

2025 Regular Session

HOUSE BILL NO. 452

BY REPRESENTATIVE CARPENTER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS/CHARTER: Provides for charter school board members

1 AN ACT

2 To enact R.S. 17:3992(D)(3), relative to charter schools; to prohibit a member of a charter
3 school governing body that has been reconstituted under certain circumstances from
4 serving in another public office; to provide for an effective date; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:3992(D)(3) is hereby enacted to read as follows:

8 §3992. Charter revision and renewal

9 * * *

10 D.

11 * * *

12 (3) A member of the governing body of a charter holder reconstituted
13 pursuant to this Subsection shall not also serve in a public office as defined in R.S.
14 42:1.

15 * * *

16 Section 2. This Act shall become effective upon signature by the governor or, if not
17 signed by the governor, upon expiration of the time for bills to become law without signature
18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
19 vetoed by the governor and subsequently approved by the legislature, this Act shall become
20 effective on the day following such approval.

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 452 Original

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Carpenter

Abstract: Provides that when a charter school's governing body is reconstituted under certain circumstances, a member of the governing body shall not also serve in a public office.

Present law provides for charter school revision and renewal. Provides that once approved, a charter is valid for an initial period of five years contingent upon results of a review conducted on the fourth year. Provides for additional renewal periods. Provides that a charter may be amended by its chartering authority. Further provides that a charter may be revoked under certain circumstances. Proposed law retains present law.

Present law provides as an alternative to revocation that the chartering authority may reconstitute the governing body of the charter holder if the authority determines the governing body has done one of the following:

- (1) Committed a material and uncorrected violation of applicable present law relative to the finances of the school or the health, safety, or welfare of the students enrolled at the school.
- (2) Failed to satisfy accountability provisions prescribed by the charter or the chartering authority.
- (3) Failed to meet generally accepted accounting standards of fiscal management.
- (4) Committed material violations of the bylaws of the organization or nonprofit laws of the state.
- (5) Is imminently insolvent as determined by the chartering authority.

Proposed law retains present law.

Present law provides that the action taken, after a public hearing, by the chartering authority pursuant to present law shall be based on the best interest of the school's students, the severity of the violation, any previous violation that the school has committed, and the accreditation status of the school. Proposed law retains present law.

Proposed law provides that a member of the governing body of a charter holder that has been reconstituted pursuant to present law shall not also serve in a public office as defined in present law (R.S. 42:1).

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

(Adds R.S. 17:3992(D)(3))