

2026 Regular Session

HOUSE BILL NO. 1003

BY REPRESENTATIVE FREEMAN

1 AN ACT

2 To amend and reenact R.S. 17:3982(B)(2)(a), and to enact R.S. 17:10.7.1(J), relative to
3 certain schools returned from the Recovery School District; to provide relative to
4 certain charter schools; to provide relative to overcapacity in a school district; to
5 provide for reporting; to provide for the lease or sale of certain property; to provide
6 for the powers and duties of a local school board; to provide for the powers and
7 duties of a local superintendent; to provide for effectiveness; and to provide for
8 related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:3982(B)(2)(a) is hereby amended and reenacted and R.S.
11 17:10.7.1(J) is hereby enacted and to read as follows:

12 §10.7.1. Return of certain schools from the Recovery School District to the
13 transferring school system; timeline; conditions; funding

14 * * *

15 J.(1)(a) The local school board shall adopt a policy to define, monitor, and
16 mitigate systemwide overcapacity relative to the number of operating schools in
17 accordance with the provisions of this Subsection.

18 (b) The policy shall establish quantitative standards for overcapacity of
19 schools with jurisdiction over grades kindergarten through eight and schools with
20 jurisdiction over grades nine through twelve. At a minimum, the metrics for such
21 standards shall include the following:

22 (i) Student enrollment projections.

23 (ii) Student demographic projections.

24 (iii) Programmatic seat capacity.

25 (iv) Facility utilization targets.

1 (c) The local superintendent shall submit a written report utilizing the most
2 recent enrollment data available to the school board by November fifteenth annually.
3 The report shall include a formal determination of whether the district is in a status
4 of overcapacity of schools with jurisdiction over grades kindergarten through eight,
5 schools with jurisdiction over grades nine through twelve, or both categories of
6 schools. An overcapacity status shall remain in effect until the local superintendent
7 submits a report demonstrating such status no longer exists.

8 (d) Upon a determination of overcapacity, the local superintendent shall
9 recommend to the school board specific actions to be implemented the following
10 school year to mitigate overcapacity. The local superintendent shall submit the
11 recommendations by December fifteenth of the same calendar year that the local
12 superintendent submits the report pursuant to Subparagraph (c) of this Paragraph, or
13 at the school board or committee meeting where charter renewal recommendations
14 are presented, whichever occurs first. In determining the recommendations, the local
15 superintendent shall consider relevant factors including but not limited to district
16 accountability policies and academic performance standards.

17 (e) The local superintendent may implement recommendations submitted to
18 the board pursuant to Subparagraph (d) of this Paragraph, unless the board rejects the
19 recommendations by a two-thirds vote of the total membership of the board within
20 thirty days after submission of the recommendations to the board, or by
21 December thirty-first of the same calendar year as submission of the
22 recommendations to the board, whichever occurs first.

23 (2) Notwithstanding any other provision of law, administrative rule, or terms
24 of any charter contract or agreement to the contrary, the following provisions shall
25 apply when a status of overcapacity is in effect:

26 (a) The local school board may terminate a charter contract prior to its
27 expiration to address overcapacity of schools, provided the termination is consistent
28 with the policy adopted pursuant to the Paragraph (1) of this Subsection.

29 (b) No new school shall open that has jurisdiction over the grade levels in
30 which overcapacity exists. If the local school board changes the operator of an

1 existing school due to failure to meet district academic performance standards, such
2 school shall not be considered a new school for purposes of this Subparagraph.

3 (c) If a school building is vacated during a time when a status of
4 overcapacity of schools is in effect, upon a recommendation of the local
5 superintendent approved by a majority vote of the local school board, the school
6 district shall be exempt from the provisions of R.S. 17:3982(B)(2)(a).

7 * * *

8 §3982. Local school boards; duties; Orleans Parish School Board; immovable
9 property; sale or lease

10 * * *

11 B.

12 * * *

13 (2)(a)(i) The Orleans Parish School Board shall make available to chartering
14 groups, for lease or purchase up to fair market value, any school facility or other
15 immovable property, whether improved or unimproved, that is owned by the school
16 board and that is vacant or slated to be vacant. In the case of a Type 2 charter school
17 created as a result of a conversion, the immovable property, including any
18 unimproved property, and all other school board property within the existing school
19 shall be made available to that chartering group. In return for the use of the facility
20 and its contents, the chartering group shall pay a proportionate share of the local
21 school board's bonded indebtedness to be calculated in the same manner as set forth
22 in R.S. 17:1990(C)(2)(a)(i). If such facilities were constructed at no cost to the local
23 school board, then such facilities including all equipment, books, instructional
24 materials, and furniture within such facilities shall be provided to the charter school
25 at no cost.

26 (ii) The provisions of this Subparagraph shall not apply to certain vacant
27 property as provided in R.S. 17:10.7.1(J).

28 * * *

29 Section 2 This Act shall become effective upon signature by the governor or, if not
30 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become
3 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____