

First Extraordinary Session, 2005

SENATE BILL NO. 70

BY SENATOR ULLO

SCHOOLS. Eliminates limit on maximum number of charter schools that can be created.

1 AN ACT

2 To amend and reenact R.S. 17:3983(A)(4), relative to charter schools; to eliminate certain
3 provisions which establish a maximum number of charter schools that can be created
4 or approved; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 17:3983(A)(4) is hereby amended and reenacted to read as follows:

7 §3983. Chartering process by type; eligibility; limitations; faculty approval;
8 parental approval

9 A.(1) * * *

10 * * *

11 ~~(4)(a) No more than the number of charter proposals that would result in the~~
12 ~~total number of charters entered equaling forty-two may be entered into by all~~
13 ~~chartering authorities.~~

14 ~~(b)~~(a) A local school board may enter into any charter it finds valid,
15 complete, financially well-structured, and educationally sound after meeting the
16 requirements of this Chapter. Each such charter entered into shall be reported by the
17 local school board to the State Board of Elementary and Secondary Education not

1 less than two business days following the event. ~~If at any time prior to December~~
2 ~~first of each chartering period, the number of such charters would result in a total of~~
3 ~~forty-two charters having been entered into, the State Board of Elementary and~~
4 ~~Secondary Education shall notify all local school boards and no more chartering shall~~
5 ~~be permitted.~~

6 ~~(c)~~**(b)** The State Board of Elementary and Secondary Education may approve
7 applications for charters as it has determined acceptable pursuant to R.S. 17:3981(2)
8 ~~until the limit of forty-two is reached.~~ Applications may be approved only from May
9 first through January thirty-first of each year.

10 ~~(d)~~**(c)** A charter school shall begin operation by not later than twenty-four
11 months after the final approval of the charter, unless such charter school is engaged
12 in desegregation compliance issues and therefore must begin operation by not later
13 than thirty-six months. If such operation does not occur, the charter for that school
14 shall be automatically revoked although a new charter may be proposed ~~if the limit~~
15 ~~on the total number of charter schools allowed in the state has not been reached.~~

16 ~~(e)~~**(d)** Any proposal that is submitted to but not approved by either the local
17 school board or the state board may be resubmitted to either board during the same
18 approval cycle after significant revision. However, if a proposal is not approved by
19 the local school board and then also not approved by the state board within the same
20 approval cycle, then the proposal shall be submitted to the local school board for
21 their consideration during the next approval cycle prior to being submitted to the
22 state board.

23 ~~(f)~~**(e)** A charter school, once approved, may begin operation only in July,
24 August, or September of a given year; however, such school shall not begin
25 operation sooner than eight months after such approval is granted.

26 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by David Smith.

DIGEST

Ullo (SB 70)

Present law provides that no more than 42 charters may be entered into by all chartering authorities.

Proposed law deletes such requirement.

Present law authorizes local school boards to enter into any charter it finds valid, complete, financially well-structured, and educationally sound after meeting all requirements of law provided such charter activity shall be reported by the local school board to the State Board of Elementary and Secondary Education not less than two business days following the event. However, if at any time prior to December first of each chartering period, the number of such charters would result in a total of 42 charters having been entered into, the State Board of Elementary and Secondary Education shall notify all local school boards and no more chartering shall be permitted.

Proposed law would remove the limit placed on chartering by local school boards.

Present law authorizes BESE to approve applications for charters as it has determined acceptable from May first through January 31st of each year until the limit of 42 is reached.

Proposed law removes the limit placed on BESE to approve charter schools.

Present law requires a charter school to begin operation by not later than 24 months after the final approval of the charter, unless such charter school is engaged in desegregation compliance issues and therefore must begin operation by not later than 36 months. If such operation does not occur, the charter for that school shall be automatically revoked although a new charter may be proposed if the limit on the total number of charter schools allowed in the state has not been reached.

Proposed law eliminates the reference to a limit on the total number of charters.

Present law provides that any proposal submitted but not approved by either the local school board or BESE may be resubmitted to either board during the same approval cycle after significant revision. However, if a proposal is not approved by the local school board and then also not approved by the state board within the same approval cycle, then the proposal shall be submitted to the local school board for their consideration during the next approval cycle prior to being submitted to the state board.

Proposed law retains present law.

Present law provides that a charter school, once approved, may begin operation only in July, August, or September of a given year; however, such school shall not begin operation sooner than eight months after such approval is granted.

Proposed law retains present law.

(Amends R.S. 17:3983(A)(4))