
The original instrument was prepared by Jeanne Johnston. The following digest, which does not constitute a part of the legislative instrument, was prepared by Cathy R. Wells.

DIGEST

White (SB 636)

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

- (1)(a) Defines a large school system as the largest school system, according to the most recent Oct. student enrollment count as determined by the Dept. of Education, in a parish that is served by at least three public school systems and has a population of more than 440,000 persons, as established by the most recent federal decennial census.
- (b) Defines retiree legacy costs as post-employment health care obligations of the system.
- (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 retiree legacy costs, construction, maintenance, and repair of immovable property, bonded indebtedness, and for school system costs, including operations. Requires the superintendent, with board approval, to establish a dedicated account solely for the deposit and expenditure of funds for retiree legacy costs.
 - (d) Allocation of all funds available to the school system to individual schools on a per-pupil basis. Allocation of funds received via the Minimum Foundation Program shall be allocated per-pupil according to weights for special characteristics or needs as provided in the Minimum Foundation Program formula. All unrestricted funds shall be allocated per-pupil according to weights

for special characteristics or needs as determined to be equitable by the local school board. All funds subject to use restrictions shall be allocated per-pupil in such a way as to fulfill their restricted use, as deemed equitable by the local school board. In determining per-pupil allocations, the local school board shall give due consideration to funding the needs of student populations having special needs or characteristics, including but not limited to students with severe disabilities and at-risk students.

- (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 revenue for payment of certain expenses and annually to retain up to four and one-half percent of the total per pupil amount established for each student in the system for expenditure for school system costs.
- (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) Work with principals and the community to strategically map programs in local schools to ensure adequate availability of special education programs.

(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. The duration of each management contract shall be no more than two years, and management contracts may be terminated for failure to meet the performance goals specified in the contract and for willful neglect of duty, incompetency, dishonesty, or immorality. No principal shall suffer any disciplinary action for exercising any right or power or performing any duty or function granted or authorized for principals by proposed law. For the 2014-2015 school year, only a principal who has been rated "highly effective" pursuant to the performance evaluation program as provided in proposed law shall be eligible to enter into a management contract pursuant to proposed law.
- (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, including but not limited to access to magnet schools and programs and special education schools, programs, and services.
- (d) Requires that the enrollment system include all public schools in all zones in

which such schools are eligible to enroll students.

- (e) Requires charter schools located within the geographic boundaries of the large school system be included as an enrollment option in any enrollment zone from which they are eligible to enroll students.
 - (f) 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.
 - (g) Requires certain information regarding the enrollment system be posted on the school system's website.
- (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 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 councils will be advisory only, and support school principals, by acting 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 60% 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.

Requires the local school board to require the superintendent to complete a plan for implementation of proposed law and file a copy of the plan with the school board not later than Aug. 1, 2015. Further requires the plan include provisions for implementation of all requirements of proposed law and to include provisions for training for principals relative to principal empowerment. Authorizes the plan to include provisions for implementation phases for particular provisions of the proposed law.

Requires the superintendent to begin implementation upon filing of the plan with the school board and requires full implementation of proposed law no later than July 1, 2017.

Effective August 1, 2014.

(Adds R.S. 17:131-136)

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.

Senate Floor Amendments to engrossed bill

1. Changes definition of "large school system".
2. Changes certain responsibilities of the local school board relative to allocation of funds.
3. Changes definition of "retiree legacy costs".
4. Changes the amount the school system is annually required to retain of the total

per pupil amount established for each student in the system for expenditure for school system costs.

5. Provides certain requirements for management contract.
6. Requires community school councils to act in an advisory capacity.
7. Changes the council membership of parents or guardians of students attending the school from 50% to 60%.
8. Deletes provisions which required 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 from proposed law.
9. Requires affected superintendent to complete a plan for implementation of proposed law and file such with the school board no later than Aug. 1, 2015.
10. Requires full implementation of proposed law no later than July 1, 2017.
11. Requires certain information regarding the enrollment system be posted online.