

Regular Session, 2010

HOUSE BILL NO. 1055

BY REPRESENTATIVE RICHMOND

EDUCATION/ADULT: Eliminates the division of adult and community education within the Dept. of Education and transfers the responsibility for adult education programs from BESE to LCTCS

1 AN ACT

2 To amend and reenact R.S. 17:221(I) and R.S. 36:649(D), to enact R.S. 17:1871(B)(8) and
3 3217.1(D), and to repeal R.S. 17:14, relative to adult education; to provide for the
4 school attendance of certain students in adult education programs; to eliminate the
5 division of adult and community education within the Department of Education; to
6 transfer the responsibility for the provision of adult education programs from the
7 State Board of Elementary and Secondary Education to the Louisiana Community
8 and Technical College System and to provide with respect thereto; to provide for the
9 powers, duties, and functions of the Board of Supervisors of Community and
10 Technical Colleges; to provide for an effective date of such transfer; and to provide
11 for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. 17:221(I) is hereby amended and reenacted and R.S. 17:1871(B)(8) and
14 3217.1(D) are hereby enacted to read as follows:

15 §221. School attendance; compulsory ages; duty of parents; excessive absences;
16 consent to withdraw; condition for driving privileges

17 * * *

18 I. Nothing in this Section shall prohibit a child who is at least sixteen years
19 of age and who meets criteria established by the State Board of Elementary and

1 completion will entitle them to be issued a Louisiana high school equivalency
2 diploma.

3 (b) Fully fund the cost of a statewide adult education program and allocate
4 such funds appropriated based on an adopted formula.

5 (c) Approve the method of funding and plan of operation for developing and
6 implementing all adult education programs. The plans and policies for the
7 development of such programs shall be administered through the Louisiana
8 Community and Technical Colleges System. The board shall be responsible for the
9 overall supervision of such programs funded to eligible entities.

10 (2) Each program of adult education shall meet eligibility criteria established
11 and adopted by the board and be subject to the overall administration and supervision
12 provided by this Subsection. Quality indicators and performance-based criteria, as
13 established and adopted by the board, shall be used to allocate funds on an annual
14 basis.

15 Section 2. R.S. 36:649(D) is hereby amended and reenacted to read as follows:
16 §649. Offices; purposes and functions relating to elementary and secondary
17 education

18 * * *

19 D. The office of school and community support shall perform the functions
20 of the state relating to student, school, and community health and nutrition programs;
21 ~~and transportation, community adult training programs, and postsecondary and~~
22 ~~workforce development~~ programs, all in accordance with applicable law.

23 Section 3. R.S. 17:14 is hereby repealed in its entirety.

24 Section 4. The Board of Supervisors of Community and Technical Colleges shall
25 succeed the State Board of Elementary and Secondary Education as the supervising and
26 managing board for adult education programs in Louisiana. The adult education content
27 standards and benchmarks set forth in the Louisiana Administrative Code, Title 28, Part
28 CXXIX by the State Board of Elementary and Secondary Education shall be deemed to be
29 the adult education content standards and benchmarks of the Louisiana Community and

1 Technical College System on July 1, 2010, and thereafter for the purposes of R.S.
2 17:3217.1(D), until such time as the Board of Supervisors of Community and Technical
3 Colleges promulgates rules and regulations in accordance with Administrative Procedure Act
4 regarding the same, to ensure a smooth transition in effectuating and implementing the
5 provisions of this Act.

6 Section 5. This Act shall become effective on July 1, 2010; if vetoed by the governor
7 and subsequently approved by the legislature, this Act shall become effective on July 1,
8 2010, or on the day following such approval by the legislature, whichever is later.

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)]

Richmond

HB No. 1055

Abstract: Eliminates the division of adult and community education within the Dept. of Education and transfers the responsibility for adult education programs from the State Board of Elementary and Secondary Education (BESE) to the Louisiana Community and Technical Colleges system (LCTCS).

Relative to K-12 school attendance:

Present law (school attendance law) requires a parent or other person having control or charge of any child from that child's seventh birthday until his 18th birthday to send such child to a public or private day school, unless the child graduates from high school prior to his 18th birthday. Specifies penalties for violation. Permits a 17-year-old to withdraw from school prior to graduation under certain circumstances and allows a parent of a child who is under 18 and enrolled in school beyond his 16th birthday to request that he attend an alternative or vocational-technical education program. Allows for admission to a National Guard Youth Challenge Program. Proposed law retains school attendance requirements in present law.

Present law allows a child who is at least 16 years old and meets State Board of Elementary and Secondary Education (BESE)-established criteria to enroll in and attend a BESE-approved adult education program. Provides that a parent or guardian of such a child is considered to be in compliance with the school attendance laws. Proposed law retains school attendance requirements in present law but further specifies that the approved adult education program attended by the child must be an "effective" program instead of BESE-approved. Defines this as an approved program that has demonstrated a proven record of student progress in the attainment of basic skills and essential competencies as determined by quality indicators and performance-based criteria developed and adopted by the Board of Supervisors of Community and Technical Colleges (board of supervisors).

Relative to the transfer of adult education programs from BESE to Louisiana Community and Technical Colleges system (LCTCS):

Present law provides for the establishment of the division of adult and community education within the state Dept. of Education (DOE) and requires BESE to adopt rules and regulations

to establish, operate, and maintain a statewide adult and community education program on the elementary and secondary levels. Requires BESE to adopt a formula to fund the program and to annually request such funding from the legislature. Provides for the appointment of a director to administer the affairs of the division of adult and community education and the statewide adult education program. Requires BESE to approve the plan of operation for developing and implementing all adult and community education programs and provides that the division is responsible for the overall supervision of such programs funded to parish and city school systems and to eligible community-based organizations. Provides for the DOE to allocate funds to school boards to be used to develop and continue a statewide community education program for the elderly. Provides for such program to be administered, through the department, by the division in cooperation with the parish councils on aging acting in an advisory capacity.

Proposed law repeals present law by removing authority for the division of adult and community education within the state Dept. of Education. Transfers responsibility to the Board of Supervisors for Community and Technical Colleges for the provision of such programs through the La. Community and Technical College system (LCTCS). Provides, beginning July 1, 2010, the board of supervisors establish, operate, and maintain a statewide adult education program and the adoption of any regulations. Requires the board of supervisors to fully fund the cost of a statewide adult education program and allocate such funds appropriated based on an adopted formula. Requires the board to approve the method of funding and plan of operation for developing and implementing all adult education programs. Further, provides for the board to be responsible for the overall supervision of such programs funded to eligible entities. Requires each program of adult education to meet eligibility criteria established and adopted by the board of supervisors. Provides for quality indicators and performance-based criteria, as established and adopted by the board, to be used to allocate funds on an annual basis.

Proposed law provides that, to ensure a smooth transition, the adult education content standards and benchmarks set forth by BESE rule shall be deemed to be the adult education content standards and benchmarks of LCTCS on July 1, 2010, and thereafter, until such time as the board of supervisors promulgates rules and regulations.

Effective July 1, 2010.

(Amends R.S. 17:221(I) and R.S. 36:649(D); Adds R.S. 17:1871(B)(8) and 3217.1(D); Repeals R.S. 17:14)