HLS 13RS-2052 ORIGINAL

Regular Session, 2013

19

HOUSE STUDY REQUEST NO. 10

BY REPRESENTATIVE BARROW

BESE: Requests the House Committee on Education to study the powers, duties, and functions of the State Board of Elementary and Secondary Education and the state Dept. of Education

1	A STUDY REQUEST
2	To the House Committee on Education to study the powers, duties, and functions of the
3	State Board of Elementary and Secondary Education and the state Department of
4	Education and to report its findings to the House of Representatives not later than
5	February 1, 2014.
6	WHEREAS, the State Board of Elementary and Secondary Education (BESE) is
7	created by the Constitution of Louisiana to supervise and control public elementary and
8	secondary schools and special schools under its jurisdiction and have budgetary
9	responsibility for all funds appropriated or allocated by the state for these schools, all as
10	provided by law; and
11	WHEREAS, other constitutional duties of BESE include:
12	(1) Approving certain nonpublic elementary and secondary schools;
13	(2) Prescribing school books and other materials of instruction for the elementary
14	and secondary levels;
15	(3) Developing and adopting annually a formula determining the cost of a minimum
16	foundation program (MFP) of education in all public elementary and secondary schools and
17	equitably allocating funds appropriated by the legislature to city, parish, and other local
18	public school systems;

(4) Administering the Louisiana Quality Education Trust Fund Program; and

1	WHEREAS, BESE is also responsible for fixing the qualifications and prescribing
2	the duties of the local superintendents of schools, but the board is constitutionally prohibited
3	from controlling the business affairs of a city, parish, or other local public school board or
4	the selection or removal of its officers and employees; and
5	WHEREAS, in addition to its constitutional duties, BESE also has numerous
6	responsibilities as prescribed by law that generally pertain to school approval and regulation,
7	budgetary responsibilities, curriculum, assessment and accountability programs, and teacher
8	and administrator qualifications, certification, and education; and
9	WHEREAS, the state Department of Education is statutorily created in the executive
10	branch of state government to be responsible for the functions of the state with which it is
11	vested; and
12	WHEREAS, these functions include managing, budgeting, and allocating state and
13	federal funds to school districts and programs, establishing a statewide curriculum and
14	standards, administering the student assessment and school accountability programs, and
15	providing ancillary educational services such as nutrition and transportation; and
16	WHEREAS, many are concerned that the functions and duties of BESE and the state
17	Department of Education are not clearly delineated and may overlap in some instances; and
18	WHEREAS, there are also concerns that there may be a great deal of duplication of
19	effort between the board and the department in various areas due to many closely related
20	responsibilities; and
21	WHEREAS, these concerns have raised serious questions about the abilities of the
22	board and the department to successfully perform the duties and functions assigned to them
23	through the constitution and the laws of this state in maintaining a public education system
24	and improving the quality of public education guaranteed to all Louisiana children; and
25	WHEREAS, it is imperative that a study be conducted to examine the powers, duties,
26	and functions of BESE and the state Department of Education and review those areas where
27	there is need for improved and efficient operation and management of functions and
28	responsibilities, elimination of duplication, and better and more responsive performance of
29	such powers, duties, and functions toward meeting the educational needs of the public school
30	children of this state.

- 1 THEREFORE, the House of Representatives of the Legislature of Louisiana requests
- 2 the House Committee on Education to study the powers, duties, and functions of the State
- 3 Board of Elementary and Secondary Education and the state Department of Education with
- 4 a view toward more effective performance in meeting the state's educational needs and to
- 5 report its findings to the House of Representatives not later than February 1, 2014.

## **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)]

Barrow HSR No. 10

Requests the House Committee on Education to study the powers, duties, and functions of the State Board of Elementary and Secondary Education and the state Dept. of Education with a view toward more effective performance in meeting the state's educational needs and to report its findings by Feb. 1, 2014.