

2024 Regular Session

SENATE BILL NO. 362

BY SENATOR CLOUD

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), 3983(A)(2)(a)(i) and to enact R.S. 17:3991(C)(7), and 3996(I), relative charter schools; to provide for changes in terminology; to provide for the process of chartering charter schools; to provide relative to the purpose and definitions applicable to charter schools and their establishment; to provide for charter autonomy that aligns with education policy set by the state Board of Elementary and Secondary Education; to extend public school liability protections to charter schools in instances where public laws, rules, regulations, and other public mandates apply; 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), 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~~

§3971. Short citation

1 This Chapter shall be known and may be cited as the "Louisiana Public
2 Charter School ~~Demonstration Programs~~ Law".

3 §3972. Intent and purpose

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

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

22 (a) 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.~~ "Autonomy" means that unless

1 mutually agreed upon by the chartering authority and charter school, or
2 otherwise required or prohibited by law, the charter school shall have
3 independent operational decision making authority in the areas including but
4 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.

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

28 * * *

29 C. A charter school shall:

