

SENATE BILL NO. 316

BY SENATOR MIGUEZ

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

(2)(a) \* \* \*

1 (b) Each charter school shall be provided by its chartering authority with the  
 2 criteria and procedures that will be used when considering whether to renew a  
 3 school's charter. Charter renewal criteria shall include academic performance  
 4 and progress indices, as well as distinguish between charter schools with  
 5 selective admissions criteria, charter schools without selective admissions  
 6 criteria, and alternative charter school educational models.

7 \* \* \*

8 (d) In instances where the state does not issue a school performance score  
 9 for a charter school, the charter school qualifies as a severe impact school as  
 10 defined by the State Board of Elementary and Secondary Education, or other  
 11 extraordinary circumstances as set forth in policy by the chartering authority,  
 12 the chartering authority may extend the charter contract term by the same  
 13 length of time as the impacting occurrence.

14 \* \* \*

15 D.(1) As an alternative to revocation as provided for in Subsection C of  
 16 this Section, and in accordance with rules promulgated by the state board, the  
 17 chartering authority may reconstitute the governing body of the charter holder  
 18 if the chartering authority determines that the governing body of the charter  
 19 holder has done one of the following:

20 (a) Committed a material and uncorrected violation of applicable law  
 21 relative to the finances of the school or the health, safety, or welfare of the  
 22 students enrolled at the school.

23 (b) Failed to satisfy accountability provisions prescribed by the charter  
 24 or the chartering authority.

25 (c) Failed to meet generally accepted accounting standards of fiscal  
 26 management.

27 (d) Committed material violations of the bylaws of the organization or  
 28 nonprofit laws of the state.

29 (e) Is imminently insolvent as determined by the chartering authority.

30 (2) The action the chartering authority takes pursuant to this Subsection



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

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_