
DIGEST

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HB 98 Original

2016 Regular Session

Smith

Abstract: Removes BESE's authority to certify local charter authorizers, thus eliminating the possibility of local charter authorizers serving as chartering authorities and the possibility of the establishment of Type 1B charter schools.

Present law defines a "chartering authority", relative to the establishment of charter schools, as a local school board, the State Board of Elementary and Secondary Education (BESE), or a "local charter authorizer". Defines a "local charter authorizer" as a group certified by BESE to enter into agreements with chartering groups. Authorizes any chartering authority to enter into any charter it finds valid, complete, financially well-structured, and educationally sound.

Proposed law eliminates local charter authorizers from the definition of "chartering authority" and removes the authority of local charter authorizers to enter into charters, thus providing that only local school boards and BESE have this authority.

Present law defines seven types of charter schools and provides a chartering process for each type. Defines a Type 1B charter school as a new school or a preexisting public school operated as the result of and pursuant to a charter between the nonprofit corporation created to operate the school and a local charter authorizer. Proposed law eliminates Type 1B charter schools as a type of charter school in conformity with elimination of local charter authorizers.

Present law provides for BESE's powers and duties relative to local charter authorizers, including certifying them as such, and for the powers and duties of local charter authorizers, including approving or denying charter proposals. Proposed law repeals present law and removes all other statutory references to local charter authorizers and Type 1B charter schools. Otherwise retains present law relative to charter schools.

Proposed law provides that should BESE certify any local charter authorizer, such certification is null and void.

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

(Amends R.S. 17:3973(2)(a) and (3), 3982(B)(1) and (2)(a), 3983(A)(4)(a) and (d) and (B)(2), 3991(H), 3995(A)(1)(intro. para.) and (c), (3)(b), and (4)(a)(i) and (H), 3996(G), and 4001(A) and (C)(1) and (2); Repeals R.S. 17:3973(2)(b)(vi) and (4), 3974(A), 3981.1, 3981.2, and 3983(A)(2)(d), (D)(2), and (E)(3))