

Education Bills Passed
In the
2018 "Regular" Session
of the
Louisiana Legislature



Frank Pasqua, Director of Child Welfare and Attendance
Lafourche Parish School Board



Louisiana Gov. John Bel Edwards speaks during the opening session of the Legislature

The 2018 “Regular” Legislative Session

Convened at noon on Monday, March 12, 2018

Final adjournment was Friday, May 18, 2018

The effective date of Acts passed this session is **August 1, 2018** unless the bill otherwise specifically provides, such as, upon the Governor’s signature.

The following is a summary of:

“Education Bills Passed in the 2018 Regular Session”

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EDUCATION BILLS PASSED IN THE 2018 "REGULAR" SESSION

Legislation That May Be of Interest to CWA Personnel & School Administrators

DISCIPLINE

ACT 600 SB 465 – Bishop – STUDENTS. Provides relative to the **Advisory Council on Student Behavior and Discipline**. Increases the council's membership from 24 to 29. Provides that the council shall elect a new chair from among its membership by February 15 of each calendar year. Requires the Advisory Council on Student Behavior and Discipline to review current state laws, policies, and regulations regarding student behavior and discipline and submit a written report of its findings, including recommendations for needed changes, to the Senate Committee on Education, the House Committee on Education, and the state senator who represents Senate District No. 4, not later than February 15, 2019.

(gov. sig)

(Amends R.S. 17:253(B) (intro para); adds R.S. 17:253(B) (21) through (25))

ACT 635 HB 78 – Landry - CRIME/FELONIES: Amends penalties relative to the crime of **hazing**. Changes the name of the crime from "hazing" to "**criminal hazing**". Amends present law to apply to **any** organization in an education institution, and to remove the fine and term of imprisonment as consequences for engaging in this activity and provide that the student shall be **dismissed, suspended, or expelled** from the education institution for at least one semester, quarter, or comparable academic period. Further provides that persons who engage in such activity may be subject to the provisions of criminal hazing which provides penalties for persons who engage in hazing activity. Defines "hazing". Provides exceptions. Defines "organization". Defines "education institution". "Education institution" means any *elementary or secondary school* or any *postsecondary education institution* in this state. Provides for related matters. This Act shall be referred to as "The Max Gruver Act".

(8/1/18). (Amends R.S. 17:1801; Adds R.S. 14:40.8)

ACT 481 SB 91 – Claitor - CIVIL PROCEDURE: Authorizes **exemplary (punitive)** damages in civil actions for **death from hazing**. Provides that, in addition to general damages, exemplary damages may be awarded upon proof that the death of a person was caused by the wanton and reckless disregard for the rights and safety of the person through an act of **hazing**, regardless of whether the defendant was prosecuted for his acts.

Effective 5/25/18. (Adds C.C. Art. 2315.10)

WEAPONS/FIREARMS

ACT 629 HB 602 – Miguez - WEAPONS/FIREARMS: Limits a person possessing a concealed handgun permit to carrying a concealed handgun **only** within 1,000 feet of a school campus. This allows concealed-carry permit holders to carry weapons up to the school property line. (8/1/18)
(Amends R.S. 14:95.2(C) (4); adds R.S. 14:95.2(C) (9))

STUDENTS

ACT 523 SB 178 – Walsworth - STUDENTS: Provides an exception for students to carry, wear, or possess **bullet-resistant backpacks** on school property or a school bus.
(gov. sig) . (Adds R.S. 14:95.9(C) (8))

SCHOOLS

ACT 168 HB 498 – Jordan - SCHOOLS/PARENTS: Requires school crisis management and response plans to provide for **parental notification** in the event of a **shooting** or other violent incident or emergency situation.
(8/1/18). (Amends R.S. 17:416.16(A) (3))

CURRICULA

ACT 641 HB 895 – Norton - CURRICULA: (substitute for HB No. 575):
Requires public schools and public postsecondary education institutions to offer information (through distribution) on **recognizing and reporting potential threats** to school safety that are posted on the **internet**. School and campus security officers or other persons deemed appropriate by the schools, in consultation with local law enforcement agencies, shall provide age and grade **appropriate information** for students in **grades nine and above**. Requires school officials and campus security officers to further **report online content** to local law enforcement agencies, when it is deemed potentially dangerous. If content poses **immediate threat** at a public school, school administrators shall follow procedures provided by present law regarding **school crisis management**.
(8/1/18). (Adds R.S. 17:409 and 3399.16)

MENTAL HEALTH

ACT 716 HB 898 – Bacala - MENTAL HEALTH: Provides relative to **threats of violence or terrorism at elementary and secondary schools**, including investigation and reporting thereof and required mental health evaluations. Provides that any school employee who learns of a threat of violence or terrorism shall immediately report the threat to a local law enforcement agency if there is a reasonable belief that the threat is **credible and imminent**. If the person reported to law enforcement is a student, he shall not be permitted to return to school until undergoing a **formal mental health evaluation**. Requires the law enforcement agency to file a petition with the appropriate judicial district court for medical, psychological, and psychiatric evaluation. Provides for other related matters. (8/1/18). (Adds R.S. 17:409.1-409.5 and 3996(B)(45))

BEHAVIORAL HEALTH

ACT 696 HB 766 – Pierre - HEALTH/BEHAVIORAL: Provides for access to **behavioral health services providers in schools**. Provides that a public school governing authority **shall not prohibit** a behavioral health provider from providing behavioral health services to a student at school **during school hours** if requested by the student's parent or legal guardian. Requires such governing authorities to adopt policies to implement this law. Defines "behavioral health provider", "behavioral health services", "evaluator", and "behavioral health evaluation. (8/1/18). (Adds R.S. 17:173 and 3996(B) (45))

SCHOOL PRAYER

ACT 673 SB 512 – Gatti - SCHOOLS: Provides relative to **school employee participation in student-initiated prayer**. Provides that if a school employee present to supervise the gathering chooses, he may quietly **bow his head** during a student-led, student-initiated prayer in **deference** (courteous regard) and **respect** to students' religious beliefs and practices. (gov. sig). (Amends R.S. 17:2115.11(A))

CURRICULA

ACT 410 SB 224 – Barrow- SCHOOLS: Requires **instruction and display** of the national motto "**In God We Trust**" in public schools. Requires instruction on the U.S. flag and other patriotic "customs" rather than "exercises" and requires the instruction to include information on the national motto, "**In God We Trust**". Additionally requires each public school governing authority to display the national motto **in each building** it uses and **in each school** under its jurisdiction. Specifies that the nature of the display shall be determined by each governing authority with a **minimum** requirement of a **paper sign**.
(gov. sig) (Amends R.S. 17:262(A))

CHILDREN/ABUSE

ACT 207 HB 371 – Chaney - CHILDREN/ABUSE: Provides for additional means by which permitted and **mandatory reporters** may report suspected cases of child abuse and neglect to the Dept. of Children and Family Services. **Adds** reporting such cases through the DCFS designated child protection reporting **hotline**, via the DCFS Mandated Reporter Portal **online**, or **in person** at any child welfare office. Requires that if a mandatory reporter reports in **oral form** then it shall be followed by a **written report** made within five days **via the online** DCFS Mandated Reporter Portal **or by mail** to the DCFS centralized intake unit.
(8/1/18. (Amends Ch. C. Art. 610(A) and (D))

HEALTH EDUCATION

ACT 262 HB 74 - Davis - STUDENTS: Requires public schools to provide information relative to **influenza and immunization** against the influenza virus. LDH, DOE, and each school governing authority shall determine the most cost-effective and efficient means of information distribution, including but not limited to posting on **school websites** and electronic distribution.
(8/1/18) (Adds R.S. 17:170.5 and 3996(B) (45))

HEALTH SCREENING

ACT 196 HB 176 – Leger - STUDENTS: Requires students who are entering **eleventh grade** or who are **16** and entering any grade to provide satisfactory evidence of current **immunization against meningococcal** disease as a condition of school entry. Requires a student who is 16 and participating in an approved **home study program** to provide such evidence to BESE. **Effective July 1, 2019.**
(Amends R.S. 17:170.4(A)(1) and (C)(2); Adds R.S. 170.4(E))

SCHOOLS

ACT 694 HB 755 – Miller - SCHOOLS: Authorizes each public and nonpublic school governing authority to adopt a policy relative to the supply and administration of naloxone (can treat narcotic overdose in an emergency situation) and other **opioid antagonists**. Provides that such a policy shall require that school employees other than school nurses receive at least **six hours of general training**, including training on emergency administration, from a registered nurse or a licensed medical physician prior to being authorized to perform such administration. Requires that any instruction provided pursuant to alcohol, tobacco, drug, and substance abuse prevention and education **include** the information that mixing opioids (drugs derived from opium) and alcohol can cause accidental death.
(8/1/18). (Amends R.S. 17:154(A); Adds R.S. 17:436.1(M))

ACT 369 SB 250 – Mizell - SCHOOLS: Requires the state Dept. of Education to prepare information to be distributed to each public school governing authority for dissemination to the parent of each student enrolled in a school under its jurisdiction regarding the **public health risks and harms** associated with **pornography**.
(8/1/18) (Amends R.S. 17:100.7)

EDUCATION ACCOUNTABILITY

ACT 555 HB 509 – Carter - EDUCATION ACCOUNTABILITY: Requires **presentations at public meetings** relative to plans for schools in need of academic improvement. Requires the superintendent, principal, or other school leader required to develop an **academic improvement plan** to present the plan during at least one public meeting held at the applicable school (with public notice at least one week in advance).
(8/1/18). (Amends R.S. 17:10.1(F) (3); Adds R.S. 17:10.1(H))

ACT 517 SB 107 – Morrish - EDUCATION ACCOUNTABILITY: Requires the state Dept. of Education to provide the assessment results for each student who is administered the standards-based assessments in **English language arts** and **mathematics** to public school governing authorities by **June 30th** each year except for a year in which new assessments or changes to existing assessments are implemented. Requires each school governing authority to disperse the results for each student to the **student's teacher of record** for the year the assessment was given and the student's **teacher of record** for the upcoming year.
(gov. sig) (Adds R.S. 17:24.4(L))

ACT 522 SB 152 – Morrish - EDUCATION ACCOUNTABILITY: Provides relative to information provided with the release of school performance scores and letter grades. Requires BESE to report **two sets of scores and letter grades** for 2017-2018 school year and allows BESE discretion for reporting two sets of scores and letter grades in future years when significant changes are made to the manner in which scores and letter grades are calculated. Note: It is to reflect pre- and post- tougher standards. (gov. sig) (Adds R.S. 17:10.1(H))

CURRICULA

ACT 300 HB 225 – Stagni - CURRICULA: Requires each public **high school** to provide instruction in the recognition and prevention of shaken baby syndrome. Defines "**shaken baby syndrome**" as the condition known also as abusive head trauma that is characterized by injuries resulting from violent shaking or shaking and impacting of the head of an infant or small child.
(8/1/18). (Adds R.S. 17:270 and 3996(B) (45))

ACT 154 SB 315 – Thompson - CURRICULA: Requires **instruction in personal financial management** in public elementary and secondary schools. Each public elementary and secondary school student shall receive age and grade appropriate instruction in personal financial management. Provides that such instruction and subject matter "may", instead of "shall", be integrated into an existing course of study. Each student who enters the **ninth grade on or after July 1, 2019**, shall receive the instruction in personal financial management as a **requirement for high school graduation**.
(8/1/18). (Adds R.S. 17:270 and 3996(B)(45); repeals R.S. 17:282.3)

“Other Education Legislation”

SCHOOLS

ACT 547 HB 387 – Edmonds - SCHOOLS: Revises the **Parents' Bill of Rights** for public schools. Limits applicability of such rights to parents of public school children **who have not reached** the age of majority. Further provides for parents' rights to receive a copy of the school records at no cost or a reasonable cost within **10 business days** of a **written** request. Provides for **additional** parents' rights. Applicable to charter schools.
(8/1/18)

ACT 622 HB 306 – Thomas - SCHOOLS: Provides relative to **foreign language immersion programs** in public schools. Changes the parent request deadline from March 1st to January 31st. Limits applicability of all aspects of present law to programs in French or Spanish.
(8/1/18)

ACT 89 HB 367 – Pierre - SCHOOLS/HIGH SCHOOL: Provides for certain academic requirements relative to foreign language proficiency to receive a **State Seal of Biliteracy** affixed on the diploma or transcript of a high school graduate.
(8/1/18)

STUDENTS

ACT 307 HB 294 – Smith - STUDENTS: Changes references to "**at-risk**" students to students who are "**economically disadvantaged**" throughout Title 17 of the Louisiana Revised relative to requirements for enrollment of such students in certain charter schools. Provides that "economically disadvantaged" shall be as defined by BESE in some instances. **Deletes** present law provision that required BESE to develop and implement a pilot program for inner-city at risk students in certain parishes.
(8/1/18)

ACT 688 HB 656 – Emerson - STUDENTS: Provides relative to literacy **screenings** for students. Changes requirement so that each **second grade** student and **third grade** student shall be administered a literacy screener to identify the number of students who read below, at, and above grade level. Provides that students scoring above grade level be considered for evaluation into a **gifted program** and students scoring below grade level be considered for **additional resources**. Applicable to charter schools.
(8/1/18) (Amends R.S. 17:182(B); Adds R.S. 17:3996(B)(45))

TOPS/ DIPLOMAS

ACT 671 SB 452 – Morrish - TOPS: Changes certain TOPS initial eligibility requirements and provides relative to the sharing of certain student data. Provides that **Physics** may be counted for credit as a science course to satisfy the high school career major **graduation requirements**. Allows AP Physics I and AP Physics II to count as individual classes in the TOPS Opportunity, Performance, and Honors students' core curriculum. Additionally provides Physics may count in the TOPS-Tech core curriculum. Provides that taxpayers' information may be shared with the office of student financial assistance to determine past TOPS recipient employment and residency status in Louisiana. Other related matters. (gov. sig)

ACT 583 HB 256 – Foil - Creates the **TOPS Income Fund** as a special treasury fund to fund the Taylor Opportunity Program for Students (TOPS). Monies in the fund can be combined with others funds; however, all monies in the TOPS Income Fund shall be used solely to fund the TOPS Program. Requires that unexpended and unencumbered monies in the fund at the end of a fiscal year remain in the fund and that interest earned on monies in the fund shall be credited to the fund. Effective July 1, 2018. (Adds R.S. 17:5069)

SCHOOLS/CHOICE

ACT 459 HB 670 – Landry - SCHOOLS/CHOICE: Requires public school governing authorities **to post on their websites** and report to the state Dept. of Education their policies relative to certain student transfers authorized by the school choice law. Requires that such policy be posted to the school governing authority's **website** by **Sept. 30, 2018**, and reported to the state Dept. of Education by **Dec. 31, 2018**. (8/1/18)

FOSTER CARE STUDENTS

ACT 649 SB 129 – Gatti - FAMILY LAW: Provides that, in the event funds are made available, a person in **foster care** and the person's foster parents shall continue to receive all benefits and services of the foster care program after the person's 18th birthday, if the person is a full-time **high school student** or in the process of receiving an equivalent credential until the person's high school graduation or 21st birthday, whichever comes first. (gov. sig)

TEACHERS

ACT 631 HB 625 – Edmonds - TEACHERS/LEAVE: Requires teachers be granted up to 30 days of leave upon **adoption of a child**. Also applicable to certain social workers and school psychologists employed by local school boards.
(8/1/18)

ACT 634 HB 796 – Harris - TEACHERS: Provides relative to the certification and employment in schools of certain persons **convicted of felony offenses** and the assessment of **civil fines** against public school boards who hire certain persons. Authorizes BESE to assess a civil fine against a public school board that knowingly employs a teacher who has been convicted of or pled nolo contendere to any felony offense and whose application to teach was not approved by BESE or for whom criminal records were not requested by the school board. Applicable to Administrators. Applicable to specified crimes. Other related matters.
Effective July 1, 2018.

RETIREMENT/TEACHERS

ACT 613 HB 13 – Miller - RETIREMENT/TEACHERS: Allows a retiree of TRSL to return to work as a tutor in pre-kindergarten through twelfth grade and continue to collect his benefit, subject to an earnings limitation of 25% of his benefit amount. Allows a retiree of TRSL to return to work as a full-time or part-time **prekindergarten teacher** in a critical shortage position without an earnings limitation.
Effective July 1, 2018.

ACT 492 HB 14 – Smith - RETIREMENT/TEACHERS: Adds **pre-kindergarten teacher and interpreter, educational transliterator**, or educator of the deaf or hard of hearing to the list of certified professionals who may return to work in a critical shortage position without reduction of benefits in positions covered by the Teachers' Retirement System of Louisiana.
Effective July 1, 2018.

ACT 225 SB 17 – Peacock - RETIREMENT SYSTEMS: Provides for harmonization of federal and state law regarding **creditable service for military time** at La. retirement systems.
Effective May 15, 2018.

SCHOOLS/FOODS PROGRAMS

ACT 330 HB 616 – Hilferty - SCHOOLS/FOOD PROGRAMS: **Removes limitations and nutritional guidelines** relative to foods and beverages, other than school breakfast or lunch, offered in public elementary and secondary schools. Requires public elementary and secondary schools to follow **federal guidelines** in respect to foods and beverages, other than meals, sold to students at schools and on school grounds **during a period beginning one-half hour before** the start of the school day and ending **one-half hour after** the end of the school day.
(8/1/18). (Amends R.S. 17:197.1)

TRANSPORTATION/SCHOOL BUS OPERATORS

ACT 699 HB 803 – Armes - SCHOOLS/BUS OPERATORS: Requires city, parish, and other local public school boards to notify a senior bus operator of a vacant route by mail to his residence.
(8/1/18). (Amends R.S. 17:493.1(A)(1)(a))

ACT 238 SB 267 – Appel - SCHOOL BUS DRIVERS: Provides relative to the removal of school bus operators. Revises present law procedures and time lines and provides that a permanent school bus operator has **10 calendar days** from receipt of the written notice of charges to respond either in person or in writing. Provides for other related matters.
Effective May 15, 2018. (Amends R.S. 17:493)

SCHOOLS/EMPLOYEES

ACT 270 HB 524 – Carpenter - PUBLIC OFFICIALS/EMPLOYEES: Requires **policies** prohibiting sexual harassment and **annual training** on preventing **sexual harassment**. Requires each agency head in state and local government to develop and institute a policy to **prevent sexual harassment** which is applicable to all public servants in the agency. Requires every public servant to receive a **minimum of one hour of training** to prevent sexual harassment each year, and requires annual reports.
Effective Jan. 1, 2019. (Adds R.S. 42:341-345)

PUBLIC RECORDS

ACT 394 HB 723 – Garofalo – PUBLIC RECORDS: Provides that if a public body or official brings a suit against a person based on the person's request to inspect, copy, or reproduce a record or to receive or obtain a copy or reproduction of a public record and the person prevails in the suit, the person shall be awarded reasonable **attorney fees** and other costs of litigation. Provides that if the person prevails in part, the court may in its discretion award the person reasonable attorney fees or an appropriate portion thereof.
(8/1/18). (Amends R.S. 44:35(D))

PUBLIC CONTRACTS/BIDS

ACT 306 HB 272 – Havard - PUBLIC CONTRACT/BIDS: Provides relative to group purchasing of **school materials, equipment, and supplies**. Provides that a price list submitted by a group purchasing organization becomes a public record when the purchase contract is executed. Authorizes public school districts and public schools that choose to solicit quotations or bids under present law to consider a price list previously submitted to it by the group purchasing organization as a valid and binding bid for such solicitation.
(8/1/18). (Amends R.S. 38:2212.1(N))

ACT 566 SB 94 – Appel - PUBLIC CONTRACTS: Provides that public entities are liable for interest due for failure to pay progressive stage or final payments on public contracts under certain conditions. Adds provision that the public entity is also liable for interest charged at 0.5% accumulated daily, not to exceed 15%. Provides that any interest paid by public entities on public contracts shall be disbursed on a prorated basis among the contractors and subcontractors within ten business days of receipt of the interest payment.
(8/1/18)

CHARTER SCHOOLS

ACT 646 SB 89 – Bishop - SCHOOLS: Provides relative to the composition of charter school boards in certain parishes and provides an exception from the Code of Governmental Ethics for certain charter school board members in the state.
(gov. sig)
(Amends R.S. 17:3991(A)(1)(b) and (c)(iii); adds R.S.17:3991(A)(1)(c)(iv))

ACT 478 SB 562 – Boudreaux - SCHOOLS: (Substitute for SB 95)

Provides relative to virtual schools. Defines "**virtual school**" as a public school, including a charter school, which has a unique **site code** assigned by the state Department of Education and which delivers all or a majority of the instruction provided through the **internet** or other electronic medium such that a student is not necessarily required to be at a specific location in order to receive instruction from a teacher. Allows a virtual school to include traditional classroom-based instruction or to host face-to-face meetings, including field trips, extracurricular activities, conferences between a student, parents, and teachers, or other related activities or events. **Excludes** a school that delivers all or a majority of the instruction provided through the internet or other electronic medium and requires students **to be in daily attendance** at a specified location to receive such instruction from the definition of "**virtual school**".
(gov. sig). (Adds R.S. 17:236.3)

ACT 687 HB 650 – Foil - STUDENT/TUITION: Creates the La. Student Tuition Assistance and Revenue Trust Kindergarten Through Grade Twelve (**START K12**) Program, an **education savings program** similar to the START program except that it is for certain expenses associated with enrolling in grades kindergarten through 12. Defines such expenses as tuition in connection with enrollment or attendance at a public or approved nonpublic elementary or secondary school in La., limited to grades kindergarten through 12. Limits disbursements of such expenses to a maximum of \$10,000 per tax year, per beneficiary. Allows parents to claim a Federal tax break. Provides for other related matters.
(gov. sig).

SCHOOL DISTRICTS

ACT 241 SB 378 – Appel - POSTSECONDARY ED: Adds the **Bd. of Regents** to the entities that requires public school governing authorities **to share certain student data**. Requires that the **parental consent form** contain a statement notifying parents that student information will be collected and shared with the Bd. of Regents to be used for the purposes of providing reports to the school governing authority and developing policies designed to improve student academic achievement. (gov. sig)

ACT 332 HB 663 – White - SCHOOLS/DISTRICTS: Creates a commission to study the feasibility of consolidating the **Washington Parish and Bogalusa school systems**. Requires the commission to submit a written report of its findings, conclusions, and recommendations to the Bogalusa City School Board and the Washington Parish School Board not later than Aug. 31, 2019. Provides that the commission shall terminate on Sept. 1, 2019. (gov. sig) (Adds R.S. 17:1381)

ACT 413 SB 401 – Mizell - SCHOOLS: Creates a commission to study the feasibility of consolidating the Washington Parish and Bogalusa City school systems. Effective date 5/23/2018. (Adds R.S. 17:1381)

SCHOOL BOARDS

ACT 536 HB 51 - LeBas - ETHICS/DUAL OFFICEHOLDG: Provides an exception from dual office holding laws to allow a certified public accountant who is a member of a school board in a parish having a population of less than 50,000 to hold employment with a sheriff to provide financial or accounting services. (gov. sig) (Adds R.S. 42:66(E))

ACT 301 HB 230 – Berthelot - LOCAL GOVERNMENT: Provides relative to investments by political subdivisions. Allows the purchasing La. political subdivision **the option** of satisfying present law requirements of retaining the services of a specified investment adviser, trust company or applicable federal agency by retaining the services of **a trust department** of an institution that is insured by the Federal Deposit Insurance Corp., that exercises trust powers in La., and that has a main office or a bank branch in La. (gov. sig)

ACT 486 SB 312 – Lafleur - PUBLIC MEETINGS: Revises procedure regarding **meetings to propose or renew taxes and to call an election**. Provides that when a political subdivision intends to propose a new ad valorem property tax or sales and use tax, and increase or renew any existing ad valorem property tax or sales and use tax, or authorize the calling of an election for submittal of such question to the voters of the political subdivision, **notice will be published** in the official journal of the political subdivision no more than 60 days nor less than 20 days before the public meeting. **Removes** the requirement of announcing to the public during the course of a public meeting of the political subdivision. **Changed** the required days prior to meeting of publication of notice from not less than 30 to not less than 20 days. (8/1/18)

ACT 569 SB 426 – LaFleur - BONDS: Provides relative to the Consolidated Local Government Public Finance Act. The purpose of this law is to clarify, modernize, and make uniform the laws relating to the power of parishes, municipalities, **school boards**, school districts, and other political subdivision of the state **to incur debt and to issue bonds** and other evidences of indebtedness. (Changes are lengthy) Provides that the issuer, owner, or holder of any bond issued prior to **July 1, 2018**, is subject to the provisions of law under which the bond was originally issued. Sections 1 and 3 of this new law are effective July 1, 2018; Section 2 of this new law is effective July 1, 2021.

DEPARTMENT OF EDUCATION

- ACT 65 HB 183 – Landry - SUNSET LAW: Re-creates the **Department of Education** for four more years. Changes termination date from July 1, 2019, to July 1, 2023. Effective June 30, 2018.
- ACT 381 SB 349 – Appel - EDUCATION DEPARTMENT: Creates the **Technology Strategy Task Force** to review the technology plan, the current technology capabilities of schools in the state, and projected technology needs, and develop a strategy whereby all schools can meet the technology needs of their students. (8/1/18)
- ACT 691 HB 716 – Leger - STUDENTS: Provides relative to **sharing of student information** with certain postsecondary education institutions conducting academic research. Authorizes the state **Department of Education** to share student information it has received with a person who is an employee of and conducting research at a postsecondary education institution accredited by a regional or national accrediting organization recognized by the U.S. Dept. of Education if the person and the department enter into a **memorandum of understanding** in which the person agrees to be liable for any criminal and civil penalties imposed by present law for any violation of present law.0 (8/1/18). (Amends R.S. 17:3914(C)(2)(intro. para.) and (b))
- ACT 660 SB 310 – Claitor - EDUCATION DEPARTMENT: Provides relative to the collection and reporting of certain data regarding students with **exceptionalities**. Requires the commissioner of administration to withhold an amount equal to twenty-five percent of the state general funds appropriated to the state **Department of Education** through the general appropriations bill for "STATE ACTIVITIES" which are allocated for travel expenses, for any fiscal year that the department fails to comply with the reporting requirements in present law relative to students with exceptionalities. (gov. sig). (Adds R.S. 17:3911(B)(4)(f))

BESE – BOARD OF ELEMENTARY AND SECONDARY EDUCATION

- ACT 411 SB 254 – Appel - BESE: Requires BESE to establish criteria whereby a teacher may be issued a **dyslexia practitioner or dyslexia therapist** ancillary certificate. Provides that BESE shall promulgate rules to implement this law in accordance with the Administrative Procedure Act by July 1, 2019. (gov. sig)
- ACT 336 HB 746 – Carter - BESE: Repeals requirement that the State Board of Elementary and Secondary Education meet quarterly in New Orleans relative to the Recovery School District. (8/1/18). (Repeals R.S. 17:3.1(F)).

MINIMUM FOUNDATION PROGRAM (MFP)

SCR 48 – Morrish - BESE: Provides for legislative approval of the MFP formula for the 2018-2019 Fiscal Year that was adopted by the Board of Elementary and Secondary Education (BESE) on March 13, 2018. The formula contains 4 levels. Note: It is about a \$3.7 billion spending plan , however, it marks the 10th time in 11 years that **spending per student** has been **frozen** amid state budget problems. It is a standstill budget.

SCHOOLS/FINANCE-MFP

ACT 297 HB 193 – Coussan - SCHOOLS/FINANCE-MFP: Provides relative to funding for university laboratory schools. Adds University of Louisiana at Lafayette to institutions eligible to receive laboratory school funding through the **minimum foundation program**. (8/1/18)

EXCEPTIONAL PERSONS

ACT 455 HB 199 – Smith - EXCEPTIONAL PERSONS: Creates **Language Equality and Acquisition for Deaf Kids (LEAD-K) Task Force** to develop framework for assessing children who are deaf or hard of hearing to determine language skills and ensure kindergarten readiness. Effective 5/23/18. To be repealed on March 1, 2019 after reporting.

EARLY CHILDHOOD EDUCATION

ACT 639 HB 676 – Hilferty - EARLY CHILDHOOD: **Creates the Early Childhood Care and Education Commission** to establish a vision for **accessible**, quality early childhood care and education to be implemented through pilot programs established by the Board of Elementary and Secondary Education (BESE) at the community network level. Provides for termination of the commission on **March 31, 2020**. (8/1/18).

EARLY LEARNING CENTERS/ TAX/TAXATION

ACT 521 SB 132 – Morrell - TAX/TAXATION: Provides relative to administrative rule **approval process** applicable to **school readiness tax credits**. Provides that the rules promulgated for the implementation of the school readiness tax credits are subject to oversight by the Senate and House committees on education, the Senate Committee on Revenue and Fiscal Affairs, and the House Committee on Ways and Means in accordance with the provisions of the Administrative Procedure Act. (8/1/18)

CHILD CARE FACILITIES

ACT 5 HB 75 – Dwight - CRIME/SEX OFFENSES: Updates **citations and terminology** for certain child care facilities in provisions of law that prohibit sex offenders from working at, or from establishing a residence or being physically present within a certain distance of, such facilities. (8/1/18)

HIGHER EDUCATION

ACT 53 HB 87 – James - STUDENT/TUITION: Provides relative to the definition of institution of postsecondary education for purposes of the La. Student Tuition Assistance and Revenue Trust (START) Program. Broadens this definition to include a proprietary school located outside La. that is licensed by an out-of-state public postsecondary education board, accredited by a recognized national or regional accrediting body, and eligible to participate in a program under Title IV of the Higher Education Act of 1965, as amended. (8/1/18)

ACT 619 HB 144 – Abraham - FUNDS/FUNDING: Creates the **Louisiana Jobs Now Fund** for the purpose of funding postsecondary education degree and certificate production in high-demand fields. Effective July 1, 2018.

ACT 512 HB 270 – Foil - PUBLIC RECORDS: Exempts from the **Public Records Law** personally identifiable information of persons who report a violation of a student code of conduct or other policy intended for the safety of or employees of postsecondary education institutions, reported witnesses of such violations, and under certain circumstances, the reported victim. (8/1/18). (Adds R.S. 44:4(55))

ACT 640 HB 793 – Carter - COLLEGES/UNIVERSITIES: Prohibits **hazing** and requires reporting, policies, and education on hazing. Deletes fine and imprisonment penalties and requires expulsion for at least **one academic term**. Requires an organization to report instances of hazing. Provides requirements relative to hazing policies and education. Provides for definitions. Note: Requires colleges to develop hazing prevention plans. (gov. sig) (Amends R.S. 17:1801; Adds 17:1801.1)

ACT 227 SB 24 – Mills - COUNSELING/GUIDANCE: Provides relative to social work practice. Provides that a faculty member with a master's degree in social work who teaches a course in social work at an accredited La. institution of higher education shall obtain the registration or equivalent of the registration provided for in present law. (8/1/18).

ACT 400 SB 46 – Appel - POSTSECONDARY ED: Additionally requires the Board of Regents to review and revise, as necessary, the **master plan** for postsecondary education and the **mission statements** for each public college and university system at least **once every four years**. Requires the Board of Regents to review and submit a **revised master plan** for postsecondary education to the governor and the legislature not later than **September 1, 2019**. (gov. sig).

ACT 236 SB 199 – Bishop --POSTSECONDARY ED: Creates the **Advisory Council on Historically Black Colleges and Universities**. Effective May 15, 2018.

ACT 666 SB 364 – Ward - COLLEGES/UNIVERSITIES: Provides relative to **free expression** on college campuses. Defines "expressive activities". Requires the postsecondary education management boards, in consultation with the Board of Regents, to develop and adopt policies on free expression that contain provisions. Provides for related matters. Note: This law is aimed at ensuring free speech rights on college campuses amid national controversy about speakers being shut down. (gov. sig) (Adds R.S. 17:3399.31-3399.37)

MTR VEHICLE/LICENSE PLATES

ACT 70 HB 216 – Jackson - MTR VEHICLE/LICENSE PLATES: Creates the "Neville High School" specialty license plate. (8/1/18)

ACT 71 HB 217 – Jackson - MTR VEHICLE/LICENSE PLATES: Creates the "Carroll High School" specialty license plate. (8/1/18)

ACT 78 HB 289 – Jordan - MTR VEHICLE/LICEN PLATES: Creates the "Brusly High School" specialty license plate. (8/1/18)

ACT 80 HB 290 – Jordan - MTR VEHICLE/LICEN PLATES: Creates the "Glen Oaks High School" specialty license plate. (8/1/18)

ACT 81 HB 291 – Jordan - MTR VEHICLE/LICEN PLATES: Creates the "Port Allen High School" specialty license plate. (8/1/18)

HEALTH EDUCATION

ACT 666 SB 319 – Gatti - STATE AGENCIES: Abolishes boards and commissions, authorities, districts, and like entities **that are inactive**. Rejects House amendments which would have added provisions abolishing the **Health Education Authority** of La. (8/1/18).



2018 CONSTITUTIONAL AMENDMENTS
NOVEMBER 6, 2018 BALLOT



- SB 31** – Appel - ELECTED OFFICIALS: Constitutional amendment to provide for disqualification from seeking or holding an elective office of certain persons convicted of a felony. Does not prohibit a person convicted of a felony from qualifying as a candidate for elective public office or holding elective public office or appointment of honor, trust, or profit **if more than five years** have elapsed since the **completion of his original sentence** for the conviction. Does not prohibit a person from being employed by the state or a political subdivision.
- SB 59** – Cortez - FUNDS/FUNDING: Constitutional amendment to remove authority to fund **state police for traffic control** from the Transportation Trust Fund.
- SB 163** – Perry - TAX EXEMPTIONS: Constitutional amendment to extend special assessment for, and exemptions for **disabled veterans** and their spouses, and for **surviving spouses of military personnel, law enforcement and fire protection officers**, and **first responders** from, ad valorem tax purposes on homesteads to apply to persons with usufruct when naked ownership is in trust.
- SB 164** – Morrell - TAX/AD VALOREM: Constitutional amendment to authorize the phase-in of increases in ad valorem taxation under certain circumstances.
- SB 243** – Morrell - CRIMINAL PROCEDURE: Constitutional amendment that retains the present constitution relative to **noncapital felony cases** for offenses committed **prior to** January 1, 2019, that are tried before a jury of 12 persons, 10 of whom must concur to render a verdict but **amends** the constitution to provide that a **unanimous** verdict is required in cases for noncapital felony offenses committed **on or after** January 1, 2019.
Note: **Capital felonies** are **felonies** for which the defendant, if convicted, can be legally sentenced to suffer the death penalty.
- SB 263** – Erdey - PUBLIC PROPERTY: Constitutional amendment to add an exception that, pursuant to written agreement, permits the use of public equipment and personnel by a political subdivision upon the request of another political subdivision for a activity or function which the requesting political subdivision is authorized to exercise.