2019 Regular Session

HOUSE BILL NO. 62

BY REPRESENTATIVE STEVE CARTER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS: (Constitutional Amendment) Provides for appropriations from the Education Excellence Fund for certain schools

1	A JOINT RESOLUTION			
2	Proposing to amend Article VII, Section 10.8(C)(3)(b), (c), and (g) of the Constitution of			
3	Louisiana and to repeal Article VII, Section 10.8(C)(3)(d) of the Constitution of			
4	Louisiana, relative to the Education Excellence Fund; to provide for appropriations			
5	from the Education Excellence Fund for the Louisiana Educational Television			
6	Authority, Thrive Academy, and laboratory schools operated by public			
7	postsecondary education institutions; to provide for submission of the proposed			
8	amendment to the electors; and to provide for related matters.			
9	Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members			
10	elected to each house concurring, that there shall be submitted to the electors of the state of			
11	Louisiana, for their approval or rejection in the manner provided by law, a proposal to			
12	amend Article VII, Section 10.8(C)(3)(b), (c), and (g) of the Constitution of Louisiana, to			
13	read as follows:			
14	§10.8. Millennium Trust			
15	Section 10.8. Millennium Trust			
16	* * *			
17	(C) Appropriations.			
18	* * *			

Page 1 of 5

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

- 1
- follows:
- 3

2

* * *

(3) Appropriations from the Education Excellence Fund shall be limited as

4 (b) Appropriations shall be made each year to the Louisiana Educational 5 Television Authority in the amount of seventy-five thousand dollars and to the 6 Louisiana School for the Deaf, the Louisiana School for the Visually Impaired, the 7 Louisiana Special Education Center in Alexandria, the Jimmy D. Long, Sr. Louisiana 8 School for Math, Science, and the Arts, the New Orleans Center for Creative Arts, 9 and the Louis Armstrong High School for the Arts, and Thrive Academy, after such 10 schools are operational, to provide for a payment to each school of seventy-five 11 thousand dollars plus an allocation for each pupil equal to the average statewide per 12 pupil amount provided each city, parish, and local school system pursuant to 13 Subsubparagraphs (d) and Subsubparagraph (e) of this Subparagraph.

14 (c) Appropriations may be made for independent public schools which have 15 been approved by the State Board of Elementary and Secondary Education or any 16 city, parish, or other local school system, laboratory schools approved by the State 17 Board of Elementary and Secondary Education and operated by a public 18 postsecondary education institution, and for alternative schools and programs which 19 are authorized and approved by the State Board of Elementary and Secondary 20 Education but are not subject to the jurisdiction and management of any city, parish, 21 or local school system; to provide for an allocation for each pupil, which shall be the 22 average statewide per pupil amount provided in each city, parish, or local school 23 system pursuant to Subsubparagraphs (d) and Subsubparagraph (e) of this 24 Subparagraph.

25

* *

(g) Each recipient school or school system entity shall annually prepare and
submit to the state Department of Education, hereinafter the "department", a
prioritized plan for expenditure of funds it expects to receive in the coming year
from the Education Excellence Fund. The plan shall include performance
expectations to ensure accountability in the expenditure of such monies. The

Page 2 of 5

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	department shall review such plans for compliance with the requirements of this
2	Subparagraph and to assure that the expenditure plans will support excellence in
3	educational practice. No funds may be distributed to any school or school system
4	a recipient entity until its plan has received both legislative and departmental
5	approval as provided by law.
6	* * *
7	Section 2. Be it resolved by the Legislature of Louisiana, two-thirds of the members
8	elected to each house concurring, that there shall be submitted to the electors of the state of
9	Louisiana, for their approval or rejection in the manner provided by law, a proposal to repeal
10	Article VII, Section 10.8(C)(3)(d) of the Constitution of Louisiana.
11	Section 3. Be it further resolved that this proposed amendment shall be submitted
12	to the electors of the state of Louisiana at the statewide election to be held on October 12,
13	2019.
14	Section 4. Be it further resolved that on the official ballot to be used at the election,
15	there shall be printed a proposition, upon which the electors of the state shall be permitted
16	to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
17	follows:
18	Do you support an amendment to provide for appropriations from the
19	Education Excellence Fund for the Louisiana Educational Television
20	Authority, Thrive Academy, and laboratory schools operated by public
21	postsecondary education institutions? (Amends Article VII, Section
22	10.8(C)(3)(b), (c), and (g); Repeals Article VII, Section 10.8(C)(3)(d))

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 62 Engrossed	2019 Regular Session	Steve Carter
-----------------	----------------------	--------------

Abstract: Provides for appropriations from the Education Excellence Fund for the Louisiana Educational Television Authority, Thrive Academy and laboratory schools operated by certain entities.

<u>Present constitution</u> provides for one-third of all monies received as a result of the Master Settlement Agreement of tobacco litigation, which are deposited into the Millennium Trust, and one-third of the investment earnings on such money to be credited to the Education Excellence Fund. Provides for appropriations from the Education Excellence Fund as follows:

- (1) 15% shall be appropriated to the state superintendent of education for distribution to private elementary and secondary schools approved by the State Bd. of Elementary and Secondary Education (BESE).
- (2) Appropriations to the La. School for the Deaf, La. School for the Visually Impaired, La. School for Math, Science & Arts, the La. Special Education Center, the New Orleans Center for Creative Arts, and the Louis Armstrong High School for the Arts shall be \$75,000 plus the average per pupil amount paid to public schools.
- (3) Appropriations equal to the average per pupil amount paid to public schools are authorized for certain charter schools and alternative schools.
- (4) All remaining monies shall be appropriated for each city, parish, and other local school system on a pro rata basis based on the ratio of the student population of that school or school system to that of the total state student population.

<u>Present constitution</u> restricts appropriations from the Education Excellence Fund for the purposes of pre-kindergarten through twelfth grade instructional enhancement, including early childhood education, remedial instruction, and assistance to children who fail tests required by state law or rule for advancement to a succeeding grade, or other educational programs approved by the legislature. Prohibits use of monies for maintenance, renovations and capital improvements, salary increases, or to supplant other state or local funding. Requires each recipient school or school system to prepare and submit to the Dept. of Education a prioritized plan for expenditure of funds it expects to receive from the Education Excellence Fund. Provides that no funds may be distributed to a school or school system until its plan has been approved by the department and by the legislature.

<u>Present constitution</u> requires that amounts appropriated from the Education Excellence Fund which remain in the state treasury shall remain to the credit of the recipient school or school system at the close of each fiscal year, along with investment earnings on such amounts.

<u>Proposed constitutional amendment</u> adds that the La. Educational Television Authority shall receive an appropriation of \$75,000. <u>Proposed constitutional amendment</u> further adds that the Thrive Academy shall receive an appropriation of \$75,000 plus the average per pupil amount paid to public schools. Authorizes appropriations for laboratory schools approved by BESE and operated by public postsecondary education institutions equal to the average per pupil amount paid to public schools.

<u>Proposed constitutional amendment</u> changes the recipient of the Education Excellence Fund <u>from</u> a school or school system to an entity.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Oct. 12, 2019.

(Amends Const. Art. VII, \$10.8(C)(3)(b), (c), and (g); Repeals Const. Art. VII, \$10.0(C)(3)(d))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Appropriations</u> to the <u>original</u> bill:

HLS 19RS-186

- 1. Add the La. Educational Television Authority as a recipient of the Education Excellence Fund with an appropriation of \$75,000 from the fund.
- 2. Change the recipient of the Education Excellence Fund <u>from</u> a school or school system <u>to</u> an entity.