

2026 Regular Session

HOUSE BILL NO. 83

BY REPRESENTATIVE ECHOLS AND SENATOR CATHEY

SCHOOLS/CHARTER: Provides relative to the conversion of preexisting schools into charter schools

1 AN ACT

2 To amend and reenact R.S. 17:3973(2)(b)(ii) through (iv) and 3983(C), relative to charter
3 schools; to provide for the election process for the approval of converting a
4 preexisting public school into a charter school; to provide for the eligibility of
5 faculty, staff, and parents or guardians to vote in such elections; to provide for the
6 voting threshold required for approval; to require the State Board of Elementary and
7 Secondary Education to adopt rules for the election process and to require that
8 elections be conducted in accordance with such rules; and to provide for related
9 matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 17:3973(2)(b)(ii) through (iv) and 3983(C) are hereby amended and
12 reenacted to read as follows:

13 §3973. Definitions

14 As used in this Chapter, the following terms have the following meanings
15 unless the context clearly indicates otherwise:

16 * * *

17 (2)

18 * * *

19 (b) Charter schools shall be one of the following types:

20 * * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 (ii) Type 2, which means a new school or a preexisting public school
2 converted and operated as the result of and pursuant to a charter between the
3 nonprofit corporation created to operate the school and the State Board of
4 Elementary and Secondary Education. Prior to the creation of such a charter to
5 convert a preexisting school, it shall be approved by the ~~professional~~ members of the
6 faculty and staff of the preexisting school as provided in R.S. 17:3983(C) and by the
7 parents or guardians of children enrolled in the school as provided in R.S.
8 17:3983(C). Within such Type 2 charter schools, pupils who reside within the state
9 will be eligible to attend as provided in the charter. Creation of a Type 2 charter
10 school shall comply with the provisions of R.S. 17:3983(A)(2)(a)(i).

11 (iii) Type 3, which means a preexisting public school converted and operated
12 as the result of and pursuant to a charter between a nonprofit corporation and the
13 local school board. Prior to the creation of such a charter, the local school board may
14 require approval of a proposal to create such a charter by the members of the faculty
15 and staff of the preexisting school ~~who are certified by the state board~~ as provided
16 in R.S. 17:3983(C) and by the parents or guardians of children enrolled in the school
17 as provided in R.S. 17:3983(C). Within such Type 3 schools, only pupils who would
18 be eligible to attend a public school operated by the local school board granting the
19 charter, or pupils from the same area as those permitted to attend the preexisting
20 school will be eligible to attend as provided in the charter.

21 (iv) Type 4, which means a preexisting public school converted and operated
22 or a new school operated as the result of and pursuant to a charter between a local
23 school board and the State Board of Elementary and Secondary Education. Prior to
24 the creation of such a charter to convert a preexisting school, the state board may
25 require approval of a proposal to create such a charter by the ~~professional~~ members
26 of the faculty and staff of the preexisting school as provided in R.S. 17:3983(C) and
27 by the parents or guardians of children enrolled in the school as provided in R.S.
28 17:3983(C). Within such Type 4 schools, unless an agreement with another city,
29 parish, or other local public school board is reached to allow students to attend the

1 charter school, only pupils who would be eligible to attend a public school operated
2 by the local school board or pupils from the same areas as those permitted to attend
3 the preexisting school will be eligible to attend as provided in the charter.

4 * * *

5 §3983. Chartering process by type; eligibility; limitations; faculty approval; parental
6 approval

7 * * *

8 C.(1)(a)(i) Approval by members of the faculty and staff ~~who are certified~~
9 ~~by the state board~~ of a preexisting school proposed to be converted to a charter
10 school requires a favorable vote of ~~the~~ a simple majority of the eligible members of
11 ~~such the~~ faculty and staff, ~~voting together each with one vote, at the preexisting~~
12 ~~school voting~~ at an election held for such purpose. ~~The number needed for approval~~
13 ~~shall be determined by the number of eligible employees assigned to such school on~~
14 ~~October first preceding the election.~~

15 (ii) The election shall be held by secret ballot.

16 (iii) A member of the faculty and staff is eligible to vote if he is certified by
17 the state board, is employed by or assigned to the school on the date of the election,
18 and has been employed by or assigned to the school since the first of October that
19 immediately precedes the election.

20 (iv) Each eligible member of the faculty and staff may cast only one vote.

21 (b) Such an election may be repeated in any school for approval of the same
22 or a different charter proposal; however, such an election may occur no more often
23 than once in any school year.

24 (2)(a) Approval by the parents or guardians of pupils attending a preexisting
25 school proposed to be converted to a charter school requires a favorable vote of ~~the~~
26 a simple majority of the eligible parents or guardians ~~of pupils enrolled in the school~~
27 ~~at the time of the election who are voting, provided the number of votes cast equals~~
28 ~~at least fifty percent of the number of pupils~~ voting at an election held for such
29 purpose.

(b) The election shall be held by secret ballot. ~~There shall be one vote for each pupil enrolled in the school which may be cast by one parent or guardian for each pupil.~~

(c)(i) To be eligible to vote, a parent or guardian shall be the parent or guardian of at least one child who is enrolled in the school on the date of the election.

(ii) Only one parent or guardian of each student shall be eligible to vote, and if he is the parent or guardian of more than one student enrolled in the school, he may cast an additional vote for each such student.

(3) The state board shall adopt rules for the purposes of implementing the provisions of this Subsection and providing for a fair and transparent election process, including but not limited to providing for ways to protect the anonymity of voters. Any election held for the purposes of this Subsection for the conversion of a preexisting school into a charter school shall be conducted in accordance with these rules.

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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 83 Original

2026 Regular Session

Echols

Abstract: Provides for the process for faculty, staff, and parental approval for the conversion of a preexisting school into a charter school.

Present law provides that a preexisting school may be converted into charter school. Provides that depending on the type of charter school, conversion may be subject to approval by the faculty and staff of the school and the parents of students enrolled in the school. Provides a process for the faculty and staff election and the parent and guardian election and a threshold for how approval is determined. Proposed law retains present law except for the following revisions to the approval and election process:

For faculty and staff:

- (1) Present law provides that approval requires a favorable vote of the majority of the members of the faculty and staff, voting together each with one vote, at the preexisting school at an election held for such purpose. Proposed law specifies that approval by a simple majority of the eligible faculty and staff voting in the election is required and removes the requirement that the election be held at the preexisting school.

- (2) Present law provides that the number needed for approval shall be determined by the number of eligible employees assigned to such school on Oct. first preceding the election. Proposed law removes present law relative to the number needed for approval and instead provides that a member of the faculty and staff may vote if he is employed by or assigned to the school on the date of the election and has been employed by or assigned to the school since the first of Oct. that immediately precedes the election. Present law specifies that such faculty and staff be certified by the state board. Proposed law retains present law.
- (3) Present law provides that such an election may be repeated in any school for approval of the same or a different charter proposal but that such an election may occur no more often than once in any school year. Proposed law retains present law.

For parents or guardians:

- (1) Present law provides that approval by the parents or guardians of students attending the preexisting school requires a favorable vote of the majority of the parents or guardians of students enrolled in the school at the time of the election who are voting as long as the number of votes cast equals at least 50% of the number of students. Proposed law instead provides that such approval requires a favorable vote of a simple majority of the eligible parents or guardians voting at an election held for this purpose.
- (2) Proposed law specifies that to be eligible to vote, a parent or guardian shall be the parent or guardian of at least one child who is enrolled in the school on the date of the election.
- (3) Present law provides that there shall one vote for each pupil enrolled in the school that may be cast by one parent or guardian for each pupil. Proposed law provides that only one parent or guardian of each student is eligible to vote, and if he is the parent or guardian of more than one student enrolled in the school, he may cast an additional vote for each such student.
- (4) Proposed law adds that elections for parents or guardians be held by secret ballot.

For all conversion elections, proposed law:

- (1) Requires BESE to adopt rules for the purposes of implementing proposed law and for providing for a fair and transparent election process, including but not limited to providing for ways to protect the anonymity of voters.
- (2) Requires elections for the conversion of a preexisting school into a charter school to be conducted in accordance with these rules.

(Amends R.S. 17:3973(2)(b)(ii)-(iv) and 3983(C))