



The very first thing one must understand is that Act 2 is far more reaching and complex than just "vouchers." And, it even more egregiously ignores the Louisiana Constitution, thus LFT has filed a lawsuit to challenge the constitutionality of Act 2 also.

**1. Parent Petitions for Transferring Schools to the Recovery School District (R.S. 17:10.5(F))**

A. Parents or legal guardians representing at least a majority of the students attending the school sign a petition requesting the transfer

*The school has received a letter grade of "D" or "F" or any variation thereof, for three consecutive years. (There was almost no discussion of this section during the session).*

**2. Chartering Process - Charter Applications**

- Requires BESE to approve a common charter application, developed by DOE and to recruit chartering groups that offer programs to address regional workforce needs and may include vocational and technical education and industry-based certifications
- Retains present law requiring the board to determine whether a charter is valid, complete, financially well-structured, and educationally sound and has a plan to collect all data at their locations in accordance with current law
- Retains requirement that a charter proposal receive the independent evaluation of a third party with education, organization, legal and financial expertise.
- Alters the current requirement that prior to final consideration by the school board, the chartering group be afforded an opportunity to revise and resubmit an application in response to the evaluation by the third party to allow only for a response, but not a resubmission.
- Requires BESE to establish timelines for the consideration of charter applications and provides that BESE shall provide for annual charter applications process and afford school boards at least 90 days to evaluate applications.
- Requires that admission requirements prohibit the exclusion of students based on race, religion, special educational needs, and other specified factors. Allows for foreign language proficiencies in schools with language immersion mission.

**4. Staff / Certification**

- Removes requirements relating to the percentage of f that is certified and simply requires all instructional staff have at least a baccalaureate degree. **Removes all certification requirements in charter schools.**
- Prohibits the employment of persons convicted of specified crimes from being hired by a charter school as a teacher, substitute teacher, bus driver, substitute bus driver, or janitor, or as a temporary, part-time, or permanent school employee of any kind.

**5 Monitoring and Reporting**

- Repeals the requirement that BESE to study laws that govern charter schools and to determine of such laws, regulations, or policies hindered or assisted charter school since meeting their stated goals.

**6. Creation of Charter School Authorizers**

- Requires BESE to establish procedures for certifying entities other than BESE and local school boards as "charter authorizers" which may include non-profits and other state agencies who will accept, evaluate, and approve applications for charter schools (*not elected decision makers*)

**Who CANNOT be a charter authorizer?**

- Non-profit corporations unless they have been in existence for three years and have not less than \$500,000 in assets

**Chartering groups**

1. No more than five local charter authorizers within any Regional Labor Market Area as defined by the La. Workforce Commission at any given time.
  - Any chartering group that has an officer who has been convicted of or has pled nolo contendere to any crime defined as a felony or convicted of any other state or U.S. or foreign government crimes which, if committed La., would be a felony would be prohibited
- All schools authorized by certified local authorizers will be eligible for the newly established La. Charter School Start-Up Loan fund to provide no interest loans for use in start-up costs.

**BESE's Role**

- BESE will monitor standards for local charter authorizers and the schools they charter
- Certify authorizers for initial period of five years, and renew for periods of not less than three and not more than ten years after a thorough review of schools chartered by the local charter authorizer every three years and dependent upon grades received by the schools chartered by the authorizer.

- Rescind charters if BESE finds that the authorizer has failed to comply with procedures and requirements in approving charters or if the chartering group has a pattern of abuse, neglect, and mistreatment of students.

**Rules for nonprofit corporations certified as Local Charter Authorizers:**

- Must comply with open meetings rules
- Must submit annual financial audits to DOE and legislative auditor
- Subject to the same requirements for charter applications as described above
- Any assets acquired by an authorizer or any of its charters must be used solely for operating charter schools.
- Upon dissolution, the local public school board will have the option to purchase or acquire the assets of any local Charter Authorizer.
- All charters and local charter authorizers must adopt budgets in accordance with the la. Local Government Budget Act.

**7 Course providers**

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- Must submit annual financial audits to DOE and legislative auditor
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**8. Student Scholarships for Excellence Programs**

**Student Eligibility:**

- Residents of La. Whose income does not exceed 250% of the current federal poverty guidelines;
- Are entering kindergarten, were enrolled in La. Public school on Feb 1 of the previous year and had a letter grade of C, D, or F or any variation thereof.
- Kindergarten students, in order to be eligible shall enroll in local school system where the public school they otherwise would have attended is located, or an RSD school.



## Student Scholarship Program (Continued)

### School Eligibility:

- La. Schools that meet program requirements as set out by BESE
- Public school participation shall be subject to any applicable court-ordered desegregation plans.
- Public school must have received an A or B in most recent school year.
- In order for non-public school to accept more than 20% of total enrolment as scholarship recipients, they must have been approved, provisionally approved, or provisionally approved for more than two years

### Other features:

- Implements a Unified Enrollment system administered by the Recovery School District to be the "random selection process" as required by the law.
- Gives preference to students from D and F schools
- Requires local public schools to submit notice of intent for program participation with local superintendent's approval, including the number of seats available per grade and whether the school will offer enrollment preferences to students based on parishes where they reside.
- Requires that BESE publish annually certain student test result data, a list of public schools with certain letter grades, cohort graduation rates, retention rates, and parental satisfaction rates for participating schools as applicable.
- Requires parent applications to include choices of participating schools and placement according to those preferences.
- Retains the following provisions of current law with regard to the New Orleans Voucher program and expands them to apply to new "scholarship" recipients:
- DOE administers the plan in accordance with rules promulgated by BESE and reports annually to the Joint Legislative Committee on the Budget
- Random selection process coordinated by DOE and conducted by participating schools when there are more program applicants than seats available. Preference to siblings of students already enrolled at participating schools.
- Requires all scholarship recipients at non-public schools to be administered standardized tests in compliance with state's school and district accountability program

### Alters existing "scholarship" law by:

- Deleting eligibility requirement that a public school be academically acceptable
- Deletes that a scholarship recipient already participating in program may be determined ineligible and disqualified from participating in the program in subsequent years.
- Deletes requirement that department annually assess scholarship eligibility status of participating students.
- Removes scholarship funding from the general fund allocation, and provides that scholarships will be part of the "equitable funding" scheme of the MFP.
- Requires that a "accountability system" be designed by August 1, 2012 by the Department of Education, and prohibits ANY change to such system except by the legislature.

### Special Education:

- Deletes the requirement that federal special education funding be added to the MFP amount for scholarship recipients and requires that such funding be provided from the general fund.
- Requires parents of participating non-public school students to acknowledge that they are receiving only the services available at such non-public school
- Requires that MFP special education tuition amount as specified within the MFP shall be allocated to special education students in addition to the non-public school's maximum scholarship payment.

Provides for severability of provisions and expedited judicial review