SLS 24RS-456

ORIGINAL

2024 Regular Session

SENATE BILL NO. 362

BY SENATOR CLOUD

SCHOOLS. Provides relative to Charter Schools. (gov sig)

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

Page 1 of 4 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions. 3

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

§3972. Intent and purpose

4 A. It is the intention of the legislature in enacting this Chapter to authorize school choice options for parents, teachers, and pupils through experimentation 5 by city and parish school boards by authorizing the creation of innovative kinds of 6 independent public charter schools for students. Further, it is the intention of the 7 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.

B.(1) The purposes of this Chapter shall be <u>to increase school choice</u>
<u>options throughout the state and</u> to provide opportunities for <u>parents</u>, educators,
and others interested in educating pupils to form, operate, or be employed within <u>an</u>
<u>operationally autonomous</u> charter school with each such school designed to
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. <u>"Autonomy" means that unless</u>

Page 2 of 4 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

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.
25	* * *
26	§3991. Charter schools; requirements; limitations; renewal; amendment; revocation;
27	board membership
28	* * *
29	C. A charter school shall:

Page 3 of 4 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

SB 362 Original

1	* * *
2	(7) Have the autonomy necessary to manage its educational
3	programming and daily operations in accordance with law, policy, and contract.
4	§3996. Charter schools; exemptions; requirements
5	* * *
6	I. Notwithstanding any other provision of law to the contrary, to the
7	extent that a state law, rule, or regulation listed herein shall apply to a charter
8	school, so shall the state protections and liability limitations provided in that
9	state law, rule or regulation applicable to public schools and to public school
10	officers and employees extend to the charter school, its officers and employees,
11	<u>as provided in La. R.S. 17:439, La. R.S. 9:2798.1, La. R.S. 13:5106.</u>
12	Section 2. This Act shall become effective upon signature by the governor or, if not
13	signed by the governor, upon expiration of the time for bills to become law without signature
14	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
15	vetoed by the governor and subsequently approved by the legislature, this Act shall become
16	effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts

DIGEST	
2024 Regular Session	

Cloud

Present law provides for the "Public Charter School Demonstration Law" that provides a process for chartering charter schools.

Proposed law retains present law but changes the Chapter Title to "Louisiana Public Charter School Law."

Proposed law changes terminology, and provides for changes in definitions.

Proposed law provides for charter autonomy that aligns with education policy set by the state Board of Elementary and Secondary Education (BESE)

Proposed law extends public school liability protections to charter schools in instances where public laws, rules, regulations, and other public mandates apply to traditional public schools.

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

(Amends R.S. 17:3971, 3972(A), (B)(1)(intro para) and 3972(B)(1)(C), 3973(1), and 3983(A)(2)(a)(i); adds 3991(C)(7) and 3996(I))

Page 4 of 4

Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.