

EAST BATON ROUGE PARISH SCHOOL SYSTEM



CHARTER SCHOOL POLICY

October 2025



East Baton Rouge Parish School System

Charter School Policy

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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 (EBRPSB).

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) amended LR 51:37 (January 2025).

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 student achievement.

Purpose of Charter Schools

- A. 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.
- B. The Charter School Law provides a mechanism for all persons with valid ideas and motivation to participate in the development of innovative schools and a mechanism to analyze results of charter schools. Analysis of results allows for the positive results to be repeated or replicated, if appropriate, and the negative results identified and eliminated.
- C. The charter school law expresses the intention of the legislature that the best interests of economically disadvantaged pupils shall be the overriding consideration in implementing the provisions of the law.
- D. The purposes of charter schools include providing opportunities for educators and others interested in educating students 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 student learning and, in general, the public school system;
 - 2. increase learning opportunities and access to quality education for students;
 - 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.
- E. It is not a purpose of the Charter School Law or this policy ~~bulletin~~ to permit the establishment of a charter school to be used as the means of keeping open an existing

public school that otherwise would be closed. Such a circumstance, however, shall not preclude approval of a proposed charter that otherwise fulfills a purpose of the Charter School Law and for which the application/proposal clearly demonstrates that the educational program proposed to be offered will improve the achievement levels of the students enrolled in that school.

1. For the purposes of this policy ~~bulletin~~, the term existing public school shall be defined as a school that is open during the school year in which the charter applicant is submitting a charter application or was open in the school year immediately preceding the school year in which the charter applicant is submitting a charter application.
- F. It is not a purpose of the Charter School Law or this policy ~~bulletin~~ to provide a means of funding for nonpublic schools or any home study program.

Reference Note: Bulletin 126 – Chapter 1

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3972, and R.S. 17:3981.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1358 (July 2008), amended LR 40:1322 (July 2014), LR 44:2130 (December 2018).

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 pre-existing 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 pre-existing 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 pre-existing 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 pre-existing 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.
- G. Charter schools that serve as alternative education sites must adhere to the provisions of LAC 28:CXIX (Bulletin 131) and will be subject to school accountability as set forth in LAC 28:XI Chapter 35 (Bulletin 111). The Department of Education may provide for charter school alternative education site approval as part of the common charter application established in accordance with §311.B of Bulletin 126.

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), LR 45:1451 (October 2019).

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).

EBRPSB Authorizing Responsibilities & Duties

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

1. to review and formally act upon each charter proposal submitted in conducting such a review, the EBRPSB shall determine 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, and whether it offers potential for fulfilling the purposes of the law;
2. 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;
3. 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;
4. 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).

Local School Board Duties

A. 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.

B. 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).

EBRPSB Reporting Requirements

- A. 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. Upon recommendation from the Superintendent, EBRPSB may request that the Department of Education extend the local authorization cycle or provide for additional cycles and, if granted, notify BESE of any such changes.

- a. Upon submission of an application for a type 1 or type 3 charter school to the East Baton Rouge Parish School Board, an applicant shall provide notice to the Louisiana Department of Education.
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 EBRPSB 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 EBRPSB, 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 EBRPSB 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.
6. If a proposal is not approved by the EBRPSB and then also not approved by BESE within the same approval cycle, then the proposal shall be submitted to the local school board for its consideration during the next approval cycle prior to being submitted to BESE.

B. Competitive Process

1. The charter application process shall be a competitive process whereby any entity meeting eligibility requirements may be approved.
2. The charter application shall be in the form of a request for applications.
3. The release of a request for application must include:
 - a. public notice;
 - b. notice to national, regional, and state organizations that support charter schools; and

- c. notice to all known interested parties.
- 4. The Board, as the authorizer of type 1 and type 3 charter schools, shall make public through the board 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 used to review charter proposals submitted to the board, and the name and contact information for a primary point of contact for charter proposals.
- 5. Charter Applicant Orientation. The Board shall provide an orientation session for interested applicants prior to full application submission. The orientation shall provide applicants a clear understanding of the application process, expectations for high-quality applications, evaluation criteria, and authorizer expectations upon approval.

C. Application Evaluation

- 1. The Board shall provide for an independent evaluation of the charter proposal by a third party with educational, organizational, legal, and financial expertise.
- 2. The Board must 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.
- 3. Final decisions regarding the approval of charter applications shall be made by the Board according to the local district charter application timeline.
- 4. Prior to approving a charter for a Type 1 or Type 3 school, the Board shall hold a public meeting for the purpose of considering the proposal and receiving public input. Such meeting shall follow applicable open meeting laws and shall be held after reasonable efforts have been made by the Board to notify the public of the meeting and content.
- 5. Prior to the consideration of a charter school proposal by the 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.
- 6. The Board shall send to the charter applicant, 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.

7. The Board shall notify the department of the receipt of charter applications and any local board action taken on such applications in accordance with procedures developed as part of the local district timeline.
8. If a proposal is not approved by the Board and then also not approved by BESE within the same approval cycle, then the proposal shall be submitted to the Board for consideration during the next approval cycle prior to being submitted to BESE.

D. Common Charter Application

1. 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), amended LR 47:570 (May 2021), LR 51:37 (January 2025).

Consideration and Awarding of Charter Applications

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.

- A. The EBRPSB 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 EBRPSB 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 EBRPSB'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 EBRPSB 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 EBRPSB 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 EBRPSB-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 proceeding 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 Type 1 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;
 6. prior to the application period, provide notice in writing to the East Baton Rouge Parish School Board of the intent to submit an application during the next application period; and
 7. See Chart 1 below for criteria for experienced operator

CHART 1 - 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 evaluation 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 Type 3 Charter Schools

Prior to applying for a charter school, which proposes to be a school converted from a pre-existing public school to a charter school, the East Baton Rouge Parish School Board may 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.

- A. If the East Baton Rouge Parish School Board chooses to require approval of the professional faculty and staff, this 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, conducted by the Superintendent, a designee, or a Board selected third party, to be selected by the Board, may be held for the purpose of voting to convert a pre-existing 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. If an election is to be held, 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.
- B. If the East Baton Rouge Parish School board chooses to require approval of the parents or guardians, approval requires a favorable vote of the majority of the voting parents or guardians of students enrolled in the school.
 1. An election, conducted by the Superintendent, a designee, or a Board selected third party, to be selected by the Board, may 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. If an election is to be held, 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. 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 to the local school district.
- B. The EBRPSB 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 EBRPSB 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 EBRPSB 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 EBRPSB for the operation of a charter school shall contain common provisions set forth in a standard contract template; however, the EBRPSB 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 Superintendent or his designee. If such documents are financial documents, such documents shall be related to the type 1 charter school authorized by the Board, and the Board shall notify BESE and the Office of the Louisiana Legislative Auditor. Failure to comply with requests for documents may render the management organization ineligible to contract with any local school board authorized charter school as a management organization for up to five years.

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 X, 2025, 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).

Contract Execution

- A. A duly authorized officer of the board of directors of the charter operator shall sign the charter contract on behalf of the charter operator.
- B. The EBRPSB President shall sign the charter contract on behalf of the local school board.
- C. The charter contract shall not be fully executed until the charter operator completes all pre-opening requirements identified for completion prior to contract execution.
- D. The EBRPSB shall consider, in a public meeting, the revocation of any charter, where a charter operator fails to execute a charter contract within six months of approval of a charter.

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 an EBRPSB 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.

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

- A. 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.
- B. 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.
- C. All criteria used in the charter school performance compact shall correspond to one of the categories listed above.
- D. 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.
- E. The annual review process compact may include other supporting evidence to be submitted in evaluating school performance.

F. The East Baton Rouge Parish School Board shall receive a report on the review of each locally authorized charter school not later than January of each year.

1. 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.

G. The East Baton Rouge School Board may require an authorized charter school to provide a comprehensive report to include, but not be limited to, academic performance, financial performance and organizational performance, such report to be provided in writing and made as a presentation at a regular meeting of the Board.

Academic Performance

1. 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.
2. 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.

CHART 2

Annual Review Metrics for Initial Contract Term and First Contract Renewal		
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>	A or B Letter Grade <i>Meets All Expectations & Meets Renewal Criteria</i> C* Letter Grade <i>Meets Most Expectations & Meets Renewal Criteria</i> D* or F Letter Grade <i>Does Not Meet Expectations & Does Not Meet Renewal Criteria</i>
*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 <u>BOTH</u> of the following: <ul style="list-style-type: none"> • C letter grade for <u>at least one</u> of the years during the initial contract term, <u>AND</u> • 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.		
Schools' missions are aligned with the purpose of charter schools as defined in BESE policy 126 (Chapter 1) and La. R.S. § 3972(B)(1)	School Site Visit, Data Review and other District Monitoring Activities	Demonstrates 2+ Components <i>Meets All Expectations</i> Demonstrates 1 component <i>Meets Most Expectations</i> Does not demonstrate components <i>Does Not Meet Expectations</i>

CHART 3

Annual Review Metrics for Subsequent Renewals (Each Renewal After the First Renewal)		
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>	A or B Letter Grade <i>Meets All Expectations & Meets Renewal Criteria</i> C* Letter Grade <i>Meets Most Expectations & Meets Renewal Criteria</i> D or F Letter Grade <i>Does Not Meet Expectations & Does Not Meet Renewal Criteria</i>
Schools' missions are aligned the purpose of charter schools as defined in BESE policy 126 (Chapter 1) and La. R.S. § 3972(B)(1)	School Site Visit, Data Review and other District Monitoring Activities	Demonstrates 2+ Components <i>Meets All Expectations</i> Demonstrates 1 component <i>Meets Most Expectations</i> Does not demonstrate components <i>Does Not Meet Expectations</i>

Financial Performance

1. Charter schools are required to engage in financial practices, financial reporting, and financial audits as set forth in charter school law, applicable regulations, 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.
2. 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.
3. 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.

CHART 4

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*</p> <p><i>Meets All Expectations</i></p> <p>Demonstrates 75%** or Above of Expected Financial Compliance Indicators*</p> <p><i>Meets Most Expectations***</i></p> <p>Demonstrates 74%** or Less of Expected Financial Compliance Indicators*</p> <p><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.

CHART 5

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

1. 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 students shall be the overriding consideration in implementing the provisions of charter law.
2. 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
3. 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.

CHART 6

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 graduation flag; excluding students in the terminal grade at the site (February 1 count to October 1 count of the following year)	More than or equal to 80% of students return.
	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.

<p>Student Records and Other State Required Data Reporting (inclusive of PEP and other Student Information Systems Requirements)</p>	<p>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</p>	<p>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.</p>
<p>School is non-discriminatory and compliant with laws and policies related to student admissions, discipline, attendance and truancy.</p>	<p>Meets laws, policy and contract terms relative to admissions, discipline and attendance.</p> <p>School receives no Notice(s) of Concern nor Notice(s) of Breach relative to these areas</p>	
<p>School Admissions Process is non-discriminatory and compliant with laws and policies related to students with disabilities.</p>	<p>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.</p>	

CHART 7

Special Populations	Indicator	Measurement	Standard Expectation
All special student populations receive the services and supports they need to ensure academic success in accordance with applicable law and policy.	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 compliance to policy, law and written district expectations	Favorable monitoring checklist reports from district Title I monitor. School receives no Notice(s) of Concern nor Notice(s) of Breach relative to Title I and Other Federal Programs implementation.

<p>All student populations receive the services and supports they need to ensure academic success in accordance with applicable law and policy.</p>	<p>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.</p>	<p>Meets law and policy requirements regarding special student populations.</p> <p>School receives no Notice(s) of Concern nor Notice(s) of Breach relative to these areas.</p>
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**All evaluation metrics are subject to the discretion of the East Baton Rouge Parish School Board or the Superintendent.

CHART 8

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	<p>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.</p> <p>School receives no Notice(s) of Concern nor Notice(s) of Breach relative to these areas.</p>
	School and board have no evidence of violations of Louisiana Ethics Laws	<p>No evidence of non-compliance with the Louisiana Code of Governmental Ethics.</p> <p>School receives no Notice(s) of Concern nor Notice(s) of Breach relative to these areas.</p>
	School and board have no evidence of violations of legal and contractual obligations	<p>No evidence of significant, intentional or repeated non-compliance of legal and contractual obligations</p> <p>School receives no Notice(s) of Concern nor Notice(s) of Breach relative to these areas</p>
	School has no evidence of violations of required test procedures.	<p>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. School receives no Notice(s) of Concern nor Notice(s) of Breach relative to these areas.</p>

<p>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>	<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>
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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); LR 51:38 (January 2025).

Alternate Renewal Standards for Identified Locally Authorized Charter Schools

- A. The East Baton Rouge Parish School Board (Board) may approve alternate 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, or the school is not included in the Louisiana School and District Accountability System;
 2. the alternate renewal standards are explicitly set forth in a board approved contract
 3. the alternate renewal standards include specific academic performance criteria explicitly listed in the contract.
- B. The Board shall develop the alternate renewal standards framework and shall engage with charter schools requesting use of such framework to determine the specific criteria to be included in the framework to be proposed for approval by the local 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. 17:3991.

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); LR 51:38 (January 2025).

Intervention Process for Locally Authorized Charter Schools

- A. The East Baton Rouge Parish School Board shall implement an intervention process that articulates the steps 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 performance compact, 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, or whether reconstitution of the governing board will be recommended.

CHART 9

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	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. 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 renewal or expansion decisions.
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 accountability actions may be taken by the district up to and including a recommendation of revocation to the school board. 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 renewal or expansion decisions.
Reconstitution	In lieu of revocation, the local school board may reconstitute the governing body of a charter school if the local school board determines that the governing body has: committed a material and uncorrected violation of applicable law relative to the finances of the school or the health, safety, or welfare of students enrolled at the school; failed to satisfy accountability provisions prescribed by the charter or chartering authority; failed to meet generally accepted accounting standards of fiscal management; committed material violations of the bylaws of the organization or nonprofit laws of the state; or is imminently insolvent as determined by the East Baton Rouge Parish School Board.

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 access 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), LR 51:38 (January 2025).

VII. Charter School Terms

Initial Charter Term

- A. An approved charter shall be valid for an initial term of five years.
- B. A charter operator shall have a right to operate a charter school during its initial five year term unless the charter is revoked or surrendered.

A charter operator's right to operate a charter school shall cease upon the expiration of the initial five year term.

Reference Note: Bulletin 126 – Chapter 13

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), LR 51:38 (January 2025).

VIII. Charter School Renewals

Renewal of Charter

- A. 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.
- B. 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. 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.
- C. A charter may be renewed for additional periods of not less than three nor more than 10 years after thorough review by the approving chartering authority of the charter school's operations and compliance with charter requirements.

D. Charter renewal criteria shall include academic performance and progress indices, as well as distinguish among charter schools with selective admissions criteria, charter schools without selective admissions criteria, and alternative charter school educational models.

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). LR 51:38 (January 2025).

Local Process for Charter Renewal

- A. For each EBRPSB authorized charter school in the final year of operation under its current charter term, the superintendent shall make a recommendation to the EBRPSB 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 EBRPSB 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 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 43:2477 (December 2017), LR 44:237 (February 2018).

Eligibility for Renewal for Locally Authorized Charter Schools

- A. For initial renewals after July, 2025 and beyond renewal processes, an EBRPSB authorized charter school receiving a letter grade of “D*” or “F” in the most recent academic year will not be eligible for renewal, unless
 1. the charter school is a school approved by the EBRPSB to be evaluated using alternate renewal standards pursuant local policy and has met such alternate standards as defined in their board approved contract.
 2. the school growth is in the top quartile of the state in the most recent year and for more than half of the years in which the school received a growth score during the charter term; or
 3. the school falls within the top quartile of the state in at least three of the following categories:
 - a. total SPS;
 - b. growth score;
 - c. English learner proficiency growth;
 - d. growth for economically disadvantaged students; or
 - e. growth for students with disabilities.

*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. For subsequent renewals, an EBRPSB authorized charter school receiving a letter grade of “D” or “F” in the prior academic year will not be eligible for renewal, unless one of these conditions are met:

1. the charter school is a school approved by the local school board to be evaluated using alternate renewal standards pursuant to local policy and has met such alternate standards; or
2. the charter school has a current letter grade of “D,” or an equivalent SPS and:
 - a. has received a letter grade of “C” or an equivalent SPS for more than half of the letter grades received during the charter’s current term and the final letter grade received in charter school’s prior term; or
 - b. the school growth is in the top quartile of the state in the most recent year and for more than half of the years in which the school received a growth score during the charter term; or
 - c. the school falls within the top quartile of the state in at least three of the following categories:
 - i. total SPS;
 - ii. growth score;
 - iii. English learner proficiency growth;
 - iv. growth for economically disadvantaged students; or
 - v. growth for students with disabilities

C. When a charter school does not meet the criteria for renewal in the initial or subsequent charter term, the EBRPSB may renew the charter based upon the recommendation of the Superintendent. Such renewal may include conditions to be incorporated in the charter school contract and may require the charter operator to phase out operation of the school over the course of the renewal term. Prior to recommending such renewal, the following must be considered:

1. the Board, as its option, may give additional consideration where nonrenewal may require students to attend lower performing schools;
2. available academic data, including student performance data and/or student growth data of neighboring and comparable schools, has been reviewed; and
3. efforts to find a new, high-quality operator for the charter school have failed.

D. 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 EBRPSB 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.

- E. A recommendation for non-renewal may also include a recommendation that a new charter provider operate the school or that the charter governing board be reconstituted in accordance with this policy.

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), LR 51:39 (January 2025).

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 indicators below, over the term of the school's current charter.

CHART 10

INITIAL RENEWALS (FIRST CONTRACT TERM)			
Current Letter Grade	Term Length	Potential Additional Years (Based on Organizational and Financial Performance Over Current Term – Criteria for Ratings Defined in Section VI of Local Policy)	
	Option B		Additional Years Option B
A	7 years	Earns “Does Not Meet Expectations” in any year in any area	0
		Earns “Meets All” and/or “Meets Most” Expectations all years in all areas	1
		Earns “Meets All Expectations” all years in all areas	3
B	5 years	Earns “Does Not Meet Expectations” in any year in any area	0
		Earns “Meets All” and/or “Meets Most” Expectations all years in all areas	1
		Earns “Meets All Expectations” all years in all areas	2
C	4 years	No additional years	
D*	3 years	No additional years	
F (or no letter grade)	0 years	Non-Renewal	

(Applies to all options)

*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.

CHART 11

SUBSEQUENT RENEWALS (FIRST CONTRACT TERM)		
Current Letter Grade	Term Length	Potential Additional Years (Based on Organizational and Financial Performance)

Over Current Term – Criteria for Ratings Defined in Section VI of Local Policy)			
	Option B		Additional Years Option B
A	10 years	Earns “Does Not Meet Expectations” in any year in any area	0
		Earns “Meets All” and/or “Meets Most” Expectations all years in all areas	0
		Earns “Meets All Expectations” all years in all areas	0
B	10 years	Earns “Does Not Meet Expectations” in any year in any area	0
		Earns “Meets All” and/or “Meets Most” Expectations all years in all areas	0
		Earns “Does Not Meet Expectations” in any year in any area	0
C	3 years	No additional years	
D	Non-renewal	No additional years	
F (or no letter grade)	Non-renewal	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), LR 51:39 (January 2025).

IX. Charter School Closure

- A. In the event that an EBRPSB 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 EBRPSB 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

- A. 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.

B. The EBRPSB 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.

C. In lieu of revocation, the Board may consider reconstitution of the charter school governing board in accordance with this policy and state law when the Board determines such an action would be in the best interests of the students of the charter school.

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), LR 51:39 (January 2025).

Revocation Proceedings

1. A recommendation to revoke a charter shall be made to the EBRPSB 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.
2. Prior to the EBRPSB meeting at which the Superintendent will make a recommendation that the 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.
3. Following the Superintendent's recommendation to revoke a charter, the EBRPSB shall determine if it will commence a revocation proceeding. Revocation proceedings and

hearings shall be conducted in accordance with the steps outlined in BESE Bulletin 126 Chapter 17.

Reference Note: Bulletin 126 – Chapter 17

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 34:1368 (July 2008), amended LR 37:872 (March 2011), LR 38:752 (March 2012), repromulgated LR 38:1394 (June 2012), amended LR 39:3067 (November 2013), LR 41:1265 (July 2015).

XI. Charter School Funding

Assets of Charter Schools

- A. Any assets acquired by a type 1, type 3 or type 3B charter operator are the property of the charter school for the duration of the charter school's charter.
- B. Charter operators shall maintain an inventory of all assets, including records of any assets acquired with any private funds. Inventories of assets must be audited annually and maintained consistent with the requirements set forth in Bulletin 1929—Louisiana Accounting and Uniform Governmental Handbook.
- C. If a charter operator's charter is revoked, non-renewed, surrendered or the school otherwise ceases to operate, or the charter school fails to open and serve students, all assets and cash on hand shall be transferred or disposed of as authorized or directed by the superintendent.
- D. All assets and cash on hand attributable to private funds shall remain the property of the charter operator, if the inventory or records of the charter operator demonstrate that the assets were purchased with private funds. If the records fail to clearly establish whether a particular asset was purchased with public funds or private funds, ownership of the asset shall revert to the East Baton Rouge Parish School Board.
- E. If the charter school operates a charter school that results from the conversion of a pre-existing traditional public school, the charter operator shall manage any school fund maintained by the pre-existing school pursuant to R.S. 17:414.3 and any amounts therein prior to the charter school's conversion to a charter school in accordance with the provisions of R.S. 17:414.3 and as directed by the Superintendent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, R.S. 17:3991, and R.S. 17:3995.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1373 (July 2008), amended LR 39:3252 (December 2013), LR 44:242 (February 2018).

State Funding

- A. Unless otherwise provided by law, the per pupil amount provided to a type 1, charter school shall be computed at least annually and shall be equal to the per pupil amount provided through the Minimum Foundation Program formula, determined by the allocation weights in the formula based upon student characteristics or needs, received by the school district in which the student resides, as determined by the weighted differentiated funding formula based upon individual student characteristics or needs that is provided through the Minimum Foundation Program, except as provided in Subsection E of this Section.
 1. The state-funded per pupil allocation shall be based upon the weighted student membership count received by the district pursuant to the most recent legislatively approved Minimum Foundation Program formula, and include all levels and allocation weights based upon student characteristics or needs as provided in the formula except any supplementary allocations for specific purposes. Supplementary allocations for specific purposes shall be provided to charter schools based solely on the funds generated by the charter school within each specific allocation.
- B. Initial allocation of the per pupil amount each year shall be based on estimates provided by the Louisiana Department of Education using the most recent local revenue data and projected pupil counts available. Allocations may be adjusted during the year to reflect actual pupil counts.
- C. For the purposes of funding, and unless otherwise permitted by law, each type 1, type 3, and type 4 charter school shall be considered an approved public school of the local school board entering into the charter agreement.
- D. Within fifteen days of the receipt of any state, local, or other funding to which the charter school is entitled or which came as a result of students enrolled in the charter school, the chartering authority shall ensure that those funds are available for use by such charter schools.

- E. Pursuant to R.S. 17:10.1, for a school system from which one or more schools have been transferred to the recovery school district pursuant to R.S. 17:10.7, the local school board shall adopt a policy that establishes a process to determine the district-level funding allocation based upon student characteristics or needs, as determined by the local school board, to distribute the total amount of minimum foundation program formula funds allocated to the local school board and to Type 1, 1B, 3, 3B, 4, and 5 charter schools that are located within the geographic boundaries of the local school system.
- F. A charter authority may annually charge each charter school it authorizes a fee in an amount equal to 2 percent of the per pupil allocation that is received by a charter school for administrative overhead costs incurred by the chartering authority for considering the charter application and any amendment thereto, providing monitoring and oversight of the school, collecting and analyzing data of the school, and for reporting on school performance. Such fee amount shall be withheld from the per pupil amount in monthly increments and shall not be applicable to any federal money or grants received by the school. Administrative overhead costs shall not include any cost incurred by the charter authority to provide purchased services to the charter school.
 - 1. At least 30 days prior to the beginning of each fiscal year, each charter school shall be provided by the EBRPSB with a projected budget detailing anticipated administrative overhead costs and planned uses for fees charged for such costs.
 - 2. By no later than 90 days following the end of each fiscal year, each charter school shall be provided by the EBRPSB an itemized accounting of the actual cost of each purchased service provided to the charter school.
- G. Should the charter operator choose to receive a per pupil allocation regarding IDEA or Special Education Funding, the Charter Operator shall be responsible for providing and paying the cost of defense for any and all charges, complaints or investigations concerning special education and students with disabilities by the Office for Civil Rights (OCR), the Louisiana Department of Education (state complaints), or IDEA due process proceedings and shall be responsible for managing the defense of and settlement of any such claims. The Charter School shall indemnify and hold harmless the Board from any and all liability, claims, and demands arising from or relating to the education of students with disabilities at the Charter School.

Reference Note: Bulletin 126 – Chapter 23

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 34:1371 (July 2008), amended LR 37:874 (March 2011), LR 39:3250 (December 2013), LR 40:1324 (July 2014), LR 42:549 (April 2016), LR 42:1019 (July 2016), LR 43:308 (February 2017), LR 43:636 (April 2017), LR 44:241 (February 2018).

Local Education Agency (LEA) Status and Federal Funding

- A. Type 1, 3, 3B, and 4 Charter School LEAs
 - 1. A type 3B charter school shall have the option to remain its own LEA or have the local school board serve as the charter school's LEA, pursuant to §519 of this bulletin. A type 3B charter school considered its own LEA shall comply with the requirements for type 3B charter schools detailed in §519 of this Bulletin.
- B. For each pupil enrolled in a charter school who is entitled to special education services, any state special education funding beyond that provided in the Minimum Foundation Program and any federal funds for special education for that pupil that would have been allocated for that pupil shall be allocated to the charter school which the pupil attends.

Reference Note: Bulletin 126 – Chapter 23

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 34:1372 (July 2008), amended LR 39:3251 (December 2013), LR 40:1324 (July 2014), LR 43:309 (February 2017), LR 43:636 (April 2017), LR 43:2478 (December 2017), LR 43:2478 (December 2017), LR 44:241 (February 2018).

Other Funding

- A. Any approved charter school shall be eligible for any other federal, restricted state, and unrestricted state funding for which the school or its pupils qualify.
- B. Each charter school shall receive, at a minimum, its per pupil share for any state or federal grant program such as any funding provided for technology, teacher supplies, kindergarten through third grade reading and mathematics, summer school, and other remediation funding. In addition, each charter school shall receive any other state or federal grant program funding, where such funding is distributed on a per pupil basis and a charter school is eligible to receive the funding under the terms of the grant. The charter operator shall comply with the terms of the grant.

- C. A charter school may apply for and receive funding directly from the state or federal government.
- D. Any approved charter school may solicit, accept, and administer donations or any other financial assistance in the form of money, grants, property, loans, or personal services for educational purposes from any public or private person, corporation, or agency and must comply with rules and regulations governing grants from the federal government or from any other person or agency, which are not in contravention of the federal or state constitution or any other federal or state law.
- E. Every pupil enrolled in a charter school shall be counted in the charter school's total pupil count for purposes of funding, including each pupil who is pursuing a high school diploma or participating in a pre-general education development skills program, as defined by BESE policy.
- F. No child enrolled in a pre-kindergarten program offered by a charter school shall be counted for purposes of funding pursuant to §2301, unless such funding is specifically provided for such purpose. However, such school shall be eligible for any other funding that may become available for children enrolled in pre-kindergarten programs.
- G. Any grants that begin at the LEA level and are required to pass through the local school board, as LEA, including but not limited to Charter School Program grants, may be subject to the lesser of a three (3) percent administrative fee or an administrative fee specified in the grant, including but not limited to indirect costs, to be withheld by the local school board before funds are sent to the Charter Operator. To ensure transparency, the local school board will direct District staff to provide the Charter School with all notices from granting agencies and entities showing the award or allocation amounts and include the Charter School in the budgeting process.

Reference Note: Bulletin 126 – Chapter 23

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 34:1372 (July 2008).

XII. 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).

XIII. Amendments to Locally Authorized Charters

Charter Amendments

- A. Any modification to the provisions of a school's charter contract or proposed charter prior to the execution of a charter contract shall constitute an amendment to the charter. An amendment may be material or non-material, as defined in this bulletin.
- B. All charter amendment requests or notices, as applicable, must be submitted by the charter operator.
- C. No charter amendment shall be the basis of extending the duration of the school's original charter.

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 44:239 (February 2018).

Material Amendments

- A. 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.
- B. A material amendment to a charter must be approved by an affirmative vote of at least a majority of the membership of the EBRPB.
- C. 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.
- D. The Superintendent shall make recommendations to the school board on each material amendment request it receives from a charter operator that requires EBRPSB approval.
- E. Upon recommendation of the Superintendent, the East Baton Rouge Parish School Board may ~~to~~ approve a material amendment regarding the addition of new grade levels or 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, for any charter school meeting the following conditions:

1. The charter school has:
 - a. a current letter grade of "C" or higher or an equivalent SPS.
2. The charter school's most recent designations for financial and organizational performance under the charter school performance compact are "Meets Most Expectations" or "Meets All Expectations."

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. changes to the designated contact person for the charter operator or changes to the contact person located at the charter school site; and
 3. 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).

XIV. 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 EBRPSB 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.
- H. Beginning August 1, 2024, each president of an East Baton Rouge Parish School Board authorized charter board shall participate in at least one hour of board governance, special education, and financial management training coordinated by LDOE within one year of assuming the role of board president.
- I. Beginning June 1, 2025, each new member of the board of directors of a local school board authorized charter operator shall participate in at least one hour of board governance, special education, and financial management training coordinated by LDOE within one year of appointment to the board.

Reference Note: Bulletin 126 – Chapter 21

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), amended LR 50:657 (May 2024), LR 51:270 (February 2025).

Reconstitution of Governing Board

- A. The East Baton Rouge Parish School Board may reconstitute the governing body of a charter school if the Board determines that the governing body has done any of the following:
 - 1. committed a material and uncorrected violation of applicable law relative to the finances of the school or the health, safety, or welfare of students enrolled at the school;

2. failed to satisfy accountability provisions prescribed by the charter or chartering authority;
3. failed to meet generally accepted accounting standards of fiscal management;
4. committed material violations of the bylaws of the organization or nonprofit laws of the state; or
5. is imminently insolvent as determined by the chartering authority.

B. Prior to a decision regarding reconstitution of a charter governing body, the Board shall conduct a public hearing regarding the recommendation to reconstitute.

C. In any decision regarding reconstitution of a governing body, the Board shall consider the best interests of the students at the charter school, the severity of the violation, any previous violation, and the accreditation status of the school.

D. In the event of reconstitution of a governing body, the composition of the governing body shall comply with the provisions of this policy and applicable state law..

Reference Note: Bulletin 126 – Chapter 21

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 51:40 (January 2025)

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 students 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.

K. A charter school shall not require the parent or legal guardian of any student to disclose any medical information or special education needs, income, or economically disadvantaged status prior to enrollment in the charter school, unless otherwise specifically required by law. However, a charter school may provide enrollment preference to a student with special needs or who is economically disadvantaged when information regarding such needs has been voluntarily provided by the parent or legal guardian of the student.

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 21

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), LR 51:40 (January 2025).

XV. Charter School Recruitment and Enrollment

Student Eligibility

- A. 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.
- B. All EBRPSB 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.
- C. 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.
- D. 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 the provisions of this policy. .
- 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.
- C. In the event of a federally-declared disaster in Louisiana or surrounding states, the superintendent may approve a charter school to exceed 120 percent of the total number of

students that it is authorized to enroll pursuant to its approved charter solely for the purpose of enrolling students who have been displaced from their homes or are unable to attend the school in which they were previously enrolled or zoned to attend. The superintendent shall provide a report to the Board at its next regularly scheduled meeting outlining each charter school granted an increase in its enrollment capacity pursuant to this Paragraph. Students enrolled pursuant to this Paragraph shall be permitted to remain enrolled in the charter school for the remainder of the school year. Parents or legal custodians found to have misrepresented their displacement status shall be required to return to the school in which the student was previously enrolled or zoned to attend.

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 Process

- A. The admission process used 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 students 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), or identification as a student who is economically disadvantaged. 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.

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 37:875 (March 2011), LR 38:3120 (December 2012), LR 44:243 (February 2018), LR 51:40 (January 2025).

Application Period

- A. Prior to each school year, a charter school shall establish a designated student application period. Application information shall be made available to all applicants and posted on the school website, to include at least the following:

1. enrollment eligibility;
2. program enrollment capacity;
3. application period; and
4. notice of application and enrollment dates.

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), LR 51:40 (January 2025).

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. Additionally, students displaced as a result of a federally-declared disaster who submit an application and the form specified in § 270.1F of Bulletin 126 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. 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.
 - b. Lottery information shall be made available to all applicants, including but not limited to when and where the lottery will be conducted, the mechanism by which the lottery will be conducted, and the results of the lottery including any wait list information.
 - c. Applicants placed on a lottery enrollment wait list shall be notified of their wait list ranking and notified of any changes to the enrollment wait list throughout the year.
 - d. An established lottery shall occur each successive year, as necessary.
 - e. Lottery enrollment wait lists shall not roll over from one school year to the next.
3. If a charter school's enrollment capacity is increased for the purpose of enrolling students displaced due to a federally-declared disaster and the charter school's designated application period has passed, the charter school may enroll students displaced due to a federally-declared disaster on a first-come, first-served basis until the enrollment capacity is reached

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 EBRPSB 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.
- K. Upon request of a charter operator, the district may approve an enrollment preference for students matriculating into eighth grade or below between two charter schools operated by the same charter operator.

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), LR 51:41 (January 2025).

Required Student Enrollment Percentages

- A. Charter schools shall maintain required student enrollment percentages as provided in state law and BESE Bulletin 126, based on the demographic information collected in the October 1 student membership.
- B. The following definitions shall apply in this Section.

Economically Disadvantaged—any one of the following characteristics of a student:

- a. is eligible for the Louisiana food assistance program for low-income families;
- b. is eligible for the Louisiana disaster food assistance program;
- c. is eligible for the Louisiana program for assistance to needy families with children to assist parents to becoming self-sufficient;
- d. is eligible for the Louisiana healthcare program for families and individuals with limited financial resources;
- e. is eligible for reduced price meals based on the latest available data;
- f. is an English language learner;
- g. is identified as homeless or migrant pursuant to the McKinney-Vento Homeless Children and Youth Assistance Act and the Migrant Education Program within the Elementary and Secondary Education Act;
- h. is incarcerated with the office of juvenile justice or in an adult facility; and/or
- i. has been placed into the custody of the state.

Students with Exceptionalities—students identified as having one or more exceptionalities, as defined in R.S. 17:1942, not including gifted and talented.

- C. 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 70 percent of the percentage of economically disadvantaged students from the East Baton Rouge Parish School System district from which the charter school enrolls; and
 - 2. the charter school percentage of students with exceptionalities shall be greater than or equal to 70 percent of the percentage of students with exceptionalities from the East Baton Rouge Parish School System district from which the charter school enrolls.

- D. 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.
- E. EBRPSB authorized charter schools shall be accountable for meeting the required student enrollment percentages in this section in accordance with state law. 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.
 - a. Failure to meet the requirements of this Section does not solely constitute grounds for revocation of a charter; however, the charter authorizer may require compliance with actions prescribed pursuant to this Subsection.
 - b. Required actions may include, but are not limited to, targeted outreach efforts and enrollment lotteries weighted proportionately to the specific deficiency identified in the required percentages.
 - c. Each school is responsible for maintaining documentation of outreach efforts and lottery proceedings conducted in an effort to meet the requirements of this Section
- F. If the aggregate student enrollment data for all of the charter schools located within the boundaries of the city or parish school system in which a charter school is located meets the enrollment requirements of economically disadvantaged students and students with exceptionalities, not including gifted and talented, every charter school located within the boundaries of the school system shall be deemed to be in compliance with the provisions of this Section. However, the EBRPSB will require that each charter school that does not individually meet the requirements listed in C (1) and C (2) of this section comply with provisions G and H of this section.
- G. A Board authorized charter school that fails to achieve the enrollment percentage of economically disadvantaged students for its school, shall submit a plan to the Board

detailing how it will prioritize and increase the enrollment of students who are economically disadvantaged and provide a report to the Board on the status of enrollment of such students annually until the enrollment percentage is achieved.

H. A Board authorized charter school that fails to achieve the enrollment percentage of students with exceptionalities for its school, shall submit a plan to the Board detailing how it will prioritize and increase the enrollment of students with exceptionalities and provide a report to the Board on the status of enrollment of such students annually until the enrollment percentage is achieved. .

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), LR 51:41 (January 2025), LR 51:265 (February 2025).

Learning Pods

A. Charter schools may establish learning pods pursuant to this policy and applicable state law upon providing written notice to the East Baton Rouge Parish School Board and completing a learning pod pre-opening checklist.

1. The school must provide written notice to the Board prior to the scheduled opening date of the learning pod.
2. The charter school must complete all learning pod pre-opening requirements before students can enter the designated learning pod location.
3. The charter school must receive written notice of approval from the Board before opening the designated learning pod location. Written approval shall be provided by the Board to the charter school within 60 days of receipt of the request from the charter school; otherwise the request shall be deemed approved.

B. In accordance with R.S. 17:4036.1, a charter school pod shall be considered an extension of the charter school and be subject to all state and federal laws, policies, rules, and regulations applicable under the charter operating agreement, including compliance with R.S. 17:3991(E)(3).

- C. The procedures for recruitment and enrollment of charter school students assigned to a learning pod shall be consistent with the provisions of LAC 28:CXXXIX.Chapter 7, except that the waitlist for the learning pod shall be maintained and administered separately from that of the charter school home campus.
- D. The charter operator must seek a material amendment to the charter contract prior to opening a learning pod in the case of one or more of the following:
 - 1. the school enrollment will exceed the authorized total enrollment stated in the charter agreement pursuant to R.S. 17:3991 and LAC 28:CXXXIX.2703
 - 2. more than 50 percent of the students enrolled in the charter school will attend a location other than the initially approved main school location site; or
 - 3. more than 50 percent of the students enrolled in the charter school will engage in a virtual learning program for more than 50 percent of the school day averaged over a semester.

Reference Note: Bulletin 126 – Chapter 27

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S. 17:7; R.S. 17:3981; and R.S. 17:4036.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 49:649 (April 2023).

XVI. Transportation

Transportation Requirements

- A. Beginning in the 2026-2027 school year, each East Baton Rouge Parish School Board authorized charter operator shall provide free transportation to and from school to any eligible students under the following conditions:
 - 1. when the student resides more than 1 mile from the school of attendance;
 - 2. when the student resides within the boundaries of the school district
- B. The Board will approve charter school transportation plans to ensure compliance with applicable law and policy.
- C. Free daily transportation shall include, at a minimum:

1. whatever transportation is necessary to implement any individualized education plan (IEP) for a child with an identified exceptionality;
2. transportation by a vehicle approved for student transportation in accordance with BESE Bulletin 119—Louisiana School Transportation Specifications and Procedures or public transportation payments and/or reimbursements;
3. bus stops or pick-up points no further than one mile from the place of residency of each child residing within the parish, and;
4. procedures to ensure compliance with R.S. 14:93.2.1 for children under the age of 10.

D. Charter Operators shall procure and maintain at the sole cost and expense of the charter operator, and during the term of its charter, Commercial Automobile Liability insurance with a minimum combined single limit of \$1,000,000 per accident for Bodily Injury and Property Damage covering all owned, non-owned, and hired automobiles used in connection with its operations under this policy.

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).

XVII. Corporal Punishment

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

XVIII. Parent Volunteers

An EBRPSB 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).

XIX. Notification Requirements for Charter Schools

Required Notifications for EBRPSB Authorized Charter Schools

- A. 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.
- B. 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.
- C. 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.
- D. 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.
- E. The charter operator shall notify the district of any change in its standing with the office of the Louisiana Secretary of State.

- F. 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 student count submitted to the district and/ or the Department of Education.
- G. 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.
- H. 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.
- I. The charter operator shall provide the district with digital URL weblinks that provide information regarding the date, time and location of its public meetings, minutes of meetings, and public budget information.

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).

XX. 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. The District shall create and maintain a process to directly receive complaints regarding charter schools, which shall include forwarding any received complaints to the appropriate charter school leadership and communicate to complainants that state law and policy limits the Board's ability to intervene, and provide a report to the Board at least annually.

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).

XXI. Corporate Partnerships

Corporate Partnerships and Enrollment

- A. Notwithstanding geographic or other requirements for enrollment contained in Bulletin 126, 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 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).

XXII. 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;
 - 17. attendance reporting.
- B. Unless otherwise mutually agreed upon by a charter school and authorizer, the charter school shall have complete autonomy over school operation in compliance with all applicable federal, state, and local laws and regulations. Unless otherwise stated in the

charter contract, areas of school autonomy shall include but not be limited to the following;

1. school programming, instruction, curriculum, materials, texts, calendars, and schedules;
2. personnel, employment, salaries and benefits, educator certification and evaluation, performance management, participation in retirement planning and collective bargaining;
3. budgeting, purchasing, procurement, contracts, food service, and management of transportation.

Reference Note: Bulletin 126 – Chapter 40

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:232, and R.S. 17:3996.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 44:246 (February 2018), amended LR 50:657 (May 2024), LR 50:947 (July 2024).

Student Fees

All EBRPSB 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. Charter schools shall comply with all state and local rules and regulations and state law as required by La. R.S. § 17:3996.

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), amended LR 48:1269 (May 2022), LR 50:178 (February 2024), LR 50:657 (May 2024), repromulgated LR 50:783 (June 2024), amended LR 51:42 (January 2025).

Other Statutory Requirements

- A. A charter school shall comply with all applicable state and federal laws and regulations 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), amended LR 51:42 (January 2025).

XXIII. Discipline

Disciplinary Regulations

- A. Each charter school shall adopt such rules and regulations as it deems necessary to implement and control any disorderly conduct in the school or on the playground of the school, on any school bus, on the street or road while going to and from school, or during intermission and recess, or at any school sponsored activity or function.
 - 1. The plan shall not prohibit a teacher from removing a pupil from the classroom for disciplinary reasons. A student whose behavior prevents the orderly instruction of other students or poses an immediate threat to the safety or physical well-being of any student or teacher shall be immediately removed from the classroom and placed in the custody of the principal or designee.
 - 2. The plan shall address student behavior with a focus on evidence-based interventions and supports, prioritizing classroom- and school-based interventions in lieu of out-of-school disciplinary removals to address student misconduct in order to minimize the loss of academic instructional time.
 - 3. The plan shall not prohibit or discourage a teacher from taking disciplinary action, recommending disciplinary action, or completing a form to initiate disciplinary action

against a student who violates school policy or who interferes with an orderly education process.

4. A principal or administrator shall not retaliate or take adverse employment action against a teacher for taking disciplinary action.
5. Each charter school shall adopt rules regarding the reporting and review of disciplinary actions.

B. Teachers, principals, and administrators may, subject to any rules as may be adopted by the charter school, apply reasonable disciplinary and corrective measures to maintain order in the schools (refer to R.S. 17:416 and R.S. 17:223).

C. The disciplinary rules (regulations) shall be made known to teachers, parents, and students and shall be reasonably and consistently enforced.

D. Any principal who fails to act on a report of student violations of disciplinary regulations shall explain his/her reasons for such an action to the superintendent of the charter school by the administrator is employed, or to the superintendent designee.

1. Any public school administrator and any administrator designee who is required to make a recommendation, resolve an issue, or apply a disciplinary action in a matter involving the discipline of a student shall recuse themselves from doing so whenever a member of the immediate family of the school administrator or of the administrator designee is involved in any manner in the recommendation to be made, the issue to be resolved, or the action to be applied.
 - a. Immediate family means the individual's children, brothers, sisters, parents, and spouse and the children, brothers, sisters, and parents of the spouse.
 - b. In case of such recusal, the recommendation shall be made by, the issue determined by, or the disciplinary action taken by the superintendent or an impartial designee of the superintendent.

E. Students, who, through no fault of their parents or guardians or other persons having charge of them, regularly disrupt the orderly processes of the school to which they have been assigned, shall be considered as delinquents and may be reported by the visiting teacher or supervisor of child welfare and attendance, to the district or family court of the parish having jurisdiction in juvenile matters, there to be dealt with in the manner prescribed by law.

F. Schools shall provide due process prior to suspensions and expulsions.

G. Students who are removed from the classroom for disruptive, dangerous, or unruly behavior or who are suspended for 10 days or less shall be assigned school work missed and shall receive either full or partial credit for such work upon satisfactory and timely completion as determined by the principal or designee and upon the recommendation of the student's teacher. A student who is suspended for more than 10 days or is expelled shall receive educational services in an alternative school site, shall be assigned school work by a certified teacher, and shall receive credit for school work upon satisfactory and timely completion as determined by the teacher. Such work shall be aligned with the curriculum used at the school from which the student was suspended or expelled.

1. Upon removal from the classroom for disruptive, dangerous, or unruly behavior, the principal or designee shall advise the student of the misconduct and basis for accusation, and the student shall be given an opportunity at that time to offer rebuttal of the accusation. The principal or designee then shall conduct a counseling session with the student as may be appropriate to establish a course of action consistent with school board policy to identify and correct the behavior for which the student is being disciplined. The principal or designee shall provide oral or written feedback to the parent or guardian of the student and may also provide oral or written feedback to the teacher initiating the removal. Feedback to teachers may include guidance and support on practicing effective classroom management including but not limited to positive behavior supports.
2. Students who are removed from the classroom for disruptive, dangerous, or unruly behavior shall be permitted to return to the class after:
 - a. no fewer than 30 minutes for students in kindergarten through fifth grade unless consent is given by the teacher initiating the disciplinary action;
 - b. the end of the class period for students in sixth through twelfth grade unless consent is given by the teacher initiating the disciplinary action;
 - c. the principal or designee has implemented at least one or more of the following disciplinary actions:
 - i. conferencing with the principal or the principal designee;
 - ii. referral to counseling;
 - iii. peer mediation;
 - iv. referral to the school building level committee;

- v. restorative justice practices;
- vi. loss of privileges;
- vii. detention;
- viii. in-school suspension;
- ix. out-of-school suspension;
- x. initiation of expulsion hearings;
- xi. referral for assignment to an alternative setting;
- xii. requiring the completion of all assigned school work and homework that would have been assigned and completed by the student during the period of out-of-school suspension.
- xiii. any other disciplinary measure authorized by the principal with the concurrence of the teacher or the school building level committee pursuant to law and charter school policy.

3. When a student is removed from the classroom for disruptive, dangerous, or unruly behavior, the teacher or the principal or designee may require that the parent or legal guardian of the student have a conference with the teacher or the principal or designee. Such conference may be in person, by telephone, or by other virtual means.
4. Upon the third disciplinary removal from the same classroom, the teacher and principal shall discuss the disruptive behavior patterns of the student and the appropriate classroom disciplinary action prior to principal application of a disciplinary measure. A conference between the teacher or other appropriate school employee and the student's parent or legal custodian is required prior to student readmission to the same classroom. Such conference may be in person, by telephone, or by other virtual means. If such a conference is required by the school or charter school policy, the school shall give written notice to the parent.
5. For students who experience multiple behavioral incidents or disciplinary referrals, a principal or designee shall consider a referral of the matter to an appropriate school building level committee. If the disruptive behavior persists, the teacher may request that the principal transfer the student into another setting.

H. Each local educational governing authority charter school shall adopt rules regarding the implementation of in-school suspension and detention.

- I. Each charter school shall establish a discipline policy review committee comprised of sixteen members in accordance with the mandates of R.S. 17:416.8. The charter school shall establish procedures for appointing the two parent members.

Reference Note: Bulletin 126 – Chapter 43

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:223-224, R.S. 17:416, and R.S. 17:416.13.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:999 (April 2022), amended LR 51:42 (January 2025).

Student Code of Conduct

- A. Each charter school shall adopt a student code of conduct for the students in the schools under its jurisdiction.
 1. Such student code of conduct shall be in compliance with all existing rules, regulations, and charter school and BESE policies and all state laws regarding student discipline and shall include necessary disciplinary action to be taken against any student who violates the code of conduct.
 2. Each charter school shall adopt and incorporate into its student code of conduct a policy prohibiting the bullying of a student by another student, which includes the definition of bullying and all other requirements listed in §1303 of this Bulletin.
 3. Each charter school shall include in its student code of conduct the definition of dating violence, data violence warning signs and instructions for reporting or seeking assistance for acts of dating violence.
 4. Each charter school shall include in its student code of conduct progressive levels of minor through major infractions and identify corresponding minor through major interventions and consequences.
 - a. Before an initial referral for student expulsion, codes of conduct shall require the prior administration of interventions in accordance with the minor tiers in the code of conduct, except in instances where the expulsion referral is the result of accumulated minor infractions in accordance with the code of conduct, or the underlying incident threatens the safety and health of students or staff, or the offense is related to possession of tobacco, alcohol, or vaping products on school property, on a school bus, or at a school-sponsored event.

- b. Expulsions shall be reserved for the major tier of behavioral infractions involving weapons or drugs, or when the safety of students and staff is at risk.
- 5. Each charter school shall include in its code of conduct information detailing the appeal process for expulsions as described in §4311 of this Bulletin.
- 6. Each charter school shall include in its code of conduct clearly defined rules of conduct and expectations of students engaged in virtual instruction as well as clearly defined consequences of conduct, respecting the student and family rights to privacy and other constitutional rights while at home or in a location that is not school property.

Reference Note: Bulletin 126 – Chapter 43

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:81, R.S. 17:223-224, R.S. 17:416, and R.S. 17:416.13.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1000 (April 2022), repromulgated LR 50:1147 (August 2024), amended LR 51:43 (January 2025).

Bullying

- A. Policy. Each charter school shall develop and adopt a policy that prohibits the bullying of a student by another student.
 - 1. The bullying policy must be implemented in a manner that is ongoing throughout the year and integrated with a school's curriculum, a school's discipline policies, and other violence prevention efforts.
 - 2. The policy shall contain the definition of bullying found in this Section and shall address the following:
 - a. behavior constituting bullying;
 - b. the effect the behavior has on others, including bystanders; and
 - c. the disciplinary and criminal consequences of bullying another student.
- B. Definition of Bullying
 - 1. Bullying is defined as a pattern of one or more of the following behaviors:
 - a. gestures, including but not limited to obscene gestures and making faces;

- b. written, electronic, or verbal communications, including but not limited to calling names, threatening harm, taunting, malicious teasing, or spreading untrue rumors;
 - c. physical acts, including but not limited to hitting, kicking, pushing, tripping, choking, damaging personal property, or unauthorized use of personal property; and
 - d. repeatedly and purposefully shunning or excluding from activities.
- 2. Behavior defined as bullying is exhibited toward a student, more than once, by another student or group of students and occurs, or is received by, a student while on school property, at a school-sponsored or school-related function or activity, in any school bus or van, at any designated school bus stop, in any other school or private vehicle used to transport students to and from schools, or any school-sponsored activity or event.
- 3. Bullying must have the effect of physically harming a student, placing the student in reasonable fear of physical harm, damaging a student's property, placing the student in reasonable fear of damage to the student's property, or must be sufficiently severe, persistent, and pervasive enough to either create an intimidating or threatening educational environment, have the effect of substantially interfering with a student's performance in school, or have the effect of substantially disrupting the orderly operation of the school.

C. Notice of Bullying Policy to students and parents. The charter school shall inform each student orally and in writing of the prohibition against the bullying of a student by another student, the nature and consequences of such actions, including the potential criminal consequences and loss of driver's license, and the proper process and procedure for reporting any incidents of bullying. A copy of the written notice shall also be delivered to each student's parent or legal guardian.

D. Reporting Incidents of Bullying. The charter school shall develop a procedure for the reporting of incidents of bullying using the bullying report form approved by charter school and available on the LDE website and the school website. The procedure shall include the following.

1. Students and Parents
 - a. Any student who believes that he or she is or has been the victim of bullying, or any student or parent or legal guardian, who witnesses bullying or has good

reason to believe bullying is taking place, may report the bullying to a school official.

- b. A student, or parent or guardian, may also report concerns regarding bullying to a teacher, counselor, other school employee, or to any parent chaperoning or supervising a school function or activity.
- c. Any report of bullying shall remain confidential.

2. School Personnel and Chaperones. Any teacher, counselor, bus driver, or other school employee, whether full or part time, and any parent chaperoning or supervising a school function or activity, who witnesses or who learns of bullying of a student, shall report the incident to a school official. A verbal report shall be submitted by the school employee or parent on the same day as the school employee or parent witnessed or otherwise learned of the bullying incident, and a written report must be filed no later than two days thereafter.
3. Retaliation. Retaliation against any person who reports bullying in good faith, who is thought to have reported bullying, who files a complaint, or who otherwise participates in an investigation or inquiry concerning allegations of bullying is prohibited conduct and subject to disciplinary action.
4. False Reports. Making false reports about bullying to school officials is prohibited conduct and will result in disciplinary action.

E. Investigation Procedure. When a report of the bullying of a student by another student is received, the school shall conduct an investigation using the following procedure.

1. Timing. The investigation shall begin the next school day following the day on which the written report was received and shall be completed no later than 10 school days after receipt of the report. If additional information is received after the end of the 10-day period, the school official shall amend all documents and reports to reflect such information.
2. Parental Notification of Allegation of Bullying
 - a. Upon receiving a report of bullying, the school shall notify the parents or legal guardians of the alleged offender and the alleged victim no later than the following school day.
 - b. Under no circumstances shall the delivery of this notice to the parent or legal guardian, be the responsibility of an involved student. Delivery of notice by an involved student shall not constitute notice as is required by this Section.

- c. Before any student under the age of 18 is interviewed, his parents or legal guardians shall be notified of the allegations made and shall have the opportunity to attend any interviews conducted with their child as part of the investigation. If, after three attempts in a 48-hour period, the parents or legal guardians of a student cannot be reached or do not respond, the student may be interviewed.
- d. All meetings with the parents or legal guardians of an alleged victim or an alleged offender shall be in compliance with the following:
 - i. separate meetings with the parents or legal guardians of the alleged victim and the alleged offender;
 - ii. parents or legal guardians of the alleged victim and alleged offender must be notified of the potential consequences, penalties and counseling options.
- e. In any case where a school official is authorized to require a parent or legal guardian of a student under the age of 18 to attend a conference or meeting regarding the student's behavior, and after notice willfully refuses to attend, the principal or designee shall file a complaint with a court of competent juvenile jurisdiction, pursuant to Children's Code article 730(8) and 731.
- f. A principal or designee may file a complaint pursuant to Children's Code article 730(1) or any other applicable ground when, in his judgment, doing so is in the best interests of the student.

3. Scope

- a. The investigation shall include documented interviews by the designated school official of the reporter, the alleged victim, the alleged offender, and any witnesses.
- b. The school official shall collect and evaluate all facts using the bullying investigation form approved by BESE and available on the LDE website.
- c. The school official shall obtain copies or photographs of any audio-visual evidence.

4. Documentation. At the conclusion of a bullying investigation, and after meeting with the parents or legal guardians, the school official or school board shall:

- a. prepare a written report containing the findings of the investigation, including input from students' parents or legal guardians, and the decision by the school

official or school system official. The document shall be placed in the school records of both students. If completed entirely, the bullying investigation form may serve as the report;

- b. promptly notify the reporter/complainant of the findings of the investigation and whether remedial action has been taken, if such release of information does not violate the law;
- c. keep reports/complaints and investigative reports confidential, except where disclosure is required by law;
- d. maintain reports/complaints and investigative reports for three years;
- e. provide a copy of any reports and investigative documents to the charter school, as necessary.; and
- f. provide a copy of any reports and investigative documents to the appropriate law enforcement officials, as applicable.

5. Disciplinary Action. If the school official has determined bullying has occurred, and after meeting with the parents or legal guardians of the students involved, the school official shall take prompt and appropriate disciplinary action against the offender and report criminal conduct to law enforcement, if appropriate.
6. Charter School Reporting
 - a. The charter school shall electronically report all such documented incidences of bullying to the LDE using the LDE behavior report and incidence checklist to document the details of each reported incident of bullying.
7. Appeal
 - a. If the school official does not take timely and effective action, the student, parent, or school employee may report the bullying incident to the school board. The school board shall begin an investigation of any properly reported complaint of bullying no later than the next school day after the board receives the report.
 - b. If the school board does not take timely and effective action, the student, parent, or other school employee may report the bullying incident to the LDE. The LDE shall track the number of reports, shall notify the superintendent and the president of the charter school, and shall publish the number of reports by school district on its website.

8. Parental Relief. If four or more reports of separate incidents of bullying have been made, and no investigation has occurred, the parent or legal guardian of the alleged victim shall have the option to request that the student be transferred to another school operated by the charter school.
 - a. In order to exercise this option, the parent or legal guardian shall file a request with the superintendent of the charter school for the transfer of the student to another school under the charter school's jurisdiction.
 - b. The charter school shall make a seat available at another of its schools within 10 school days of receipt of the request for a transfer. If the charter school has no other school serving the grade level of the student, then within 15 school days of receipt of the request, the superintendent of the charter school shall:
 - i. inform the student and the student's parents or legal guardians and facilitate the student's enrollment in a statewide virtual school;
 - ii. offer the student placement in a full-time virtual program or virtual school under the jurisdiction of the charter school;
 - iii. enter into a memorandum of understanding with the superintendent of another LEA or charter school to secure a placement and provide for the transfer of the student to a school serving the grade level of the student, pursuant to R.S. 17:105 and 105.1.
 - c. If no seat or other placement is made available within 30 calendar days of the receipt of the request by the superintendent, the parent or legal guardian may request a hearing with the school board, which shall be public or private at the option of the parent or legal guardian. The school board shall grant the hearing at its next scheduled meeting or within 60 calendar days, whichever is sooner.
 - d. At the end of any school year, the parent or legal guardian may request that the charter school transfer the student back to the original school. The LEA shall make a seat available at the school.

F. Failure to Act

1. Any teacher, counselor, bus operator, administrator, or other school employee, whether full-or part-time, who witnesses bullying or who receives a report of bullying from an alleged victim, and who fails to report the incident to a school official, shall be investigated by the school governing authority.

2. Any school administrator or official who fails to do any of the following shall be investigated by the school governing authority:
 - a. notify a parent or legal guardian of a report of bullying;
 - b. investigate a report of bullying in a timely manner;
 - c. take prompt and appropriate disciplinary action against a student that was determined to have engaged in bullying; or
 - d. report criminal conduct to the appropriate law enforcement official.
3. Upon finding a reasonable expectation that the individual failed to act, the school governing authority shall suspend the individual without pay.
 - a. The length of the suspension shall be determined by the school governing authority based on the severity of the bullying inflicted on the victim.
 - b. The school governing authority shall report each finding of a failure to report bullying or to act on such a report to the LDE no later than August 1 annually, beginning with August 1, 2023.
 - c. The report shall include the length of suspension issued to each employee who failed to report or to act.

Reference Note: Bulletin 126 – Chapter 43

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:415, R.S. 17:416, and R.S. 17:416.13.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1000 (April 2022), LR 49:254 (February 2023), repromulgated LR 49:860 (May 2023), amended LR 51:43 (January 2025).

Reasons for Suspension

- A. The school principals or designee may suspend from school any student, including a student with exceptionalities, for good cause in accordance with state law and local policy.
- B. Students determined to be guilty of the following offenses may be suspended for the following reasons:
 1. willful disobedience;

2. disrespect to a teacher, principal, superintendent, and/or member or employee of the local school board;
3. making an unfounded charge against a teacher, principal, superintendent, and/or member or employee of the local school board;
4. using unchaste or profane language;
5. immoral or vicious practices;
6. conduct or habits injurious to his/her associates; unless it can be reasonably concluded that the student is not the aggressor or responsible for instigating the confrontation and that use of such force was committed solely for the purpose of preventing a forcible offense, and that the force used must be reasonable and apparently necessary to prevent such offense;
7. using tobacco and/or using and possessing alcoholic beverages or any controlled dangerous substances governed by the Uniformed Controlled Dangerous Substance Law in any form in school buildings or on school grounds;
8. disturbing the school and habitually violating the rules;
9. cutting, defacing, or injuring any part of public school buildings;
10. writing profane or obscene language or drawing obscene pictures in or on any public school premises, or on any fence, sidewalk, or building on the way to or from school;
11. possessing firearms, knives, or other implements that can be used as weapons;
12. throwing missiles on the school grounds;
13. instigating or participating in fights while under school supervision;
14. violating traffic and safety regulations;
15. leaving the school premises without permission or his/her classroom or detention room without permission;
16. habitual tardiness or absenteeism; and
17. committing any other serious offense.

C. A student enrolled in grades prekindergarten through five shall not be suspended or expelled from school or suspended from riding on any school bus for a uniform violation unless said offense is for willful disregard of school policies.

Reference Note: Bulletin 126 – Chapter 43

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1002 (April 2022).

Due Process for Suspensions

- A. Prior to any suspension, the school principal or the principal designee shall advise the student in question of the particular misconduct of which he or she is accused as well as the basis for such accusation, and the student shall be given an opportunity at that time to explain his or her version of the facts to the school principal or his or her designee.
- B. The principal, or the principal designee, shall contact by telephone at the telephone number shown on the pupil registration card or send a certified letter at the address shown on the pupil registration card to the parent or guardian of the student, giving notice of the suspension, the reasons therefore and establishing a date and time for a conference with the principal or his designee as a requirement for readmitting the student.
 1. If the parent or guardian fails to attend the required conference within five school days of mailing the certified letter or other contact with the parent, the truancy laws shall become effective.
 2. On not more than one occasion each school year when the parent or guardian refuses to respond, the principal may determine whether readmitting the student is in the best interest of the student.
 3. On any subsequent occasions in the same year, the student shall not be readmitted unless the parent, guardian, or other appointed representative responds.
- C. A student whose presence in or about a school poses a continued danger to any person or property or an ongoing threat of disruption to the academic process shall be immediately removed from the school premises without the benefit of the procedure described above; however, the necessary procedure shall follow as soon as is practicable.
- D. Notice in writing of the suspension and the reasons thereof shall be given to the parent or parents of the suspended student.
- E. Any parent, tutor, or legal guardian of a suspended student shall have the right to appeal to the superintendent or to a designee of the superintendent, who shall conduct a hearing on the merits of the case.

- F. In all cases of suspensions, the parent, the superintendent of schools, and/or supervisor of child welfare and attendance or designee shall be notified in writing of the facts concerning each suspension, including the reasons therefore and terms thereof.
- G. The decision of the superintendent on the merit of the case, as well as the term of suspension, shall be final, reserving the right to the superintendent to remit any portion of the time of suspension.

Reference Note: Bulletin 126 – Chapter 43

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1003 (April 2022).

Reasons for Expulsions

- A. Students may be expelled for any of the following reasons:
 - 1. Any student, after being suspended for committing any of the offenses listed in §4305 of this Chapter, may be expelled upon recommendation by the principal of the public school in which the student is enrolled.
 - 2. Any student, after being suspended on three occasions for committing drugs or weapons offenses during the same school session, shall, on committing the fourth offense, be expelled from all the public schools of the parish or city school system wherein he or she resides until the beginning of the next regular school year, subject to the review and approval of the local educational governing authority.
 - 3. The conviction of any student of a felony or the incarceration of any student in a juvenile institution for an act which, had it been committed by an adult, would have constituted a felony, may be cause for expulsion of the student for a period of time as determined by the board.
 - a. Such expulsions shall require the vote of two thirds of the elected members of the local educational governing authority.
 - b. Such expulsions shall not be for a period of time longer than the student's period of adjudication as determined by the applicable court presiding over the student's criminal matter, shall run concurrent to the student's period of disposition, and may require the student to serve the time left in the expulsion period as required by the superintendent or designee if the student was serving an expulsion period when the student was incarcerated for a separate

offense and the student completes the period of incarceration with time left in the expulsion period.

- c. Such conviction or incarceration may be sufficient cause for a superintendent to refuse admission of the student to a school except upon review and approval of a majority of the elected members of the local school board.
- 4. Any student in sixth grade and above found guilty of being in possession of tobacco, alcohol, or vaping products on school property, on a school bus, or at a school-sponsored event, may be recommended for expulsion.
- 5. A student in sixth grade and above who is found guilty of being in possession of a firearm, a knife with a blade equal to or in excess of two and one-half inches in length, or any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school event shall be expelled from school according to the requirements of R.S. 17:416(C)(2). The school principal or designee shall, within five days of arrest, refer such student for testing or screening by a qualified medical professional for evidence of abuse of alcohol, illegal narcotics, drugs, or other controlled dangerous substances. If evidence of abuse is found, the principal or designee shall refer the student to an alcohol and drug abuse treatment professional chosen by the student's parent or legal guardian.
- 6. Any student in sixth grade and above who is suspended a third time within the same school year for any offense, excluding dress code or tardiness, shall be recommended for expulsion.

B. School officials shall have total discretion and shall exercise such discretion to impose disciplinary actions authorized by this Section for possession by a student of a firearm or knife on school property when such firearm or knife is stored in a motor vehicle and there is no evidence of student intent to use the firearm or knife in a criminal manner.

C. Expulsion is not mandatory for a student carrying or possessing a firearm or knife for purposes of involvement in a school class or course or school-approved co-curricular or extracurricular activity or any other activity approved by the appropriate school officials or for a student possessing any controlled dangerous substance governed by the uniform controlled dangerous substances law that has been obtained directly or pursuant to a valid prescription or order from a licensed medical provider. However, the student shall carry evidence of the prescription or medical provider order on his person at all times when in possession of any controlled dangerous substance which shall be subject to verification. Evidence of the prescription or medical provider's order includes possession

of the controlled dangerous substance in the original packaging as received from the pharmacy.

D. Mandatory recommendation for expulsion shall not be applied to virtual instruction received by a student in the student home.

Reference Note: Bulletin 126 – Chapter 43

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1003 (April 2022), amended LR 51:43 (January 2025).

Guidelines for Expulsions

A. No student who has been expelled from any public or nonpublic school outside the state of Louisiana or any nonpublic school within Louisiana for committing any offenses enumerated in R.S. 17:416 shall be admitted to:

1. a public school in the state except upon the review and approval by the governing body of the admitting school; or
2. to a regular public school in the LEA from which the student was expelled prior to the completion of the specified period of expulsion at the school system's alternative education setting.

B. Any student who has been expelled from any public or nonpublic school within or outside the state of Louisiana for one of the reasons listed below shall produce documentation that he or she and his/her parent or legal guardian have enrolled in and participated in an appropriate rehabilitation or counseling program related to the reason(s) for the expulsion prior to being admitted or readmitted on a probationary basis to any public school in the state, unless such requirement is waived by the LEA:

1. possessing on school property or on a school bus a firearm, knife, or other dangerous weapon, or instrumentality customarily used or intended for probable use as a dangerous weapon; or
2. possessing with intent to distribute, or distributing, selling, giving, or loaning while on school property or on a school bus any controlled dangerous substance governed by the Uniform Controlled Dangerous Substances Law.

C. Any student who has been expelled from any public or nonpublic school within or outside the state of Louisiana shall provide to any public school or school system in the state to which the student is seeking admission, information on the dates of any

expulsion and the reason(s) for which the student was expelled. Additionally, the transfer of a student's records by any public school or school system in the state to any other public or nonpublic school or school system shall include information on the dates of any suspensions or expulsions and the reason or reason(s) for which the student was suspended or expelled. Refer to R.S. 17:416(B)(3).

D. A student expelled from school pursuant to the provisions of R.S. 17:416 may be readmitted on a probationary basis to school at any time during the specified period of expulsion on such terms and conditions as may be stipulated by the city, parish, or other local school superintendent and agreed to in writing by the student and by the student's parent or other person responsible for the student's school attendance. However, any such written agreement shall include a provision that upon the school principal or superintendent of schools determination that the student has violated any term or condition of the agreement, the student shall be immediately removed from the school premises without the benefit of any hearing or other procedure applicable to student out-of-school suspensions and expulsions and returned to the school system alternative school setting. As soon thereafter as possible, the principal or designee shall provide verbal notice to the superintendent of schools of any such determination and also shall attempt to provide such verbal notice to the student's parent or other person responsible for the student's school attendance. The principal or his designee also shall provide written notice of the determination and the reasons therefore to the superintendent and to the student's parent or other responsible person.

Reference Note: Bulletin 126 – Chapter 43

AUTHORITY NOTE: Promulgated in accordance with R.S.17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1004 (April 2022), amended LR 51:43 (January 2025).

Due Process for Expulsions

- A. A recommendation for expulsion is made by the principal or, in the case of a student found carrying or possessing a firearm or another dangerous instrumentality other than a knife, or who possesses, distributes, sells, gives, or loans any controlled dangerous substance governed by the Uniform Controlled Dangerous Substances Law, in any form, by the principal's designee.
- B. A hearing is conducted by the superintendent of the charter school or someone designated by the superintendent within 15 school days. The school board must provide

written notice of the hearing to the student and the parent or legal custodian, and such notice shall advise the student and parent or legal custodian of due process rights.

- C. A determination of whether to expel the student is made by the superintendent or his designee.
- D. The principal and teacher as well as the student may be represented by someone of their choice at this hearing.
- E. Until the hearing takes place, the student shall remain on suspension with access to classwork and the opportunity to earn academic credit.
- F. The parent or guardian of the student may, within five days after the decision to expel the student has been rendered, request the local educational governing authority to review the findings of the superintendent or his designee. Otherwise, the decision of the superintendent shall be final. A student's agreement to cooperate in recommended treatment determined as necessary by a medical professional may be certified in writing by the medical professional and used to initiate reopening the student case. The school board shall take into consideration the student agreement to receive treatment as a positive factor in the final decision applicable to any final disciplinary action.
- G. The board, in reviewing the case, may affirm, modify, or reverse the action previously taken.
- H. If the board upholds the decision of the superintendent, the parent or guardian of the student may, within 10 days, appeal to the district court for the parish in which the student's school is located. The court may reverse the ruling of the board.

Reference Note: Bulletin 126 – Chapter 43

AUTHORITY NOTE: Promulgated in accordance with R.S.17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1004 (April 2022).

Discipline for Students with Disabilities

- A. If a school district removes a student with a disability from the student's current educational placement for 10 school days in a school year, consecutively or cumulatively, regardless of the circumstances, beginning on the eleventh day, students must continue to receive educational services to enable the student to continue participating in the general education curriculum, to progress toward meeting the goals set out in the IEP, and to receive behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

NOTE: Refer to Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act.

Reference Note: Bulletin 126 – Chapter 43

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1005 (April 2022).

Search and Seizure

- A. Any teacher, principal, school security guard, or administrator may search any building, desk, locker, area, or school grounds for evidence that the law, a school rule, or parish or city school board policy has been violated.
- B. The teacher, principal, school security guard, or administrator may search the person of a student or his personal effects when, based on the attendant circumstances at the time of the search, there are reasonable grounds to suspect that the search will reveal evidence that the student has violated the law, a school rule, or a school board policy. Such a search shall be conducted in a manner that is reasonably related to the purpose of the search and not excessively intrusive in light of the age or sex of the student and the nature of the suspected offense.
- C. Each charter school shall adopt a policy to provide for reasonable search and seizure by teachers, by principals, and by other school administrators of a student's person, desk, locker, or other school areas for evidence that the law, a school rule, or a charter school policy has been violated.
- D. Any such policy shall be in accordance with applicable law.

Reference Note: Bulletin 126 – Chapter 43

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1005 (April 2022).

New Policy: August X, 2025

Ref: La. Rev. Stat. Ann. §§ 15:587.1, 17.6, 17.7, 17:10.7.1, 17:10.5, 10:10.7, 17:101, 17:158, 17:232, 17:1990, 19:93, 17:3971, 17:3972, 17:3973, 17:3974, 17:3981, 17:3982, 17:3983, 17:3983.1, 17:3991, 17:3991.1, 17:3992, 17:3995, 17:3996, 17:4036.1, 42:1114, 42:1115

[Louisiana School, District, and State Accountability System, Bulletin 111](#)

Statewide Assessment Standards and Practices, Bulletin 118

Louisiana School Transportation Specifications and Procedures, Bulletin 119

Charter Schools, Bulletin 126

Louisiana Accounting and Uniform Governmental Handbook (LAUGH), Bulletin 1929, Louisiana Department of Education

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