

Regular Session, 2012

SENATE BILL NO. 726

BY SENATOR CLAITOR

BESE. Provides relative to legislative approval of the minimum foundation program formula. (8/1/12)

1 AN ACT
2 To enact Subpart A-1 of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to
3 be comprised of R.S. 17:19, relative to the minimum foundation program and
4 formula; to provide relative to legislative approval of the formula; to provide relative
5 to the format and content of the legislative instrument utilized for legislative
6 approval of the formula; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Subpart A-1 of Chapter 1 of Title 17 of the Louisiana Revised Statutes
9 of 1950, comprised of R.S. 17:19, is hereby enacted to read as follows:

10 **SUBPART A-1**
11 **MINIMUM FOUNDATION PROGRAM FORMULA**
12 **§19. Minimum foundation program formula; legislative approval**
13 **A. Legislative approval of the formula annually developed and adopted**
14 **by the State Board of Elementary and Secondary Education to determine the**
15 **cost of a minimum foundation program of education in all public elementary**
16 **and secondary schools and to equitably allocate the funds to parish and city**
17 **school systems pursuant to Article VIII, Section 13(B) of the Constitution of**

1 Louisiana shall be granted by means of passage of a concurrent resolution
2 which may originate in either the Senate or the House of Representatives of the
3 Louisiana Legislature.

4 B. The concurrent resolution introduced as a means to grant legislative
5 approval of the annual minimum foundation program formula adopted by the
6 State Board of Elementary and Secondary Education shall conform to the
7 following:

8 (1) All introductory and closing language contained within the
9 concurrent resolution shall be drafted at the direction and discretion of the
10 author of the instrument.

11 (2)(a) The portion of the concurrent resolution containing the minimum
12 foundation program formula and which provides for the equitable allocation of
13 the funds to parish and city school systems shall be incorporated into the
14 concurrent resolution, verbatim, as approved by the State Board of Elementary
15 and Secondary Education and submitted to the legislature in accordance with
16 law.

17 (b) However, the minimum foundation program formula annually
18 submitted to the legislature by the State Board of Elementary and Secondary
19 Education shall contain no language that is not integral to the actual
20 mathematical computations necessary to determine the cost of the minimum
21 foundation program of education in public elementary and secondary schools
22 and the equitable allocation of the funds to parish and city school systems in
23 accordance with Article VIII, Section 13(B) of the Constitution of Louisiana.
24 Such formula shall not contain opinion, policy statements, or directives to the
25 state Department of Education, or any other entity, that do not bear directly
26 upon the actual mathematical computations and allocation of funds within the
27 formula and shall not prospectively create, provide funding for, or make
28 reference to any program or initiative that will not be implemented or operative
29 in the fiscal year for which the formula is designated to apply.

- 1 **C. A minimum foundation program formula submitted to the legislature**
 2 **by the State Board of Elementary and Secondary Education that does not**
 3 **conform to the provisions of Subsection B of this Section shall be returned to the**
 4 **board for reconsideration and resubmission to the legislature for approval.**

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

DIGEST

Proposed law provides with respect to the formula annually approved by BESE to determine the cost of the minimum foundation program of education in all public elementary and secondary schools and to equitably allocate the funds to parish and city school systems pursuant to Article VIII, Section 13(B) of the La. Constitution as follows:

1. Specifies that legislative approval of the MFP formula shall be granted by means of a concurrent resolution which may originate in either the Senate or the House of Representatives.
2. Provides that the concurrent resolution introduced as a means to grant legislative approval of the MFP formula must conform to the following:
 - (a) All introductory and closing language contained within the concurrent resolution shall be drafted at the direction and discretion of the author.
 - (b) Specifies that the portion of the concurrent resolution containing the minimum foundation program formula shall be incorporated into the resolution, verbatim, as approved by BESE and submitted to the legislature.
 - (c) Provides that the MFP formula annually submitted to the legislature shall not contain language that is not integral to the actual mathematical computations necessary to determine the cost of the MFP and the equitable allocation of the funds to parish and city school systems as required by the state constitution.
 - (d) Provides that the MFP formula shall not contain opinion, policy statements, or directives to DOE, or any other entity, that do not bear directly upon the actual mathematical computations and allocation of funds within the formula and shall not prospectively create, provide funding for, or make reference to any program or initiative that will not be implemented or operative in the fiscal year for which the formula is designated to apply.
 - (e) Provides that a MFP formula submitted by BESE to the legislature that does not conform to the requirements of proposed law shall be returned to the board for reconsideration and resubmission to the legislature for approval.

Effective August 1, 2012.

(Adds R.S. 17:19)