
 - (l) Provide legal representation for the school system.
 - (m) Provide communications and public relations for the school system.
 - (n) Create a plan for implementation of proposed law by December 31, 2014. Requires the plan to include provisions for principal training.

- (8) Requires the school board to require the superintendent to:
- (a) Develop and implement criteria and procedures for independent operating management authority by means of management contracts with principals that establish and hold principals and schools responsible for performance goals (See 10 below) in exchange for independent management authority, which contracts may vary from principal to principal, provided the performance goals are addressed. Provides that the principal's salary be established in the management contract. Provides that the duration of management contracts entered into prior to July 1, 2017 shall not exceed two years and the duration of management contracts entered into on or after July 1, 2017 shall be no more than five years and no less than one year. Provides that a principal's management contract may be terminated for failure to meet the performance goals specified in the contract and for willful neglect of duty, incompetency, dishonesty, or immorality.
 - (b) Develop and implement policies to allow a school to have the right to use its designated school building and related facilities and property and to allow access to such additional facilities as are typically available to the school, its students, faculty, and staff. Provides that use be unrestricted, except makes the school responsible for routine maintenance and repair. Provides that extensive repair to buildings or facilities that would be considered a capital expense or as provided in (4)(f) above be provided by the school system or other public entity which is responsible for the facility.
 - (c) Develop an enrollment system for enrollment of students in all public schools in the school system. Requires that the enrollment system include at least five community-based enrollment zones approved by the school board and provisions for student choice, priority of schools for a student within the enrollment zone in which the student resides, access to schools across zones, and access to magnet schools and programs and special education schools, programs, and services. Requires that the enrollment system include all public schools in all zones in which such schools are eligible to enroll students and that charter schools located within the geographic boundaries of the large school system shall be included as an enrollment option in any enrollment zone from which they are eligible to enroll students. Provides that if a student's parent or legal guardian fails to choose a school through the enrollment system, the large school system shall assign the student to a school with excess capacity. Provides that in no case shall a student be assigned to, or required to attend, a charter school, a school under the jurisdiction of the Recovery School District, or a school outside the jurisdiction of the large school system in which he resides.
- (9) Provides that the principal of each school is the school's chief executive officer and that requires that the school board require each principal to have, as a minimum, responsibility for:
- (a) Development of a school budget for submission to the superintendent.
 - (b) Personnel management, including recruiting, hiring, reviewing, and removing of

personnel necessary for school operation and instruction. Requires the principal to make all employment-related decisions based upon performance, effectiveness, and qualifications. Provides that effectiveness, as determined pursuant to state law relative to evaluation of school personnel shall be the primary criterion for personnel decisions and that seniority or tenure shall not be the primary criterion in decisions regarding the hiring, assignment, or dismissal of teachers and other school employees.

- (c) Student discipline.
 - (d) Student health and safety.
 - (e) Ensuring a safe workplace environment for teachers and other school personnel.
 - (f) Preparation and maintenance of a daily school schedule.
 - (g) Development of the school curriculum and provision of related training.
 - (h) Instruction methods, instruction materials, and instructional support.
 - (i) Examinations and assessments not required by state law.
 - (j) School operations, including resource management and procurement.
 - (k) Professional development.
 - (l) Compliance with district enrollment policies.
- (10) Provides that each principal is accountable for achieving performance goals established in management contracts (See 8(a) above) including but not limited to goals in each of the following areas:
- (a) Student performance on state examinations, end-of-course tests, and other examinations such as the American College Test (ACT) and Advanced Placement.
 - (b) Additional student achievement benchmarks determined by the superintendent.
 - (c) Health and safety.
 - (d) Attendance.
 - (e) Retention.
 - (f) Promotion.
 - (g) Course and examination passage rates.
 - (h) Graduation rates, at the high school level.
 - (i) College acceptance rates, at the high school level.
 - (j) Sound financial operation.
 - (k) School governance, leadership, and management.
- (11) Provides for community school councils as follows:
- (a) Provides that these provisions don't apply to or include charter schools.
 - (b) Requires the principals of all schools within an enrollment zone to establish one community school council for the enrollment zone. Provides that a council support school principals, act as an advocate for schools, and engage surrounding communities.
 - (c) Provides that a council's responsibilities shall include:

- (I) Actively engaging the community where the schools are located, driving support for the schools, and cultivating a sense of community ownership.
 - (II) Developing a written parent involvement policy for the schools in the enrollment zone that outlines the roles of parents and guardians.
 - (III) Developing a school compact for parents, guardians, and students of schools in the zone that outlines each school's goals, academic focus, and behavioral and disciplinary expectations.
- (d) Requires that each council have at least five members but no more than eleven members, and that at least 50% of the membership be comprised of parents or guardians of students currently attending a school within the enrollment zone and at least 40% include community and business members whose residence or place of business is located within the enrollment zone. Prohibits employment of a council member by the school system within the council's enrollment zone. Prohibits a current local school board member from serving on a council. Provides that council members serve two-year terms but prohibits service for more than six successive years. Provides that council service shall be uncompensated.
- (12) Permits each council to be assisted by a community academic coordinator, who is responsible for assisting the council in carrying out its duties. Provides that the coordinator be hired by and report to the principals of schools within the enrollment zone served by the council and that the principals be collectively and equally responsible for the salary, benefits, and related costs of employing the community academic coordinator.
- (13) Requires all public schools eligible to enroll students who reside within the geographic boundaries of the large school system to pay the large school system a per-pupil amount for reimbursement of legacy costs. Provides that this per-pupil amount shall be determined by an independent third-party expert selected by the superintendent of the large school system from a list of three names submitted by the state superintendent of education. Provides that the school system may retain the legacy costs owed by each school from the per-pupil amount established for students attending the school. Provides that a charter school that enrolls students who reside within the geographic boundaries of the large school system is subject to the provisions of the Section and shall remit the amount of the legacy costs determined for the charter school to the large school system.
- (14) Requires full implementation of the Act no later than July 1, 2017.

Effective August 1, 2014.

(Adds R.S. 17:131-137)

Summary of Amendments Adopted by Senate

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

1. Makes technical corrections.
2. Specifies that proposed law does not supersede present law provisions relative to student transportation.
3. Provides for a dedicated account, instead of a trust fund, for funds to be deposited and expended for legacy costs.
4. Specifies that the school system may retain up to three percent of the total per pupil amount established for each student, instead of the per pupil amount established in the MFP formula.
5. Requires for the creation of an implementation plan by December 31, 2014, which includes provision of principal training.
6. Provides for the duration and provisions of management contracts, including grounds for termination.
7. Clarifies which charter schools will be included as an enrollment option in a given enrollment zone.
8. Provides for school assignments for students whose parents fail to choose a school through the enrollment system.
9. Provides that the school principal is responsible for ensuring a safe workplace environment.
10. Requires all public schools, including charter schools, that enroll students residing within the school system to pay the system an amount for legacy costs as determined by an independent third-party expert.