

Regular Session, 2011

ACT No. 417

HOUSE BILL NO. 421

BY REPRESENTATIVE CARTER AND SENATOR QUINN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To enact R.S. 17:3991.1, relative to charter schools; to provide relative to corporate donations to charter schools; to provide for enrollment preferences and membership on the governing or management board of a charter school for certain major corporate donors; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3991.1 is hereby enacted to read as follows:

§3991.1. Corporate partners; enrollment preferences and board membership

A. The legislature finds and declares that:

(1) The economic vitality of the state is dependent upon the education of its people, including its current and future workforce.

(2) The performance of Louisiana's public education system is critical in providing every Louisiana child with the ability to graduate equipped to enter college or the workplace, obtain a rewarding and self-sustaining career, and contribute to society in meaningful ways.

(3) High-quality educational options are essential to the academic growth of Louisiana's students and the ability of the state to attract businesses, a highly talented workforce, and expand existing businesses.

(4) Partnerships between businesses and the state's public education system can result in positive outcomes for children, providing much needed resources for

1 schools and rich experiences for students to help prepare them to be effective
2 employees and productive citizens.

3 B.(1) Notwithstanding geographic or other requirements for enrollment
4 contained in this Chapter, a charter agreement may provide, initially or by
5 amendment, for the enrollment of and an enrollment preference for dependent
6 children of permanent employees of a corporate partner as defined by Subsection C
7 of this Section. Up to fifty percent of the school's maximum enrollment may be
8 reserved for the enrollment of such children. The charter agreement shall specify
9 both the school's maximum enrollment and the maximum proportion set aside for
10 implementation of this enrollment preference.

11 (2) A charter agreement may provide, initially or by amendment, for a
12 corporate partner to have representation on its governing or management board;
13 however, such representation may not constitute a majority of the board. Such
14 membership is subject to all other provisions of law except any contrary provision
15 in this Chapter.

16 C. For purposes of this Section, a corporate partner is any legal entity,
17 whether for profit or not for profit, registered with the secretary of state, except a
18 corporation identified in R.S. 18:1505.2(L)(3), that has, acting individually or as part
19 of a consortium of corporations, donated one or more of the following to the school:

20 (1) The land on which the school is built.

21 (2) The school building or the space the school occupies. If the corporate
22 partner is leasing the building or space to the school, the enrollment preference or
23 board membership may only be provided in the charter agreement if the lease
24 provides that the building or space is made available without cost and if the term of
25 the lease is not less than the duration of the charter agreement.

26 (3) Major renovations to the existing school building or other capital
27 improvements including major investments in technology. For purposes of this
28 Paragraph, a major renovation to the existing school building means changes that

1 provide significant opportunities for substantial improvement including but not
2 limited to a structural change to the foundation, roof, floor, or interior or exterior
3 walls or extension of an existing facility to increase its floor area; or an extensive
4 alteration of an existing facility, such as a change in its function or purpose, even if
5 such renovation does not include any structural change to the facility. A major
6 investment in technology includes but is not limited to a donation of hardware,
7 software, Internet access, Internet hardware, enterprise systems, software licenses,
8 smart board technology, or audiovisual equipment. The value of a major renovation
9 or of an investment of technology shall be equal to at least fifty percent of the per
10 pupil allocation of state funds by the minimum foundation program formula for that
11 year for the parish in which the school is located multiplied by the school's
12 enrollment as defined in the charter agreement.

13 D. For the duration of the enrollment preference specified in Paragraph
14 (B)(1) of this Section, the corporate partner shall enter annually into a memorandum
15 of understanding with the charter school with which it has entered into a partnership
16 which memorandum shall specify the methods by which the corporate partner shall
17 support the charter school, including but not limited to internships for students,
18 career counseling, academic tutoring, or enrichment activities.

19 E.(1) An enrollment preference pursuant to Paragraph (B)(1) of this Section
20 shall not be implemented in a way that displaces children enrolled at the school at
21 the time the charter agreement or amendment providing for the preference is
22 authorized.

23 (2) Enrollment at the school shall otherwise be as provided by this Chapter
24 except that the requirement of R.S. 17:3991(B)(1)(a)(i) shall apply to and be based
25 upon only students who are not dependent children of permanent employees of a
26 corporate partner.

27 Section 2. This Act shall become effective upon signature by the governor or, if not
28 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become
3 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____