

Regular Session, 2011

# ACT No. 405

HOUSE BILL NO. 454

BY REPRESENTATIVE HARRISON

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

1 AN ACT

2 To amend and reenact R.S. 17:500.2(A)(1), 1176, 1202(A)(1), and 1206.2(A)(1), relative  
3 to the granting of certain types of leave by a city, parish, or other local public school  
4 board; to provide relative to the requirement that the board grant certain sabbatical  
5 leave requests; to provide relative to the requirement that the board permit certain  
6 employees to take extended sick leave; to provide exceptions to such requirements;  
7 to provide an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. This Act shall be known as the "Education Reform Act".

10 Section 2. R.S. 17:500.2(A)(1), 1176, 1202(A)(1), and 1206.2(A)(1) are hereby  
11 amended and reenacted to read as follows:

12 §500.2. School bus operators; extended sick leave

13 A.(1)(a) Except as provided in Subparagraph (b) of this Paragraph, Every  
14 every city, and parish, and other local public school board shall permit each school  
15 bus operator to take up to ninety days of extended sick leave in each six-year period  
16 of employment, which may be used for personal illness or illness of an immediate  
17 family member in the manner provided in this Subsection at any time that the school  
18 bus operator has no remaining regular sick leave balance.

19 (b) For Fiscal Year 2011-2012 and Fiscal Year 2012-2013, a city, parish, or  
20 other local public school board may but shall not be required to comply with the  
21 provisions of Subparagraph (a) of this Paragraph during a fiscal year for which the  
22 amount of the state and local base per pupil cost determination, as established in the  
23 minimum foundation program formula most recently approved by the legislature, is  
24 not an increase of at least two and seventy-five hundredths percent over the amount



1 school board shall honor any approved leave that it approved prior to the date the  
 2 minimum foundation program formula is approved by the legislature.

3 C.(1) Notwithstanding the provisions of Subsection B of this Section, in the  
 4 case of a catastrophic illness or injury, a school board shall comply with the  
 5 provisions of Subsection A of this Section.

6 (2) For the purposes of this Subsection, "catastrophic illness or injury"  
 7 means a life-threatening, chronic, or incapacitating condition affecting an employee  
 8 or a member of an employee's immediate family, as verified by a licensed physician.

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10 §1202. Teachers; extended sick leave

11 A.(1)(a) Except as provided in Subparagraph (b) of this Paragraph, Every  
 12 parish and every city, parish, and other local public school board shall permit each  
 13 teacher to take up to ninety days of extended sick leave in each six-year period of  
 14 employment, which may be used for personal illness or illness of an immediate  
 15 family member in the manner provided in this Subsection at any time that the teacher  
 16 has no remaining regular sick leave balance.

17 (b) For Fiscal Year 2011-2012 and Fiscal Year 2012-2013, a city, parish, or  
 18 other local public school board may but shall not be required to comply with the  
 19 provisions of Subparagraph (a) of this Paragraph during a fiscal year for which the  
 20 amount of the state and local base per pupil cost determination, as established in the  
 21 minimum foundation program formula most recently approved by the legislature, is  
 22 not an increase of at least two and seventy-five hundredths percent over the amount  
 23 established for the previous fiscal year, and at the beginning of such fiscal year the  
 24 school board has a fund balance deficit that exceeds five percent and an unrestricted  
 25 fund balance of less than seven and one-half percent. However, the school board  
 26 shall honor any approved leave that it approved prior to the date the minimum  
 27 foundation program formula is approved by the legislature.

28 (c)(i) Notwithstanding the provisions of Subparagraph (b) of this Paragraph,  
 29 in the case of a catastrophic illness or injury, a school board shall comply with the  
 30 provisions of Subparagraph (a) of this Paragraph.



1           Section 3. This Act shall become effective upon signature by the governor or, if not  
 2 signed by the governor, upon expiration of the time for bills to become law without signature  
 3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 5 effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_