

Regular Session, 2012

HOUSE BILL NO. 411

BY REPRESENTATIVE ABRAMSON

PUBLIC PROPERTY: Provides relative to the sale of educational facilities and property in Orleans Parish

1 AN ACT

2 To amend and reenact R.S. 17:3982(B), relative to educational facilities and property in  
3 Orleans Parish; to provide relative to the sale of such facilities and property by a  
4 charter school organization when they are no longer needed for an educational  
5 purpose; and to provide for related matters.

6 Notice of intention to introduce this Act has been published  
7 as provided by Article III, Section 13 of the Constitution of  
8 Louisiana.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:3982(B) is hereby amended and reenacted to read as follows:

11 §3982. Local school boards; duties

12 \* \* \*

13 B.(1) Local school boards shall make available to chartering ~~groups~~  
14 organizations any vacant school facilities or any facility slated to be vacant for lease  
15 or purchase up to fair market value. In the case of a Type 2 charter school created  
16 as a result of a conversion, the facility and all property within the existing school  
17 shall be made available to that chartering group. In return for the use of the facility  
18 and its contents, the chartering group shall pay a proportionate share of the local  
19 school board's bonded indebtedness to be calculated in the same manner as set forth  
20 in R.S. 17:1990(C)(2)(a)(i). If such facilities were constructed at no cost to the local

1 school board, then such facilities including all equipment, books, instructional  
2 materials, and furniture within such facilities shall be provided to the charter school  
3 at no cost.

4 (2) If a chartering organization determines that a facility or property that was  
5 purchased from the Orleans Parish School Board is no longer needed for an  
6 educational purpose, the organization shall first offer to sell the facility or property  
7 back to the Orleans Parish School Board prior to seeking to dispose of it to any other  
8 person or entity.

### 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)]

Abramson

HB No. 411

**Abstract:** Provides the Orleans Parish School Board with a right of first refusal on a buy back of educational property it sold to a charter school group in Orleans Parish.

Present law provides generally for charter schools, which are public schools that operate somewhat independently of the local school board but pursuant to a charter agreement. A charter agreement is entered into by a nonprofit organization that operates the school and the school board or the State Board of Elementary and Secondary Education (BESE). A charter school can be a new school or an existing public school that can be converted to a charter school.

Present law requires that local school boards make available to chartering groups any vacant school facilities or any facility slated to be vacant for lease or purchase up to fair market value. Relative to the conversion of certain existing schools, present law provides that the facility and all property within the existing school shall be made available to that chartering group and in exchange, the chartering group shall pay a proportionate share of the local school board's bonded indebtedness. If such facilities were constructed at no cost to the local school board, then such facilities including all equipment, books, instructional materials, and furniture within such facilities shall be provided to the charter school at no cost.

Proposed law retains present law and further provides that if a chartering organization determines that a facility or property that was purchased from the Orleans Parish School Board is no longer needed for an educational purpose, the organization shall first offer to sell the facility or property back to the Orleans Parish School Board prior to seeking to dispose of it to any other person or entity.

(Amends R.S. 17:3982(B))