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AN ACT

To amend and reenact R.S. 17:3983(A)(2)(a)(i) and the introductory paragraph of 3991.1(C) and to enact R.S. 17:3983(A)(2)(a)(iv) and 3991.1(A)(5), relative to charter schools; to provide that certain charter proposals may be made directly to the State Board of Elementary and Secondary Education; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3983(A)(2)(a)(i) and the introductory paragraph of 3991.1(C) are hereby amended and reenacted and R.S. 17:3983(A)(2)(a)(iv) and 3991.1(A)(5) are hereby enacted to read as follows:

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

A. * * *

(2)(a)(i) Each proposal for a Type 1 or Type 3 charter school shall first be made to the local school board with jurisdiction where the school is to be located, except as provided for in Item (ii) ~~or~~, (iii), or (iv) of this Subparagraph, by submitting a written proposal. If, after review as required by R.S. 17:3982, the local school board denies the proposal, or if conditions placed on the proposal by the local school board, as provided in Paragraph (B)(2) of this Section, are not acceptable to the chartering group, then a proposal for a Type 2 charter school may be made to the state board.

* * *

(iv) A proposal for a charter school with a corporate partner, as provided in R.S. 17:3991.1, may be made first to the state board as a Type 2 charter school.

* * *

1 §3991.1. Corporate partners; enrollment preferences and board membership

2 A. The legislature finds and declares that:

3 * * *

4 **(5) Encouraging and enhancing partnerships between state and federal**
5 **government partners, which provide for public health and safety, defense, and**
6 **critical infrastructure, and the state's public education system is to the benefit**
7 **of the state and its students.**

8 * * *

9 C. For purposes of this Section, a corporate partner is any legal entity,
10 whether for profit or not for profit, registered with the secretary of state, except a
11 corporation identified in R.S. 18:1505.2(L)(3), **a regional airport, or any federal**
12 **or state entity or agency, including a public postsecondary education institution,**
13 that has, acting individually or as part of a consortium of corporations, donated **or**
14 **provided** one or more of the following to the school:

15 * * *

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

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

VETO MESSAGE:

"Please be advised that I have vetoed Senate Bill 145 of the 2022 Regular Session.

This bill would allow any charter school group with a corporate partner to submit a proposal directly to BESE for approval, bypassing the authority of the local school board for the jurisdiction in which the charter school intends to locate. When the legislature first enacted the Charter School Demonstration Programs Law, its stated intent was to authorize city and parish school boards to experiment with the creation of innovative kinds of independent public schools for students. Currently, a local school board has the autonomy to determine whether a charter school proposal is in the best interests of its community, considering among other things constituent input from the public hearing on the proposal, the impact of the loss of MFP dollars that would be diverted to the charter school, how local education dollars are spent, and whether the proposal is educationally sound and financially well-structured. Furthermore, if a local school board does not approve a proposal, the chartering group then has the opportunity to submit a charter proposal to BESE.

Although this bill was couched as necessary to cut through the red tape a charter school has to go through for approval, the consequences of eliminating local approval of charter schools and diverting MFP dollars far outweighs any administrative benefit that may be received. For these reasons, I have vetoed the bill."