

EAST BATON ROUGE PARISH SCHOOL SYSTEM



One Team. One Mission.

Building the Future of Baton Rouge

CHARTER SCHOOL POLICY

AUGUST 2019

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I. INTRODUCTION

This policy is established to set forth the requirements for applying for a charter to operate an independent public school, the principles and requirements of authorizing the operation of a charter school, the requirements of performance contracting, and the implementation of and enactment of regulatory requirements that must be met in the operation of a charter school. It is further established to set forth procedures for monitoring and evaluating charter schools, and amending, renewing, and revoking charters approved by the East Baton Rouge Parish School Board.

The regulations set forth in this local school board policy are incorporated into all charters approved by the East Baton Rouge Parish School Board and shall bind all charter schools approved by the East Baton Rouge Parish School Board.

Reference Note: Bulletin 126 – Chapter 1

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 34:1357 (July 2008).

II. Definition, Purpose & Types

Definition

For the purposes of this policy, a charter school shall be defined as an independent public school that provides a program of elementary and/or secondary education established pursuant to and in accordance with the provisions of the Louisiana charter school law to provide a learning environment that will improve pupil achievement.

Purpose of Charter Schools

The charter school law was enacted by the Louisiana Legislature to create a structure whereby city, parish, and other local public school boards and BESE can authorize the creation of innovative kinds of independent public schools for students in Louisiana.

The purposes of charter schools include providing opportunities for educators and others interested in educating pupils to form, operate, or be employed within a charter school, with each such school designed to accomplish one or more of the following objectives:

1. improve pupil learning and, in general, the public school system;
2. increase learning opportunities and access to quality education for pupils;
3. increase educational opportunities for students in formerly failing schools;
4. increase learning opportunity choices for parents and students;
5. encourage the use of different and innovative teaching methods and a variety of governance, management, and administrative structures;
6. require appropriate assessment and measurement of academic learning results;

7. account better and more thoroughly for educational results;
8. create new professional opportunities for teachers and other school employees, including the opportunity to be responsible for the learning program at the school site;
9. provide competition within the public school system in order to stimulate continued improvement in all public schools; and/or
10. expand the capacity of the public school system.

Types of Charter Schools

- A. A type 1 charter school is a new school operated as the result of and pursuant to a charter between the nonprofit corporation created to operate the school and a local school board.
- B. A type 2 charter school is a new school or a preexisting public school converted and operated as the result of and pursuant to a charter between the nonprofit corporation created to operate the school and the state Board of Elementary and Secondary Education.
- C. A type 3 charter school is a preexisting public school converted and operated as the result of and pursuant to a charter between a nonprofit corporation and the local school board.
- D. 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.
- E. A type 4 charter school is a preexisting public school converted and operated or a new school operated as the result of and pursuant to a charter between a local school board and the state Board of Elementary and Secondary Education.
- F. A type 5 charter school is a preexisting public school transferred to the recovery school district as a school determined to be failing pursuant to R.S. 17:10.5 or R.S. 17:10.7 and operated as the result of and pursuant to a charter between a nonprofit corporation and the state Board of Elementary and Secondary Education.

Reference Note: Bulletin 126 – Chapter 1

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3973.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1358 (July 2008), amended LR 39:3249 (December 2013), LR 43:306 (February 2017).

III. Charter School Authorizer Responsibilities & Duties

Charter School Authorizers

- A. The state Board of Elementary and Secondary Education authorizes the operation of type 2, type 4, and type 5 charter schools.

- B. As a local school board, the East Baton Rouge Parish School System shall authorize the operation of type 1, type 3, and type 3B charter schools.

Reference Note: Bulletin 126 – Chapter 3

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3982.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1359 (July 2008), amended LR 39:473 (March 2013), LR 39:3249 (December 2013), LR 43:306 (February 2017).

Local School Board Authorizing Responsibilities & Duties

Local school boards, as the authorizer of type 1 and type 3 charter schools, have the following authorizing responsibilities:

1. engage in a transparent application review process that complies with the latest *Principles and Standards for Quality Charter School Authorizing*, as promulgated by the National Association of Charter School Authorizers, and shall provide for an independent evaluation of the charter proposal by a third party with educational, organizational, legal, and financial expertise;
2. make public through its website, and in printed form upon request, the guidelines for submitting a charter proposal, all forms required for submission of a charter proposal, the timelines established for accepting and reviewing charter proposals, the process that will be used to review charter proposals submitted to the board, and the name and contact information for a primary point of contact for charter proposals;
3. prior to approving a charter for a Type 1 or Type 3 school, to hold a public meeting for the purpose of considering the proposal and receiving public input. Such meeting shall be held after reasonable efforts have been made by the local school board to notify the public of the meeting and its content.

Reference Note: Bulletin 126 – Chapter 3

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3983.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:868 (March 2011), amended LR 39:3063 (November 2013).

As a local authorizer, the East Baton Rouge Parish School Board has the following duties relating to charter schools:

1. to report any charter entered into; and to report the number of schools chartered, the status of those schools, and any recommendations relating to the charter school program to BESE no later than July 1 of each year;
2. provide each charter school with the criteria and procedures that will be used when considering whether to renew a school's charter;
3. to notify the chartering group in writing of any decisions made relative to the renewal or nonrenewal of a school's charter not later than January 31 of the year in which the charter would expire. A notification that a charter will not be renewed shall include written explanation of the reasons for such non-renewal;

4. to make available to chartering groups any vacant school facilities or any facility slated to be vacant for lease or purchase at up to fair market value. In the case of a type 2 charter school created as a result of a conversion, the facility and all property within the existing school shall also be made available to the chartering group. In return for the use of the facility and its contents, the chartering group shall pay a proportionate share of the local school board's bonded indebtedness to be calculated in the same manner as set for in R.S. 17:1990(C)(2)(a)(i). 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;
5. if requested by a charter school, provide transportation services to a charter school student pursuant to R.S. 17:158.
 - a. The charter school shall reimburse the local school board for the actual cost of providing such transportation unless an amount less than the actual cost is agreed upon by both parties.

Reference Note: Bulletin 126 – Chapter 3

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, R.S. 17:3982, and R.S. 17:3983.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1359 (July 2008), amended LR 37:868 (March 2011), LR 38:3117 (December 2012), LR 39:3064 (November 2013), LR 43:307 (February 2017).

Local Authorizer Reporting Requirements

As an authorizer, the East Baton Rouge Parish School Board shall notify state legislators regarding initial charter school proposals and applications according to the following requirements.

1. At the time a chartering group submits its initial proposal or application to operate a charter school, the chartering authority shall notify each state senator and state representative in whose district the charter school is to be located that such proposal or application has been submitted.
2. Such notification shall be limited to the date the proposal or application was submitted, the charter authorizer to which the proposal or application was submitted, the type of charter school the chartering group seeks to operate, and the location of the proposed school.
3. The charter authorizer shall also notify each state senator and state representative in whose district the charter school is to be located whether the proposal or application to operate a charter school was approved or denied.
4. The notifications shall be sent by both postal mail and electronic mail to each legislator's district office.
5. This Section shall not apply to renewals of the charter of an existing charter school.

Reference Note: Bulletin 126 – Chapter 3

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, R.S. 17:3982, and R.S. 17:3983.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 40:2517 (December 2014), amended LR 43:307 (February 2017).

Application Process for Locally Authorized Charter Schools

A. Application Cycle

1. The East Baton Rouge Parish School Board shall accept charter applications from applicants according to the local district timeline established by the Louisiana Department of Education and approved by BESE.
2. The East Baton Rouge Parish School Board designee, staff or third party evaluator may request supplementary materials once the initial application has been submitted. Final decisions regarding the approval of charter applications must be made by the local school board according to the local district charter application timeline. Notifications of charter proposal denied shall include written explanation of the reasons for such denial.
3. Prior to the consideration of a charter school proposal by the local school board, each charter applicant shall be afforded the opportunity to provide a written response to the independent evaluation of the application. Such response shall be available to the independent reviewers for consideration prior to issuing a final recommendation to the chartering authority.
4. The charter applicant shall be sent, either by electronic means or hand delivery, the final evaluation and recommendations of the third-party evaluator. Such information shall be sent no later than five business days prior to the meeting at which the local board will take action on the charter proposal.
5. The local school board shall notify the Louisiana Department of Education of the receipt of charter applications and any board action taken on such applications in accordance with procedures developed as part of the local district timeline.

Common Charter Application

The East Baton Rouge Parish School Board shall use a common charter application developed by the Louisiana Department of Education and approved by BESE, but may request additional information from applicants as needed.

Reference Note: Bulletin 126 – Chapter 3

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, R.S. 17:3981, 17:93, and R.S. 17:3983.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education LR 44:231 (February 2018).

Consideration and Awarding of Charter Applications

- A. The East Baton Rouge Parish School Board shall carefully review each type 1 and type 3 charter school application received 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. The local school board 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. The length of the initial term for the type 3B charter school shall be equal to the number of years remaining on the charter school's former type 5 charter contract or the number of years approved by BESE for the renewal term of the type 5 charter school if the charter contract for the type 5 charter school was set to expire at the conclusion of the school year in which the charter school makes a request to transfer to the local school board pursuant to this Section.
 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 §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. A type 3B charter school acting as its own local education agency shall comply with the requirements provided for in §2303 of this bulletin.
- C. For each locally-authorized charter school which has met the performance criteria below, a charter operator may open and operate two additional schools that serve the same grade levels and the same enrollment boundaries as the school meeting the automatic renewal criteria without formal application to the local school board.
 1. The charter school must have:
 - a. A letter grade of “A” or “B”, or an equivalent school performance score (SPS);
 - b. Met or exceeded for the three preceding school years (or every year of operation if three years or less years of operation) the benchmarks established for it by the local school board in accordance with the school and district accountability system;
 - c. Demonstrated growth in student academic achievement for the three preceding school years; and
 - d. Had no significant audit findings during the term of the charter agreement.
 2. The charter operator shall notify the local school board of its intent to open one or two such additional charter schools at least 120 calendar days prior to the day on which each additional school shall enroll students.
 3. At least 90 calendar days prior to the day on which each additional school shall enroll students, the local school board shall enter into a charter agreement with the chartering group for each additional school and shall notify BESE of its action.

Note: The opening and closing of schools, material changes to chartering contracts or new chartering contracts require such items to be placed on the agenda of a public meeting of the local school board in accordance with other East Baton Rouge Parish School Board policies.

Reference Note: Bulletin 126 – Chapter 3

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 44:231 (February 2018).

Organization of a Nonprofit Corporation

- A. A nonprofit corporation may be formed for the purpose of submitting an application for a charter school by:
 1. a group of three or more teachers;



2. a group of 10 or more citizens;
3. a public service organization;
4. a business or corporate entity registered to do business in Louisiana pursuant to law, excluding any business or corporate entity subject to the provisions of R.S. 18:1505.2(L) as provided in R.S. 18:1505.2(L)(3);
5. a Louisiana college or university, licensed by the Board of Regents, pursuant to R.S. 17:1808;
6. the faculty and staff of any city or parish public school or any local school board;
or
7. the Department of Education, subject to the approval of BESE.

Reference Note: Bulletin 126 – Chapter 5

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981(3), and R.S. 17:3983.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1360 (July 2008), amended LR 44:232 (February 2018).

Eligibility to Apply for a District Authorized Charter School

- A. To be eligible to submit a charter school application, a group must:
1. be organized as a nonprofit corporation under Chapter 2 of Title 12 of the *Louisiana Revised Statutes*, Nonprofit Corporation Law;
 2. be recognized as or have applied for recognition as a nonprofit corporation under applicable federal law;
 3. have a board of directors with a minimum of three members;
 4. include three or more persons holding valid and current Louisiana teaching certificates in the development of the charter application;
 5. maintain an average letter grade of B or higher for existing schools in the state of Louisiana for experienced operator applicants.

See chart below for criteria for experienced operators:

Type of Growth	Approval Process	Academic Standard	Organizational and Financial Standard	Other Requirements
Open a New School				
Current LA Operator (New Charter Application)	School Board Approval Required	All schools have a B or higher; or C with a Progress letter grade of an A for each year the grade is a C.	“Meets All” or “Meets Most”* for three consecutive previous years	Application to district according to timeline and process posted on district website Recommendation of 3 rd party evaluator Meets the stricter of any other local and BESE Policy 126 requirements for a new school.

Replication**	School Board Approval Required	B or higher letter grade for three consecutive previous years AND progress index equivalent to an A for previous three years averaged across all of the operator's charter schools	"Meets All" or "Meets Most" * for three consecutive previous years	Meets contract replication and/or expansion terms for any existing district authorized operator Meets the stricter of any other local and BESE Policy 126 requirements for a new school.
Open a Growth Plan School**	School Board Approval Required	All schools have a B or higher; or C with a Progress letter grade of an A for each year the grade is a C.	"Meets All" or "Meets Most" * for three consecutive previous years	Meets contract replication and/or expansion terms for any existing district authorized operator Meets the stricter of any other local and BESE Policy 126 requirements for a new school.
Grow an Existing School				
Growth up to 120% of approved enrollment in contract	Automatic – no board or District Approval Needed	None	None	None
Add new grade levels or grow enrollment beyond 120% or beyond growth plan in current contract**	School Board Approval Required	B or higher	"Meets All" or "Meets Most" * for three consecutive previous years	Submit material amendment request to district by December 31 st of the year prior to growth plan going into effect.

* *"Meets Most"* refers to the annual rating received by the charter school by its authorizer. For locally authorized charter schools, the criteria is defined in Section VI of this document and published annually in the district's annual review report. For BESE authorized charter schools, the criteria is as defined in BESE Bulletin 126 and indicated on the annual review document published by the Louisiana Department of Education.

** Note: The opening and closing of schools, material changes to chartering contracts or new chartering contracts require such items to be placed on the agenda of a public meeting of the local school board in accordance with all East Baton Rouge Parish School Board policies.

Reference Note: Bulletin 126 – Chapter 5

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3973, R.S. 17:3981, R.S. 17:3982, R.S. 17:3983, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1360 (July 2008), amended LR 37:868 (March 2011), LR 38:3117 (December 2012), LR 39:1431 (June 2013), LR 39:3064 (November 2013), LR 44:232 (February 2018).



Existing Public Schools Converting to Charter Schools

- A. Prior to applying for a charter school, which proposes to be a school converted from a preexisting public school to a charter school, the East Baton Rouge Parish School Board shall require the applicant to receive approval from the professional faculty and staff of the pre-existing school and the parents or guardians of children enrolled in the school.
- B. Approval of the professional faculty and staff requires a favorable vote of the majority of the faculty and staff who are certified by the local school board and who were employed at the pre-existing school. The number needed for approval shall be determined by the number of professional faculty and staff assigned to the pre-existing school on October 1 preceding the election.
 - 1. An election must be held for the purpose of voting to convert a preexisting public school to a charter school.
 - 2. Employees eligible to vote in an election are members of the faculty and staff who are employed at the pre-existing school and who are certified by the local school district.
 - 3. Each eligible employee may cast only one vote.
 - 4. The election must be held by secret ballot.
 - 5. The School Board must be notified in writing via certified mail 10 days prior to the vote with the exact date, time and location of the election. Public notice must be given in accordance with all requirements of Louisiana public open meeting laws, published in the official journal of the East Baton Rouge Parish School Board and posted to the school's website prior to the public meeting so that the Superintendent or School Board may have an opportunity to send a designee to witness the election.
- C. Approval by the parents or guardians requires a favorable vote of the majority of the voting parents or guardians of pupils enrolled in the school.
 - 1. An election must be held for the purpose of voting to convert a pre-existing public school to a charter school.
 - 2. The number of votes cast by the parents or guardians in an election must equal at least 50 percent of the number of students enrolled in the school at the time of the election.
 - 3. Only one vote may be cast by one parent or guardian for each student enrolled in the school at the time of the election.
 - 4. The School Board must be notified in writing via certified mail 10 days prior to the vote with the exact date, time and location of the election. Public notice must be given in accordance with all requirements of Louisiana public open meeting laws, published in the official journal of the East Baton Rouge Parish School Board and posted to the school's website prior to the public meeting so that the

Superintendent or School Board may have an opportunity to send a designee to witness the election.

- D. An election of the professional faculty and staff or of the parents and guardians may be repeated in any school for approval of the same or a different charter proposal; however, such an election may not occur more than once in any school year. For each time that an election may be repeated, the School Board must be notified in writing via certified mail 10 days prior to the vote with the exact date, time and location of the election. Public notice must be given in accordance with all requirements of Louisiana public open meeting laws, published in the official journal of the East Baton Rouge Parish School Board and posted to the school's website prior to the public meeting so that the Superintendent or School Board may have an opportunity to send a designee to witness the election

Reference Note: Bulletin 126 – Chapter 5

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3973, and R.S. 17:3983.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1361 (July 2008), amended LR 37:869 (March 2011), LR 39:1431 (June 2013), LR 39:3064 (November 2013).

IV. Charter School Contract

- A. Following charter application approval by the East Baton Rouge Parish School Board, approved nonprofit corporations must complete pre-opening requirements communicated in writing the local school district.
- B. The local school board may condition the execution of the charter contract or the opening of a school on completion of one or more pre-opening requirements.
- C. The charter school contract shall represent the legal agreement between the local school board and the charter operator, which defines the rights and responsibilities of all parties. Both parties will be mutually responsible for the execution of the contract.
- D. The charter school contract shall define the performance standards to which the charter school will be held accountable and the general terms and conditions under which the charter school will operate. The charter school contract template shall include, but not be limited to:
 - 1. provisions regarding the establishment of the charter school;
 - 2. the operation of the charter school;
 - 3. charter school financial matters;
 - 4. charter school personnel;
 - 5. charter term, renewal and revocation; and

6. other provisions determined necessary by the local school board and Superintendent including but not limited to provisions relative to the submission of state mandated reporting documentation, including but not limited to student records and financial information, upon request and in a timely manner.
- E. The charter school contract shall also include exhibits that provide detailed information about the terms and conditions under which the school will operate.
- F. Each contract entered into by the local school board for the operation of a charter school shall contain common provisions; however, the local school board shall not be precluded from allowing for provisions that may be specific to an individual charter operator.
- G. Any contracts entered into between a charter operator and a management organization shall:
 1. set forth material terms including but not limited to: performance evaluation measures; methods of contract oversight and enforcement by the charter school board; compensation structure and all fees to be paid to the management organization; and conditions for contract renewal and termination;
 2. contain provisions relative to the submission of documents, including but not limited to student records and financial information, upon request and in a timely manner. The contract shall specify that any documents not provided by a management organization to the charter operator must be reported by the charter operator to the the Superintendent or his designee.
- H. Contracts between charter operators and management organizations must be reviewed by the Superintendent or his designee to ensure compliance with the provisions of this section. Any contracts entered into between charter operators for the provision of services shall require an assurance statement signed by the presidents of the charter operators' board of directors to be submitted to the Superintendent or his designee. The assurance statement shall indicate that both parties have complied with the provisions of this section.

Reference Note: Bulletin 126 – Chapter 7

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 in LR 34:1363 (July 2008), amended LR 37:2385 (August 2011), LR 38:751 (March 2012), repromulgated LR 38:1393 (June 2012), LR 38:3118 (December 2012), LR 39:3065 (November 2013), amended LR 44:235 (February 2018).

Performance Measures

The charter school contract shall provide for specific student performance, financial, and legal and contractual standards which must be met by the charter operator during the term of the charter contract. For contracts executed or renewed after July 1, 2019, the contract should also reference the local charter policy criteria to be used for determining renewal status as well as annual standards for the ongoing review of charter schools.

Reference Note: Bulletin 126 – Chapter 7

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 in LR 34:1363 (July 2008).

V. Opening of A Charter School

- A. Unless otherwise specified in the contract, a district authorized charter school shall begin operation by not later than 24 months after the final approval of the charter at a local school board meeting. However, upon request to be received in writing via certified mail, the local school board may extend the time period by no more than one year within which any charter school must begin operation by majority vote of total membership of the East Baton Rouge Parish School Board at a public meeting.
- B. If a charter school fails to begin operation within the time periods set forth in this local policy, the charter for that school shall be automatically revoked; a new charter may be proposed in a subsequent application cycle.
- C. A locally authorized charter school shall not begin operation sooner than twelve months after approval of the charter school has been granted, unless via executed contract the local school board agrees to a lesser time period.

Reference Note: Bulletin 126 – Chapter 9

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3983.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1363 (July 2008), amended LR 37:870 (March 2011), LR 37:2385 (August 2011), LR 38:751 (March 2012), repromulgated LR 38:1393 (June 2012), amended LR 39:1433 (June 2013), LR 44:235 (February 2018).

VI. Ongoing Review of Charter Schools

Annual Evaluation of Charter Schools

The East Baton Rouge Parish School Board authorizes the operation of charter schools to provide schools with increased educational and operational autonomy in exchange for accountability for performance.

- A. The performance of district authorized charter schools will be reviewed and/or evaluated annually in the following categories:
 - 1. academic performance;
 - 2. financial performance; and
 - 3. organizational performance.
- B. All criteria used in the charter school performance compact shall correspond to one of the categories listed above.
- C. In measuring the organizational and financial performance of schools as part of the annual review process, charter schools will be given one of the following ratings:
 - 1. meets all expectations;

- 2. meets most expectations;
 - 3. does not meet expectations.
- D. The annual review process compact may include other supporting evidence to be submitted in evaluating school performance.
- E. The East Baton Rouge Parish School Board shall receive a report on the review of each locally authorized charter schools not later than January of each year.
- F. Each charter school will be subject to regular site visits, monitoring, and contract, school policies, and data review on a schedule established by the Superintendent or his designee.

Academic Performance

Academic performance is the primary measure of school quality. The East Baton Rouge Parish School Board shall use the state's assessment and accountability programs as objective and verifiable measures of student achievement and school performance. Student performance is the primary indicator of school quality; therefore, the local school board will heavily factor contract extensions and renewal decisions on a school's achievement of the student performance standards.

All district authorized charter schools are required to administer all state assessments and are subject to the Louisiana School and District Accountability System as required by Bulletin 111.

Annual Review Metrics for Initial Contract Term		
Expectation	Measurement	Ratings
Academic Performance Expectation Areas		
All students, regardless of background, need, or ability are afforded an educational environment that provides them with opportunities for academic growth and achievement.	School Performance Score and Letter Grade <i>*As reported by the Louisiana Department of Education for the current or most recent year</i>	<p>A or B Letter Grade <i>Meets All Expectations & Meets Renewal Criteria</i></p> <p>C* Letter Grade <i>Meets Most Expectations & Meets Renewal Criteria</i></p> <p>D* or F Letter Grade <i>Does Not Meet Expectations & Does Not Meet Renewal Criteria</i></p>

*If a D letter grade is earned in the most recent year of the initial contract, the school shall earn a “Meets Most Expectations” rating and meet renewal criteria if it earns **BOTH** of the following:

- C letter grade for at least one of the years during the initial contract term, **AND**
- A or B progress score received for the year the school earned the D letter grade

This applies to the initial term and first contract renewal. This shall not apply to renewal criteria for subsequent renewals.

<p>Schools’ missions are aligned the purpose of charter schools as defined in BESE policy 126 (Chapter 1) to increase educational opportunities for students by providing high quality seats and additional choice opportunities for families; encourage the use of different and innovative teaching methods and academic structures; and to provide competition within the public school system to stimulate improvement, academic growth and expand the overall capacity of the district in order to better meet the needs of students and families.</p>	<p>School Site Visit, Data Review and other District Monitoring Activities</p>	<p>Demonstrates 2+ Components <i>Meets All Expectations</i></p> <p>Demonstrates 1 component <i>Meets Most Expectations</i></p> <p>Does not demonstrate components <i>Does Not Meet Expectations</i></p>
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Annual Review Metrics for Subsequent Renewals (Each Renewal After the First Renewal)		
Expectation	Measurement	Ratings
<p align="center">Academic Performance Expectation Areas</p>		
<p>All students, regardless of background, need, or ability are afforded an educational environment that provides them with opportunities for academic growth and achievement.</p>	<p>School Performance Score and Letter Grade <i>*As reported by the Louisiana Department of Education for the current or most recent year</i></p>	<p>A or B Letter Grade <i>Meets All Expectations & Meets Renewal Criteria</i></p> <p>C* Letter Grade <i>Meets Most Expectations & Meets Renewal Criteria</i></p> <p>D or F Letter Grade <i>Does Not Meet Expectations & Does Not Meet Renewal Criteria</i></p>
<p>Schools’ missions are aligned the purpose of charter schools as defined in BESE policy 126 (Chapter 1) to increase educational opportunities for students by providing high quality seats and additional choice opportunities for families; encourage the use of different and innovative teaching methods and academic structures; and to</p>	<p>School Site Visit, Data Review and other District Monitoring Activities</p>	<p>Demonstrates 2+ Components <i>Meets All Expectations</i></p> <p>Demonstrates 1 component <i>Meets Most Expectations</i></p>

provide competition within the public school system to stimulate improvement, academic growth and expand the overall capacity of the district in order to better meet the needs of students and families.		Does not demonstrate components <i>Does Not Meet Expectations</i>
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Financial Performance

Charter schools are required to engage in financial practices, financial reporting, and financial audits as set forth in charter school law, this bulletin, and the charter. The requirements imposed by law, regulation, and contract ensure the proper use of public funds and the successful fiscal operation of the charter school.

Charter schools will be evaluated annually on the timely submission of budgets, audits, annual financial reports, and all other financial reporting and compliance with applicable financial budgeting; accounting; and auditing laws, regulations, and procedures.

The charter school financial performance shall be measured and evaluated according to annual external audit performance, use of state and federal funds in an appropriate fiscally responsible and legal manner as well as no material or significant findings as documented by notices of concern or breach received from the district.

Annual Review Metrics		
Expectation	Measurement	Ratings
Financial Performance Expectation Areas		
Schools demonstrate strong financial performance resulting in fiscally viable and responsibly maintained institutions.	Performance on annual audits and documentation of appropriate use of funds in accordance with law and policy.	<p>Demonstrates ALL Expected Financial Compliance Indicators* <i>Meets All Expectations</i></p> <p>Demonstrates 75%** or Above of Expected Financial Compliance Indicators* <i>Meets Most Expectations***</i></p> <p>Demonstrates 74%** or Less of Expected Financial Compliance Indicators* <i>Does Not Meet Expectations</i></p>

* Financial Compliance Indicators are listed on the chart on page 21 of this document.

** The percentage score for financial indicators shall be calculated by dividing the total number of applicable indicators by the number of applicable indicators met for each year.

*** Documented failure to comply with local, state or federal law aligned to the financial performance expectation areas automatically receives a “*Does Not Meet Expectations Rating*” regardless of the percentage of indicators met.

Financial Compliance	Indicator	Measurement & Standard Expectation
Schools demonstrate strong financial practices resulting in fiscally viable and responsibly maintained institutions.	Fund Balance	School maintains an acceptable fund balance as measured by the annual external audit within recommended ranges according to state guidance.
	Annual External Audit Performance	No evidence of significant or consecutive material findings in the annual audit. School receives no Notice(s) of Concern nor Notice(s) of Breach relative to these areas.
	School uses federal and state funds in a fiscally responsible and legal manner.	No evidence of significant, intentional or repeated misuse of funds School receives no Notice(s) of Concern nor Notice(s) of Breach relative to these areas.
	Timely Submission of Financial Reports	No Evidence of significant, intentional or repeated non-compliance of financial documentation requested by district staff or required by contractual obligations School receives no Notice(s) of Concern nor Notice(s) of Breach relative to these areas.

Organizational Performance

The East Baton Rouge Parish School Board shall evaluate a charter school's organizational performance based on data gathered through district oversight and monitoring of the charter school's compliance with and performance of statutory, regulatory, reporting, and contractual obligations, including R.S. 17:3972, which provides that the best interests of economically-disadvantaged pupils shall be the overriding consideration in implementing the provisions of charter law.

The local school board's organizational performance evaluation of each charter school shall be based on, but not limited to data and information in the following areas:

- a. special education and ELL program
- b. student enrollment
- c. student discipline
- d. health and safety
- e. governance
- f. facilities
- g. Title I and other Federal Programs
- h. student information systems and state mandated data reporting

The local school board will use the aforementioned areas to evaluate organizational performance as evidenced through data reviews, site visits, required data submissions and other appropriate district monitoring activities. Noncompliance shall be documented via notices of concern or breach.

Annual Review Metrics		
Expectation	Measurement	Ratings
Organizational Performance Expectation Areas		
Schools enroll and serve students through prioritizing equity in their enrollment and school level policies and procedures.	Consideration of data related to enrollment of students who are economically disadvantaged and students with disabilities as well as enrollment stability, discipline rates and special education indicators.	Demonstrates ALL Expected Organizational Compliance Indicators* <i>Meets All Expectations</i>
All special student populations receive the services and supports they need to ensure academic success in accordance with applicable law and policy.	Compliance with enrollment, special education, governance and safety related laws and policies.	Demonstrates 75% or Above Expected Organizational Compliance Indicators* <i>Meets Most Expectations***</i>
Schools and governing boards responsibly follow all laws, policies and contractual obligations.		Demonstrates 74% or Less of Expected Organizational Compliance Indicators* <i>Does Not Meet Expectations</i>

* Organizational Compliance Indicators are listed on the charts on pages 23 - 27 of this document.

** The percentage score for organizational indicators shall be calculated by dividing the total number of applicable indicators by the number of applicable indicators met for each year.

*** Documented failure to comply with local, state or federal law aligned to the organizational performance expectation areas automatically receives a “Does Not Meet Expectations Rating” regardless of the percentage of indicators met.

Enrollment	Indicator	Measurement	Standard Expectation
Schools enroll and serve all students through prioritizing equity in their enrollment and discipline policies and procedures.	Required Percentages of Economically Disadvantaged Students	As defined by state law and BESE Policy 126.	Meets required percentage.
	Required Percentages of Students with Disabilities	As defined by state law and BESE Policy 126.	Meets required percentage.
	Re-Enrollment of Students	Enrollment is based on students with no exit date and no	More than or equal to 80% of students return.

Enrollment	Indicator	Measurement	Standard Expectation
		graduation flag; excluding students in the terminal grade at the site (February 1 count to October 1 count of the following year)	
	Suspensions	High School or Combination School National Average OR Elementary/ Middle School National Average for most recent year Discipline data reports provided by Louisiana Department of Education	At or below the National Average. School is not on the Urgent Intervention Required (UIR) List for Discipline.
	Recruitment, Lottery and Other Enrollment Policy and Procedures	As defined by district approved school policy, BESE Policy 126, charter contract and state law.	School receives no Notice(s) of Concern nor Notice(s) of Breach relative to Student Enrollment Practices.
	Student Records and Other State Required Data Reporting (inclusive of PEP and other Student Information Systems Requirements)	As defined by district approved school policy, BESE Policy 126, charter contract and state law. Written District Requirements for Data Entry into the Student Information System	School receives no Notice(s) of Concern nor Notice(s) of Breach relative to Student Records and Data Reporting in the District's Student Information Systems Portal.
	School is non- discriminatory and compliant with laws and policies related to student admissions, discipline, attendance and truancy.	Meets laws, policy and contract terms relative to admissions, discipline and attendance. School receives no Notice(s) of Concern nor Notice(s) of Breach relative to these areas	
	School Admissions	Meets laws, policy and contract terms relative to admissions, discipline and attendance; school receives no	

Enrollment	Indicator	Measurement	Standard Expectation
	Process is non-discriminatory and compliant with laws and policies related to students with disabilities.	Notice(s) of Concern nor Notice(s) of Breach relative to these areas.	

Special Populations	Indicator	Measurement	Standard Expectation
<p>All special student populations receive the services and supports they need to ensure academic success in accordance with applicable law and policy.</p>	Students with Disabilities Evaluations	Evaluations out of compliance with timelines as measured through a review of SER during the spring semester (Percentage of evaluations conducted within the required time frame)	Less than 5% of evaluations out of compliance.
	IEP Timeline Compliance	IEPs out of compliance with timelines as measured through a review of SER during the spring semester (Percentage of IEPs in timeline compliance)	Less than 5% of evaluations out of compliance.
	Least Restrictive Environment	Percentage of students with IEPs aged 6-21 served in a regular classroom setting 80% or more of the school day	Over 60% of total students with disabilities population meets measure.
	Subgroup Performance	Identification as UIR for any subgroup as measured by the LDE subgroup school performance score reports	School has been identified as "Urgent Intervention Required" in no more than two reported subgroups.
	Economically Disadvantaged & Federal Programs	School meets expectations for Title I schools as evidenced through monitoring Documentation from Federal Programs and Title I staff; evidence of	Favorable monitoring checklist reports from district Title I monitor. School receives no Notice(s) of Concern nor Notice(s) of Breach



Special Populations	Indicator	Measurement	Standard Expectation
		compliance to policy, law and written district expectations	relative to Title I and Other Federal Programs implementation.
	All student populations receive the services and supports they need to ensure academic success in accordance with applicable law and policy.	School complies with all state and federal requirements regarding services for students with IGP, IAIP, IEPs, IAPs, LEP plans and any other state mandated academic plans.	Meets law and policy requirements regarding special student populations. School receives no Notice(s) of Concern nor Notice(s) of Breach relative to these areas.

Law and Policy	Indicator	Measurement & Standard Expectation
Schools and governing boards responsibly follow all laws, policies and contractual obligations	Board adheres to state policies regarding governance and compliance	No evidence of non-compliance with state or federal governance policies including but not limited to the following: open meeting laws, public records act, public bid laws, fire and safety laws, health laws, board structure requirements, etc. School receives no Notice(s) of Concern nor Notice(s) of Breach relative to these areas.
	School and board have no evidence of violations of Louisiana Ethics Laws	No evidence of non-compliance with the Louisiana Code of Governmental Ethics. School receives no Notice(s) of Concern nor Notice(s) of Breach relative to these areas.
	School and board have no evidence of violations of legal and contractual obligations	No evidence of significant, intentional or repeated non-compliance of legal and contractual obligations School receives no Notice(s) of Concern nor Notice(s) of Breach relative to these areas
	School has no evidence of violations of required test procedures.	No evidence of non-compliance with state testing policy and/or local test security policy; district investigation found evidence of cheating by school staff and/or significant or repeated violations of district or state testing policy.

Law and Policy	Indicator	Measurement & Standard Expectation
		School receives no Notice(s) of Concern nor Notice(s) of Breach relative to these areas.
	Board adheres to BESE approved state policy Bulletins (such as but not limited to Louisiana handbook for school administrators; promotion and placement; statewide assessment practices; accountability standards, etc.)	<p>No evidence of non-compliance with the Louisiana state law, state policies and/or applicable local policies.</p> <p>School receives no Notice(s) of Concern nor Notice(s) of Breach relative to these areas.</p>

Reference Note: Bulletin 126 – Chapter 11

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:3981, and 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1363 (July 2008), amended LR 37:871 (March 2011), repromulgated LR 37:1124 (April 2011), amended LR 37:2385 (August 2011), LR 38:751 (March 2012), repromulgated LR 38:1393 (June 2012), amended LR 38:3118 (December 2012), LR 39:1433 (June 2013), LR 39:3065 (November 2013), amended LR 40:1322 (July 2014), LR 44:235 (February 2018), LR 44:2130 (December 2018).

Alternate Extension and Renewal Standards for Identified Locally Authorized Charter Schools

The East Baton Rouge Parish School Board may approve alternate extension and renewal standards for a charter school serving a unique student population or populations, or for a charter school that is not included in the Louisiana School and District Accountability System, or for a school that the school board classifies as a turnaround charter school upon the approval of its application and/or contract provided that:

1. the district determines that the school primarily serves a special or non-traditional student population or populations and mission, or the school is not included in the Louisiana School and District Accountability System;
2. the alternate extension and renewal standards are explicitly set forth in a board approved contract
3. the alternate extension and renewal standards include specific academic performance criteria explicitly listed in the contract.

Reference Note: Bulletin 126 – Chapter 11

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1366 (July 2008), amended LR 40:1322 (July 2014), LR 44:236 (February 2018).

Intervention Process for Locally Authorized Charter Schools

- A. The East Baton Rouge Parish School Board shall implement an intervention process that articulates the district may take should a school fall out of compliance with

requirements outlined in the charter school local policy, law, or BESE policy. The stages of the intervention process shall include, at a minimum:

1. Good Standing. All charter schools will begin at this level;
2. Notice of Concern. If the district receives a verified complaint or if regular oversight generates significant concerns or questions, a school will receive a notice of concern. The notice of concern will contain specific actions and due dates required to remedy the concern. Upon remedying the concern the school will return to good standing. One or more notices of concern may lead to increased oversight by the district;
3. Notice of Breach. For significant, intentional, or repeated non-compliance with requirements outlined in the charter school local policy, law, or BESE policy, or if a school fails to correct a notice of concern, the school will be issued a notice of breach that will contain specific actions and due dates required to remedy the breach. The district will monitor the implementation of the steps required to cure the breach. Once a school has fulfilled the notice of breach requirements, the school will return to good standing. One or more notices of breach may lead to increased oversight by the district;
4. Revocation Review. Upon failure to meet the requirements specified in the notice of breach, in instances of ongoing and significant concerns, or when the safety, health, or welfare of students is threatened, the district may initiate a revocation review as approved by the Superintendent. The review may include additional visits to the school or an in-depth audit to assess financial and/or organizational health. Findings from the revocation review will determine whether the district shall commence revocation proceedings or whether the school will be granted a new or revised notice of breach.

Ladder Steps	Descriptions
Targeted Communication	In the form of phone calls, emails or face to face meetings with school, board or organizational leadership for the purposes of additional inquiry and oversight; may lead to restriction of growth and/or ability to expand; may lead to entry into additional steps of the accountability ladder.
Notices of Concern	<p>In the form of written documentation of instances of less significant non-compliance of law or policy as determined by district staff; If a Notice of Concern is not remedied in the time allotted, the school progresses to a Notice of Breach with additional steps required to address the issue.</p> <p>Receipt of a Notice of Concern is considered in the district’s assessment of a school’s performance as included in the annual review and may impact extension, renewal or expansion decisions.</p>
Notice of Breach	In the form of written documentation given to school in instances of significant systemic or repeated noncompliance of law or policy as determined by district staff; if a Notice of Breach is not remedied in the time allotted, additional

	<p>accountability actions may be taken by the district up to and including a recommendation of revocation to the school board.</p> <p>Receipt of a Notice of Breach is considered in the district's assessment of a school's performance as included in the annual review and may impact extension, renewal or expansion decisions.</p>
Revocation Review	<p>In the form of additional data and document collection above and beyond routine monitoring; may include school visits, in-depth audit to assess financial and/or organizational health; or other monitoring procedures deemed appropriate by district staff.</p> <p>In serious situations, where a charter school has ongoing and significant concerns or is threatening the safety, health, and welfare of students, the Superintendent may recommend to the school board that the charter be revoked. In these situations, a revocation review will occur before making a formal recommendation to the school board.</p>
Revocation	<p>An authorizer (the East Baton Rouge Parish School Board) may revoke a school's charter at any time prior to the expiration of a charter operator's contract as per the revocation section in the contract and in accordance with the requirements of BESE Policy 126 governing charter schools.</p>

Reference Note: Bulletin 126 – Chapter 11

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3991.
 HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 39:1435 (June 2013), amended LR 44:236 (February 2018).

VII. Charter School Terms and Extensions

Initial Charter Term

- A. An approved charter shall be valid for an initial term of four years.
- B. A charter operator shall have a right to operate a charter school during its initial four year term unless the charter is revoked or surrendered.
- C. A charter operator's right to operate a charter school shall cease upon the expiration of the initial four year term, unless the charter operator is granted an extension to operate for a fifth year by a majority vote of the total membership of the East Baton Rouge Parish School Board.

Reference Note: Bulletin 126 – Chapter 11

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3992.
 HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1366 (July 2008), amended LR 38:3118 (December 2012).

Extension Review for Locally Authorized Charter Schools

- A. Each charter school shall be reviewed by its chartering authority after the completion of the third year of operation. If the charter school is achieving its stated goals and

objectives pursuant to its approved charter, then the chartering authority shall extend the duration of the charter for a maximum initial term of five years. If the charter school is not achieving its stated goals and objectives pursuant to its approved charter, then the chartering authority shall not extend the duration of the charter, and the charter shall expire at the end of the school's fourth year.

- B. Each locally authorized charter school's extension review shall be used to determine if the school will receive a one-year extension, as follows.
1. Each charter school shall be reviewed based on academic, financial, and organizational performance data collected by the district as provided for in the charter school local policy in order to provide relevant information to the school board in making an extension determination.
 2. For the extension process beyond July 1, 2019, in order to be eligible for extension:
 - a. earned a letter grade of "C" or higher based on performance data from the school's third year of operation; if the school has earned a "D", the school must have also earned a progress index equivalent to a letter grade of "B" or higher" based on performance data from the school's third year of operation
 - b. a school approved by the local school board to be evaluated using an alternate framework pursuant to local policy shall have met the standards for extension provided for in such board approved contract.
 3. The Superintendent shall recommend that the local school board extend the charter for any charter school meeting the extension eligibility criteria above, unless the charter school has significant, intentional, or repeated non-compliance with financial or organizational requirements outlined in the charter school local policy, in which case the state superintendent may recommend that the East Baton Rouge Parish School Board allow the charter to expire at the conclusion of the school's fourth year of operation.
 4. If a charter school has not earned a letter grade in its third year of operation, or if the charter school fails to meet any of the standards set forth in state or local policy, or if the charter school has one or more outstanding issues or deficiencies related to organizational or financial performance, the East Baton Rouge Parish School Board may, at the superintendent's recommendation, grant the school a one-year probationary extension that may include conditions or other required actions.

Reference Note: Bulletin 126 – Chapter 13

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1367 (July 2008), amended LR 37:2387 (August 2011), LR 38:751 (March 2012), repromulgated LR 38:1393 (June 2012), amended LR 38:3118 (December 2012), LR 39:1435 (June 2013), LR 39:3065 (November 2013), LR 40:1322 (July 2014), LR 41:1264 (July 2015), LR 43:2477 (December 2017), LR 44:237 (February 2018).

VIII. Charter School Renewals

Renewal of Charter

At the conclusion of a charter school's fifth year of operation and the expiration of its initial charter contract, a charter operator no longer has a continuing right to operate a charter school.

- A. No charter shall be renewed unless the charter can demonstrate, at a minimum, using standardized test scores, improvement in the academic performance of students over the term of the charter school's existence. For locally authorized charter schools, such improvement shall be evaluated by the East Baton Rouge Parish School Board using appropriate data and the standards for renewal provided for in this local charter school policy.
- B. A charter may be renewed for additional periods of not less than three nor more than 7 years after thorough review by the approving chartering authority of the charter school's operations and compliance with charter requirements.

Reference Note: Bulletin 126 – Chapter 15

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981 and R.S. 17:3992.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1367 (July 2008), amended LR 37:871 (March 2011), LR 37:2388 (August 2011), LR 38:751 (March 2012), repromulgated LR 38:1393 (June 2012), amended LR 38:3118 (December 2012), LR 44:237 (February 2018).

Local Process for Charter Renewal

- A. For each locally authorized charter school in the final year of operation under its current charter term, the superintendent shall make a recommendation to the local school board as to whether the charter should be renewed, and if so, the length of the proposed renewal term.
- B. A locally authorized charter school may be renewed at the discretion of the East Baton Rouge Parish School Board if all requirements set forth in law and policy for the renewal of a charter have been met.
- C. The process for renewing a school charter shall be based on a thorough review of the charter school's academic, financial, and organizational performance as provided for in the charter school local policy.
- D. The East Baton Rouge Parish School Board will rely on data from the state's assessment and accountability program as objective and verifiable measures of student achievement and school performance. Student performance is the primary indicator of school quality; therefore, the local school board will heavily factor each charter school's student performance data in all renewal decisions.

Reference Note: Bulletin 126 – Chapter 15

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981 and R.S. 17:3992.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1367 (July 2008), amended LR 37:871 (March 2011), LR 37:2388 (August 2011), LR 38:752 (March 2012), repromulgated LR 38:1394 (June 2012), LR

Eligibility for Renewal for Locally Authorized Charter Schools

- A. For initial renewals after July 1, 2019 and beyond renewal processes, a locally authorized charter school receiving a letter grade of “D*” or “F” in the most recent academic year will not be eligible for renewal, unless the charter school is a school approved by the school board to be evaluated using alternate renewal standards pursuant local policy and has met such alternate standards as defined in their board approved contract.

If a D letter grade is earned in the most recent year of the initial contract, the school shall earn a “*Meets Most Expectations*” rating and meet renewal criteria if it earns BOTH of the following: C letter grade for at least one of the years during the initial contract term, and A or B progress score received for the year the school earned the D letter grade. This applies to the initial term and first contract renewal. This shall not apply to renewal criteria for subsequent renewals.

- B. The superintendent may recommend a corrective action plan as a condition for renewal for any charter school that is eligible for renewal, but fails to fully meet any performance expectations of the charter school performance compact. The school board may make the execution of the renewal charter contract contingent upon the completion of all or some of the actions required by the corrective action plan. The board may also direct the district to include all or some of the actions required by the corrective action plan to be incorporated into the charter contract so that failure to complete corrective actions may serve as grounds for revocation.
- C. A recommendation for non-renewal may also include a recommendation that a new charter provider operate the school.

Reference Note: Bulletin 126 – Chapter 15

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3992.

HISTORICAL NOTE: HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:479 (March 2010), amended LR 37:871 (March 2011), LR 37:2388 (August 2011), LR 38:752 (March 2012), repromulgated LR 38:1394 (June 2012), amended LR 38:3119 (December 2012), LR 39:1436 (June 2013), LR 39:3066 (November 2013), LR 40:1323 (July 2014), LR 41:1264 (July 2015), amended LR 44:238 (February 2018).

Renewal Term of Length for Locally Authorized Charter Schools

- A. For each charter school meeting the eligibility criteria for renewal in local policy, the superintendent shall recommend that the school board renew of the charter for a specified number of years, unless the charter school has significant, intentional, or repeated non-compliance with financial or organizational requirements outlined in the charter school local policy, in which case the Superintendent may recommend that the school board allow the charter to expire at the conclusion of the school’s current charter term.
- B. For those charter schools the Superintendent recommends for renewal, the Superintendent shall recommend a renewal term length as follows:

1. the superintendent shall recommend a minimum renewal term length based on the charter school's current letter grade; and
 2. the superintendent may recommend a term of years longer than the minimum renewal term length through the optional addition of one or more years to the minimum renewal term length in recognition of the charter school's financial and organizational performance as provided for in the charter school performance compact over the term of the school's current charter.
- C. The Superintendent shall recommend renewal term lengths in accordance with the table below.

INITIAL RENEWALS (FIRST CONTRACT TERM)			
Current Letter Grade	Minimum Term Length	Potential Additional Years (Based on Organizational and Financial Performance Over Current Term – Criteria for Ratings Defined in Section VI of Local Policy)	
A	5 Years	Earns "Does Not Meet Expectations" in any year in any area	No additional years
		Earns "Meets All" and/or "Meets Most" Expectations all years in all areas	1 Year Maximum
		Earns "Meets All Expectations" all years in all areas	2 Years Maximum
B	4 Years	Earns "Does Not Meet Expectations" in any year in any area	No additional years
		Earns "Meets All" and/or "Meets Most" Expectations all years in all areas	1 Year Maximum
		Earns "Meets All Expectations" all years in all areas	2 Year Maximum
C	3 Years	No additional years	
D*, F or no letter grade	0 Years	Non-Renewal	

*If a D letter grade is earned in the most recent year of the initial contract, the school shall earn a “Meets Most Expectations” rating and meet renewal criteria if it earns BOTH of the following:

- C letter grade for at least one of the years during the initial contract term, AND
- A or B progress score received for the year the school earned the D letter grade

This applies to the initial term and first contract renewal. This shall not apply to renewal criteria for subsequent renewals.

SUBSEQUENT RENEWALS (ALL RENEWALS AFTER THE FIRST)			
Current Letter Grade	Minimum Term Length	Potential Additional Years (Based on Organizational and Financial Performance Over Current Term – Criteria for Ratings Defined in Section VI of Local Policy)	
A	5 Years	Earns “Does Not Meet Expectations” in any year in any area	No additional years
		Earns “Meets All” and/or “Meets Most” Expectations all years in all areas	1 Year Maximum
		Earns “Meets All Expectations” all years in all areas	2 Years Maximum
B	4 Years	Earns “Does Not Meet Expectations” in any year in any area	No additional years
		Earns “Meets All” and/or “Meets Most” Expectations all years in all areas	1 Year Maximum
		Earns “Meets All Expectations” all years in all areas	2 Year Maximum
C	3 Years	No additional years	
D, F or no letter grade	0 Years	Non-Renewal	

D. The opening and closing of schools, material changes to chartering contracts or new chartering contracts inclusive of renewals, non-renewals and extensions require such

items to be placed on the agenda of a public meeting of the local school board in accordance with other East Baton Rouge Parish School Board policies.

Reference Note: Bulletin 126 – Chapter 15

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3992.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:479 (March 2010), amended LR 37:871 (March 2011), LR 37:2388 (August 2011), LR 38:752 (March 2012), repromulgated LR 38:1394 (June 2012), amended LR 38:3119 (December 2012), LR 39:1436 (June 2013), LR 39:3066 (November 2013), LR 40:1323 (July 2014), LR 41:1264 (July 2015), LR 44:238 (February 2018).

IX. Charter School Closure

In the event that a locally authorized charter school closes permanently for any reason (including both relinquishment and revocation), the school shall adhere to the school closure policy as defined in Chapter 16 of Bulletin 126. The district shall name a transition team to implement services and supports for students and families as well as monitor and report closure information to the local school board in the event of a closure of a locally authorized charter school regardless of the reason for closure.

Reference Note: Bulletin 126 – Chapter 16

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:3067 (November 2013), amended LR 44: 239 (February 2018).

X. Revocation

Reasons for Revocation

As an authorizer, the East Baton Rouge Parish School Board may revoke a school's charter any time prior to the expiration of a charter operator's five-year term following initial approval or prior to the expiration of its subsequent renewal, if such is granted pursuant to local charter school policy and state policy, upon a determination that the charter school or its officers or employees did any of the following:

1. committed a material violation of any of the conditions, standards, or procedures provided for in the approved charter;
2. failed to meet or pursue within the agreed timelines any of the academic and other educational results specified in the approved charter;
3. failed to meet generally accepted accounting standards of fiscal management;
4. violated any provision of law or local and/or state policy applicable to a charter school, its officers, or employees.

A. The local school board may also revoke a school's charter if:

1. the health, safety, and welfare of students is threatened;
2. any other reasons for revocation listed as such in a charter school's charter contract.

Reference Note: Bulletin 126 – Chapter 17

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981 and R.S. 17:3992.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1368 (July 2008), amended LR 37:872 (March 2011), LR 38:3120 (December 2012)

Revocation Proceedings

A recommendation to revoke a charter shall be made to the local school board by the superintendent of education based on information provided by the superintendent and district staff, at least one public school board meeting prior to the school board meeting at which the recommendation may be considered, except as otherwise provided herein when the health, safety, and welfare of students is at issue.

1. Prior to the school board meeting at which the superintendent will make a recommendation that the school board commence a revocation proceeding, the district will inform the charter operator that it is requesting such and the reasons therefor and may meet with the charter operator, upon request, to discuss the revocation recommendation.
2. Following the superintendent's recommendation to revoke a charter, the local school board shall determine if it will commence a revocation proceeding. Revocation proceedings and hearings shall be conducted in accordance with the steps outlined in BESE Policy 126 Chapter 17.

Reference Note: Bulletin 126 – Chapter 17

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3981 and R.S. 17:3992.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 37:873 (March 2011), amended LR 37:2389 (August 2011).

XI. Voluntary Relinquishment of a Locally Authorized Charter

- A. If the operator or board of a locally authorized charter school determines that it can no longer operate the charter school, it shall relinquish the charter via written notification received by certified mail to the East Baton Rouge Parish School Board at least 90 days prior to the beginning of the next school year.
- B. Failure to relinquish a charter at least 90 days prior to the beginning of the next school year may result in the local school board declining to accept a charter application submitted by that operator to the local school board for up to five years. If at any time during this period, members of such charter operator's board form a majority of board membership for a different charter operator, the local school board may decline to accept a charter application submitted by such charter operator.

Reference Note: Bulletin 126 – Chapter 18

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3981 and R.S. 17:3992.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 37:873 (March 2011), amended LR 37:2389 (August 2011)



XII. Amendments to Locally Authorized Charters

Material Amendments

A material amendment to a charter contract or proposed charter prior to the execution of the charter contract is an amendment that makes substantive changes to a charter school's governance, operational, or academic structure. Material amendments include:

1. creation of or change in corporate partnership, assignment of charter contract, or addition of or changes in management organization;
 2. the addition of new grade levels;
 3. changes in student enrollment which result in enrollment in excess of 120 percent of the total number of students set forth in the school's charter, as applicable;
 4. changes in admission requirements other than the removal of one or more admission requirements, if applicable;
 5. changes in any option expressed in the charter contract exhibit with respect to collective bargaining;
 6. changes in LEA status
 7. changes in school location; and
 8. any changes to the charter contract not specifically identified as non-material amendments that the state superintendent determines to be material changes.
- A. A material amendment to a charter must be approved by an affirmative vote of at least a majority of the membership of the local school board.
- B. The charter operator shall submit a written request via certified mail for a material amendment to its charter in compliance with all timelines and pursuant to all guidance, forms, and/or applications developed and set forth by the district.
- C. The superintendent shall make recommendations to the school board on each material amendment request it receives from a charter operator that requires local school board approval.

Reference Note: Bulletin 126 – Chapter 19

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3992.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1369 (July 2008), amended LR 37:873 (March 2011), LR 37:2389 (August 2011), LR 38:752 (March 2012), repromulgated LR 38:1394 (June 2012), amended LR 38:3120 (December 2012), LR 39:3067 (November 2013), LR 40:1324 (July 2014), LR 43:635 (April 2017), LR 44:240 (February 2018).

Non-Material Amendments

- A. A non-material amendment to a charter is an amendment that makes non-substantive changes to a school's charter. Non-material amendments may include:

1. changes to the name, mailing address, telephone, and/or facsimile number of the charter school;
 2. the removal of one or more admission requirements;
 3. changes to the designated contact person for the charter operator or changes to the contact person located at the charter school site; and
 4. changes in any option expressed in the charter contract exhibits with respect to the Teachers' Retirement System of Louisiana.
- B. The charter operator shall provide the district with written notification of a non-material amendment to its charter within five days of board approval in compliance with all requirements set forth by the Department of Education. A non-material amendment will be effective following notification to the district.

Reference Note: Bulletin 126 – Chapter 19

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3992.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1370 (July 2008), amended LR 37:873 (March 2011), LR 39:3068 (November 2013), LR 40:1324 (July 2014), LR 44:240 (February 2018).

XIII. Charter School Governance

Board of Directors Composition

- A. The members of the board of directors shall receive no compensation other than reimbursement of actual expenses incurred while fulfilling duties as a member of such a board.
- B. A charter school shall be prohibited from employing, in any manner, any member of the governing or management board of such school.
- C. Not more than 20 percent of the members of any governing or management board of a charter school shall be members of the same immediate family. Members of the same immediate family shall include a board member and any other board members to whom he is related as defined in R.S. 42:1102(13) and any other board members to whom any of them are so related.
- D. Beginning October 1, 2018, the membership of the governing or management board of each charter school located in a parish with a population between 325,000 and 375,000 persons, based on the most recent federal decennial census, shall include at least one member who is a parent, legal guardian, or grandparent of a student enrolled in the charter school or an alumnus of the school, who may be appointed or elected.
- E. Beginning with the 2019-2020 school year, at least 60 percent of the governing or management board of each charter school, located in a parish with a population of between 325,000 and 375,000 persons census, shall be residents of the parish in which the charter school is located.
- F. Board of Director Composition for District Authorized Charter Schools

1. The board of directors of each charter operator shall consist of no fewer than seven members. Should a board have fewer than seven members due to the resignation or other loss of one or more board members, the board shall have 90 calendar days after such loss to appoint one or more replacements.
2. The board of directors of each charter operator should consist of members with a diverse set of professional skills and practical work experience in the areas of education, public/non-profit and/or for-profit administration or operations, community development, finance, and law.
3. The board of directors of each charter operator should be representative of the community in which the charter school is located and no fewer than 60 percent of its members shall reside in the community in which the charter school is located. Community, for the purposes of this paragraph, shall consist of the parish in which the school is located and immediate neighboring parishes and, any parish that is included in the charter school's attendance zone. No fewer than 60 percent of the members of the board of directors of any charter operator that operates multiple schools in different communities shall reside in the communities in which the charter schools are located, with equal representation from each community to the greatest extent possible.
4. The board of directors of each charter operator shall consist of no more than one person from the same immediate family, as defined by the Code of Governmental Ethics.

Reference Note: Bulletin 126 – Chapter 20

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1370 (July 2008), amended LR 37:873 (March 2011), LR 37:1377 (May 2011), LR 44:240 (February 2018), LR 44:2130 (December 2018).

Board Member Responsibilities

- A. The board of directors of each charter operator shall be responsible for implementing the public charter school program proposed in its charter application, complying with and carrying out the provisions of the charter school contract and complying with all applicable federal and state laws and policies governing the charter school.
- B. The board of directors of each charter operator shall operate in accordance with its duly adopted bylaws, which shall include a conflicts of interest policy that is consistent with applicable law including, but not limited to, the Louisiana Code of Governmental Ethics.
- C. The board of directors of each charter operator shall comply with all requirements set forth by the Louisiana Nonprofit Corporations Law and Louisiana Secretary of State and shall remain in good standing during the term of its charter.
- D. The board of directors of each charter operator shall comply with all laws applicable to public bodies including, but not limited to, the Louisiana Open Meetings Law, the Louisiana Public Records Law, and the Code of Governmental Ethics.

- E. The board of directors of each charter operator is responsible for the sound fiscal management of the charter school.
- F. The board of directors of each charter operator shall exercise final authority in matters affecting the charter school including, but not limited to, staffing, financial accountability, and curriculum.
- G. Each member of the governing authority or management board of a charter school shall annually file a financial statement in accordance with R.S. 42:1124.3

Reference Note: Bulletin 126 – Chapter 20

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 in LR 34:1370 (July 2008), amended LR 37:874 (March 2011).

Prohibitions

- A. No member of the local school board shall be a member of the board of directors of any locally authorized charter school.
- B. No member of any city, parish, or other local public school board shall be a member of the board of directors of any locally authorized charter school within the jurisdictional area of such city, parish, or other local public school board.
- C. No member of the board of directors of any locally authorized charter school shall be an elected official as defined by the Louisiana Code of Governmental Ethics. No individual formerly classified as an elected official may serve on the board of directors of any locally authorized charter school for a period of one year following his or her termination from elected service.
- D. The board of directors of each charter operator shall receive no compensation other than reimbursement of actual expenses incurred while fulfilling duties as a member of the board.
- E. The board of directors of each charter operator shall be prohibited from employing, in any manner, any of its members.
- F. A charter school shall not be supported by or affiliated with any religion or religious organization or institution; however, a charter school may receive from any such organization or institution support or student services including but not limited to mentoring, volunteering, fund-raising, or tutoring.
- G. A charter school shall not result from the conversion of any private school or any home study program, as defined in R.S. 17:236.
- H. A charter school shall not charge any student any tuition or an attendance fee of any kind.
- I. A charter school shall not discriminate among potential employees, or pupils in violation of any state or federal law. A charter school shall recruit, employ, and train teachers, administrators, and other employees without regard to race, color, religion, sex, or national origin. Race, color, religion, sex, and national origin shall not constitute bona fide occupational qualifications. Proficiency in a foreign language may constitute a bona fide occupational qualification for a teacher who spends more

than half of his daily instruction time providing instruction in or teaching in a foreign language.

J. A charter school shall not hire anyone:

1. as an administrator, teacher, substitute teacher, bus operator, substitute bus operator, janitor, or other school employee who might reasonably be expected to be placed in a position of supervisory or disciplinary authority over school children who has been convicted of or has pled nolo contendere to a crime listed in R.S. 15:587.1(C) unless approved in writing by a district judge of the parish and the district attorney. This statement of approval shall be kept on file at all times by the school and shall be produced upon request to any law enforcement officer;
2. as an administrator, teacher, or substitute teacher if any of the following apply to anyone who has been:
 - a. convicted or has pled nolo contendere to any other felony offense even if adjudication was withheld or a pardon or expungement was granted;
 - b. found to have submitted fraudulent documentation to the board or department as part of an application for a Louisiana teaching certificate or other teaching authorization; or
 - c. found to have facilitated cheating on any state assessment as determined by the board.

Notifications

The governing board of district authorized charter schools shall provide public notice of meeting dates, agendas and board meeting minutes in the official journal of the East Baton Rouge Parish School Board. Board meeting dates and agendas shall be posted in advance of the scheduled meeting in accordance with all requirements of Louisiana public open meetings law. Board meeting minutes shall be posted within 30 days of a board meeting. Each board member's name and contact information shall also be posted to the school's website. All postings should be in a visible, easy to find location on the school's website.

Reference Note: Bulletin 126 – Chapter 20

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:3981, and 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1371 (July 2008), amended LR 37:874 (March 2011), LR 44:241 (February 2018), LR 44:2134 (December 2018).

XIV. Charter School Recruitment and Enrollment

Student Eligibility

A type 1 charter school must limit enrollment to those students physically living within the geographical boundaries of the East Baton Rouge Parish School System. Students

meeting residency requirements established in each locally authorized school's charter contract are eligible to attend a district authorized charter school.

1. All locally authorized charter schools shall collect and verify documents substantiating the residency of each student prior to submitting residency information to statewide student information system. Proof of residency and acceptable enrollment documentation for locally authorized charter schools shall be the same as policy requirements for all other district schools.
2. The name of the parent or legal custodians must appear on each document and the addresses must match on all documents. The residency information must be updated annually prior to the start of school for the student to be enrolled in that school year.
3. Nothing in this policy shall prohibit the admission or readmission to school of a student who meets the definition of homeless under the federal McKinney-Vento Act (42 U.S.C. 11431 et seq.).

Reference Note: Bulletin 126 – Chapter 27

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3973, R.S. 17:3981, R.S. 17:10.5, R.S. 17:10.7, and R.S. 17:1990.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1373 (July 2008), amended LR 37:875 (March 2011), LR 37:2390 (August 2011), LR 38:752 (March 2012), repromulgated LR 38:1394 (June 2012), amended LR 42:1018 (July 2016), LR 43:309 (February 2017), LR 44:242 (February 2018).

Enrollment Capacity

- A. A charter school shall not enroll more than 120 percent of the total number of students that it is authorized to enroll pursuant to its approved charter contract unless approved to do so pursuant to §1902 of this bulletin.
- B. In determining the enrollment permitted in each school year, a charter school shall determine the enrollment authorized in its approved charter with respect to the individual school year. Charter schools are not authorized to a cumulative 20 percent increase in each year of its approved charter.

Reference Note: Bulletin 126 – Chapter 27

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3995.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1374 (July 2008), amended LR 43:310 (February 2017), LR 44:242 (February 2018).

Admission Requirements

Admission requirements imposed by a school must be set forth in the charter school's approved charter contract and shall be specific and shall include a system for admission decisions which precludes exclusion of pupils based on race, religion, gender, ethnicity, national origin, intelligence level as ascertained by an intelligence quotient examination, or identification as a child with an exceptionality as defined in R.S. 17:1942(B). Such admission requirements may include, however, specific requirements related to a school's mission such as auditions for schools with a performing arts mission or proficiency in a foreign language for schools with a language immersion mission. No charter school beginning operation on or after July 1, 2012 may incorporate the achievement of a certain academic record as part of its admission requirements.

Application Period

- A. Prior to each school year, a charter school shall establish a designated student application period.
- B. A student application period shall not be less than one month nor more than three months.
- C. An application shall be considered timely if it is submitted during the charter school's designated application period. By October 1 of each year, each locally authorized charter school shall communicate in writing to the Superintendent or his designee the timelines, calendar, policy and related procedures and guidelines for each school's application process.

Reference Note: Bulletin 126 – Chapter 27

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1374 (July 2008), amended LR 38:752 (March 2012), repromulgated LR 38:1394 (June 2012), amended LR 43:310 (February 2017).

Enrollment of Students, Lottery and Waitlist in Locally Authorized Charter Schools

- A. Each student submitting a timely application and meeting all residency requirements and admission requirements, as applicable, shall be considered eligible to enroll in a charter school.
- B. A charter school shall enroll all eligible students unless the total number of eligible applicants exceeds the capacity of a program, class, grade level, or school.
- C. A charter school shall admit no student during the school's designated application period, but shall wait until the period has ended.
- D. At the conclusion of a charter school's designated application period, it shall determine if fewer eligible applicants have applied than the maximum number of students that the school can admit.
 - 1. If fewer eligible applicants have applied than the maximum number of students that the school can admit to a program, a grade level, or the school, all eligible students shall be admitted.
 - 2. If the total number of eligible students exceed the capacity of a program, a grade level, or the school, applicants shall be admitted based on an admissions lottery from among the total number of eligible applicants. A charter school shall use a lottery for the selection of students in order to reach its maximum capacity and to determine the order in which students will be placed on a waitlist.
- E. Following the admission of applicants after a determination that the number of applicants did not exceed the capacity of a program, a class, or the school, the charter school may continue to accept applications and admit eligible students in the order in which applications are received until maximum capacity is reached.

- F. A charter school lottery and continued admission of applicants, following a determination that a lottery is not required at the conclusion of the student application period, shall be performed in such a fashion that assures compliance with student population requirements detailed in the local charter policy. Nothing herein shall preclude the implementation of a weighted lottery to ensure such student population requirements are met.
- G. All locally authorized charter schools shall maintain a waitlist of applicants not admitted to the charter school as a result of capacity being reached in a program, a grade, or the school.
 - 1. Applicants shall be placed on the waitlist in the order in which they were selected in the charter school's lottery or in the order in which they applied if the application was submitted following the school's application period.
 - 2. If an opening occurs at a charter school, selection from the waitlist shall begin with the first applicant on the waitlist.
- H. A charter school shall maintain its waitlist throughout each school year. Any student admitted to the school must be an applicant on the waitlist, if a waitlist exists for the respective program, grade or school.
- I. The charter school shall repeat the student admission process described in this Section each year.
- J. Within 30 days of the close of the application period, each school shall submit in writing to the Superintendent or his designee a data summary from the application process noting the number of applications received by grade, the number of students admitted by grade, the number of students on a waitlist by grade, and lottery results by grade as well as a written copy of any school policy, procedure or guidelines that govern the application, lottery and waitlist process. For cases of multiple or rolling application periods, the school shall submit a quarterly report.

Reference Note: Bulletin 126 – Chapter 27

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1374 (July 2008), amended LR 38:753 (March 2012), repromulgated LR 38:1395 (June 2012), amended LR 38:3120 (December 2012), LR 39:1021 (April 2013), LR 39:1437 (June 2013), LR 39:3252 (December 2013), LR 41:1265 (July 2015), LR 43:310 (February 2017), LR 43:2478 (December 2017), LR 44:243 (February 2018).

Required Student Enrollment Percentages

Charter schools shall maintain required student enrollment percentages as provided in board approved contracts and local policy, based on the demographic information collected in the October 1 pupil membership.

Except as otherwise provided by charter law, each locally authorized charter school shall maintain the following student enrollment percentages:

- 1. the charter school percentage of economically disadvantaged students shall be greater than or equal to 85 percent of the percentage of economically



disadvantaged students from the local public school districts from which the charter school enrolls; and

2. the charter school percentage of students with exceptionalities shall be greater than or equal to 85 percent of the percentage of students with exceptionalities from the local public school districts from which the charter school enrolls.
- A. For the purpose this section, the district shall use data published by the Louisiana Department of Education for the purposes of determining the percentages of economically disadvantaged students and students with exceptionalities from local public school districts as follows. The terms economically disadvantaged and students with exceptionalities shall be utilized as applied, defined and calculated by the Louisiana Department of Education.

Locally authorized charter schools shall be accountable for meeting the required student enrollment percentages in this section in accordance with state law. Percentages and a school's status on meeting the required percentages shall be published in the district's annual charter report and each individual school's annual evaluation report. The district shall by take the following actions for each charter school that fails to meet required enrollment percentages:

1. conducting an inquiry to determine all actions taken by the charter school to attempt to meet the requirements and the reasons for such failure; and
2. providing a written notice to the charter school that provides a process or actions to address the deficiencies and adequately meet the needs of students which may include notices of concern and/or breach.

Reference Note: Bulletin 126 – Chapter 27

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10) R.S. 17:3973, R.S. 17:3981, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1375 (July 2008), amended LR 37:875 (March 2011), LR 40:1325 (July 2014), LR 42:550 (April 2016), LR 43:310 (February 2017), LR 43:2478 (December 2017).

XV. Transportation

- A. District authorized charter schools are not required to provide transportation.
- B. Regardless if transportation services are being offered, beginning in the 2020-2021 school year, charter operators shall submit school transportation plans to the district charter office on or before July 1 of each year to ensure compliance with applicable laws and policies. The district charter office shall set forth the components and process for transportation plan submission.
- C. Charter operators may negotiate with the East Baton Rouge Parish School Board for use of vehicles and the operation and maintenance thereof, for pupil transportation.

Reference Note: Bulletin 126 – Chapter 28

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:158, R.S. 17:3981, 17:3991 (D) and 17:3996(B)(37). HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:1266 (July 2015), amended LR 42:551 (April 2016), LR 43:2479 (December 2017), LR 44:244 (February 2018).

XVI. Corporal Punishment

All district authorized charter schools shall follow district policy and state law as it relates to corporal punishment.

XVII. Parent Volunteers

A locally authorized charter school shall not require, nor condition the enrollment, continued enrollment, or receipt of grades on the commitment of the student's parents to provide any number of volunteer hours or on otherwise donating volunteer hours to the charter school. Any request for parents to commit to volunteer hours shall be accompanied by a statement that such hours are voluntary and not required.

Reference Note: Bulletin 126 – Chapter 28

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 in LR 44:244 (February 2018).

XVIII. Notification Requirements for Charter Schools

Required Notifications for Locally Authorized Charter Schools

The charter operator shall notify the district in a timely manner of any conditions that may cause it to vary from the terms of its charter, state law, BESE policy, and/or local policy.

- A. The charter operator shall notify the district via email to the Superintendent or designee of any circumstance requiring the change in school calendar and/or closure of the charter school including, but not limited to:
1. a natural disaster, such as a hurricane, tornado, storm, flood or other weather related event;
 2. other extraordinary emergency; or
 3. destruction of or damage to the school facility.
- B. The charter operator shall notify in writing via certified mail to the district of the arrest of any members of the charter school's board of directors, employees, contractors, subcontractors, or any person directly or indirectly employed by the charter operator for a crime listed in R.S. 15:587.1(C) or any crime related to the misappropriation of funds or theft.

- C. The charter operator shall notify the district of a default on any obligation, which shall include debts for which payments are past due by 60 days or more.
- D. The charter operator shall notify the district of any change in its standing with the office of the Louisiana Secretary of State.
- E. The charter operator shall notify the district no later than the end of the calendar month if its enrollment decreases by 10 percent or more compared to the most recent pupil count submitted to the district and/ or the Department of Education.
- F. If the charter operator has contracted with a management organization and such contract is terminated or not renewed, it shall provide written notification to the district within two business days stating the reasons for the termination of the relationship. Failure of the board to notify the district about loss of the management organization within five business days may result in the East Baton Rouge Parish School Board rendering the charter operator or a majority of its board members ineligible to operate a charter school for up to five years.
- G. The charter operator shall notify the district in writing via certified mail should the charter operator's chief executive officer or president of the charter school's governing board change. The charter operator shall notify the district in writing via certified mail should the school's principal change. Such electronic notification shall be made within two business days of the official board action taken on this matter with a certified letter to follow within ten days.

Reference Note: Bulletin 126 – Chapter 31

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 in LR 34:1377 (July 2008), amended LR 37:876 (March 2011), LR 39:3068 (November 2013), LR 44:245 (February 2018).

XIX. Complaint Procedures

Complaint Procedures

- A. Each charter operator shall maintain a complaint procedure through which parents, guardians, or other individuals or groups can appeal to the nonprofit corporation board of directors to address any issues or problems such individuals seek redress to.
- B. Charter operator complaint procedures should, at a minimum, address any forms that must be completed by a complainant, the progression of a complaint, and the timeframes for consideration and action.
- C. The district may investigate a parent, guardian or community complaint it receives about a charter school authorized by the local school board, and the charter operator shall provide information requested by the district to aid in such investigation.
- D. The charter school's complaint policy must be included in each school's handbook and/ or policy manual distributed annually to parents. The complaint policy must also

be included in postings to the school's website in a manner easily accessible to parents and community.

Reference Note: Bulletin 126 – Chapter 33

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 in LR 34:1377 (July 2008), amended LR 44:245 (February 2018).

XX. Corporate Partnerships

Corporate Partnerships and Enrollment

- A. Notwithstanding geographic or other requirements for enrollment contained in this bulletin, a charter agreement may provide, initially or by amendment, for the enrollment of and an enrollment preference for dependent children of permanent employees of a corporate partner.
- B. Up to 50 percent of the school's maximum enrollment may be reserved for the enrollment of such children.
- C. The charter agreement shall specify both the school's maximum enrollment and the maximum proportion set aside for implementation of this enrollment preference.
- D. An enrollment preference established as part of the corporate partnership defined in local charter policy and/ or charter school contract shall not be implemented in a way that displaces children enrolled at the school at the time the charter agreement or amendment providing for the preference is authorized.
- E. Enrollment at the school shall otherwise be as provided by this section except that the requirement of R.S. 17:3991(B)(1)(a)(i) shall apply to and be based upon only students who are not dependent children of permanent employees of a corporate partner.
- F. By October 1 of each academic year, the charter school shall report in writing to the superintendent or designee the number of students enrolled under corporate partnership. Application, enrollment, lottery and waiting list reports required in other sections of local policy should be inclusive of data regarding corporate partnership students.
- G. Any change in corporate sponsorship or addition of corporate sponsorship shall be considered a material amendment to the contract and shall require board approval by majority vote. The school must notify the school board of any changes in the nature of the corporate partnership agreement within two business days.

Reference Note: Bulletin 126 – Chapter 39

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:753 (March 2012), repromulgated LR 38:1395 (June 2012).

Corporate Partner Representation on Charter Boards

- A. A charter agreement may provide, initially or by amendment, for a corporate partner to have representation on its governing or management board; however, such representation may not constitute a majority of the board. Such membership is subject to all other provisions of law except any contrary provision in local policy for district authorized charter schools.

Reference Note: Bulletin 126 – Chapter 39

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:753 (March 2012), repromulgated LR 38:1395 (June 2012).

XXI. Charter School Autonomy

Applicability of State and Local Rules and Regulations

- A. Notwithstanding any state law, rule, or regulation to the contrary and except as may be otherwise specifically provided for in an approved charter, a charter school established and operated in accordance with the provisions of local and state policy and its approved charter and the school's officers and employees shall be exempt from all rules and regulations of the East Baton Rouge Parish School Board that are applicable to public schools and to public school officers and employees except for the following rules and regulations otherwise applicable to public schools regarding:
1. building maintenance;
 2. facility accessibility;
 3. asbestos detection and abatement;
 4. the sanitary code;
 5. pesticide use and safety;
 6. fire safety;
 7. safe work environments;
 8. the possession and safe use of weapons and hazardous materials;
 9. adolescent health initiatives and school health centers;
 10. hearing and vision screenings;
 11. immunizations and health records;
 12. communicable disease prevention;
 13. drug use prevention;
 14. eye safety and the use of protective goggles;
 15. missing children identification procedures;

16. school and district accountability system.

Student Fees

All locally authorized charter schools shall follow district policies regarding the collection of student fees, economic hardship waivers, damages to textbooks and related matters concerning the collection of student fees. District policy may be found in the online policy manual on the district's website and should be referenced in the charter school's handbook, website and other appropriate communications sent to parents.

Reference Note: Bulletin 126 – Chapter 40

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10) and R.S. 17:3996.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 44:246 (February 2018).

Applicability of State Laws

A. Notwithstanding any state law, rule, or regulation to the contrary and except as may be otherwise specifically provided for in an approved charter, a charter school established and operated in accordance with the provisions of this Chapter and its approved charter and the school's officers and employees shall be exempt from all statutory mandates or other statutory requirements that are applicable to public schools and to public school officers and employees except for the following laws otherwise applicable to public schools with the same grades:

1. school entrance age, R.S. 17:222;
2. corporal punishment, R.S. 17:416.1(B), and suspension of students, R.S. 17:223;
3. expulsion of students, R.S. 17:224;
4. attendance reporting, R.S. 17:232;
5. admission of home study students, R.S. 17:236.2;
6. unauthorized use of electronic communication devices, R.S. 17:239;
7. smoking, R.S. 17:240;
8. open meetings, R.S. 42:11 et seq.;
9. public records, R.S. 44:1 et seq.;
10. teaching regarding the United States Constitution, R.S. 17:261;
11. teaching regarding the Federalist Papers and the Declaration of Independence, R.S. 17:268;
12. in-service training regarding suicide prevention, R.S. 17:437.1;
13. teaching regarding civics and free enterprise, R.S. 17:274.1;
14. teaching regarding sex, R.S. 17:281;
15. religious liberty of students, R.S. 17:2115 et seq.;

16. pupil assessment, R.S. 17:24.4;
17. any school and district accountability system required by law of a public school of similar grade or type;
18. public bids for the erection, construction, alteration, improvement, or repair of a public facility or immovable property, Part II of Chapter 10 of Title 38 of the *Louisiana Revised Statutes* of 1950;
19. *Code of Governmental Ethics*, R.S. 42:1101 et seq., with the exception of R.S. 42:1119 as it applies to any person employed by a charter school prior to August 15, 2003;
20. electronic communication by an employee at a school to a student enrolled at that school, R.S. 17:81(Q);
21. teaching regarding the state's Safe Haven Law, R.S. 17:81(R);
22. inspection and operation of fire safety and prevention equipment, R.S. 17:81(S);
23. teaching regarding dating violence, R.S. 17:81(T);
24. reporting by a school bus operator employed by the governing authority of a public elementary or secondary school of his arrest for one or more of the specified offenses relative to operating a vehicle, R.S. 17:491.3;
25. school master plans for supporting student behavior and discipline, R.S. 17:252;
26. data collection system, R.S. 17:3911;
27. reporting by a school employee employed by the governing authority of a public elementary or secondary school of his arrest for one or more of the specified offenses relative to sexual morality affecting minors, R.S. 17:16, any of the crimes provided in R.S. 15:587.1, or any justified complaint of child abuse or neglect on file in the central registry pursuant to Article 615 of the Children's Code;
28. seclusion and physical restraint of students with exceptionalities, R.S. 17:416.21;
29. teaching regarding Internet and cell phone safety, R.S. 17:280;
30. instruction on the founding principles of the United States of America in American history and civics courses, R.S. 17:265;
31. procedures on bullying pursuant to R.S. 17:416.13;
32. school crisis management and response plans, R.S. 17:416.16;
33. instruction relative to cardiopulmonary resuscitation and the use of automatic external defibrillators, R.S. 17:81(X);
34. instruction and hotline number posting requirements relative to child assault awareness and prevention, R.S. 17:81(Y);
35. deferred compensation plans, R.S. 17:81(Z);
36. school bus loading and unloading provisions, R.S. 17:158(J);
37. student information, R.S. 17:3913 and 3914;

38. notification of homework assistance services, R.S. 17:182.1;
39. prohibits suspension or expulsion of students in grades prekindergarten through five, R.S. 17:416(J);
40. deaf child's bill of rights, R.S. 17:1960;
41. instruction in cursive writing, R.S. 17:266;
42. Louisiana Expectant and Parenting Students Act, R.S. 17:221.7;
43. instruction in litter prevention and awareness, R.S. 17:267;
44. administration of medication and exceptions thereto, R.S. 17:436.1.

Reference Note: Bulletin 126 – Chapter 40

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10) and R.S. 17:3996.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 44:246 (February 2018).

Other Statutory Requirements

A charter school shall comply with state and federal laws and regulations otherwise applicable to public schools with respect to civil rights and individuals with disabilities.

Reference Note: Bulletin 126 – Chapter 40

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10) and R.S. 17:3996.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 44:247 (February 2018).