

Regular Session, 2008

ACT No. 463

HOUSE BILL NO. 463

BY REPRESENTATIVES TRAHAN AND TUCKER

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AN ACT

To amend and reenact R.S. 17:10.5(C), relative to the Recovery School District; to provide relative to the retention period for certain schools transferred to the Recovery School District; to require the Recovery School District to report certain information to the State Board of Elementary and Secondary Education on the status of such schools; to provide for information to be included in the report, including recommendations of the Recovery School District; to provide timelines relative to such reporting and actions taken by the State Board of Elementary and Secondary Education on such recommendations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:10.5(C) is hereby amended and reenacted to read as follows:

§10.5. School and district accountability; failing schools; transfer to Recovery School District

* * *

~~C.(1)(a) The Recovery School District shall retain jurisdiction over any school transferred to it until the state board, upon the recommendation of the district's administering agency, enters into an agreement with the city, parish, or other local public school board or any other public entity from which the school was transferred for its return to the jurisdiction of such school board or public entity. When a school in the district is no longer academically unacceptable, the state board shall require the administering agency of the district to seek agreement for the return of the school.~~

1 ~~(b) Such agreement shall include all of the following:~~

2 ~~(i) Details for the operation of the school by the city, parish, or other local~~
3 ~~public school board or any other public entity, including provisions for the~~
4 ~~continuation of the programs that have provided the basis for the academic~~
5 ~~achievement by the students.~~

6 ~~(ii) Provisions providing for the employment status of all persons employed~~
7 ~~by the district or the operator of the school who were not employed by the prior~~
8 ~~system at the time the school was transferred to the jurisdiction of the district.~~

9 ~~(iii) Provisions for the means and timetable for the school's transition and~~
10 ~~return to the jurisdiction of the school board or other public entity.~~

11 ~~(2)(a) When a school has been transferred to the jurisdiction of the Recovery~~
12 ~~School District, has been operating pursuant to arrangements established by the~~
13 ~~Recovery School District for four years, and has failed to improve sufficiently to no~~
14 ~~longer be academically unacceptable, the state board shall take any one of the~~
15 ~~following actions:~~

16 ~~(i) Revoke all school approval.~~

17 ~~(ii) Require the Recovery School District to terminate the operational~~
18 ~~arrangement and provide a different operational arrangement.~~

19 ~~(iii) Return the school to the jurisdiction of the city, parish, or other local~~
20 ~~public school board or other public entity from which it was transferred.~~

21 ~~(b)(i) However, the provisions of Subparagraph (a) of this Paragraph shall~~
22 ~~not apply if the performance of the school as measured by a school performance~~
23 ~~score pursuant to a uniform statewide program of school accountability established~~
24 ~~pursuant to rules adopted by the State Board of Elementary and Secondary Education~~
25 ~~has improved by at least twenty points during such four-year period.~~

26 ~~(ii) Additionally, the provisions of Subparagraph (a) of this Paragraph shall~~
27 ~~not apply in any subsequent four-year period during which a school continues to be~~

1 ~~academically unacceptable provided an improvement in the school performance~~
2 ~~score of at least twenty additional points is achieved.~~

3 (1) The Recovery School District shall retain jurisdiction of any school
4 transferred to it pursuant to the provisions of this Section for a period of not less than
5 five school years not including the school year in which the transfer occurred if the
6 transfer occurred during a school year.

7 (2)(a) No later than nine months prior to the expiration of the five-year
8 period, the Recovery School District shall make a report to the State Board of
9 Elementary and Secondary Education.

10 (b) The report shall include at a minimum each of the following elements:

11 (i) The status of each school transferred, the nature of its faculty and
12 administration, the demographics and size of its student body, its organizational and
13 management structure, whether there has been improvement in student academic
14 performance and, if so, how much and, if not, why not.

15 (ii) A recommendation as to whether the school should be:

16 (aa) Continued in the Recovery School District pursuant to its reported
17 operational status.

18 (bb) Continued in the Recovery School District with a change in its
19 operational status and the nature of the recommended change.

20 (cc) Closed and the reasons therefor.

21 (dd) Returned to the administration and management of the transferring
22 system with proposed stipulations and conditions for the return.

23 (3) No later than six months prior to the expiration of the five-year period,
24 the State Board of Elementary and Secondary Education shall take action on the
25 recommendations of the Recovery School District. Any action that results in an
26 affirmative agreement to retain the school in the Recovery School District shall
27 retain the school in the Recovery School District for an additional five-year period,
28 unless a lesser time is adopted by the state board. The report required by Paragraph

