

SENATE BILL NO. 158

BY SENATORS DONAHUE AND THOMPSON AND REPRESENTATIVES
ABRAMSON, ADAMS, BAGLEY, TERRY BROWN, CARMODY,
COX, DUBUISSON, DUPLESSIS, EDMONDS, FALCONER, GUINN,
JIMMY HARRIS, HORTON, JACKSON, JONES, LYONS, JAY
MORRIS, THOMAS, WHITE AND WRIGHT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To enact R.S. 17:1944.1 and 3996(B)(54), relative to special education; to require each local public school superintendent and the administrative head of each charter school or other public school to create a special education advisory council; to provide relative to council membership and duties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:1944.1 and 3996(B)(54) are hereby enacted to read as follows:

§1944.1. Local special education advisory councils; creation; purpose

A. Not later than January 1, 2020, each local public school superintendent and the administrative head of each charter school or other public school shall create a special education advisory council to provide advice and feedback regarding special education policies, procedures, and resources. The council shall also engage in outreach activities to the community at large to increase the level of knowledge, support, and collaboration with respect to special education.

B.(1)The number of council members and composition of the council shall be determined by the local public school superintendent or the administrative head of each charter school or other public school. However, the council's membership shall be composed as follows:

(a) Fifty percent of the membership shall be parents or legal guardians of students with an exceptionality, other than gifted and talented, who are enrolled in a school under the jurisdiction of the public school governing authority.

1 (b) Twenty-five percent of the membership shall be teachers, principals,
2 or paraprofessionals.

3 (c) Twenty-five percent of the membership shall be other special
4 education stakeholders.

5 (2) The local public school superintendent or administrative head of the
6 charter school or other public school shall designate the chairperson of the
7 council and the chairperson shall call the council's meetings, preside over the
8 meetings, and establish the agendas for the meetings.

9 (3)(a) Each local public school superintendent and administrative head
10 of a charter school or other public school shall seek applications for council
11 membership from parents of students with an exceptionality other than gifted
12 and talented, teachers, principals, paraprofessionals, and other stakeholders.

13 (b) In selecting council members, an effort shall be made to include
14 parents of students in elementary, middle, and high school grades.

15 C. Each special education advisory council shall meet at least three times
16 a year and shall submit a written report to the local public school
17 superintendent or the administrative head of the charter school or other public
18 school in May of each year regarding its activities.

19 D. There shall be no liability or cause of action against the public school
20 district, public charter school or other public school, or any officer or employee
21 thereof for any action taken by members of the council.

22 * * *

23 §3996. Charter schools; exemptions; requirements

24 A. * * *

25 B. Notwithstanding any state law, rule, or regulation to the contrary and
26 except as may be otherwise specifically provided for in an approved charter, a
27 charter school established and operated in accordance with the provisions of this
28 Chapter and its approved charter and the school's officers and employees shall be
29 exempt from all statutory mandates or other statutory requirements that are
30 applicable to public schools and to public school officers and employees except for

1 the following laws otherwise applicable to public schools with the same grades:

2 * * *

3 **(54) Special education advisory councils, R.S. 17:1944.1.**

4 * * *

5 Section 2. This Act shall become effective upon signature by the governor or, if not
6 signed by the governor, upon expiration of the time for bills to become law without signature
7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
9 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____