

2017 Regular Session

HOUSE BILL NO. 538

BY REPRESENTATIVE STEVE CARTER

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

SCHOOLS/BOARDS: Relative to service as a member of a traditional or charter school board, requires a high school diploma to be eligible and provides that a person who has been convicted of or pled nolo contendere to certain crimes is not eligible

1 AN ACT

2 To amend and reenact R.S. 17:52(E)(1) and 3991(A)(1)(b) and (B)(10) and to enact R.S.
3 17:52(F), relative to eligibility for membership on a school board; to provide that
4 possession of a high school diploma is an eligibility requirement for service on a
5 school board; to provide that a person who has been convicted of or has pled nolo
6 contendere to certain crimes is not eligible to serve on a school board; to apply these
7 eligibility requirements to service on elected school boards and charter school
8 boards; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:52(E)(1) and 3991(A)(1)(b) and (B)(10) are hereby amended and
11 reenacted and R.S. 17:52(F) is hereby enacted to read as follows:

12 * * *

13 §52. Election and qualification of members; term of office

14 * * *

15 E.(1) Any person who at the time of qualification as a candidate for the
16 school board has attained the age of eighteen, possesses a high school diploma or its
17 equivalent as determined by the State Board of Elementary and Secondary
18 Education, has resided in the state for the preceding two years, and has been actually
19 domiciled for the preceding year in the parish, ward, or district from which he seeks
20 election is eligible for membership on the school board. However, at the next regular

1 election for members of the school board following a reapportionment, an elector
2 may qualify as a candidate from any district created in whole or in part from a
3 district existing prior to reapportionment if he was domiciled in the prior district for
4 at least one year immediately preceding his qualification and was a resident of the
5 state for the two years preceding his qualification.

6 * * *

7 F. Any person who at the time of qualification as a candidate for a school
8 board has been convicted of or has pled nolo contendere to a crime listed in R.S.
9 15:587.1(C) is not eligible for membership on a school board.

10 * * *

11 §3991. Charter schools; requirements; limitations; renewal; amendment; revocation

12 A.(1)

13 * * *

14 (b) ~~Should~~ If a charter school ~~be~~ is established with a governing or
15 management board, ~~the~~ :

16 (i) The members of such the board shall receive no compensation other than
17 reimbursement of actual expenses incurred while fulfilling duties as a member of
18 such a board.

19 (ii) No person who has been convicted of or has pled nolo contendere to a
20 crime listed in R.S. 15:587.1(C) shall serve on the board.

21 * * *

22 B. Each proposed charter shall contain or make provision for the following:

23 * * *

24 (10) The organizational, governance, and operational structure of the school.
25 Any qualifications required of charter school administrators and governing board
26 members shall be as prescribed in the charter school agreement. Qualifications for
27 governing board members shall include, at minimum, possession of a high school
28 diploma or its equivalent.

29 * * *

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)]

HB 538 Original

2017 Regular Session

Steve Carter

Abstract: Applicable to service as a member of an elected school board or charter school governing board, provides that possession of a high school diploma is required for eligibility and disqualifies persons who have been convicted of or pled nolo contendere to certain crimes.

Traditional School Boards

Present law provides for the election of school board members in accordance with the present law provisions of the La. Election Code. Provides that a person is eligible for membership on a school board if he, at the time of qualification as a candidate, is at least 18, has resided in the state for the preceding two years, and has been actually domiciled for the preceding year in the parish, ward, or district from which he seeks election. Provides that in addition to these qualifications, each school board member shall be able to read and write.

Proposed law retains present law and provides as follows:

- (1) Adds that a person shall possess a high school diploma or its equivalent in order to be eligible for membership on a school board.
- (2) Provides that any person who at the time of qualification as a candidate for a school board has been convicted of or has pled nolo contendere to a crime listed in present law (R.S. 15:587.1(C)) is not eligible to serve on a school board.

Charter School Boards

Present law requires that each proposed charter shall contain or make provision for the organizational, governance, and operational structure of the school and provides that any qualifications required of charter school administrators and governing board members shall be as prescribed in the charter school agreement. Proposed law adds that qualifications for governing board members shall include, at a minimum, possession of a high school diploma or its equivalent.

Present law prohibits a charter school from hiring anyone who has been convicted of or has pled nolo contendere to a crime listed in present law (R.S. 15:587.1(C)). Proposed law adds that should a charter school be established with a management or governing board, no such person shall serve on such board.

(Amends R.S. 17:52(E)(1) and 3991(A)(1)(b) and (B)(10); Adds R.S. 17:52(F))