

2016 Regular Session

SENATE BILL NO. 408

BY SENATOR MILKOVICH

SCHOOLS. Authorizes submission of certain charter school applications in certain parishes.
(8/1/16)

1 AN ACT

2 To enact R.S. 17:3975, relative to public schools; to authorize a charter group to submit an
3 application to the local school board or the State Board of Elementary and Secondary
4 Education to operate a charter school to replace a closed public school; to provide
5 for special circumstances; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:3975 is hereby enacted to read as follows:

8 **§3975. Schools closed by local school boards; authority to apply for local or**
9 **state charter; special considerations**

10 **A. Notwithstanding any law to the contrary, a charter group that seeks**
11 **to operate a charter school as a means to replace a public school closed by the**
12 **local school board is hereby authorized to submit a charter application to the**
13 **local school board for a Type 1 or a Type 3 charter. If the local school board**
14 **denies the chartering group's proposal, or, if conditions placed on the proposal**
15 **by the local school board are not acceptable to the chartering group, then the**
16 **chartering group may submit a proposal to the State Board of Elementary and**
17 **Secondary Education for a Type 2 charter school in accordance with the**

- 1 **provisions of Part II of this Chapter.**
- 2 **B. There shall be a rebuttable presumption that a charter application**
- 3 **submitted pursuant to the provisions of this Section fully complies with the**
- 4 **provisions of this Chapter.**
- 5 **C. The provisions of this Section shall only be applicable to a parish**
- 6 **having a population between twenty-six thousand five hundred and twenty-**
- 7 **seven thousand five hundred persons according to the latest federal decennial**
- 8 **census.**

The original instrument was prepared by Jeanne Johnston. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

DIGEST

SB 408 Reengrossed 2016 Regular Session Milkovich

Present law provides for the Charter School Demonstration Programs Law to provide for the creation and operation of charter schools.

Proposed law authorizes a charter group that seeks to operate a charter school as a means to replace a public school closed by the local school board, to submit a charter application to the local school board for a Type 1 or Type 3 charter. Provides that if the local school board denies the proposal or if the local school board places conditions on the proposal which are not acceptable to the chartering group, then the group may submit its proposal to the State Board of Elementary and Secondary Education for a Type 2 charter school. Requires that there is a rebuttable presumption that a charter application is in compliance with law regarding charter schools.

Proposed law applies only in parishes with a population between 26,500 and 27,500 according to the latest federal decennial census.

Effective August 1, 2016.

(Adds R.S. 17:3975)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Removes the option of submitting the application to replace a public school closed by a local school board to either the local board or BESE.
2. Provides that only if the application is denied by the local school board or if unacceptable conditions imposed by the local school board, then allows submission to BESE.
3. Limits application of bill to parishes with population between 26,500 and 27,600.