

2024 Regular Session

SENATE BILL NO. 316

BY SENATOR MIGUEZ

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

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AN ACT

To amend and reenact R.S. 17:3992(A)(1) and (2)(b) and (D), and 3998(B) and to enact R.S. 17:3992(A)(2)(d) and (E), relative to charter schools; to provide for time periods of a charter; to provide for renewals of a charter; to provide for an alternative to revocation; to provide for an effective date; to provide for review of charter schools; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3992(A)(1) and (2)(b) and (D) and 3998(B) are hereby amended and reenacted and R.S. 17:3992(A)(2)(d) and (E) are enacted to read as follows:

§3992. Charter revision and renewal

A.(1) Unless revoked as provided for in Subsection C of this Section, an approved school charter shall be valid for an initial period of ~~four~~ **five** years ~~and may be extended for a maximum initial term of five years~~, contingent upon the results of a review conducted after the completion of the ~~third~~ **fourth** year as provided in R.S. 17:3998. The charter may be renewed for additional periods of not less than three nor more than ten years after thorough review by the approving chartering authority of the charter school's operations and compliance with charter requirements. The

1 chartering authority shall notify the chartering group in writing of any decisions
 2 made relative to the renewal or nonrenewal of a school's charter not later than
 3 January thirty-first of the year in which the charter would expire. A notification that
 4 a charter will not be renewed shall include written explanation of the reasons for
 5 such non-renewal. Pursuant to Subsection C of this Section and using such annual
 6 review process, a charter may be revoked for failure to meet agreed-upon academic
 7 results as specified in the charter.

8 (2)(a) * * *

9 (b) Each charter school shall be provided by its chartering authority with the
 10 criteria and procedures that will be used when considering whether to renew a
 11 school's charter. **Charter renewal criteria shall include academic performance**
 12 **and progress indices, as well as distinguish between charter schools with**
 13 **selective admissions criteria, charter schools without selective admissions**
 14 **criteria, and alternative charter school educational models.**

15 * * *

16 **(d) Except for turnaround charter schools, in instances where the state**
 17 **does not issue a school performance score for a charter school, the charter**
 18 **school qualifies as a severe impact school as defined by the State Board of**
 19 **Elementary and Secondary Education, or other extraordinary circumstances**
 20 **as set forth in policy by the charter authorizer, the charter authorizer may**
 21 **extend the charter contract term by the same length of time as the impacting**
 22 **occurrence.**

23 * * *

24 **D.(1) As an alternative to revocation as provided for in Subsection C of**
 25 **this Section, the authority that approved the charter may reconstitute the**
 26 **governing body of the charter holder if the authority that approved the charter**
 27 **determines that the governing body of the charter holder has done one of the**
 28 **following:**

29 **(a) Committed a material and uncorrected violation of applicable law**

1 relative to the finances of the school or the health, safety, or welfare of the
2 students enrolled at the school.

3 (2) Failed to satisfy accountability provisions prescribed by the charter
4 or the authority that approved the charter.

5 (3) Failed to meet generally accepted accounting standards of fiscal
6 management.

7 (4) Committed material violations of the bylaws of the organization or
8 nonprofit laws of the state.

9 (5) Is imminently insolvent as determined by the authority that approved
10 the charter.

11 (a) The action the authority that approved the charter takes pursuant to
12 this Subsection shall be based on the best interest of the public charter school's
13 students, the severity of the violation, any previous violation the school has
14 committed, and the accreditation status of the school, and shall be implemented
15 after a public hearing.

16 E. For each charter school which has received a letter grade designation of
17 "A" or "B" or any variation thereof and has met the criteria of Subparagraph
18 (A)(2)(c) of this Section pursuant to automatic renewal, a charter operator shall be
19 eligible to open and operate two additional schools that serve the same grade levels
20 and the same enrollment boundaries as defined in the charter agreement of the school
21 meeting the criteria of Subparagraph (A)(2)(c) of this Section without formal
22 application to the chartering authority with which the charter agreement for the
23 school that meets the criteria of Subparagraph (A)(2)(c) of this Section is held. The
24 chartering group shall notify its chartering authority of its intent to open one or two
25 additional charter schools pursuant to this Subsection at least one hundred twenty
26 calendar days prior to the day on which each additional school shall enroll students.
27 At least ninety calendar days prior to the day on which each additional school shall
28 enroll students, the chartering authority shall enter into a charter agreement with the
29 chartering group for each additional school and shall notify the state board of its

1 action.

2 * * *

3 §3998. Reports; review

4 * * *

5 B. Each charter school shall be reviewed by its chartering authority after the
6 completion of the ~~third~~ **fourth** year. ~~If the charter school is achieving its stated goals~~
7 ~~and objectives pursuant to its approved charter, then the chartering authority shall~~
8 ~~extend the duration of the charter for a maximum initial term of five years as~~
9 ~~provided in R.S. 17:3992(A)(1).~~ If the charter school is not achieving its stated goals
10 and objectives pursuant to its approved charter, then the ~~chartering authority shall not~~
11 ~~extend the duration of the charter, and the charter shall expire at the end of the~~
12 school's ~~fourth~~ **fifth** year.

13 Section 2. This Act shall become effective upon signature by the governor or, if not
14 signed by the governor, upon expiration of the time for bills to become law without signature
15 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
16 vetoed by the governor and subsequently approved by the legislature, this Act shall become
17 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 Michael Bell.

DIGEST

SB 316 Original 2024 Regular Session Miguez

Present law provides that unless revoked as provided for in present law, an approved school charter must be valid for an initial period of four years and may be extended for a maximum initial term of five years, contingent upon the results of a review conducted after the completion of the third year as provided in present law.

Proposed law changes when an approved school charter must be valid for an initial period from four to five years and contingent upon the results of a review conducted after the completion from the third to the fourth year.

Present law provides that each charter school must be provided by its chartering authority with the criteria and procedures that will be used when considering whether to renew a school's charter.

Proposed law retains present law and provides that a charter renewal criteria must include academic performance and progress indices, as well as distinguish between charter schools with selective admissions criteria, charter schools without selective admissions criteria, and alternative charter school educational models.

Proposed law provides, except for turnaround charter schools, in instances where the state does not issue a school performance score for a charter school, the charter school qualifies as a severe impact school as defined by BESE, or other extraordinary circumstances as set forth in policy by the charter authorizer, the charter authorizer may extend the charter contract term by the same length of time as the impacting occurrence.

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

(Amends R.S. 17:3992(A)(1) and (2)(b) and (D) and 3998(B); adds R.S. 17:3992(A)(2)(d) and (E))