

2016 Regular Session

HOUSE BILL NO. 674

BY REPRESENTATIVE NANCY LANDRY

SCHOOLS/CHARTER: Provides for considerations of chartering authorities in reviewing charter proposals and of the State Bd. of Elementary and Secondary Education in entering into proposed charters, reviewing proposed charter authorizers, and recruiting chartering groups

1 AN ACT

2 To amend and reenact R.S. 17:3981(2), (4), and (8), 3981.1(A)(3), 3981.2(A)(1)(a), and
3 3982(A)(1)(a)(i), relative to charter schools; to provide relative to the powers and
4 duties of the State Board of Elementary and Secondary Education, local school
5 boards, and local charter authorizers with respect to reviewing charter proposals; to
6 provide relative to the powers and duties of the state board with respect to entering
7 into proposed charters, reviewing proposed charter authorizers, and recruiting
8 chartering groups; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:3981(2), (4), and (8), 3981.1(A)(3), 3981.2(A)(1)(a), and
11 3982(A)(1)(a)(i) are hereby amended and reenacted to read as follows:

12 §3981. State Board of Elementary and Secondary Education; powers and duties
13 relative to charter schools

14 The State Board of Elementary and Secondary Education shall:

15 * * *

16 (2) Enter into any proposed charter that complies with this Chapter and the
17 rules adopted pursuant to the authority in this Chapter that the board determines is

1 a valid, complete, financially well-structured, and educationally sound proposal that
2 offers ~~potential~~ a substantial likelihood for fulfilling the purposes of this Chapter.

3 * * *

4 (4) Review each proposed charter in a timely manner and determine whether
5 each proposed charter complies with the law and rules and whether the proposal is
6 valid, complete, financially well-structured, educationally sound, whether it provides
7 for a master plan for improving behavior and discipline in accordance with R.S.
8 17:252, whether it provides a plan for collecting data in accordance with R.S.
9 17:3911, and whether it offers ~~potential~~ a substantial likelihood for fulfilling the
10 purposes of this Chapter. The board shall engage in an application review process
11 that complies with the latest Principles and Standards for Quality Charter School
12 Authorizing, as promulgated by the National Association of Charter School
13 Authorizers, and shall provide for an independent evaluation of the charter proposal
14 by a third party with educational, organizational, legal, and financial expertise.

15 * * *

16 (8) Actively recruit chartering groups that offer a program of study or
17 propose to offer a program of study that effectively addresses regional workforce
18 needs, such as career and technical education, industry-based certifications, and
19 vocational course work, and that offer a substantial likelihood for fulfilling the
20 purposes of this Chapter.

21 §3981.1. State board; powers and duties relative to local charter authorizers

22 A. The state board shall:

23 * * *

24 (3) Review each proposed local charter authorizer in a timely manner and
25 determine whether each proposed local charter authorizer complies with the law and
26 rules and whether the proposal is valid, complete, financially well-structured, and
27 educationally sound, whether it provides for a master plan of academic excellence
28 relative to the schools it shall oversee, whether it provides a plan for developing the
29 capacity to authorize not fewer than five schools and assures the state board that it

1 intends to authorize not fewer than five schools, and whether it offers ~~potential~~ a
 2 substantial likelihood for fulfilling the purposes of this Chapter. The board shall
 3 engage in an application review process that complies with the latest Principles and
 4 Standards for Quality Charter School Authorizing, as promulgated by the National
 5 Association of Charter School Authorizers, and shall provide for an independent
 6 evaluation of the charter proposal by a third party with educational, organizational,
 7 legal, and financial expertise.

8 * * *

9 §3981.2. Local charter authorizers; powers and duties

10 A.(1)(a) A local charter authorizer shall comply with R.S. 17:3983 and shall
 11 review and formally act upon charter proposals received within time lines established
 12 by the State Board of Elementary and Secondary Education that are consistent with
 13 national best practices in charter school authorizing. Such time lines shall require,
 14 at a minimum, an annual charter process in which local charter authorizers are
 15 afforded at least ninety days to evaluate such applications. In conducting such
 16 review, the local charter authorizer shall determine whether the proposed charter
 17 complies with the law and rules, whether the proposal is valid, complete, financially
 18 well-structured, and educationally sound, whether it provides for a master plan for
 19 improving behavior and discipline in accordance with R.S. 17:252, whether it
 20 provides a plan for collecting data in accordance with R.S. 17:3911, and whether it
 21 offers ~~potential~~ a substantial likelihood for fulfilling the purposes of this Chapter.
 22 The local charter authorizer shall engage in a transparent application review process
 23 that complies with the latest Principles and Standards for Quality Charter School
 24 Authorizing, as promulgated by the National Association of Charter School
 25 Authorizers, and shall provide for an independent evaluation of the charter proposal
 26 by a third party with educational, organizational, legal, and financial expertise. Each
 27 local charter authorizer shall use a common charter application developed by the

1 state Department of Education and approved by the state board, but may request
2 additional information from applicants as needed.

3 * * *

4 §3982. Local school boards; duties; Orleans Parish School Board; immovable
5 property; sale or lease

6 A.(1)(a)(i) Local school boards shall comply with R.S. 17:3983 and shall
7 review and formally act upon each charter proposal received within time lines
8 established by the State Board of Elementary and Secondary Education that are
9 consistent with national best practices in charter school authorizing. Such time lines
10 shall require, at a minimum, an annual charter application process in which local
11 school boards are afforded at least ninety days to evaluate such applications. In
12 conducting such review, the local school board shall determine whether each
13 proposed charter complies with the law and rules, whether the proposal is valid,
14 complete, financially well-structured, and educationally sound, whether it provides
15 for a master plan for improving behavior and discipline in accordance with R.S.
16 17:252, whether it provides a plan for collecting data in accordance with R.S.
17 17:3911, and whether it offers ~~potential~~ a substantial likelihood for fulfilling the
18 purposes of this Chapter. The local board shall engage in a transparent application
19 review process that complies with the latest Principles and Standards for Quality
20 Charter School Authorizing, as promulgated by the National Association of Charter
21 School Authorizers, and shall provide for an independent evaluation of the charter
22 proposal by a third party with educational, organizational, legal, and financial
23 expertise. Each local board shall use a common charter application developed by the
24 state Department of Education and approved by the state board, but may request
25 additional information from applicants as needed.

26 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 674 Original

2016 Regular Session

Nancy Landry

Abstract: Provides relative to considerations the State Bd. of Elementary and Secondary Education (BESE), local school boards, and local charter authorizers shall make in their review of charter proposals and that BESE shall make in entering into proposed charters, reviewing proposed charter authorizers, and recruiting chartering groups.

Present law provides that its purpose as it pertains to charter schools is to provide opportunities for educators and others interested in educating students to form, operate, or be employed within a charter school designed to accomplish one or more of the following objectives:

- (1) Improve learning and, in general, the public school system.
- (2) Increase learning opportunities and access to quality education.
- (3) Encourage the use of different and innovative teaching methods and a variety of governance, management, and administrative structures.
- (4) Require appropriate assessment and measurement of academic learning results.
- (5) Account better and more thoroughly for educational results.
- (6) Create new professional opportunities for teachers and other school employees, including the opportunity to be responsible for the learning program at the school site.

Present law requires the State Board of Elementary and Secondary Education (BESE), local school boards, and local charter authorizers, when reviewing a charter proposal, to determine whether it offers potential for fulfilling these present law purposes. Present law also requires BESE to enter into any charter that meets this criterion and consider this same criterion when reviewing a proposed local charter authorizer. Proposed law retains present law except revises this criterion throughout present law to require these entities to determine whether what is being proposed offers a substantial likelihood – rather than potential – to fulfill present law purposes.

Present law also requires BESE to actively recruit chartering groups offering a program that addresses regional workforce needs. Proposed law adds that in addition to addressing such needs, chartering groups actively recruited by BESE shall offer a substantial likelihood for fulfilling present law purposes.

(Amends R.S. 17:3981(2), (4), and (8), 3981.1(A)(3), 3981.2(A)(1)(a), and 3982(A)(1)(a)(i))