

2011 Louisiana Regular Legislative Session

The following is a summary of selected Education Bills/Acts passed in the 2011 Regular Legislative Session that may be of interest to you *as a school administrator*:

Athletics

HB 364/Act 352 **Roy**: Summary: Requires high schools that sponsor any athletic activity and hold student practices, training and competitions to administer a sports injury management program. The injury management program would establish a list of injuries classified as “serious sports injuries” and define the signs and symptoms of such injuries. The injury program would also establish guidelines for situations, such as when a student should be pulled from a game or practice for a sports injury, and when that student would be allowed to return to the practice field or competition. Coaches are required to attend documented training regarding the nature and risks of serious sports injuries. Subject to availability of financial resources and supply of necessary workforce, the program shall rely to the greatest possible extent on licensed athletic trainers to provide athletic health care at high school athletic competitions. Additionally, schools are authorized to accept private contributions, gifts, and grants from federal government, state, or any other source to implement the program. The provisions in this Act shall not apply to concussions as these injuries are covered by Act 314.

HB 358/Act 351 **Greene**: Summary: This legislation limits the liability of a local school board or charter organization entering into joint agreements with outside groups for the use of their facilities. The legislation protects school districts and charter organizations from being held responsible for the safety of individuals during events that take place outside of regularly scheduled school activities. In addition, the legislation charges local districts and charter organizations with requiring outside groups to acquire and provide proof of appropriate liability insurance.

HB 31/Act 60 **Hardy**: Summary: Requires that the scholastic rule adopted by the Louisiana High School Athletic Association in January 2010 be adhered to by all high schools under its jurisdiction, which includes a “C” average as determined by the local governing authority of the school in which the student is enrolled, to be the minimum standard to participate in interscholastic athletics.

SB 189/Act 314 **Cheek**: Summary: Creates the Louisiana Youth Concussion Act. This Act applies to both public and private clubs or recreation facilities and leagues that offer athletic activities to youths as well as the governing authority of each public and nonpublic elementary, middle, junior high, and high school. Under the legislation, any coaches, officials, or volunteers involved in athletic activities have to participate in an annual training course centered on recognizing concussions or head injuries. The Act also requires that any athlete who is reasonably suspected of suffering a concussion or head injury be removed from play. Furthermore, as a condition to participate, the Act requires youth athletes and their parents to sign an information sheet that includes conditions that must be met for any athlete who suffers or who is reasonably suspected of suffering a concussion to return to play. The Act requires other related matters.

School Attendance

HB 95/Act 166 **Chaney:** Summary: While Louisiana's compulsory attendance law exempts students who are enrolled in adult education programs, including students who are pursuing a *General Educational Development (GED) diploma* through an alternative program, current law does not exempt 17-year-old students who have already earned a GED. This Act extends the exemption to 17-year-olds who have been issued a GED and provides that such child be considered exited from high school.

School Discipline

SB 59/Act 328 **Donahue:** Summary: Last year the State Legislature passed Act 698, requiring BESE to prepare and adopt *guidelines* for the appropriate use of seclusion, physical restraint, and mechanical restraint of students with exceptionalities. Act 328 establishes in statute the guidelines developed by BESE. Additionally, Act 328 further defines and clarifies the policies established by BESE, including required training of school personnel as well as mandatory reporting, documentation, and follow-up when seclusion or restraint is used. Several terms as used in this Act are defined. This Act is lengthy and requires a closer review of its total requirements.

School Employees

HB 311/Act 267 **LaBruzzo:** Summary: This ACT requires a school employee to report his/her arrest for any sexual offense involving a minor within 24 hours of the arrest, or before the employee returns to work, whichever is sooner. The legislation would apply to any sexual offense involving a minor, whether it takes place while the employee is on official duty, or not. The law requires the school employee to report the disposition of any legal proceedings related to such an arrest and requires that such information be made part of any related files or records. If an employee does not report his/her arrest, that employee shall be subject to removal as provided by removal procedures in current law. This law applies to all school employees, including tenured employees, as well as, all teachers, substitute teachers, bus drivers, janitors, and all temporary and part-time school employees. The law takes effect with any arrest occurring after December 31, 2011.

HB 454/Act 405 **Harrison:** Summary: Provides, for FY 2011-2012 and FY 2012-2013, a local school board may but shall not be required to comply with present law relative to both sabbatical leave and extended sick leave during a fiscal year for which the amount of the state and local base per pupil cost determination, as established in the most recent legislatively approved MFP formula, is not an increase of at least 2.75% over the amount established for the previous year and the school board has a fund balance deficit that exceeds 5% and an unrestricted fund balance of less than 7.5% at the beginning of the fiscal year. Act 405 requires the school board to honor any leave that it approved prior to the date the MFP formula is approved by the Legislature and requires compliance with the present law in the case of catastrophic illness or injury, defined as life-threatening, chronic, or incapacitating condition affecting an employee or a member of an employee's immediate family, as verified by a licensed physician. This Act shall be known as the "Education Reform Act".

HB 507/Act 193 Landry: Summary: Current law requires school bus operators to have a commercial driver's license and an "S" endorsement. Act 193 provides that an applicant shall not be issued an "S" endorsement if he has certain convictions relating to driving under the influence prior to the date of application for the "S" endorsement. Act 193 clarifies that upon application of the driver, the department may reinstate the "S" endorsement if the driver meets all of the several specified conditions.

Schools

HB 79/Act 163 Ritchie: Summary: Changes the name of the *High School Redesign Commission* to the *College and Career Readiness Commission* and provides for membership and vacancies.

Testing

HB 100/Act 249 Carter: Summary: Changes the law to require a *valid and reliable readiness assessment* rather than a *nationally-recognized readiness screening*. And instead of using results of the assessment to determine placement, the appraisal would be used to evaluate each child's readiness for kindergarten. Results of the assessment would also be used to plan for instruction, but the law removes the requirement that the assessment tool gauge the hearing and vision abilities of children entering kindergarten. The state shall pay the cost of state required assessment materials and reporting, and the provisions of this act shall be implemented as state funds are available and shall be fully implemented by the 2015-2016 school year.

School Finance

HCR 130 A. Badon: Summary: Approves the MFP formula for FY 2011-2012 as adopted by BESE. The MFP will be funded at the same level as the current formula. The MFP retains base per pupil funding of \$3,855 and there is no 2.75% increase.

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