

LOCAL EDUCATION AGENCY STATUS

Pursuant to La. Rev. Stat. Ann. § 17:10.7.1(G)(2), any type of charter school under the jurisdiction of the Orleans Parish School Board, with the approval of the School Board, may act as its own local educational agency (LEA) for funding purposes or statutory definitions, in accordance with La. R.S. § 17:3995 and rules adopted by the Louisiana State Board of Elementary and Secondary Education.

Each charter school authorized by the School Board shall be responsible for ensuring the operation of the school in accordance with all applicable federal, state, and local laws and regulations, including ensuring the adequate provision of all required services for students, without regard to LEA status.

A. Initial Authorization of New Charter Schools

Each application to operate a charter school under the jurisdiction of the School Board shall include an initial declaration of intent to either join the School Board's LEA or be considered their own LEA. An applicant approved to open a charter school as its own LEA must submit a written certification by the president or chairman of the board of the charter school that at all times the charter school is considered its own LEA it shall comply with the requirements of BESE Bulletin 126 § 2303.

B. Charter Schools in the School Board's LEA

Beginning with the 2017-18 school year, and annually thereafter, each charter school operating as part of the School Board's LEA shall enter into an LEA Agreement with the School Board that defines the responsibilities of each party. The LEA Agreement shall be renewed and revised as appropriate, according to the terms of the Agreement. A charter school's failure to maintain a valid LEA Agreement shall be grounds for revocation of the school's operating agreement in accordance with OPSB Policy HC, *Charter School Monitoring, Intervention, and Closure*.

1. Request for Independent LEA Status

Each year, each Type 1, 3 or 3B charter school that is part of the School Board's LEA may request to be considered its own LEA for the subsequent school year by requesting a material amendment to its Operating Agreement in accordance with Policy HAA, no later than the deadline for such requests established annually by the School Board.

Upon timely receipt of such request, the Superintendent shall present a recommendation to the School Board for consideration by not later than the March meeting of the School Board. If approved, the Superintendent shall act in accordance with the procedural requirements of BESE Bulletin 126 § 2303 to finalize the charter school's LEA status to commence on July 1st of the subsequent school year.

C. Operating as an Independent LEA

Each charter school operating as its own LEA shall be held solely responsible for all LEA obligations under applicable federal, state, or local laws or regulations. At all times that a charter school is operating as its own LEA it shall comply with any and all requirements of BESE Bulletin 126 § 2303 and OPSB Policy related to LEA status, including, but not limited to, requirements regarding common enrollment and expulsion, special education and ELL services, transportation, and the School Board's monitoring and oversight authority.

1. Voluntary Relinquishment of LEA Status

Each Type 1, 3, 3B charter school considered its own LEA may request to voluntarily relinquish its LEA status while seeking renewal of its operating agreement. Requests shall be made by submitting written notification to the Superintendent in accordance with the procedures and deadlines established annually by the School Board.

Upon timely receipt of such request, the Superintendent shall present a recommendation to the School Board for consideration of the request by not later than the March meeting cycle. If approved, the Superintendent shall act in accordance with the procedural requirements of BESE Bulletin 126 § 2303 to finalize the charter school's relinquishment of LEA status. The School Board shall begin to serve as the charter school's LEA on July 1st of the subsequent school year.

Should a charter school's request for voluntary relinquishment be denied by the School Board, the school shall continue to operate as its own LEA.

2. State Rescission of LEA Status

In the event that the State Superintendent of Education rescinds a charter school's LEA status pursuant to BESE Bulletin 126 § 2303, the School Board may immediately take any of the following action(s), upon the recommendation of the local Superintendent:

- a. Require the execution of necessary operating agreement amendments and other associated agreements necessary to effectuate the charter school's entry into the School Board's LEA; or
- b. Revoke the charter schools operating agreement and commence school closure procedures, in accordance with the revocation procedures of School Board Policy HC, *Charter School Monitoring, Intervention, and Closure*.

Ref: La. Rev. Stat. Ann. §§ 17:10.7.1, 17:3996; Bulletin 126, *Charter Schools*.

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