

2022 Regular Session

SENATE BILL NO. 404

BY SENATORS BOUIE, BARROW, CARTER, HARRIS AND PRICE AND REPRESENTATIVES BOYD, DUPLESSIS, HUGHES, LANDRY, NEWELL AND WILLARD

SCHOOLS. Provides relative to certain schools returned from the Recovery School District. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:10.7.1(G)(1) and (2), relative to the return of certain schools  
3 from the Recovery School District; to provide relative to charter school contracts;  
4 to provide for the duties and responsibilities of the local school board and the charter  
5 school acting as its own local education agency; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:10.7.1(G)(1) and (2) are hereby amended and reenacted to read  
8 as follows:

9 §10.7.1. Return of certain schools from the Recovery School District to the  
10 transferring school system; timeline; conditions; funding

11 \* \* \*

12 G. In order to ensure the appropriate level of autonomy to enable educators  
13 to successfully prepare students for success in college and career:

14 (1) ~~Unless mutually agreed to by both the charter school's governing~~  
15 ~~authority and the local school board pursuant to a duly authorized resolution adopted~~  
16 ~~by each governing entity, the local school board shall not impede the operational~~  
17 ~~autonomy of a~~ **The local school board may grant operational autonomy to a**

1 charter school under its jurisdiction in the areas of school programming, instruction,  
 2 curriculum, materials and texts, yearly school calendars and daily schedules, hiring  
 3 and firing of personnel, employee performance management and evaluation, terms  
 4 and conditions of employment, teacher or administrator certification, salaries and  
 5 benefits, retirement, collective bargaining, budgeting, purchasing, procurement, and  
 6 contracting for services other than capital repairs and facilities construction. **The**  
 7 **areas of operational autonomy granted to the charter school's governing**  
 8 **authority by the local school board shall be defined in the charter school's**  
 9 **contract. The local school board shall not impede any operational autonomy**  
 10 **granted in the charter school's contract.**

11 (2) Each ~~Type 3B charter school and, with~~ **With** the approval of the local  
 12 school board, any ~~other type of~~ charter school under the board's jurisdiction may act  
 13 as its own local educational agency for one or more funding purposes or statutory  
 14 definitions, in accordance with R.S. 17:3995, and rules adopted by the State Board  
 15 of Elementary and Secondary Education.

16 \* \* \*

17 Section 2. This Act shall become effective upon signature by the governor or, if not  
 18 signed by the governor, upon expiration of the time for bills to become law without signature  
 19 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 20 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 21 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 Cheryl Serrett.

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DIGEST

SB 404 Engrossed 2022 Regular Session Bouie

Present law provides for the return of schools that were in academic crisis from the Recovery School District to the transferring school system. Provides the process by which the schools shall be returned and the powers and duties of such schools and the local school board.

Present law prohibits the local school board from impeding the operational autonomy of charter schools and lists areas of operational autonomy.

Proposed law allows the local school board to grant operational autonomy to each charter school through the charter contract. Further clarifies the local school board shall not impede

the operational autonomy granted in the charter school's contract.

Present law allows a Type 3B charter school to act as its own local education agency. Further requires approval by the local school board before any charter school other than a Type 3B may act as its own local education agency.

Proposed law retains present law and requires approval by the local school board before a Type 3B charter school may act as its own local educational agency.

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

(Amends R.S. 17:10.7.1(G)(1) and (2))