

1 WHEREAS, on May 7, 2013, the Supreme Court of Louisiana in the case of
2 *Louisiana Federation of Teachers, et al v. State of Louisiana, et al*, No. 2013-CA-0120, held
3 that Senate Concurrent Resolution No. 99 of the 2012 Regular Session, which approved the
4 minimum foundation program formula for 2012-2013 Fiscal Year, was null and void ab
5 initio; and

6 WHEREAS, the state constitution provides that if the legislature does not approve
7 the recommendation of the State Board of Elementary and Secondary Education, the
8 minimum foundation program formula last approved remains in effect; and

9 WHEREAS, the ruling of the Supreme Court results in the continued applicability
10 of the 2011-2012 minimum foundation program formula, approved by the legislature
11 through the passage of House Concurrent Resolution No. 130 of the 2011 Regular Session,
12 in determining the cost of a minimum foundation program of education in all public
13 elementary and secondary schools as well as allocating equitably the funds to parish and city
14 school systems; and

15 WHEREAS, Senate Concurrent Resolution No. 23 of the 2013 Regular Session was
16 considered by the Senate Committee on Education on May 21, 2013, and was not reported;
17 and

18 WHEREAS, the last valid minimum foundation program was approved in House
19 Concurrent Resolution No. 130 of the 2011 Regular Session, and it requires an increase in
20 the base per pupil amount of funding for public schools by two and three-fourths percent
21 (2.75%); and

22 WHEREAS, the legislature finds that increasing the base per pupil amount of
23 funding for public schools by two and three-fourths percent (2.75%) would raise that amount
24 from \$3,855 to \$3,961 per student, generating money to partially cover inflationary increases
25 in expenditures and critical education initiatives; and

26 WHEREAS, the base per pupil amount of funding in the minimum foundation
27 program may be adjusted only through legislative approval of a formula adopted by the State
28 Board of Elementary and Secondary Education that provides for such an adjustment; and

29 WHEREAS, in order to provide for an increase in the base per pupil amount of
30 funding in the minimum foundation program, the legislature intends to amend House Bill

1 No. 1 of the 2013 Regular Session to provide for such an increase outside of the minimum
2 foundation program formula by directing the Department of Education to allocate such funds
3 in the same manner in which they would have been allocated pursuant to the minimum
4 foundation program formula; and

5 WHEREAS, it is the intent of the legislature that this increase in the per pupil
6 amount, although provided for outside of the minimum foundation program formula for the
7 2013-2014 Fiscal Year, be recognized and included by the State Board of Elementary and
8 Secondary Education as a minimum base per pupil amount in future years; and

9 WHEREAS, the office of the governor and the division of administration have
10 expressed their commitment to include these adjustments in the 2014-2015 Fiscal Year
11 executive budget as part of the minimum foundation program budget request and petition
12 the State Board of Elementary and Secondary Education to recognize them as being included
13 in the 2013-2014 Fiscal Year base per pupil amount when developing and adopting a new
14 formula for the 2014-2015 Fiscal Year.

15 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
16 urge and request the State Board of Elementary and Secondary Education to recognize and
17 include the increased base per pupil amount in funding to city and parish school systems, as
18 provided in House Bill No. 1 of the 2013 Regular Session, as part of the 2013-2014 Fiscal
19 Year base per pupil amount when developing and adopting a minimum foundation program
20 formula for the 2014-2015 Fiscal Year.

21 BE IT FURTHER RESOLVED that the Legislature of Louisiana urges and requests
22 the State Board of Elementary and Secondary Education to maintain at least this combined
23 base per pupil amount for the 2014-2015 Fiscal Year minimum foundation program formula.

24 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
25 governor, commissioner of administration, president of the State Board of Elementary and
26 Secondary Education, and state superintendent of education.

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)]

Edwards

HCR No. 188

Requests BESE to recognize and include increased per pupil funding to city and parish school systems, as appropriated in House Bill No. 1 of the 2013 R.S., as part of FY 2013-2014 base per pupil funding when developing and adopting a MFP formula for FY 2014-2015 and to maintain at least this combined per pupil amount for FY 2014-2015 MFP formula.