

Regular Session, 2013

HOUSE RESOLUTION NO. 161

BY REPRESENTATIVES SCHRODER AND HAVARD

1 A RESOLUTION

2 To urge and request the House Committee on Education to study and make
3 recommendations with respect to unfunded mandates imposed on local school
4 systems and to report findings and conclusions, including any recommendations for
5 legislation relative to the issue, to the speaker of the House of Representatives not
6 later than sixty days prior to the convening of the 2014 Regular Session of the
7 Legislature of Louisiana.

8 WHEREAS, as stated in the Constitution of Louisiana, it is the goal of the public
9 educational system to provide learning environments and experiences at all stages of human
10 development that are humane, just, and designed to promote excellence in order that every
11 individual may be afforded an equal opportunity to develop to his full potential; and

12 WHEREAS, the Constitution of Louisiana provides that no law requiring increased
13 expenditures for any purpose within a public school system shall become effective unless
14 the legislature appropriates funds for the purpose and only to the extent and amount that such
15 funds are provided, or until a law provides for a local source of revenue within the school
16 system for the purpose and the school board is authorized by ordinance or resolution to levy
17 and collect such revenue and only to the extent and amount of such revenue; the constitution
18 further provides for certain exceptions to which this prohibition does not apply; and

19 WHEREAS, any examination of the current state of public education in Louisiana
20 must include an appraisal of the requirements that school systems must meet in order to
21 comply with state and federal laws, rules, and regulations; and

22 WHEREAS, school board members have expressed grave concern over the onerous
23 burden of various requirements that school systems must meet that have either lost funding
24 or were never funded in the first place; these requirements are commonly known as
25 "unfunded mandates"; and

1 WHEREAS, unfunded mandates cited by school boards and superintendents include
2 but are not limited to those related to dual enrollment, summer remediation for students who
3 fail high stakes tests, professional development, national board certification stipends,
4 extended sick leave, transportation for nonpublic school students, and technology upgrades
5 needed for online assessments; and

6 WHEREAS, meanwhile, the minimum foundation program formula's annual 2.75%
7 growth factor has been frozen since the end of Fiscal Year 2008-2009; without this growth
8 factor, the economic strain placed on school systems has only been exacerbated; and

9 WHEREAS, school systems are struggling to administer required programs and
10 services, and the effect of unfunded mandates on them is considered by many to be
11 catastrophic and ultimately unsustainable; and

12 WHEREAS, steps must be taken to lessen the financial burden placed on school
13 systems, which means that difficult decisions about these unfunded mandates must be made
14 in order to maintain the quality of education provided in this state and school systems'
15 financial stability; and

16 WHEREAS, there is an urgent need for the legislature, along with education
17 stakeholders, to address unfunded mandates and their effect on school systems throughout
18 the state, and it is critical that unfunded mandates be identified and decisions made as to
19 which of them may be funded, modified, or eliminated; and

20 WHEREAS, in order to fulfill the state's constitutional duty of affording every
21 student an equal opportunity to develop to his full potential, it is necessary and appropriate
22 that the impact of unfunded mandates on school systems receive a thorough evaluation.

23 THEREFORE, BE IT RESOLVED that the House of Representatives of the
24 Legislature of Louisiana does hereby urge and request the House Committee on Education
25 to study and make recommendations with respect to unfunded mandates imposed on local
26 school systems.

27 BE IT FURTHER RESOLVED that the committee may request and receive
28 assistance, information, and testimony from parties the committee deems appropriate,
29 including but not limited to the State Board of Elementary and Secondary Education, the
30 state Department of Education, the Louisiana School Boards Association, the Louisiana
31 Association of School Superintendents, the Louisiana Association of School Executives, the

1 Louisiana Association of Principals, the Louisiana Federation of Teachers, the Louisiana
2 Association of Educators, and Associated Professional Educators of Louisiana.

3 BE IT FURTHER RESOLVED that the committee shall report its findings and
4 conclusions, including any recommendations for legislation relative to the issue, to the
5 speaker of the House of Representatives not later than sixty days prior to the convening of
6 the 2014 Regular Session of the Legislature of Louisiana.

SPEAKER OF THE HOUSE OF REPRESENTATIVES