

Regular Session, 2008

ACT No. 744

HOUSE BILL NO. 1105

BY REPRESENTATIVE TRAHAN

1 AN ACT

2 To amend and reenact R.S. 17:3995(A)(1)(introductory paragraph) and (4), relative to
3 charter schools; to provide relative to charter school funding, including for Type 5
4 charter schools; to authorize the imposition of certain fees by chartering authorities;
5 to provide relative to charges for the purchase of certain services by a charter school;
6 to provide limitations; to provide for certain reports to a charter school; to provide
7 an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R. S. 17:3995(A)(1)(introductory paragraph) and (4) are hereby amended
10 and reenacted to read as follows:

11 §3995. Charter school funding

12 A.(1) ~~For~~ Except as otherwise provided by this Subsection, for the purpose
13 of funding, a ~~type~~ Type 1, ~~type~~ Type 3, and ~~type~~ Type 4 charter school shall be
14 considered an approved public school of the local school board entering into the
15 charter agreement and shall receive a per pupil amount each year from the local
16 school board based on the October first membership count of the charter school.
17 Except as otherwise provided by this Subsection, Type 2 charter schools shall
18 receive a per pupil amount each year from the state Department of Education using
19 state funds specifically provided for this purpose. Type 2 charter schools authorized
20 by the State Board of Elementary and Secondary Education after July 1, 2008, shall
21 receive a per pupil amount each year as provided in the Minimum Foundation
22 Program approved formula. The per pupil amount provided to ~~all charter schools a~~

1 (b) A charter school may contract with the chartering authority, or with the
2 Recovery School District for a Type 5 charter school, for the direct purchase of
3 specific services in addition to those included in administrative overhead costs,
4 including but not limited to food services, special education services, transportation
5 services, custodial and maintenance services, media services, technology services,
6 library services, health services, and health benefits for active and retired employees.
7 Such services shall be provided to the charter school at the actual costs incurred by
8 the chartering authority or the Recovery School District as applicable. The amount
9 paid by a charter school for such purchased services shall be in accordance with a
10 written agreement entered into for this purpose by the charter school and the
11 chartering authority or the Recovery School District as applicable. Such agreement
12 shall be negotiated and executed prior to the beginning of each school year. Absent
13 such an agreement as provided by this Subparagraph, the chartering authority or, if
14 applicable, the Recovery School District shall have no authority to withhold from the
15 charter school any funds relative to providing such services.

16 (c) By not later than ninety days following the end of each fiscal year, each
17 charter school shall be provided by its chartering authority an itemized accounting
18 of all administrative overhead costs. Additionally, by not later than ninety days
19 following the end of each fiscal year, each charter school shall be provided by its
20 chartering authority or the Recovery School District, if applicable, an itemized
21 accounting of the actual cost of each purchased service provided to the charter
22 school.

* * *

24 Section 2. This Act shall become effective upon signature by the governor or, if not
25 signed by the governor, upon expiration of the time for bills to become law without signature
26 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____