

SCHOOL BOARD CHARTERING AUTHORITY

The Orleans Parish School Board is an authorized chartering authority as provided for in La. Rev. Stat. Ann. §17:3982. The School Board has been granted authority to approve or deny charter school proposals for Type 1, 3, and 3B charters. The School Board is committed to ensuring academic excellence, fiscal responsibility, and operational accountability among its authorized charter schools, while honoring and respecting the autonomy of such schools consistent with the purposes established in Louisiana Charter School law, La. Rev. Stat. Ann. §17:3971 et seq.

The Orleans Parish Board School (OPSB) has adopted the following criteria as mandatory elements of all charter operating agreements executed by the School Board. Should the provisions of this policy contradict or conflict with language in any other School Board policy, the requirements of this policy shall prevail.

1. Academic Excellence - All charter schools shall maintain academic excellence. Should any charter school be designated *Academically Unacceptable* (assigned a letter grade of F) under the standards established in the state accountability system, the School Board shall immediately convene to reconsider the charter, following the procedures outlined in policy *HC, Charter School Monitoring, Intervention, and Closure*.
 - A. This provision shall be applied to charter schools designated as alternative education schools by the State Board of Elementary and Secondary Education, pursuant to La. Rev. Stat. Ann. §17:100.5, only in accordance with the terms of the charter school's operating agreement.
2. Autonomy - Each charter school shall have complete autonomy over the following areas of school operation, as long as such operations are in compliance with all applicable federal, state, and municipal laws and regulations:
 - A. School programming, instruction, curriculum, materials and texts
 - B. Yearly school calendars and daily schedules
 - C. Hiring, firing, performance management and evaluation, employment terms and conditions, teacher/administrator certification, salaries and benefits, and optional participation in Teachers Retirement System of Louisiana (TSRL) and collective bargaining
 - D. Budgeting, purchasing, procurement, and contracts
 - E. Managing transportation at the school site or charter school network level

3. Governing Boards - The governing board of each OPSB-authorized charter school shall comply with the following:
- A. All requirements set forth by the Louisiana Nonprofit Corporations Law and the Louisiana Secretary of State, including the provision that the nonprofit shall remain in good standing at all times during the term of its charter.
 - B. All laws and requirements applicable to public bodies, including but not limited to Louisiana Open Meetings Law, Louisiana Public Records Law, Louisiana Budget Act, and the Louisiana Code of Governmental Ethics.
 - C. Each governing board shall operate in accordance with its duly-adopted bylaws, which shall include a conflict of interest policy that is consistent with applicable law including, but not limited to, the Louisiana Code of Governmental Ethics.
 - D. Each governing board shall consist of at least seven members at all times. Governing board members shall represent 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.
 - E. At least seventy-five percent (75%) of the members of each governing board shall reside (legal domicile) in Orleans Parish. Each charter school shall be required to fully comply with the requirement of this subparagraph upon the next renewal of the school's charter contract, and prior to that time shall fill board member vacancies and make new board member appointments with Orleans Parish residents if the board's membership is comprised of less than seventy-five percent (75%) of Orleans Parish residents.
 - F. Each governing board shall be required to complete and submit a criminal background check for each board member to OPSB within ninety (90) days of the member's appointment.
 - G. Each governing board member shall annually file a financial statement, in accordance with La. Rev. Stat. Ann. §42:1124.3.
 - H. No more than one member of the same immediate family, as defined in the Louisiana Code of Governmental Ethics, La. Rev. Stat. Ann. §42:1102(13), may serve on a governing board in accordance with La. Rev. Stat. Ann. §42:2.2.
 - I. No elected official, as defined by the Louisiana Code of Governmental Ethics, and no individual formerly classified as an elected official for a period

of one year following the termination of his or her service, may serve on a governing board.

- J. No governing board member may be employed by the school, in any manner, in accordance with La. Rev. Stat. Ann. §17:3991. No governing board member may be employed by the Orleans Parish School Board, in any manner.
 - K. No governing board member shall receive any compensation, other than optional reimbursement of actual expenses incurred while fulfilling duties as a member of the board, in accordance with La. Rev. Stat. Ann. §17:3991.
4. Non-Profit Governing Board Finances - Each governing board of one or more OPSB-authorized charter schools shall be required to:
- A. Hire or procure the services of one or more qualified and competent business professionals to produce all financial and accounting information required by its operating agreement, School Board policy, state law or regulations. Such individual shall be required to meet one of the qualifications set forth in Chapter 13 of Louisiana Board of Elementary and Secondary Education (BESE) Bulletin 1929, *Louisiana Accounting and Uniform Governmental Handbook* (LAUGH).
 - B. Submit to the Orleans Parish School Board an annual financial audit, in accordance with the provisions of La. Rev. Stat. Ann. §24:513 et seq., and according to the timelines established by district administration.
 - C. Should gross mismanagement of public funds or financial malfeasance on the part of the School or its governing board be documented in the annual audit, the School Board may immediately convene to reconsider the charter, following the procedures established in School Board policy *HC, Charter School Monitoring, Intervention, and Closure*.
5. Admissions and Student Population - As stated in La. Rev. Stat. Ann. §17:3972, it is the intention of the Louisiana Legislature that the best interests of at-risk pupils be the overriding consideration in implementing state charter school law. Although Type 1, 3 and 3B charter schools are subject to different laws and state regulations, the Orleans Parish School Board desires to create and implement policy that is consistent across charter types in order to serve the needs of Orleans Parish's at-risk student population, while encouraging differentiation in school programming and respecting the different history, law and policy that created each charter school.

A. At-Risk Students

- 1) Any Type 3 charter school whose initial operating agreement was executed by the School Board prior to January 1, 2011 shall comply with the provisions of La. Rev. Stat. Ann. §17:3991(B)(1)(b)(i), which requires that the percentage of at-risk pupils in the charter school shall be equal to not less than the percentage of at-risk pupils enrolled in the school in the year prior to the school's conversion. Such efforts shall be consistent with the school's mission and the terms of its operating agreement. Schools shall maintain compliance with federal and state law and regulations, and the provisions of the school's operating agreement pursuant to services for such students.

Compliance with this provision shall be measured as a component of each school's annual evaluation, and documentation of efforts shall be provided to the School Board upon request, per the terms of the charter school's operating agreement. If upon charter renewal, a charter school with an operating agreement executed by the School Board prior to January 1, 2011 has an at-risk population that is less than the applicable statutory standard, then such school may be placed in Intervention and required to submit a corrective action plan addressing the deficiency, as set forth in the school's operating agreement and in accordance with the provisions of policy HC, *Charter School Monitoring, Intervention, and Closure*.

- 2) All other charter schools, including all Type 1, Type 3B, and any Type 3 charter school whose initial operating agreements was executed by the School Board after January 1, 2011, shall comply with the minimum at-risk student population percentages provided for in La. Rev. Stat. Ann. §17: 3991(B)(1)(a)(i).

Compliance with this provision shall be measured as a component of the charter school's annual evaluation, and documentation of efforts shall be provided to the School Board upon request, per the terms of the charter school's operating agreement. Any school not meeting the minimum requirement for two consecutive years shall be placed in Intervention, as set forth in the school's operating agreement and in accordance with the provisions of policy HC, *Charter School Monitoring, Intervention, and Closure*.

- B. Type 3B charter schools shall be fully open enrollment and shall be prohibited from establishing admissions requirements, as required by BESE Bulletin 129, *The Recovery School District*, §505.

6. Enrollment

- A. Each new, extended, or renewed charter school operating agreement executed on or after January 1, 2012 shall include provisions requiring participation in the common enrollment system adopted by the School Board. Compliance with this provision shall be measured as a component of each school's annual evaluation.
- B. Each new, extended, or renewed charter school operating agreement executed on or after June 1, 2015 shall include provisions requiring that the enrollment provisions of district policy shall supersede any conflicting provisions of the charter school's operating agreement.
- C. No charter school approved on or after June 1, 2015 may be granted a new neighborhood, zip code, or geographic zone enrollment preference or priority that does not conform to the standard preferences utilized by the common enrollment system adopted by the School Board.

7. Early Childhood

- A. Each charter school that operates an early childhood program, either directly or via partnership, that accepts public funds for serving students prior to entering kindergarten shall participate fully in all requirements of the "Louisiana Early Childhood Education Act," (La. Rev. Stat. Ann. §17:407.21 et seq.), including full participation in the Community Network's Coordinated Enrollment Process for Orleans Parish, beginning with the process to enroll students for the 2016-17 school year.
- B. Each charter school that is participating in the common enrollment process adopted by the School Board that does not receive public funds for serving students prior to entering kindergarten, but serves these children through unfunded or tuition-based programs, shall also fully participate in the Community Network's Coordinated Enrollment Process for Orleans Parish, beginning with the process to enroll students for the 2016-17 school year.
- C. Each charter school authorized by the School Board to serve Pre-Kindergarten students shall be required to adhere to the following policies:
 - 1) All publicly-funded Pre-Kindergarten students at the school shall be permitted to enroll in Kindergarten at the school as continuing students.
 - 2) For schools offering a tuition-based Pre-Kindergarten program option, at least fifty percent (50%) of the school's total Kindergarten enrollment shall be reserved for continuing publicly funded students,

students admitted who are economically disadvantaged, or are enrolled by lottery, or a combination of both.

8. Discipline - Each charter school shall adopt and implement explicit discipline policies consistent with applicable state statutes and the school's operating agreement. Each charter school authorized by the School Board shall be required to participate in any common expulsion process adopted by the School Board as a condition of the school's charter agreement. Compliance with this provision shall be measured as a component of each school's annual evaluation.
9. Transportation - Each new, extended, or renewed charter school operating agreement executed on or after June 1, 2015 shall include provisions requiring each charter operator to provide free transportation services for all students who reside within Orleans Parish, which shall include, at a minimum:
 - A. whatever transportation is necessary to implement any Individualized Education Plan (IEP) for a child with an identified exceptionality, without regard to how far the child resides from the school,
 - B. free transportation by school bus or other vehicle approved for student transportation in accordance with BESE Bulletin 119, *Louisiana School Transportation Specifications and Procedures*, Chapter 19, for students enrolled in grade 6 or below who reside more than one mile from the school, and
 - C. free transportation and/or free public transportation reimbursements for all other students who reside more than one mile from the school.

Ref: La. Rev. Stat. Ann. §§17:3971 et seq., Charter School Demonstration Program Law.