

2024 Regular Session

SENATE BILL NO. 350

BY SENATOR EDMONDS

SCHOOLS. Provides relative to charter schools. (gov sig)

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AN ACT

To amend and reenact R.S. 17:3971, 3972(A), the introductory paragraph of (B)(1) and 3972(B)(1)(c), 3973(1), and 3983(A)(2)(a)(i) and to enact R.S. 17:3991(C)(7) and 3996(I), relative to charter schools; to provide relative to the purpose and definitions applicable to charter schools and their establishment; to provide relative to eligibility to propose a charter; to provide relative to the contents, renewal, and revocation of a charter; to provide relative to the requirements, authorities, and limitations of a charter school; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3971, 3972(A), the introductory paragraph of (B)(1) and 3972(B)(1)(c), 3973(1), and 3983(A)(2)(a)(i) are hereby amended and reenacted and R.S. 17:3991(C)(7) and 3996(I) are hereby enacted to read as follows:

CHAPTER 42. LOUISIANA PUBLIC CHARTER SCHOOL ~~DEMONSTRATION~~

~~PROGRAMS~~ LAW

PART I. GENERAL PROVISIONS

§3971. Short citation

This Chapter shall be known and may be cited as the "Louisiana Public

1 Charter School ~~Demonstration Programs~~ Law".

2 §3972. Intent and purpose

3 A. It is the intention of the legislature in enacting this Chapter to authorize  
4 **school choice options for parents, teachers, and pupils through** experimentation  
5 ~~by city and parish school boards by authorizing~~ the creation of innovative kinds of  
6 independent public **charter** schools ~~for students~~. Further, it is the intention of the  
7 legislature to provide a framework **of operational autonomy for such schools** ~~for~~  
8 ~~such experimentation by the creation of such schools~~, a means for all persons with  
9 valid ideas and motivation to participate, **and a mechanism by which results can**  
10 **be analyzed, considered, and repeated or replicated if appropriate.** ~~in the~~  
11 ~~experiment, and a mechanism by which experiment results can be analyzed, the~~  
12 ~~positive results repeated or replicated, if appropriate, and the negative results~~  
13 ~~identified and eliminated~~. Finally, it is the intention of the legislature that the best  
14 interests of students who are economically disadvantaged shall be the overriding  
15 consideration in implementing the provisions of this Chapter.

16 B.(1) The purposes of this Chapter shall be to **increase school choice options**  
17 **throughout the state and to** provide opportunities for **parents**, educators, and  
18 others interested in educating pupils to form, operate, or be employed within a **an**  
19 **operationally autonomous** charter school with each such school designed to  
20 accomplish one or more of the following objectives:

21 \* \* \*

22 (c) Encourage the use of different and innovative teaching methods,  
23 **educational models**, and a variety of governance, management, and administrative  
24 structures.

25 \* \* \*

26 §3973. Definitions

27 As used in this Chapter, the following terms have the following meanings  
28 unless the context clearly indicates otherwise:

29 (1)**(a)** ~~Repealed by Acts 2017, No. 136, §2, eff. August 1, 2017.~~

1 "Autonomy" means that unless mutually agreed upon by the chartering  
2 authority and charter school, or otherwise required or prohibited by law, the  
3 charter school shall have independent operational decision making authority in  
4 the areas including but not limited to:

5 (i) School programming, instruction, curriculum, materials, texts,  
6 calendars, and schedules.

7 (ii) Personnel, employment, salaries and benefits, educator certification  
8 and evaluation, performance management, participation in retirement  
9 planning, and collective bargaining.

10 (iii) Budgeting, purchasing, procurement, contracts, food service, and  
11 management of transportation.

12 \* \* \*

13 §3983. Chartering process by type; eligibility; limitations; faculty approval; parental  
14 approval

15 A.(1) \* \* \*

16 (2)(a)(i) Each proposal for a Type 1 or Type 3 charter school shall first be  
17 made to the local school board with jurisdiction where the school is to be located,  
18 except as provided for in Item (ii) or (iii) of this Subparagraph, by submitting a  
19 written proposal. The applicant shall also provide notice of application  
20 submission for a Type 1 or Type 3 charter school to the state Department of  
21 Education. If, after review as required by R.S. 17:3982, the local school board  
22 denies the proposal, or if conditions placed on the proposal by the local school board,  
23 as provided in Paragraph (B)(2) of this Section, are not acceptable to the chartering  
24 group, then a proposal for a Type 2 charter school may be made to the state board.

25 \* \* \*

26 §3991. Charter schools; requirements; limitations; renewal; amendment; revocation;  
27 board membership

28 \* \* \*

29 C. A charter school shall:

\* \* \*

**(7) Have the autonomy necessary to manage its educational programming and daily operations in accordance with law, policy, and contract.**

\* \* \*

§3996. Charter schools; exemptions; requirements

\* \* \*

**I. Notwithstanding any other provision of law to the contrary, to the extent that a state law, rule, or regulation listed herein shall apply to a charter school, so shall the state protections and liability limitations provided in that state law, rule, or regulation applicable to public schools and to public school officers and employees extend to the charter school, its officers and employees, as provided in R.S. 17:439, R.S. 9:2798.1, R.S. 13:5106.**

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

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Mary Frances Aucoin.

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DIGEST

SB 350 Original

2024 Regular Session

Edmonds

Proposed law changes the short cite for Chapter 42 of Title 17 from "Charter School Demonstration Programs Law" to "Louisiana Public Charter School Law".

Present law (R.S. 17:3972) authorizes experimentation by city and parish school boards to create innovative kinds of independent public schools.

Proposed law removes authorization of experimentation from city and parish school boards and further allows for authorization of school choice options for parents, teachers, and pupils through creation of innovative kinds of independent public charter schools.

Proposed law defines "autonomy" as, unless mutually agreed upon by the chartering authority and charter school, or otherwise required or prohibited by law, the charter school shall have independent operational decision making authority in the areas including but not limited to:

- (1) School programming, instruction, curriculum, materials, texts, calendars, and schedules;

- (2) Personnel, employment, salaries and benefits, educator certification and evaluation, performance management, participation in retirement planning, and collective bargaining;
- (3) Budgeting, purchasing, procurement, contracts, food service, and management of transportation.

Present law (R.S. 17:3983) requires each proposal for a Type 1 or Type 3 charter school must first be made to the local school board with jurisdiction where the school is to be located.

Proposed law retains present law and further provides that the applicant must also provide notice of application submission for a Type 1 or Type 3 charter school to the state Department of Education.

Proposed law provides that a charter school must have the autonomy necessary to manage its educational programming and daily operations in accordance with law, policy, and contract.

Proposed law provides for extending the protections and liability limitations as required in state law that is applicable to public schools, public school officers and employees to charter schools, its officers and employees.

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

(Amends R.S. 17:3971, 3972(A), (B)(1)(intra para) and (B)(1)(c), 3973(1), and 3983(A)(2)(a)(i); adds 3991(C)(7) and 3996(I))