

2012 Legislative and Policy Update



Agenda

- 2012 Legislative Session Overview
- Legislative Changes
- Policy Updates
- Questions and Answers
- Future Changes

2012 Legislative Session Overview

- Governor's office had an aggressive agenda, but LAPCS fought for statutes that maintained charter school autonomy and accountability
- Much of the legal changes have been or will be accompanied by more explicit policy—so there is still time to influence certain areas

Legislative Changes

- Most of the legislative changes that affect charters can be grouped into the following categories:
 - Expanding choice
 - Governance
 - Curriculum
 - School procedures and operations
 - Retirement
 - And as always...a few miscellaneous ones

Expanding Choice: Parent Trigger

- A public school can now be removed from its local school board and transferred into the RSD if it has earned an accountability grade of D or below for three consecutive years
- Charters not included—low performing charters would not receive extension or renewal

Expanding Choice: Local Charter Authorizers

- State agencies and nonprofits may apply to BESE to become LCA who can then authorize a new type of charter school known as a 1B
- Very stringent accountability rules for LCAs
- 1B charters held to same standards as other charters

Expanding Choice: Charter Application Process

- Common application for groups applying to local school boards and the state
- By Jan. 2013, there will be a new vehicle for applying for multiple charters in one application—school must have proven record of success
- Schools that qualify for automatic renewal AND have a letter grade of an A or B can automatically replicate
- Any operator who plans to open a school in a D or F district can apply directly to the state

Expanding Choice: Course Providers

- Money will follow students in C, D, or F schools who take courses from alternative course providers (virtuals, universities, companies that offer vocational classes, etc.)
- Aggregate test scores of students enrolled in alternative courses will be counted into the full time school's performance score
- Courses can cost up to 1/6 of 90% of the MFP

Expanding Choice: Scholarships

- Students whose families don't make more than 250% of the federal poverty line can be eligible for non-public school scholarships if:
 - The student attends a C, D, or F school (D and F receive priority)
 - Is entering kindergarten
- A and B public schools can apply to receive students as well

Expanding Choice: Early Childhood

- Early Childhood Network created to oversee the management of publicly-funded early childhood programs
- Early childhood programs will now be held accountable for preparing students to meet established performance targets (BESE)
- Programs will receive accountability scores and grades
- Full implementation by 2015-16 school year

Expanding Choice: School Choice Pilot Program for Certain Students with Exceptionalities

- SCPPCEE was originally a two year pilot program that allowed SPED students to attend nonpublic school and receive SPED services in
 - Caddo
 - East Baton Rouge
 - Jefferson
 - Lafayette
 - Orleans
 - St. Tammany
- Tuition voucher for \$3000
- Program now permanent

Governance: Public Meetings Law Change

- Currently, Public Meetings Law requires that governing boards provide written public notice of a meeting no later than 24 hours before the meeting.
- The new law change furthers the law by mandating that the agenda not be changed less than 24 hours prior to the meeting.
- It also requires each item on the agenda to be listed separately and described with reasonable specificity, and provides that before the public body may take any action on an item, the presiding officer or his designee shall read aloud the description of the item.

Governance: Public Meetings Notice Requirement Addition

- Public Meetings Law currently requires governing boards to post a copy of meeting notices at the principal office of the public body or in the official journal for the parish no less than 24 hours before the meeting.
- Act 747 now requires that the notice also be posted to the public body's website no less than 24 hours before the meeting as well.

Governance: Naming Athletic Facilities

- Originally, law stated that public buildings could not be named after living people
- New law authorizes school governing authorities to name athletic facilities and streets (that are maintained by the Board) after living people

Curriculum: New School Health Program

- BESE and DHH partnering to provide new school health programs to reduce childhood obesity
- School participation is voluntary
- If choose to participate,
 - Must ensure that program includes mandated components
 - Can apply to BESE for funding

Curriculum: Community Service Diploma Endorsement

- There will be a new diploma endorsement for “Distinction in Community Service”
- Number of hours to qualify will be determined by BESE

Curriculum: Teaching About Cell Phone Safety

- All schools are required to provide instruction on internet safety as part of their curriculum
- Now schools will also be required to provide instruction about cell phone safety
- BESE will create teaching materials and schools will be responsible for implementation and dissemination to families

Curriculum: Teaching America's Principles

- Schools are responsible for incorporating the “Founding Principles of the USA” into their American History and Civics courses
- Principles include:
 - Unalienable rights
 - Checks and balances
 - Free elections
 - Rule of law
 - Equal justice under the law
 - Private property rights
 - Federalism
 - Due process
 - Bill of Rights
 - Individual responsibility

Curriculum: Alternative Education

- Superintendents (instead of school boards) are responsible for ensuring that all expelled students are placed in appropriate alternative school settings
- Type 5s must first get permission from RSD superintendent before students can be placed in alt settings
- Upon completion of alternative placement, the student must be readmitted into the school system from which he or she came

School Procedures and Operations: Charter Extension and Renewal

- Charters will continue to have third year reviews but language is now clear that schools that have not met their performance targets will be closed at end of 4th year
- Can be extended from Year 4 to Year 5 if meet targets
- Charters no longer required to submit extension or renewal applications/reports

School Procedures and Operations: Teacher Certification

- Charter schools no longer have to employ a certain number of certified teachers
- Instructional staff will be required to pass background check and hold a Bachelor's degree
 - Exceptions: ancillary teachers, including artists, JROTC, and vocational instructors

School Procedures and Operations: Charters Who Buy OPSB Property

- The law requires that local school boards make vacant school facilities available to chartering groups for lease or purchase
- If a charter groups purchases a facility, but then determines the building is no longer needed for educational purposes, then the charter group must first offer the sale of the school back to the OPSB

School Procedures and Operations: Reporting Sexual Abuse

- Coaches are now considered mandatory reporters for sexual abuse

School Procedures and Operations: Selling Used Computers to Students

- Used school computing devices can be sold to students at fair market value (as determined by governing board after taking value and current condition into account)
- Revenue from sold computing devices must be deposited into a school's general fund
- Routers and services do not count

School Procedures and Operations: Teacher-Student Texting

- Governing boards can allow school leaders to permit electronic communications between students and teachers
- Students must be identified specifically
- Authorization must be kept on file for at least a year

School Procedures and Operations: Epi Pens

- School nurses and trained school employees can administer auto-injectable epinephrine to a student if she or he is believed to be experiencing anaphylactic shock
- Child does not need a prescription for epinephrine
- Licensed doctor can write prescription to school for epi pens
- Epi pen policy must be included in student handbook

School Procedures and Operations: Required Parent-Teacher Conferences

- Teachers required to schedule at least two parent-teacher conference during the first semester of school
- At least one parent/guardian must attend at least one of the conferences
- Middle and high schools can schedule conference calls
- Governing board can create consequences for parents who fail to attend
 - Consequences cannot negatively affect student

School Procedures and Operations: Anti-Bullying

- Furthers anti-bullying legislation by defining bullying
- Requires schools to incorporate anti-bullying policies into student code of conduct
- Governing boards must provide at least 4 hours of training to ALL school employees about bullying and suicide prevention

Retirement: TRSL Service Credits and Bifurcated Plan

- Allows existing TRSL members to purchase service credits for the period of time in which they were employed by a charter school that was not participating in TRSL.
- Adds a provision to the Charter School Law related to a school's participation in TRSL (current law provides that participation must be provided for in the school's initial charter contract) to authorize the provisions of a charter to require only teachers employed by the charter school who were previously employed by a local school board to continue active membership in TRSL for the duration of their employment (The remainder of the teachers in the charter school would be an alternative retirement plan).
 - Depends on IRS ruling

Retirement: TRSL Return to Work

- The TRSL return to work law categorizes retirees returning to work as either “Retired Teachers” or “Retired Members.”
 - “Retired Teachers” are eligible to receive a benefit during their return to work, subject to a 12-month waiting period following retirement. All retirees returning to work in a position of employment for a TRSL covered employer who do not meet the definition of “Retired Teacher” are considered “Retired Members.”
 - “Retired Members” are subject to a benefit suspension during their return to work.
- New reporting requirements

Retirement: Cash Balance Plan

- After July 1, 2013, PreK-12 employees will have the option of participating in the Defined Benefit Plan.
- The employer contribution rate will be calculated as in current law, and the cash balance account for each member will be credited with 12% of salary (employee contribution = 8%).
- The interest payable on the account annually will be calculated at the actuarial rate.
- Investments will be managed by TRSL, but employees will not be held accountable for investment losses.

Miscellaneous: Charter Law Changes

- No person who has been convicted or pled *nolo contendere* to a crime listed in R.S. 15:587.1 can be hired by a charter school in any way
- BESE will begin actively recruiting charter groups to operate schools that address workforce needs
- State superintendent and RSD superintendent given permission to amend charter contracts for Type 5 schools in regards to unified enrollment system
- Charter schools and local boards can work out transportation costs for a cost that is less than actual cost

Miscellaneous: LA 4 Authority

- Waiver authority for LA 4 programs is now LDOE (instead of BESE)
- Waiver applicants will no longer have to provide “specific and achievable plans for meeting the full 10-hour requirement”

Miscellaneous: Common Core Accountability Language

- Language changes made to R.S. 17:24 to match terminology to Common Core
- Curriculum standards → content standards
- Criterion-referenced tests → standards-based assessments
- No more NAEP requirements

Miscellaneous: School Accountability Language Update

- Deletes School Improvement Plan (SIP) requirements

Miscellaneous: Public Schools License Plates

- Department of Public Safety and Corrections has new “Public Schools” plate
- Plate revenue forwarded to schools for technology updates
- Customer has to indicate to which governing board he/she wants the money to be forwarded

Questions?

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Policy Updates

- Bulletin 111- Accountability System
- Bulletin 126- Charter Changes
- Bulletin 129- Parent Petitions
- Bulletin 132- Course Choice Program
- Bulletin 746- Teacher Certification

Bulletin 111

- **STAND for Children: Louisiana** has created very helpful and easy-to-read document to explain new accountability system to families
- Please see Bulletin 111 One-Pager

Bulletin 126

- Mostly just incorporates previously discussed legislative changes
- Prohibits admission requirements based on student record of academic achievement
 - Except for schools that opened prior to July 1, 2012
- Clarifies BESE will approve guiding framework for the charter application process each year, rather than the entire application in full
- See Bulletin 126 one-pager

Bulletin 129

- Mostly just incorporates legislative changes into policy
- Outlines specific process that BESE will engage in for parent petition receipt and validation
- See Bulletin 129 one-pager

Bulletin 132

- Mostly just incorporates legislative changes into policy
- Outlines authorization process for course providers
- Clarifies LEA responsibilities:
 - Credits earned appear on transcript and count towards diploma
 - Tests required are administered
 - IEP plans are met
 - Transportation is provided if the course is within the jurisdiction of the LEA (and the school *already* provides transportation)
- See Bulletin 132 one-pager

Bulletin 746

- Teaching certificates renewed every 5 years
 - For renewal, teacher must be “Effective” three out of five years (Compass)
- No more “Lifetime Certification”
- Education leader endorsement now tied to leader effectiveness
- LEAs can fire teachers found guilty of cheating and Department can then revoke the teacher’s certification
- See Bulletin 746 one-pager

Questions?

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Future Areas to Address in Statute or in Policy?

- Process to introduce new legislation starts very early
- If there are areas of concern or areas that you think should be addressed in legislation (or policy), LAPCS invites you to sign-up to participate in our upcoming working groups
 - July, August, September