

SENATE BILL NO. 61

BY SENATOR NEVERS

1 AN ACT

2 To enact Chapter 43-A of Title 17 of the Louisiana Revised Statutes of 1950, to be  
3 comprised of R.S. 17:4035 through 4035.1, relative to elementary and secondary  
4 education; to provide for public school choice; to provide for eligibility criteria for  
5 students and schools; to provide for restrictions; to provide relative to student  
6 transportation; to provide relative to funding; to provide relative to the  
7 responsibilities of public school systems; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Chapter 43-A of Title 17 of the Louisiana Revised Statutes of 1950,  
10 comprised of R.S. 17:4035 through 4035.1, is hereby enacted to read as follows:

11 **CHAPTER 43-A. PUBLIC SCHOOL CHOICE**

12 **§4035. Short title**

13 **This Part shall be known and may be cited as the "Louisiana Public**  
14 **School Choice Act"**.

15 **§4035.1. Public School Choice**

16 **A. Notwithstanding any provision of law to the contrary, beginning with**  
17 **the 2014-2015 school year, the parent or other legal guardian of any student**  
18 **may enroll his child in the public school of his choice, without regard to**  
19 **residence, school system geographic boundaries, or attendance zones, provided**

1           **both of the following apply:**

2                   **(1) The public school in which the student was most recently enrolled,**  
3                   **or would otherwise attend, received a school performance letter grade of "D"**  
4                   **or "F" for the most recent school year, pursuant to the state's school and**  
5                   **district accountability system.**

6                   **(2) The school in which the student seeks to enroll received a school**  
7                   **performance letter grade of "A", "B", or "C" for the most recent school year,**  
8                   **pursuant to the state's school and district accountability system, and has**  
9                   **sufficient capacity at the appropriate grade level.**

10                  **B. The authority to enroll a student in the public school of choice shall**  
11                  **not be permitted and shall not be exercised if doing so violates the order of a**  
12                  **court of competent jurisdiction.**

13                  **C. Notwithstanding the provisions of R.S. 17:158 to the contrary, a**  
14                  **school system shall not be required to provide transportation to any student**  
15                  **enrolled in a public school pursuant to this Section that is located outside of the**  
16                  **geographic boundaries of the school system in which the student resides, if**  
17                  **providing such transportation will result in additional cost to the school system.**

18                  **D. Any student enrolled in a public school pursuant to the provisions of**  
19                  **this Section shall be counted by the local public school system in which he is**  
20                  **enrolled for purposes of the Minimum Foundation Program and formula, and**  
21                  **any other available state or federal funding for which the student is eligible.**

22                  **E.(1) The governing authority of each public elementary and secondary**  
23                  **school shall work collaboratively and cooperatively to ensure compliance with**  
24                  **the provisions of this Section and shall adopt a policy to govern student**  
25                  **transfers authorized by this Section.**

26                  **(2) Any student transfer pursuant to the provisions of this Section shall**  
27                  **comply with the policy adopted by the governing authority of the school in**  
28                  **which the student seeks to enroll.**

29                  Section 2. This Act shall become effective upon signature by the governor or, if not  
30                  signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
3 effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_