

2018 Regular Session

SENATE BILL NO. 206

BY SENATOR BOUDREAUX

SCHOOLS. Provides relative to the operation of a Type 2 charter school. (gov sig)

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AN ACT

To enact R.S. 17:3991.2, relative to charter schools; to provide with respect to the management and operation of a Type 2 charter school; to provide for certain requirements relative to a nonprofit organization under contract to operate a charter school; to provide for effectiveness and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3991.2 is hereby enacted to read as follows:

§3991.2. Type 2 charter schools; operation

A. A nonprofit corporation granted a charter by the State Board of Elementary and Secondary Education to operate a Type 2 charter school shall either operate the school directly or enter into a contract with a nonprofit organization to manage the operation of the school.

B.(1) The management board of a nonprofit organization under contract to operate a Type 2 charter school shall not be significantly similar to the management or governing board of the nonprofit corporation to which the charter to operate the school was granted.

(2) A nonprofit organization under contract to operate a Type 2 charter

Proposed law provides that a nonprofit corporation granted a charter to operate a Type 2 charter school shall either operate the school directly or enter into a contract with a nonprofit organization to manage the operation of the school.

With respect to a nonprofit organization under a contract to operate a Type 2 charter school, proposed law provides as follows:

- (1) The management board of the nonprofit organization shall not be significantly similar to the management or governing board of the nonprofit corporation granted the charter to operate the school.
- (2) The nonprofit organization shall make the membership of its management board public.
- (3) The management board of the nonprofit organization shall waive any claim of confidentiality with respect to the organization's income tax filings with the Louisiana Department of Revenue and the Internal Revenue Service.
- (4) All meetings of the management board of the nonprofit organization wherein the operation of the school will be discussed or considered must be held in accordance with the Open Meetings Law.
- (5) All documents and records belonging to the nonprofit organization that are related to the organization's activities with respect to the operation of the school are subject to the Public Records Law.
- (6) The members of the management board, principals, and employees of a nonprofit organization under contract to operate a Type 2 charter school are public servants and subject to the Louisiana Code of Governmental Ethics.

Proposed law provides that a nonprofit organization under contract on August 1, 2018, to operate a Type 2 charter school shall comply with the provisions of proposed law not later than January 1, 2019.

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

(Adds R.S. 17:3991.2)