

2015 Regular Session

HOUSE BILL NO. 653

BY REPRESENTATIVES MIKE JOHNSON, HENRY BURNS, AND REYNOLDS

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

SCHOOLS: Provides relative to exemptions from the requirements for school instructional time under certain circumstances

1 AN ACT

2 To amend and reenact R.S. 17:154.1(A)(3), relative to minimum requirements for
3 instructional time; to provide for applicability of such requirements to certain public
4 schools and school systems under certain circumstances; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:154.1(A)(3) is hereby amended and reenacted to read as follows:

8 §154.1. Length of school day and year; requirements

9 A.

10 * * *

11 (3) ~~Effective for the 2002-2003 school year and thereafter, the~~ Except as
12 otherwise provided by this Paragraph, the provisions of Paragraph (1) of this
13 Subsection shall not be applicable to any city, parish, or other local public school or
14 school system which cannot meet the minimum requirements for instructional time
15 as provided in Paragraph (1) of this Subsection for any given school year due to
16 school closure, ~~when such school closure occurs within the last thirty calendar days~~
17 ~~of the school year, for reasons of natural catastrophe or disaster as certified by the~~
18 ~~state superintendent of education and approved by the State Board of Elementary and~~
19 ~~Education. Such certification and approval shall be in accordance with criteria~~
20 ~~established pursuant to rules and regulations adopted by the board for such purpose.~~

1 ~~Such rules and regulations shall include but shall not be limited to a requirement that~~
2 ~~any city, parish, or other local public school or school system not able to meet the~~
3 ~~requirements of Paragraph (1) of this Subsection shall submit to the state~~
4 ~~superintendent of education in accordance with time lines established by the board~~
5 ~~documented information explaining the reasons why such school or school system~~
6 ~~cannot meet such requirements and any efforts made by the school or school system~~
7 ~~toward meeting the requirements.~~ as certified by the state superintendent of
8 education. Such certification shall be in accordance with criteria established
9 pursuant to rules and regulations promulgated by the State Board of Elementary and
10 Secondary Education in accordance with the Administrative Procedure Act. Such
11 rules and regulations shall include but shall not be limited to the following: (a) a
12 requirement that any city, parish, or other local public school or school system not
13 able to meet the requirements of Paragraph (1) of this Subsection shall submit to the
14 state superintendent of education for approval, in accordance with time lines
15 established by the state board, documented information explaining the reasons why
16 such school or school system cannot meet such requirements and any efforts made
17 by the school or school system toward meeting the requirements and (b) a procedure
18 for a school or school system that does not receive approval by the state
19 superintendent of education pursuant to the provisions of this Paragraph to appeal to
20 the state board for approval. The provisions of this Paragraph shall apply to an entire
21 school system only if every school within the system is forced to close for reasons
22 as provided in this Paragraph.

* * *

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 653 Engrossed

2015 Regular Session

Mike Johnson

Abstract: Provides relative to the applicability of the minimum requirements for instructional time in schools due to school closure for reasons of natural catastrophe or disaster.

Present law provides that the minimum school day for grades 1-12 in every public school shall consist of 360 minutes of instructional time and the minimum school year shall consist of 177 days of instruction. Authorizes school governing authorities to modify the total number of instructional minutes per day and instructional days per year under certain conditions, provided the same minimum total instructional minutes for the year is not changed.

Present law provides that such provisions shall not be applicable to any city, parish, or other local public school or school system that cannot meet the minimum requirements for any given school year due to school closure for reasons of natural catastrophe or disaster as certified by the state superintendent of education and approved by the State Board of Elementary and Secondary Education (BESE) in accordance with criteria established by the board pursuant to rules and regulations adopted for such purpose. Requires the school or school system to submit information explaining the reasons why it cannot meet the minimum requirements and efforts made by the school or school system toward meeting the requirements. Present law applies to an entire school system only if every school within the system is forced to close.

Proposed law removes requirement for BESE approval in order for the school closure to occur. Provides for approval by the state superintendent of the documented information required for submission. Adds requirement that BESE rules and regulations include a procedure for a school or school system that does not receive approval by the state superintendent to appeal to BESE for approval. Proposed law retains present law with respect to the applicability of such requirements to an entire school system if every school in the system is forced to close. Otherwise retains present law.

(Amends R.S. 17:154.1(A)(3))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Retain present law requiring certification of the catastrophe or disaster by the state superintendent and requirement for submission of relevant information to him.
2. Add that BESE rules and regulations include a procedure for appeal of a decision by the state superintendent to BESE.
3. Delete proposed law condition that the natural catastrophe or disaster be one for which the governor declares a state of emergency.