

Regular Session, 2013

HOUSE BILL NO. 643

BY REPRESENTATIVE MILLER

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

SCHOOLS/FINANCE-MFP: Provides with respect to the payment of UAL and other retirement obligations from MFP to determine state-funded per pupil allocation for charter schools, course providers, and scholarship schools

1 AN ACT

2 To amend and reenact R.S. 17:3995(A)(1)(introductory paragraph) and (a), 4002.6(A)(2)

3 through (4) and (C)(3), and 4016(A), relative to public funds for education; to

4 provide relative to the amount of funds transferred to charter schools by school

5 districts; to provide relative to the amount of public funds course providers are

6 entitled to; to provide relative to funding for scholarships within the Student

7 Scholarships for Educational Excellence Program; to provide for definitions; to

8 provide for calculations; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:3995(A)(1)(introductory paragraph) and (a), 4002.6(A)(2)

11 through (4) and (C)(3), and 4016(A) are hereby amended and reenacted to read as follows:

12 §3995. Charter school funding

13 A.(1) For the purpose of funding, a Type 1, Type 3, and Type 4 charter

14 school shall be considered an approved public school of the local school board

15 entering into the charter agreement and shall receive a per pupil amount each year

16 from the local school board based on the October first membership count of the

17 charter school. Type 1B and Type 2 charter schools shall receive a per pupil amount

18 each year authorized by the state board each year as provided in the Minimum

19 Foundation Program approved formula. The per pupil amount provided to a Type

1 §4002.6. Course providers; funding

2 A.

3 * * *

4 (2) For purposes of this Part, the per course amount means an amount equal
5 to the market rate as determined by the course provider and reported to the state
6 Department of Education up to one-sixth of ninety percent of the per pupil amount
7 each year ~~as determined by the minimum foundation program for~~ provided for a
8 charter school pursuant to R.S. 17:3995 in the local school system in which the
9 eligible funded student resides. Any remaining funds, except those specified in
10 Paragraph (3) of this Subsection, for that student shall be returned to the state or to
11 the local school system according to the pro rata share for the per pupil amount each
12 year as determined ~~by the minimum foundation program~~ pursuant to R.S. 17:3995
13 for the local school system in which the student resides. Transfers of course
14 payments shall be made by the state Department of Education on behalf of the
15 responsible city or parish school system in which the student resides to the
16 authorized course provider.

17 (3) For each student identified in R.S. 17:4002.3(2)(a) and (b), an amount
18 equal to ten percent of the per pupil amount ~~according to the pro rata share as~~
19 ~~determined each year by the minimum foundation program~~ calculated pursuant to
20 R.S. 17:3995 for the local school system in which such student resides shall remain
21 with the local school system in which the eligible funded student is enrolled full
22 time. These funds shall be used to finance any administrative or operational costs
23 to support students enrolled in courses offered by course providers, as determined
24 by the state board.

25 (4) For students identified in R.S. 17:4002.3(2)(c), the course provider shall
26 receive payment only for the courses in which the student is enrolled in accordance
27 with Subsection C of this Section. The remaining funds for each of these students
28 up to the maximum per pupil amount ~~for the parish~~ as determined pursuant to R.S.
29 17:3995 for the school system in which the participating student resides ~~as~~

1 ~~determined each year by the minimum foundation program~~ or actual tuition and fees,
2 as applicable, shall remain with the participating school in which the student is
3 enrolled in accordance with R.S. 17:4011 through 4025.

4 * * *

5 C.

6 * * *

7 (3) The remaining ten percent of the per pupil amount ~~according to the pro~~
8 ~~rata share as determined each year by the minimum foundation program~~ calculated
9 pursuant to R.S. 17:3995 for the local public school system in which the eligible
10 funded student resides shall remain with the school in which the eligible funded
11 student is enrolled full time. This shall be in addition to the ten percent specified in
12 Paragraph (A)(3) of this Section.

13 * * *

14 §4016. Scholarship amounts; funding

15 A. The state board shall allocate annually from the minimum foundation
16 program an amount per pupil to each participating school equal to the ~~amount~~
17 ~~allocated per pupil~~ amount provided for a charter school pursuant to R.S. 17:3995
18 in ~~to~~ the local school system in which the scholarship recipient resides, considering
19 all student characteristics. This amount shall be counted toward the equitable
20 allocation of funds appropriated to parish and city school systems as provided in
21 Article VIII, Section 13(B) of the Constitution of Louisiana. For a participating
22 school that charges tuition, if the maximum amount of tuition plus incidental or
23 supplementary fees that are charged to non-scholarship students enrolled in such
24 school and any costs incurred in administering the tests required pursuant to R.S.
25 17:4023 is less than the amount allocated per pupil to the local school system in
26 which the student resides, any remaining funds shall be returned to the state or to the
27 local school system in which the scholarship recipient attended or otherwise would
28 be attending public school for that year according to the pro rata share for the per
29 pupil amount each year as determined ~~by the minimum foundation program~~ for

per pupil amount a school system receives through the MFP each year. Proposed law instead provides that the course provider may charge an amount up to 1/6th of 90% of the per pupil amount that charter schools are entitled to under proposed law (see discussion of R.S. 17:3995, above).

Present law provides that if there is money left between the course provider's charge and the per pupil amount, the difference is split pro rata between the state and the school district based on their share of the total per pupil amount established in the MFP. Proposed law provides that the difference will be split pro rata between the state and the local school district based on their share of the per pupil amount determined as provided in proposed law for charter schools.

Present law further provides that an amount equal to 10% of the per pupil amount according to the pro rata share as determined by the MFP for the school district shall remain with the district. Proposed law changes this to 10% of the per pupil amount calculated pursuant to proposed law.

Present law (R.S. 17:4016) provides for funding of scholarships for students in the Student Scholarships for Educational Excellence Program. Present law provides that the State Board of Elementary and Secondary Education shall allocate each year from the MFP an amount per pupil equal to the per pupil amount for the local school system the child resides in. Proposed law changes this allocation to an amount equal to the per pupil amount for the school system as calculated in proposed law.

Effective July 1, 2013.

(Amends R.S. 17:3995(A)(1)(intro. para.) and (a), 4002.6(A)(2)-(4) and (C)(3), and 4016(A))