

Current Policy

Title 28 EDUCATION

Part XCI. Bulletin 126—Charter Schools

Chapter 5. Charter School Application and Approval Process

§519. Local School Board Consideration of Charter Application, Awarding of Charters

A. Local school boards shall carefully review each type 1 and type 3 charter school application they receive and may approve a charter application only after it has made a specific determination whether each proposed charter complies with the law and rules, whether the proposal is valid, complete, financially well-structured, and educationally sound, whether it provides for a master plan for improving behavior and discipline in accordance with R.S. 17:252, whether it provides a plan for collecting data in accordance with R.S. 17:3911.

B. Local school boards may approve requests to establish a type 3B charter school pursuant to the process outlined in Bulletin 129, §505.

1. A type 3B charter school is a former Type 5 charter school transferred from the Recovery School District to the administration and management of the transferring local school system pursuant to R.S. 17:10.5, R.S. 17:10.7 and Bulletin 129, §505.

2. A type 3B charter school shall retain its type 5 academic accountability history, including, but not limited to prior school performance scores. The performance of a type 3B charter school shall be included in the local school district's district performance score.

3. Throughout initial and all subsequent renewal charter terms, the type 3B charter contract shall:

- a. comply with any transfer conditions previously specified by BESE at the time BESE made the determination to allow the transfer;
- b. permit the charter school to remain in its facility or designate an alternative facility for use by the charter school;
- c. prohibit the charter school from establishing admissions requirements; and
- d. require any school that participated as a type 5 charter school in unified processes common to other public schools located in the same parish or school district boundaries that are critical to providing equity and access to students and families to continue to participate in such processes. At a minimum, the contract shall require the charter school to:
 - i. continue to participate in any unified enrollment system and expulsion process established by the RSD for the parish or region where the charter school is located. The charter school shall follow all policies and procedures applicable to type 5 charter schools participating in the enrollment system and expulsion process; and
 - ii. continue to provide transportation services for students who reside more than one mile away from the school.

4. In determining the length of the initial term for the type 3B charter school upon transfer, the local school board shall either:

- a. set the length of the initial charter term to match the number of years remaining on the charter school's former type 5 charter contract; or
- b. set the length of the initial charter term to be three or more years, not to exceed the number of years the charter school would be granted under the "maximum charter renewal terms" contained in Section 1503 of this Bulletin.

5. If granted a renewal, in determining the length of the term for the first renewal of the type 3B charter contract, the local school board shall set the length of the renewal term to be three or more years, not to exceed the number of years the charter school would be granted under the "Maximum Charter Renewal Terms" contained in Section 1503 of this Bulletin. Differing academic performance standards for the first renewal of the charter contract must be approved by BESE. Subsequent renewal term lengths shall be determined by the local school board.

6. At the time of transfer, the type 3B charter school shall have the option to remain its own local educational agency or have the local school system serve as the charter school's local education agency. The charter school may subsequently change its LEA status, subject to approval by the local school board and LDE.

a. A type 3B charter school acting as its own local education agency shall comply with the same financial, programmatic, and reporting requirements applicable to other charter school LEAs.

b. The state superintendent may rescind the local education agency status of a type 3B charter school should the charter school fail to meet these requirements, pursuant to a process outlined in the annual financial risk assessment administered by the department. Upon rescission, the local school board shall serve as the LEA for the type 3B charter school as long as the local school board continues to authorize the charter school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10) and R.S. 17:3981.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education LR 37:2385 (August 2011), amended LR 39:3065 (November 2013), amended LR 39:3249 (December 2013).