

2024 Regular Session

HOUSE BILL NO. 143

BY REPRESENTATIVE BACALA

SCHOOLS/FINANCE-MFP: Authorizes the state superintendent to provide for a chief operating officer to make recommendations relative to the financial practices of local school systems failing to comply with the MFP's minimum instructional expenditure requirement

1 AN ACT

2 To enact R.S. 17:22.1, relative to the state superintendent of education; to authorize the
3 superintendent to provide for a chief operating officer to research and make
4 recommendations relative to the financial practices of school boards that fail to meet
5 certain expenditure requirements as provided in the Minimum Foundation Program
6 formula; to require the school boards to make plans for compliance; to subject the
7 plans to the approval of the superintendent; to require the State Board of Elementary
8 and Secondary Education to adopt rules; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:22.1 is hereby enacted to read as follows:

11 §22.1. Superintendent; chief operating officer; assignment to local school systems

12 A. The state superintendent of education may provide for the department's
13 assignment of a chief operating officer for the purposes provided in this Section.

14 B.(1) The superintendent may assign this officer to any city, parish, or other
15 local school system that fails for two consecutive years to comply with any minimum
16 instructional expenditure requirement contained in the Minimum Foundation
17 Program formula as adopted by the State Board of Elementary and Secondary
18 Education and approved by the legislature. The officer shall be a contract employee
19 who serves on a temporary basis as determined by the superintendent. He shall not

1 be a permanent employee of the department and shall not receive a state salary or
2 associated benefits.

3 (2) The officer shall research the financial standing and practices of the
4 system and submit a written report of his findings and recommendations to the local
5 school board and the state superintendent of education, who shall include this
6 information in any report he makes to the state board relative to system compliance
7 with this requirement.

8 (3) The school board shall develop a plan for compliance with this
9 requirement based on the officer's recommendations and submit the plan to the state
10 superintendent in accordance with timelines established in state board policy. The
11 plan is subject to the approval of the superintendent prior to implementation.

12 C. The state board shall adopt rules for the implementation of this Section.

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 143 Reengrossed

2024 Regular Session

Bacala

Abstract: Authorizes the state superintendent of education to assign a chief operating officer to research and make recommendations relative to the financial practices of local school systems that fail to comply with the minimum instructional expenditure requirement in the MFP formula.

Present constitution provides for public elementary and secondary education funding through the Minimum Foundation Program (MFP) formula, which is adopted by the State Bd. of Elementary and Secondary Education (BESE) and submitted to the legislature for approval. (The MFP formula has historically required public school systems to ensure that at least 70% of the system's general fund expenditures are in the areas of instruction and school administration at the school building level.)

Proposed law provides the following and requires BESE to adopt rules for proposed law implementation:

- (1) Authorizes the state superintendent of education to assign a chief operating officer (COO) to make recommendations relative to the financial practices of local school systems that fail for two consecutive years to comply with this expenditure requirement.
- (2) Requires the superintendent to include the COO's findings in any report he makes to BESE relative to system compliance with this requirement.

- (3) Requires local school boards to develop compliance plans based on the COO's recommendations and submit them to the state superintendent, and provides that plan implementation is contingent on his approval.
- (4) Provides that the COO shall be a contract employee who serves on a temporary basis as determined by the superintendent, shall not be a permanent employee of the department, and shall not receive a state salary or associated benefits.

(Adds R.S. 17:22.1)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

- 1. Add that COO shall be a contract employee who serves on a temporary basis as determined by the superintendent, shall not be a permanent employee of the department, and shall not receive a state salary or associated benefits.