SLS 18RS-400 ORIGINAL

2018 Regular Session

SENATE BILL NO. 205

BY SENATOR BOUDREAUX

SCHOOLS. Provides relative to the operation of a Type 2 charter school. (gov sig)

1	AN ACT
2	To enact R.S. 17:3991.2, relative to charter schools; to provide with respect to the
3	management and operation of a Type 2 charter school; to provide for certain
4	requirements relative to a nonprofit organization under contract to operate a charter
5	school; to provide for effectiveness and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 17:3991.2 is hereby enacted to read as follows:
8	§3991.2. Type 2 charter schools; operation
9	A. A nonprofit corporation granted a charter by the State Board of
10	Elementary and Secondary Education to operate a Type 2 charter school shall
11	either operate the school directly or enter into a contract with an organization
12	to manage the operation of the school.
13	B.(1) The management board of an organization under contract to
14	operate a Type 2 charter school shall not be significantly similar to the
15	management or governing board of the nonprofit corporation to which the
16	charter to operate the school was granted.
17	(2) An organization under contract to operate a Type 2 charter school

1

SB 205 Original

Boudreaux

2	C. The management board of an organization under contract to operate
3	a Type 2 charter school shall waive any claim of confidentiality with respect to
4	the organization's income tax filings with the Louisiana Department of Revenue
5	and the Internal Revenue Service.
6	D. All meetings of the management board of an organization under
7	contract to operate a Type 2 charter school wherein the operation of the school
8	will be discussed or considered must be held in accordance with the Open
9	Meetings Law.
10	E. All documents and records belonging to an organization under
11	contract to operate a Type 2 charter school that are related to the organization's
12	activities with respect to the operation of the school are subject to the Public
13	Records Law.
14	F. The members of the management board, principals, and employees of
15	an organization under contract to operate a Type 2 charter school are public
16	servants and subject to the Louisiana Code of Governmental Ethics.
17	G. An organization under contract on August 1, 2018, to operate a Type
18	2 charter school shall comply with the provisions of this Section not later than
19	<u>January 1, 2019.</u>
20	Section 2. This Act shall become effective upon signature by the governor or, if not
21	signed by the governor, upon expiration of the time for bills to become law without signature
22	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
23	vetoed by the governor and subsequently approved by the legislature, this Act shall become
24	effective on the day following such approval.
	The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jeanne C. Johnston.

shall make the membership of its management board public.

<u>Present law</u> defines "Type 2 charter school" as a new school or a preexisting public school converted to a charter between the nonprofit corporation created to operate the school and the State Board of Elementary and Secondary Education (BESE).

DIGEST

2018 Regular Session

Page 2 of 3

Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

<u>Proposed law</u> provides that a nonprofit corporation granted a charter to operate a Type 2 charter school shall either operate the school directly or enter into a contract with an organization to manage the operation of the school.

With respect to an organization under a contract to operate a Type 2 charter school, <u>proposed</u> law provides as follows:

- (1) The management board of the organization shall not be significantly similar to the management or governing board of the nonprofit corporation granted the charter to operate the school.
- (2) The organization shall make the membership of its management board public.
- (3) The management board of the organization shall waive any claim of confidentiality with respect to the organization's income tax filings with the Louisiana Department of Revenue and the Internal Revenue Service.
- (4) All meetings of the management board of the organization wherein the operation of the school will be discussed or considered must be held in accordance with the Open Meetings Law.
- (5) All documents and records belonging to the organization that are related to the organization's activities with respect to the operation of the school are subject to the Public Records Law.
- (6) The members of the management board, principals, and employees of an organization under contract to operate a Type 2 charter school are public servants and subject to the Louisiana Code of Governmental Ethics.

<u>Proposed law</u> provides that an organization under contract on August 1, 2018, to operate a Type 2 charter school shall comply with the provisions of <u>proposed law</u> not later than January 1, 2019.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 17:3991.2)