



Louisiana Association
of Public Charter Schools

New Laws Guide for Charter Schools **2024**

ADMINISTRATIVE GUIDE



A Note from LAPCS about the 2024 Legislative Session

After doing this work for nearly two decades, this legislative session was one of my most thrilling and nerve-wracking experiences as the Executive Director of LAPCS. After a lifetime in Louisiana politics, I thought I knew everything about the legislative process, but I guess even this old dog can learn new tricks!

Emotions tend to run high in the Capitol Building, but even more so this year with a new governor and many new legislators trying to establish themselves and their political legacies. Getting to know the newly elected officials and their positions on issues important to our charter schools was a bit of a learning curve. This is why LAPCS' pre-legislative work of helping connect policymakers to our member schools throughout the school year is as vital as our work during the legislative session. Great advocacy requires year-round work, and events like school tours are necessary to build lasting and meaningful relationships with lawmakers.

This year an overwhelming **1,491 bills** were filed, with a whopping **792 bills** being enacted into law. While there's much to be said about this year's session, I am truly delighted with what LAPCS accomplished on behalf of our charter school community and the upcoming 30th anniversary of Louisiana's Charter School Law in 2025. Our small but mighty team brought forth one of the most aggressive and largest legislative packages by any group, both at the state and national level. Not only did our success in passing five of our six bills capture the attention of experienced politicians around the Capitol, but we also achieved bipartisan votes on all of our bills — one of which, **Act 716**, passed unanimously in both houses!

The **Charter 3.0 Bill Package** is essential to the charter school community. It not only clarifies charter schools' purpose, role, and scope by removing words such as "Demonstration Program" and "experiment," but it also provides a definition of "charter autonomy" and makes overdue changes that will help our schools expand and better serve students. As subtle as these changes may seem, we believe they are critical to establishing our community as an indispensable public school option for Louisiana families.

I want to thank everyone involved for your relentless work and dedication. What we're doing isn't easy, but it's important. We must not relent! The education landscape is quickly changing, so our schools (board members, leaders, staff, and families) must engage in advocacy as often as possible to help inform and gather support. LAPCS will provide you with the tools and support needed, whether helping prep testimony or arranging luncheons and visits, but we cannot do this without you.

Caroline Roemer
LAPCS Executive Director



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Glossary of Commonly Used Acronyms:

- **ADA:** Americans with Disabilities Act
- **AED:** Automated External Defibrillator
- **BESE:** The State Board of Elementary and Secondary Education
- **CPR:** Cardiopulmonary Resuscitation
- **DCFS:** Louisiana Department of Children and Family Services
- **ESSA:** Every Student Succeeds Act
- **LDOE:** The Louisiana Department of Education
- **Section 504:** Section 504 of the Rehabilitation Act of 1973
- **SPED:** Students with exceptionalities, not including gifted or talented
- **SPS:** School Performance Score
- **TRSL:** Teacher Retirement System of Louisiana

New Laws Guide Notice:

LAPCS' 2024 New Laws Guide provides only summaries of the laws passed during the 2024 legislative session that are applicable and pertinent to charter schools and the communities they serve. This guide is not legal advice. Charter school leaders should read all laws in full and review this guide with their attorneys for further information, guidance, and implementation. If you have any questions, please do not hesitate to contact LAPCS, your attorney, your authorizer, or the Louisiana Department of Education for additional guidance.

I. LAPCS Charter School 3.0 Laws

Act 334

Edmonds, Charter School Law Updates and modernizes Louisiana’s Charter School Law ([La. R.S. 17:3971](#) et seq.) by:

- Removing all references to charter schools as “experiments” or “demonstrations.”
- Requiring local charter school applicants to also submit notice of their application as a Type 1 or Type 3 charter school to LDOE (this is to help provide more transparency and improve communications during the local authorizing process).
- Clarifying that all charter schools “shall have the autonomy necessary to manage its educational programming and daily operations in accordance with law, policy, and contract.”
- Defining “Autonomy” as unless mutually agreed upon by the chartering authority and charter school, or otherwise required or prohibited by law, the charter school shall have independent operational decision-making authority in the areas including by not limited to:
 - School programming, instruction, curriculum, materials, texts, calendars, and schedules;
 - Personnel, employment, salaries and benefits, educator certification and evaluation, performance management, participation in retirement planning, and collective bargaining; and,
 - Budgeting, purchasing, procurement, contracts, food service, and management of transportation.

Act 364

Carver, Corporate Charter Schools Amends Charter Law, [La. R.S. 17:3983](#) and [17:3991.1](#), to permit charter schools with corporate partnerships to directly apply to BESE for consideration as a Type 2 charter school.

- Act 78 also expands the definition of which entities are eligible to participate as corporate partners to now include: for-profit and non-profit corporations, regional airports, or any federal or state entity or agency, including a public postsecondary educational institution.

Act 172

Miguez, Charter School Renewal & Revocations: Amends current Charter School Renewal and Revocation Law ([La. R.S. 17:3992](#)) to now provide the following:

- **5-Year Initial Contracts:** All initial charter contracts are now 5-year terms with renewal decisions made during the fourth year of operation (no more 4 initial years + 1 year extensions).
- **Renewal Indices:** Mandates that all charter renewal decisions shall include academic performance and progress indices, as well as distinguish between charter schools with selective admissions criteria, those without selective admissions criteria, and those designated as alternative schools.
- **Contract Extension due to Extraordinary Circumstances:** In instances where the state does not issue an SPS, the school qualifies as a severe impact school (as determined by BESE policy), or other extraordinary circumstances apply as set forth in an authorizer's policy, the authorizer may extend the charter contract term by the same length of time as the impacting occurrence.
- **Alternative to Revocation:** As an alternative to revocation (as set forth in [La. R.S. 17:3992\(C\)](#)), the authorizer may instead reconstitute the charter school's governing board if the authorizer finds that the charter school:
 - Committed a material and uncorrected violation of the law relative to the school's finances or the health, safety, or welfare of its enrolled students;
 - Failed to satisfy accountability provisions prescribed by the charter or authorizers;
 - Failed to meet generally accepted account 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 authorizer.

Act 172 Note: The ability of the authorizer to reconstitute a charter board must be based on the best interests of the students, the severity of the violation, any previous violation the school has committed, and the accreditation status of the school, and can only be implemented after a public hearing and in accordance with rules established by BESE.

Act 659

Freiberg, Charter School Enrollment Requirements: Sets forth the following changes and new requirements for charter school enrollment:

- **Student Demographics Enrollment Quotas:** For the charter schools to which the student demographic enrollment quotas apply in [La. R.S. 17:3991\(B\)](#):
 - 70% Enrollment Quota: Reduces the percentage of student enrollment for economically disadvantaged and SPED students from 85% of the local district's average to 70% (see [La. R.S. 17:3991\(B\)](#) and "Act 91"– [La. R.S. 17:10.7.1\(E\)\(5\)](#) for the list of charter schools that are exempt from this requirement).
 - Aggregate Data to Determine Enrollment Quota Compliance: Also provides that 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, then every charter school located within the boundaries of the school system shall be in compliance.
- **Anti-Discrimination Admissions Protections:** Clarifies that no charter school can exclude students on the basis that they are economically disadvantaged (in addition to the other anti-discrimination student characteristics listed in [La. R.S. 17:3991\(B\)\(3\)](#)).
- **Charter School Applications:** Specifies that all applications to open a new charter school shall include information as to how the best interests of economically disadvantaged students will be considered and how its program will meet the needs of both economically disadvantaged and SPED students.
- **Enrollment Application Information and Website Posting:** Requires all charter schools to make all application information, including enrollment eligibility, enrollment preferences, program capacity, application period, and any other important application and enrollment dates available to all applicants and posted on the school's website.
- **Enrollment Information Prohibitions and Preferences:**
 - Clarifies that parents cannot be forced to disclose any medical information or SPED needs, income, or economically disadvantaged status prior to enrollment.
 - Clarifies that charter schools may provide a voluntary enrollment preference for economically disadvantaged and SPED students.

- **Enrollment Lotteries and Notification:**
 - When required to use a lottery because there are more applicants than seats available, all charter schools must make available to all applicants information related to the school's enrollment lottery, including 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 waitlist information.
 - Charter schools must also notify applicants placed on an enrollment waiting list of their list ranking and notified of any changes to the waiting list throughout the school year.
 - Lottery enrollment waiting lists cannot roll over from one school year to the next.

- **BESE Oversight**
 - **Enrollment Transparency:** BESE shall develop rules and regulations for determining a charter school's compliance with the enrollment transparency requirements.
 - **Discrimination Investigations:** BESE shall also provide for a process to investigate allegations of discriminatory practices of a charter school that shall include but not be limited to the review of data related to a charter school's enrollment, discipline, parent complaints, and identification of students with exceptionalities, not including gifted and talented.
 - **Enrollment Demographics Report:** BESE shall annually produce a status report regarding enrollment percentages of Economically Disadvantaged and SPED students.

Act 716

Romero, Classroom Instruction Mandates Limitations: Provides that any new legislatively proposed requirement for additional student instruction shall become effective only if the requirement is offset by the elimination of another instructional requirement, completion of which requires at least the same amount of time as the additional requirement; also requires LDOE to maintain a list of instructional requirements that is provided by law and is not provided for in the state content standards adopted by BESE or the Carnegie units established by LDOE in accordance with BESE policy.

II. Curriculum and Graduation Requirements

Act 686

C. Owen, Classroom Instruction Legislative Repeal with BESE Oversight:

In the spirit of LDOE’s “[Let Teachers Teach](#)” recommendations, Act 686 repeals the following classroom instructional mandates and requires BESE to promulgate rules around the extent to which the repealed laws should be (or already are) included in school instructional and training standards and requirements:

- [La. R.S. 17:81\(R\), \(T\),\(X\), \(Y\)](#); [La. R.S. 17:3996\(B\)\(22\), \(24\), \(34\), \(35\)](#): Instruction related to Safe Haven Law; Dating Violence; CPR and AED use; Child Assault Awareness and Prevention.
- [La R.S. 17:154\(A\)\(2\) and \(3\)](#): Secondary school instruction related to alcohol, tobacco, drug, substance abuse prevention, the dangers of mixing opioids and alcohol, and related health risks associated with vapor products.
 - See also, [La. R.S. 17:3996\(A\)\(13\)](#) that requires charter schools to adhere to rules governing public school drug use prevention, to which Act 686’s repeals might be applicable.
- [La. R.S. 17:252\(D\)](#): Training regarding positive behavioral supports and reinforcement, conflict resolution, mediation, cultural competence, restorative practices, guidance and discipline, and adolescent development.
- [La. R.S. 17:263](#): Adoption Awareness Instruction
- [La. R.S. 17:267](#); [La. R.S. 17:3996\(B\)\(44\)](#): Litter Prevention and Awareness Instruction
- [La. R.S. 17:271](#); [La. R.S. 17:3996\(B\)\(51\)](#): Shaken Baby Syndrome Instruction
- [La. R.S. 17:271.1](#); [La. R.S. 17:3996\(B\)\(68\)](#): Mental Health Instruction
- [La. R.S. 17:275](#): Breast Self-Examination and Cervical Cancer Curriculum
- [La. R.S. 17:276.1](#); [La. R.S. 17:3996\(B\)\(69\)](#): Water Safety Instruction
- [La. R.S. 17:279-280.2](#); [La. R.S. 17:3996\(B\)\(30\), \(76\)](#): Parenthood Education; Internet and Cellphone Safety Education; Eating Disorder Awareness and Prevention Instruction; and, Organ Donation Instruction

- [La. R.S. 17:404](#): Substance Abuse Programs
- [La. R.S. 416.14\(C\)\(2\)](#): Repeals the specific requirement that each public school create a minimum 4-hour anti-bullying training program for new employees and a minimum 2-hour training annually for all other employees.
 - See also, [La. R.S. 17:3996\(B\)\(32\)](#), to which Act 686’s repeal also applies to charter schools.
- [La. R.S. 17:437](#): Communicable Disease Prevention and Control Training
- [La. R.S. 17:437.1\(B\)](#); [La. R.S. 17:3996\(B\)\(4\)](#): Repeals the specific requirement that each public school create an annual minimum 2-hour anti-suicide training program for school staff.
- [La. R.S. 17:437.2](#); [La. R.S. 17\(3996\)\(B\)\(64\)](#): Adverse Experience Education Training
- [La. R.S. 17:440.1](#): School Employees First Aid Training
- [La. R.S. 17:440.2](#); [La. R.S. 17:3996\(B\)\(73\)](#): Sudden Cardiac Arrest Education

Act 635

Bamburg, ACT Exemption for Career Diploma Students: Makes the following new requirements to the state’s school accountability system:

- **College Diploma Students (ACT Required; Highest Test Score):** If students are required to take the ACT, the student may also take the WorkKeys test and the Armed Services Vocational Aptitude Battery (ASVAB); the highest score achieved shall be used for purposes of the school and district accountability system.
- **Career Diploma Students (ACT Optional; Highest Test Score):** Students must take either the ACT, WorkKeys, or ASVAB (ACT is no longer mandatory); the highest score achieved shall be used for purposes of the school and district accountability system.

Act 428

Phelps, Mandatory 10-Point Grading Scale: Requires all public schools, including charter schools, to use a uniform 10-point grading scale in any grade for which letter grades are used.

Act 211

Hughes, Computer Science Curriculum: Requires the following for student graduation and K-12 computer science curriculum requirements:

- **Required Computer Science for Graduation:** Beginning with students graduating in the 2027-28 school year, completion of a one-unit Computer Science course (required for the high school career diploma and TOPS and TOPS-Tech award eligibility).
- **Teacher Preparation Programs:** Beginning June 30, 2026, must include instruction on teaching students computer science.
- **New Computer Science Classroom Instruction Requirements:** Beginning with the 2026-27 school year, charter schools must provide the following classroom instruction:
 - **High School:** computer science instruction and each high school student must complete at least a one-credit Computer Science course for graduation.
 - **Grades 6-8:** instruction in exploratory computer science.
 - **Elementary schools:** instruction on the basics of computer science and computational thinking.

Act 211 Note: By June 30, 2024, LDOE must publish on its website and enact a plan to ensure sufficient teacher capacity to carry out the provisions of this Act. Charter schools should also seek further guidance from LDOE as to the implementation timelines and impacts on graduating students as Act 211 provides many different start times for the different requirements set forth in the law.

Act 91

Edmonds, Course Choice Updates: Amends current Course Choice law (La. R.S. 17:4002.1 et seq.) to now require students to receive written permission from a parent or legal guardian in order to enroll in a course choice program (no longer need approval from superintendent).

- Enrollment in a course choice program may be prohibited if it is either (i) determined by the school's counselor to not be academically appropriate for the student's chosen major or graduation pathway; or, (ii) conflicts with LDOE's published student high school planning process.

Act 247

Melerine, Graduation Appeals Prohibition: Prohibits BESE and LDOE from approving or implementing a high school graduation appeals process that would allow a student who has not met the achievement level required to pass the state-administered end-of-course assessments to become eligible for graduation through the submission of a portfolio.

Act 530

B. Owen, Virtual Health Education Course: Creates a new diploma standard to provide that in the event a student is required to have at least two credits in Health and P.E. for their diploma, one-half credit of which must be Health Education, then one-half Health credit course shall be offered virtually to any student that is required to enroll in a physical education course for at least two consecutive school years.

III. Student Health and Safety Requirements

Act 216

Carver, Mandatory Reporters: Provides the following updates to La.'s Mandatory Reporter Laws, which apply to charter school employees via [La. Children's Code Art. 603\(17\)](#):

- **Clarifies that School Resource Officers are Mandatory Reporters:** as such, they must report suspected child abuse to authorities and cannot receive information from another mandatory reporter or commence or oversee any investigation into the report.
- **Clarifies the Mandatory Reporter Process:** mandatory reporters must immediately report suspected child abuse or neglect in the following ways:
 - **Immediately Report to DCFS** if the reporter has reason to believe the perpetrator is a parent or caretaker, a person who maintains an interpersonal dating or engagement relationship with the parent or caretaker, or a person living in the same residence with the parent or caretaker as a spouse whether married or not.
 - **Sex Trafficking Reports:** If a report involves alleged sex trafficking, all mandatory reporters shall report via DCFS hotline telephone number regardless of whether there is alleged parental or caretaker culpability.
 - **Immediately Report to Local or State Law Enforcement Agency:** if the reporter has reason to believe the abuse or neglect is being perpetrated by someone other than the individuals required to be reported to DCFS listed above—e.g. abuse or neglect perpetrated on a student by a teacher or child care provider shall be immediately reported to local or state law enforcement.
 - **Submitting Reports:**
 - **DCFS Telephone Hotline:** A mandatory reporter shall make a report via the designated state child protection reporting hotline telephone number: 1-855-4LA-KIDS (1-855-452-5437).
 - **DCFS Online Portal:** Only reports of a non-emergency nature may be reported via the DCFS Mandatory Reporter Online Portal: https://mr.dcfslouisiana.gov/c/MR_PortalApp.app.
 - **DCFS Office:** Reports may also be made in person at any child welfare office: <https://www.dcfslouisiana.gov/>.

- **Clarifies Mandatory Reporter Employer Policies:**
 - **Cannot Prohibit Immediate Reporting:** Employer policies cannot prohibit mandatory reporters from immediately reporting suspected child abuse to authorities. If an employer policy prohibits such action, then a mandatory reporter shall file a complaint with local or state law enforcement and the employer can be subject to penalties provided in [La. R.S. 14:131.1](#) and [La. R.S. 14:403](#).
 - *For example:* employer policies cannot direct employees to report suspected abuse internally “up the ladder” to management, etc. because mandatory reporters shall *immediately report* to DCFS, local or state law enforcement, or both.
 - **Discrimination and Retaliation Protections:** An employer shall not discriminate or retaliate against an employee who is a mandatory reporter for complying with the law. If an employer is found to discriminate or retaliate against an employee for complying with this law, the employer shall be subject to double fines provided for in [La. R.S. 14:131.1](#) and [La. R.S. 14:403](#).
- **Annual Online Training Reminder:** [Act 272 of the 2020 Legislative Session](#) requires all teachers and childcare providers to complete an online mandatory reporter training course provided by DCFS annually between June 1-August 31.
 - See DCFS’ website for more “Mandated Reporters” information and training portal: dcfs.louisiana.gov/page/556.

Act 161

Wheat, Administration of Medication to Students: Expands current law, [La. R.S. 17:436](#) and [17:436.1](#), which applies to charter schools via [La. R.S. 17:3996\(B\)\(13\)](#), to clarify that medication can be administered to students at school as long as the medication is prescribed by a licensed physician authorized in the state of Louisiana, or any other state in the U.S. (removes prior licensed physician location restrictions).

Act 378

Davis, Administration of Medication at School: Amends current law ([La. R.S. 17:436.1](#)), which applies to charter schools via [La. R.S. 17:3996\(B\)\(13\)](#), to provide the following:

- Require each public school board, including charter schools, to adopt a policy authorizing a school to maintain a supply of naloxone or other opioid antagonists and authorizing school employees to administer them in an opioid emergency.
 - Policy must also include a requirement that school employees other than school nurses receive training on how to recognize signs of opioid-related overdose, proper storage and administration of naloxone or another opioid antagonist, and emergency follow-up procedures.
- Permits licensed health professionals authorized to prescribe medication to prescribe life-saving medications (as defined by LDOE) that are maintained in the name of the school so that a school may maintain a stock supply in accordance with the law. Further permits the school to enter into arrangements with manufacturers or suppliers of such medications to obtain them at fair-market, free, or reduced prices.

Act 331

Barrow, Suicide Prevention "988" Hotline Website Posting: Amends current law, [La. R.S. 17:282.4](#), which applies to charters via [La. R.S. 17:3996\(B\)\(57\)](#), to require each public high school to post on its website the National Suicide Prevention Lifeline Hotline Number, "988."

- **Student I.D. Hotline Notification Reminder:** under current law, [17:282.4\(F\)\(2\)](#), also requires each public high school that issues student identification cards to print on the cards the National Suicide Prevention Lifeline Hotline Number ("988") and a local suicide prevention hotline number, if available.

Act 745

Miller, Behavioral Health Services for Students: Amends current law, [La. R.S. 17:173](#), which applies to charter schools via [La. R.S. 17:3996\(B\)\(48\)](#), to provide the following clarifying updates:

- That behavioral health services must be medically necessary and authorized by an independent third-party payor including but not limited to Medicaid or commercial insurance.

- That each public school governing authority must adopt and make available to the public a behavioral health services for students policy and that the policy cannot create onerous requirements for behavioral health providers that result in a delay or barrier to medically necessary services for students.
- That services may be provided during any part of the school day, including any and all instructional time.
- That the school administrator and service provider must collaborate on a services schedule for the student and that consideration must be given to the student's testing schedule and impact on the school's operations.
- That if the school and service provider cannot agree on a schedule for the student's services, then the parties shall engage in a dispute resolution process set forth by LDOE.
- That service providers must be able to pass a criminal background check in accordance with [La. R.S. 15:587.1\(C\)](#), though providers who are licensed, certified, or registered by the La. Behavior Analyst Board, and who provide documentation of proof of passing a criminal background check conducted by the La. State Police and are in good standing with the Behavior Analyst Board, shall not be required by a public school to complete an additional criminal background check in order to begin providing behavioral health services to a student at school.

Act 375

Phelps, Sickle Cell Training for School Nurses: Requires each public school board, including charter schools, to adopt a policy that requires each school nurse to participate in a one-hour in-service sickle cell disease training program with materials provided by LDOE.

Act 460

Amedee, Immunization Discrimination: Amends current school immunization law, [La. R.S. 17:170\(E\)](#), which applies to charters via [La. R.S. 17:3996\(A\)\(11\)](#), to prohibit a teacher, school employee, or administrator from distinguishing between students based on whether a student has or has not received a vaccine from the schedule provided for in law, including discriminating against a student for determining participation in athletics and other extracurricular activities, allowing or denying participation inside or outside the classroom, issuing surveys related to a student's vaccination status, or organizing seating arrangements.

- **Note:** Act 460 did not amend [La. R.S. 17:170\(F\)](#), which states “In the event of an outbreak of a vaccine-preventable disease at the location of an educational institution or facility enumerated in Subsection A of this Section, the administrators of that institution or facility are empowered, upon the recommendation of the office of public health, to exclude from attendance unimmunized students and clients until the appropriate disease incubation period has expired or the unimmunized person presents evidence of immunization.”

Act 674

Edmonston, COVID-19 Vaccine Mandate Prohibition: Updates immunization law, [La. R.S. 17:170](#), which applies to charter schools via [La. R.S. 17:3996\(A\)\(11\)](#), to prohibit requiring a COVID-19 vaccine as a condition of enrollment or attendance at a public or nonpublic school.

Act 675

Edmonston, School Immunization Requirements: Updates immunization law, [La. R.S. 17:170](#), which applies to charter schools via [La. R.S. 17:3996\(A\)\(11\)](#), to require immunization communication issued to students or parents to include exemption information (with legal citations) and to clarify that the immunization exemptions apply not only to students seeking to enter school but also to students already attending school and those participating in school as a distance learner.

Act 489

Kerner, Smoking in Vehicles with Minor Present: Amends current law, [La. R.S. 32:300.4](#), to prohibit smoking cigarettes, pipes, cigars, or any vaping devices in a motor vehicle, passenger van, or pick-up truck by a driver or passenger when any child under age thirteen is present in the vehicle.

Act 656

Carver, Social Media Data Restrictions for Minors: Prohibits any social media platform with more than one million account holders globally that is operating in Louisiana from using personal data and algorithms for targeting advertising at an account holder who is under the age of 18 and is located in this state; also prohibits the platforms from selling the personal data of an account holder who is under the age of 18 and who is located in this state.

IV. Student Discipline Requirements

Act 313

Mizell, Student Cellphone Restrictions: Amends Unauthorized use of Electronics Communication Devices law, [La. R.S. 17:239](#), which applies to charter schools via [La. R.S. 17:3996\(B\)\(7\)](#), to prohibit students from possessing, on his person, an electronic telecommunications device (e.g. a cell phone) throughout the instructional day beginning with the 2024-25 school year.

- If a student brings such a device to school, the device must either be turned off and properly stowed for the duration of the instructional day or prohibited from being turned on and used during the instructional day.
- Act 313 does not apply to students with an IEP, IAP, Section 504 Plan, or Individualized Health Plan that requires the student's use of an electronic telecommunication device.

Act 337

Mizell, Mandatory Expulsion: Amends current student discipline law, [La. R.S. 17:416](#), which applies to charter schools via [La. R.S. 17:3996\(B\)\(40\)](#), except those required to use a centralized expulsion system authorized by OPSB, see [La. R.S. 17:416\(N\)](#), to make the following changes:

- **Mandatory Expulsion for Students in Grades 6-12:** Lowers the mandatory expulsion provision to students in grades 6-12 (regardless of age) for those found guilty of being in possession of a firearm, a knife with a blade equal to or greater than 2.5 inches, or any illegal narcotic, drug, or other controlled substance (previous law capped mandatory expulsion to those aged 16 years or older).
- **3x Suspension and Mandatory Expulsion in Grades 6-12:** Any student in grades 6-12 who is suspended a third time within the same school year for any offense, except those related to dress code or tardiness, shall be recommended for expulsion.
- **Recommended Expulsion for Students in Grades 6-12:** Any student in grades 6-12 found guilty of being in possession of tobacco, alcohol, or vaping product on school property, on a school bus, or at a school-sponsored event, may be recommended for expulsion.
- **Probationary Readmission by Superintendent:** changes the authority to extend the stipulation for readmission of an expelled student on a probationary basis from the local public school board to the superintendent.

Act 400

Stagni, Teacher Rights to Student Discipline: Amends La.'s Student Discipline Law, [La. R.S. 17:416](#), which applies to charter schools via [La. R.S. 17:3996\(B\)\(40\)](#), except those required to use a centralized expulsion system authorized by OPSB, see [La. R.S. 17:416\(N\)](#), to provide that:

- **Teacher Student Discipline Rights:**
 - No principal or administrator shall 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.
 - No principal or administrator shall retaliate or take adverse employment action against a teacher for taking disciplinary action against a student if the action taken was in accordance with school policy.
- **Mandatory Classroom Removal:** The teacher shall immediately remove a student from the classroom 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.
- **Mandatory Parent Conference:** Upon the third removal of a student from the same classroom for behavioral issues that pose a threat or prevent orderly instruction, a conference between the teacher or other appropriate school employee and the student's parent or legal guardian is required prior to the the student being readmitted to that same classroom.

Act 352

Mizell, Marijuana School Ban: Provides that smoking or vaping any form of marijuana on any school property, by any person, is prohibited and is subject to punishment pursuant to [La. R.S. 40:981.3\(A\)\(1\)](#).

Act 780

Bayham, Student Punishment Prohibition: Amends corporal punishment law, [La. R.S. 17:416.1](#), which applies to charter schools via [La. R.S. 17:3996\(B\)\(2\)](#), to prohibit the taping of a student's mouth shut or otherwise restricting the student's airway in any manner, regardless of what parental consent may be provided in accordance with corporal punishment law.

V. School and Staff Culture Requirements

Act 641

Chenevert, School DEI Program Reporting: Requires all public K-12 schools, including charter schools, to submit a written report of each “campus program related to diversity, equity, inclusion, and belonging” for the 2021-22, 2022-23, and 2023-24 fiscal years to its school board by October 31, 2024. And each school board must submit a written report with information disaggregated by each school and by the nature of the program and the funding thereof to LDOE by December 31, 2024.

- Programs related to DEI and Belonging means “any program, activity, initiative, event, instruction, action, or policy that classifies or references individuals on the basis of race, color, sex, national origin, culture, gender identity, or sexual orientation or promotes differential or preferential treatment of individuals on the basis of such classification.”
- Reports must include the purpose and expected outcome of each program, brief description of each program, number of personnel dedicated to the program, and the total amount of funding expended on the program, including salaries, stipend, benefits, and the extent to which those funds were state funded.

Act 641 Note: schools and school boards should work with their attorneys when completing and submitting their reports; if schools did not implement a qualifying program related to DEI and Belonging between 2021-2024, then the required report need only to state so.

Act 676

Horton, Ten Commandments Classroom Display: Requires public schools, including charter schools, to display the Ten Commandments in each classroom in a format that is at least 11x14 inches and includes a context statement (as specified in the law). Further permits schools to also display the Mayflower Compact, the Declaration of Independence, and the Northwest Ordinance, as provided in [La. R.S. 25:1282](#).

- **Cannot be Compelled to Purchase Display:** Act 676 specifies that public schools cannot be required to spend its funds to purchase displays, but it does require schools to accept donated funds to purchase the required display or to accept donated displays.

- **Federal Lawsuit Now Pending:** [The ACLU has already filed a lawsuit against the state challenging the constitutionality of the law](#), which will ultimately require a ruling by the Supreme Court of the United States. Litigation over this law will take some time (months, if not years) before there is any definite ruling as to whether schools can be forced to comply with Act 676. LAPCS recommends that schools stay abreast of this pending issue with their school attorneys.

Act 680

Crews, Student and Staff Pronoun Restrictions: The following requirements and prohibitions apply to all public schools, including charter schools:

Staff Pronouns and Names: Prohibits public school governing authorities from adopting a policy that inquires as to employees’ pronouns that are inconsistent with employees’ biological sex or inquires as to employees’ names other than their legal name, or a derivative thereof.

- **Student Pronouns and Names:** Prohibits public school governing authorities from adopting a policy that inquires as to students’ pronouns that are inconsistent with students’ biological sex or inquires as to students’ names other than their legal name, or a derivative thereof.
- **Staff Use of Pronouns and Names:**
 - A school employee cannot be required to address a student by a name other than the student’s legal name, or a derivative thereof;
 - A school employee cannot be required to use a pronoun that is inconsistent with the student’s sex;
 - A school employee cannot be subject to adverse employment action for declining or refusing to address a person (not just a student) using a name other than the person’s legal name, or a derivative thereof, declining to address a person by a pronoun that is inconsistent with the person’s sex, or declining to identify his or her own pronouns.
- **Student Use of Pronouns and Names:**
 - A student cannot be subject to disciplinary action for declining or refusing to address a person (not just a student) using a name other than the person’s legal name, or a derivative thereof, declining to address a person by a pronoun that is inconsistent with the person’s sex, or declining to identify his or her own pronouns.

- **Parent Action:** In the event that a school employee refers to a minor student by a pronoun that is inconsistent with the student’s biological sex or refers to the student by a name other than the student’s legal name, or derivative thereof, the parent may seek corrective action by the school principal so that the student will be addressed according to the student’s biological sex. If the principal intentionally refuses to implement corrective action, or if an employee intentionally refuses to honor the corrective action, then the parent may seek legal action.
- **School Policy:** Each public school governing authority, *including charter schools*, must adopt a policy for implementing this Act.

Act 326

Hodges, Parents’ Bill of Rights: Amends current law ([La. R.S. 17:406.9](#)), which applies to charters via [La. R.S. 17:3996\(B\)\(52\)](#), to add to the Parents’ Bill of Rights that a school shall not discriminate against their child by teaching the child that he/she is currently or destined to be oppressed or to be an oppressor based on the child’s race or national origin.

- *Parent Rights Website Posting Reminder:* [Act 466](#) of the 2022 Legislative Session requires all public schools, including charter schools per [La. R.S. 17:354](#), [17:3996\(B\)\(70\)](#), to post on their website information (with an easy to understand summary) that explains parents’ rights to access instructional materials per [La. R.S. 17:355](#) and the Parents’ Bill of Rights for Public Schools per [La. R.S. 17:406.9](#).

Act 436

Wilder, Safety and Privacy in Restrooms of Public Schools: Provides for a statutory distinction between males and females and restricts access to various types of facilities based on one’s status as either being a biological male or female.

- **Public School Includes Charters:** “Public School” as defined by Act 462 means a school created pursuant to [La. R.S. 17:1371](#) and [17:3971](#), et seq. (i.e. charter schools).
- **Restroom and Changing Room Designations:** A public school shall designate each multi-occupancy restroom or changing room as exclusive use of either females, males, or members of the same family. And any restroom or changing room designated for males or females can only be used by members of that same sex, as defined in the law. In any other public school facility or setting where a person may be in a state of undress in the presence of others, school personnel must provide separate private areas designated for use by persons based on their sex.

- **Sleeping Quarters:** During any authorized activity or event where students share sleeping quarters, no student shall share sleeping quarters with a member of the opposite sex, unless such persons are members of the same family (parent, sibling, etc.) and the student has received approval from the parent or legal guardian to do so.
- **Exceptions:** The following persons may enter a restroom, changing room, or sleeping quarters designated for the opposite sex for the following purposes: to perform custodial services or maintenance, to render medical assistance, to render assistance by law enforcement, to provide services or render aid during a natural disaster, a declared emergency, or when necessary to prevent a serious threat to good order or safety.
- **Single-Occupancy Rooms:** Public schools may establish single-occupancy restrooms, changing rooms, or sleeping quarters that are not designated by sex.

Act 426 Note: Though Act 426 did not amend Charter School Law, it does include charter schools in its definition of public schools. As such, charter schools should consult with their attorneys as to the application of Act 426 to your school's community.

Act 293  **Abraham** | **Act 688**  **Amedee**

(Abraham and Amedee) School Chaplains: permits public school boards to employ or accept as volunteers a chaplain to provide support, services, and programs as assigned by the school board. School chaplains need not be certified by BESE but school boards must ensure that they pass a state and federal background check as provided by [La. R.S 15:587.1](#) prior to employment or volunteer service and they cannot be registered or required to be registered as a sex offender or child predator in accordance with [La. R.S. 15:542 et seq.](#)

- *Acts 293 and 688 Note:* Though this new law does not directly apply to charter schools via Charter Law, it's a permissive and not mandatory law for each city, parish, or other local public school boards, and as such, charter schools most likely may avail themselves of this opportunity if they so choose, so long as they adhere to the rules set forth. Charter schools should consult with their school's attorney before implementing.

Act 681

Horton, Sexual Orientation and Gender Identity K-12 Discussion Prohibition:

Prohibits traditional public school teachers, employees, or other presenters at a school from engaging in the following discussions with K-12 students: (i) Covering the topics of sexual orientation or gender identity in any classroom discussion or instruction in a manner that deviates from state content standards or curricula developed or approved by public school governing authorities; (ii) Covering topics of sexual orientation or gender identity during any extracurricular academic, athletic, or social activity under the jurisdiction of the school or public school governing authority; or (iii) Discussing one's own sexual orientation or gender identity.

- Note: Act 681 is a new law that did not amend Charter Law, and as such, LAPCS is of the opinion that it does not apply to charter schools.

VI. Student Tutoring and Screening Requirements

Act 650

Carver, Early Literacy and Numeracy Skills Instruction and Screening:

Amends current law, [La. R.S. 17:24.10](#), which applies to charter schools via [La. R.S. 17:3996\(B\)\(60\)](#), to also include 3x a year K-3 numeracy skills screening to be developed by LDOE.

- **15 Days Notifications:** Within 15 days of identifying a K-3 student who has numeracy skills below grade level, the school shall notify the student's parent or legal guardian in writing and shall provide the parent with information regarding the importance of numeracy proficiency, helpful activities that may be used at home to increase numeracy proficiency, and information regarding the specific interventions and supports the school will utilize to improve the student's skills. Schools shall also provide those parents or legal guardians with mid-year and end-of-year updates on the student's progress.
- **30 Days Improvement Plan:** Within 30 days of identifying a K-3 student who has been identified as being below grade level in numeracy shall receive an individual numeracy improvement plan. The plan shall be created by the teacher, principal, or other pertinent school personnel and the parent or legal guardian, and shall describe evidence-based intervention services the student will receive with suggestions for strategies parents can use at home.
- **2026-27 School Year Implementation:** Numeracy skills screening and intervention requirements shall be implemented no later than the 2026-27 school year.

Act 499

Pressly, Literacy Screening Exemption for Students with Dyslexia: Amends current law, [La. R.S. 17:24.10](#), which applies to charter schools via [La. R.S. 17:3996\(B\)\(60\)](#), to exempt students with dyslexia, as defined by [La. R.S. 17:392.11](#) from the required 3x year literacy screeners and instead requires schools, including charter schools, to administer to those qualifying students a nationally norm-referenced test that assesses phonological skills and oral reading fluency at least once a year, in accordance with rules established by BESE.

- *Act 499 Note: Implementation is contingent upon the US Department of Education approving an ESSA waiver for Louisiana, and as such, charter schools should seek additional guidance from LDOE before implementing Act 499.*

Act 517

Pressly, Dyslexia Screening and Diagnosis: Amends current Dyslexia Screening law, [La. R.S. 17:392.11](#), which applies to charter schools via [La. R.S. 17:3996\(B\)\(78\)](#), to provide that if the screening indicates that a student is at risk for dyslexia, the parent or legal guardian may request subsequent dyslexia testing and core assessment, which shall be administered if requested. The parent or legal guardian may select either the school or a vendor or professional approved by LDOE to administer the additional core assessment, the costs of which shall be reimbursed by LDOE in accordance with rules established by BESE (and with state funding, if available, via [Act 525](#)).

Act 649

Hughes, Steve Carter Literacy and Math Program: Expands existing literacy tutoring program to students in grades 4-12 and includes math assistance; also expands who qualifies as a tutor and increases the maximum payment for program services from \$1,000 to \$1,500 per student.

Act 771

McMath, High Dosage Tutoring for Students: Amends current Expanded Academic Support Law, [La. R.S. 17:100.13](#), which applies to charter schools via [17:3996\(B\)\(62\)](#), to make the following updates:

- Required Expanded Academic Support for K-5 Students: Students in Grades K-5 (no longer students in grades 3-8) who fail to achieve mastery on any statewide assessment or performed below grade level on a literacy or numeracy screener in the current academic year must be provided expanded academic support. Each eligible student shall be provided one of the following options:
 - Prioritized placement in a class taught by a teacher labeled “highly effective,” if such a teacher is available at the school; or
 - High-dosage tutoring, which shall be individualized and provided at a ratio not higher than 4 students per 1 tutor; tutoring shall be provided by a high-quality tutor (as defined in law) and begin no later than 30 days after being identified as a student in need of expanded academic support and must be provided at least 3x a week for approximately 30-minute sessions embedded in the school day, and sustained for a minimum of 10 weeks.

- **Expanded Academic Support Plan Reports:** Each school must develop a school plan with a supporting budget to provide expanded academic support to eligible students and submit their plans to LDOE by September 15 of each year for review and approval. Additionally, each school must provide a report regarding eligible and participating students to LDOE by June 1 of each year (report template to be provided by LDOE).
- **Parent Notifications:** Within 15 days of a student being enrolled in high-dosage tutoring, the parent or legal guardian shall be provided with a written plan detailing the tutoring and provided in a way that is accessible to the student's parent or legal guardian.
- **Compliance Only if Funding is Made Available:** Clarifies that local school boards, including charter schools, shall utilize state and federal funds to implement this law, but if funding is not available, then a local school board or charter school is not obligated to comply. Charter schools should check with LDOE as to funding availability and required compliance.

VII. Special Education Requirements

Act 198

Bacala, SPED Updates: Makes the following updates concerning SPED laws:

- Expands training requirements for traditional school district board members to include SPED
- Requires BESE to create a dispute resolution process inside LDOE for issues related to Behavioral Health Services for students
- To require superintendents and charter school leaders to provide the following information in an annual report to their school's SPED Advisory Council, [La. R.S. 17:1944.1](#), [17:3996\(B\)\(58\)](#):
 - SPED financial data, including federal, state, and local funding; SPED subgroup academic performance data; and SPED compliance violations
- Expands a family's right to request a SPED due process hearing from one to two years
- Requires schools (including charter schools) that receive a request to install cameras in qualifying SPED classrooms to do so within 90 days of receiving a parental request in accordance with law and policy, [La. R.S. 17:1948](#); [La. R.S. 17:3996\(B\)\(65\)](#).

Act 689

Kerner, Tutorship Policy and Information for SPED Families: Amends Louisiana SPED law [La. R.S. 17:1944](#), to require LEAs to adopt a policy to provide written information to SPED families regarding the legal procedures affecting the transfer of individual rights from parent to child when the child attains the age of majority, and an explanation of the legal options available to families. This written information (which shall be developed by LDOE) shall be provided in the first IEP meeting of the school year to a parent, tutor, or legal guardian of each SPED child aged 14 through 17 years old who participates in an alternative assessment pursuant to [La. R.S. 17:24.4\(F\)\(3\)](#) or an alternate pathway to promotion pursuant to [La. R.S. 17:24.4\(H\)](#).

Act 512

Foil, Enrollment of Military Families & SPED Families Parental Consent:

- **Revised School Enrollment for Military Families:** Amends current law for preliminary school enrollment of military families, [La. R.S. 17:101](#), which applies to charters via [La. R.S. 17:3996\(B\)\(63\)](#), to clarify that nothing should preclude the pre-enrollment of the student of a military family who has an IEP, receives or qualifies for SPED services, has an exceptionality as defined by [La. R.S. 17:1942](#), or receives a Section 504 Accommodation.
- **New SPED Parent 10-Days Notification Law:** creates a new law to require LEAs to provide 10 days' notice to a student's parent or legal guardian before (i) it can initially provide a student with SPED courses or related services in any setting; or (ii) it can reduce or remove any of the SPED course or related services provided to the student. Notice may be given via certified mail, electronic mail, text message, or through an online portal or other application that provides documentation of the date of the delivery of notice. After receiving notice, a parent or legal guardian may have an IEP meeting postponed to a reasonable alternative date or time and may seek dispute resolution in accordance with BESE policy.
 - *Note:* charter schools should seek guidance from LDOE and their attorneys as to how Act 512 applies to their implementation of SPED services in accordance with state and federal law.

VIII. Student Athletics

Act 95

Wheat, School High School Coaches Certification: Beginning with the 2025-26 school year, any high school employee who serves as a school coach shall obtain and maintain certification in CPR, First Aid, and AED use. Certification must be consistent with the American Heart Association, American Red Cross, or other national evidence-based emergency cardiovascular care guidelines. Additionally, the provisions of [La. R.S. 9:2793](#) (liability limitations) shall apply to any high school coach that is certified and performs CPR or First Aid, or uses an AED in their capacity as school coach.

- **Act 95 Note:** this certification mandate is only enforceable in the event that the legislature provides funds to implement this requirement or other grants or private donations are made available to the school to pay for the costs of implementing.

Act 421

M. Johnson, Cardiac Health for Student Athletes: Requires LDOE to provide schools with information regarding cardiac health for student athletes, including, at a minimum, the requirements a student athlete who has or has had a cardiac health issue must meet before returning to participation in athletics. Each school must distribute this information in writing to student athletes and their parents and legal guardians. Coaches, athletic trainers, athletic directors, or other appropriate school personnel must collect signatures from parents and legal guardians indicating receipt of the information and understanding of the requirements outlined in the communication.

Act 715

Dickerson, Homestudy Students Participation in Extracurricular Activities:

Provides that students enrolled in home study programs may try out for and participate in public school activities at the public school they would otherwise attend based on their residence, including but not limited to extracurricular activities and interscholastic athletics. Further provides that any traditional public school that denies participation eligibility to a homestudy student solely on the basis of the student's enrollment in an approved home study program shall be prohibited from participating in any competition sponsored by any interscholastic extracurricular athletic association or organization.

Act 715 Note: Act 715 did not amend Charter Law to explicitly include charter schools in this requirement, as such charter schools so check with their attorneys as to its effect on charter schools.

IX. Education Other for General Awareness

Act 1

Edmonds, LA GATOR Scholarship Program: Creates the “Louisiana Giving All True Opportunity to Rise” (LA GATOR) scholarship program to provide educational savings accounts for parental choice in K-12 education beginning with the 2025-26 school year:

- Authorizes BESE to develop a universal ESA program with funding appropriated by the legislature. BESE is to determine such rules as the eligibility of students, service providers, and schools (including charter schools); student enrollment priorities based on funding availability; how the program will be audited; and assessment standards.
- BESE is to create a legislative report by December 1, 2024, with data on all existing educational resources available within the state that receive state educational funding that includes student and school enrollment, performance, and demographic information.
- LDOE must implement a system for parents to direct ESA funds from accounts to participating schools and services as well as allow parents to publicly rate, review, and share information about participating schools and service providers.
- Each public school governing authority, including participating charter schools, may adopt a policy authorizing the acceptance of ESA account funds for providing services covered as qualified education expenses to a participating student who is enrolled part-time in a school under its jurisdiction or who takes individual courses provided by the school without being enrolled in the school; the school cannot include any such student in its student enrollment count for MFP or other state funding purposes.

Act 1 Note: BESE and LDOE will provide more information in the coming year as to how the LA GATOR ESA program will be implemented, how students and schools (like charter schools) will be able to participate, and the larger impacts on the state’s system of accountability and school options for families.

Act 186

M. Johnson, Montessori Certification: Expands the entities associated with Montessori teacher certification to now also include the International Montessori Council, the Southwestern Montessori Training Center, and any Montessori training course from a program accredited by the Montessori Accreditation Council for Teacher Education.

Act 193

Wyble, District Superintendent Evaluations: requires the contract for a traditional school district's superintendent to be subject to a performance evaluation and that 15% of the evaluation shall be based on evidence of growth in student achievement by the end of the third grade in literacy and 15% of the evaluation shall be based on evidence of growth in student achievement by the end of the third grade in mathematics.

- Act 193 does not amend Charter Law and as such LAPCS is of the opinion that it does not apply to charter schools.

Act 204

Wyble, Traditional School District Board Qualifications: Amends election qualifications for traditional school district board members to now require that they must also possess a high school diploma or its equivalent, as determined by BESE, and to prohibit anyone who has been convicted or pled nolo contendere to a crime listed in [La. R.S. 15:587.1\(C\)](#).

Act 311

Miguez, Additional Compensation for Traditional School Teachers: Amends public school law regulating the salaries of traditional public school teachers and employees to require specific salary-schedule payments for staff who are not provided the minimum uninterrupted planning time required by law and for duties performed that exceed the scope of the prescribed duties and responsibilities for certified employees.

- Act 311 does not amend Charter Law, and as such, LAPCS is of the opinion that it does not apply to charter schools.

Act 324

Mizell, Student Behavioral Health Programs: requires each city, parish, or other local public school board to adopt rules and regulations and implement a program not later than 30 days prior to the beginning of the 2024-2025 school year to:

1. Assist school personnel in identifying signs and symptoms of a student with behavioral or emotional challenges;
2. Designate a specific employee at each school who shall be responsible for identifying behavioral and mental health support services available in the community;
3. Require that after any second suspension of a student during the same school year, the principal and the designated employee consult on whether the student's behavior rises to the level of willful disobedience and could be attributed to behavioral or emotional challenges.

Act 324 is a new law that did not amend Charter Law, and as such, LAPCS is of the opinion that it does not apply to charter schools.

Act 368

Bacala, LDOE Oversight of District Finances: Authorizes the state superintendent to provide for a Chief Operating Officer to make recommendations relative to the financial practices of traditional local school systems (not charter schools) that fail to comply for two consecutive years with the MFP's minimum instructional expenditure requirement.

Act 386

Phelps, Parents of Truant Children: Updates current law related to truant students, [La. R.S. 17:233](#), to include the following parental responsibilities:

- Requires the parent of a truant student to ensure that the student makes up missed school work by attending after-school tutoring sessions, weekend make-up classes, or other remediation opportunities, as determined by the school board, until the student has caught up with his school work.
- Requires the parent to attend meetings at the school on at least a monthly basis relative to the student's progress until the student has caught up on his missed school work.
- Provides that failure to comply with proposed law may subject a parent to present law penalties for the crime of improper supervision of a minor.

- Further requires each school principal to note any concerns that school personnel have relative to a student's attendance on any Supplemental Security Income form the school receives relative to that child.

Act 394

Riser, Re-employment of Retired TRSL Teachers in Critical Shortage Position:

Authorizes the reemployment of retirees in critical shortage areas without a suspension of benefits applicable to the following: (1) Retirees who retired on or before June 30, 2020, and who return to work in such a position on a full- or part-time basis. (2) Retirees who retire after June 30, 2020, and who return to work in such a position on a full-time or part-time basis. Note: any cost incurred for Act 394 shall be funded with additional employer contributions.

Act 594

McCormick, Re-employment of Retired Bus Operators and LSERS: any LSERS retiree of who retired from service as a bus operator on or after July 1, 2024, and who returns to active service in a full-time or part-time position as a bus operator within the twelve-month period immediately following the effective date of his retirement shall have his retirement benefit suspended for the duration of such active service or the lapse of twelve months after the effective date of his retirement, whichever occurs first, even if such service is based on employment by contract or corporate contract.

Act 561

Bryant, Imported Seafood Prohibition: Creates a new law to prohibit public school governing authorities and nonpublic schools that receive state funds from serving seafood that originated outside of the United States to its students for breakfasts and lunches served as part of a school food program and foods other than school breakfast and lunch in accordance with rules established by BESE.

Note: Act 561 did not explicitly amend Charter Law, but given the extent of the law's regulations on public schools and nonpublic schools that receive state funds, charter schools should check with their attorneys as to the applicability of Act 561.

Act 633

Davis, M.J. Foster Program: Lowers the minimum age each year for initial program eligibility from 21 to 17 by the 2027-28 award year and thereafter, [La. R.S. 17:3047](#).

- M.J. Foster Program provides financial assistance to eligible students who enroll in a qualified program at a two-year public college or university, or an accredited proprietary school licensed by the Board of Regents to pursue an associate degree or a shorter term postsecondary education credential required for certain high-demand, high-wage occupations aligned with Louisiana’s workforce priorities: <https://mylosfa.la.gov/students-parents/scholarships-grants/mjfoster/>

X. Public Sunshine Law Requirements

Act 191

M. Johnson, Open Meetings Law Consent Agenda: Amends Open Meetings Law, [La. R.S. 42:11 et seq.](#), which applies to charter schools via [La. R.S. 17:3996\(B\)\(9\)](#), to permit school boards and governing authorities located in parishes with a population of 125,000 or more to utilize a consent agenda when the meeting agenda has more than 50 items.

Act 539

M. Johnson, Open Meetings Law & Live Broadcasts Requirement: Amends La.'s Open Meetings Law, [La. R.S. 42:19](#) and [42:23](#), which applies to charter schools via [La. R.S. 17:3996\(B\)\(9\)](#), to require each school board in a parish with a population of 25,000 or more to broadcast live all of its proceedings in public meetings, including committee meetings.

- **Definition:** "Broadcast live" means the publicly available distribution of audio and video of a meeting in real or near real-time via the internet or television broadcast.
- **Executive Session Exception:** The live broadcasting requirement does not apply to executive sessions.
- **Public Notice:** Public notice of how the public can locate the broadcast for viewing shall be included as part of the board's written meeting notice.

Note: Reminder that [Act 393 of the 2023 Legislative Session](#) amended [La. R.S. 42:14](#) to also required public boards to provide public participation in open meetings via tele- or video conferencing in accordance with federal ADA accommodation laws.

Act 617

Hilferty, Open Meetings Law Notifications: Makes two new meeting notification updates to Open Meetings Law, which applies to charters via [La. R.S. 17:3996\(B\)\(9\)](#):

- **Notice to Media:** Revises [La. R.S. 42:19](#) to clarify that a public board must give notice to any member of the public or news media who requests notice by providing it at the same time and in the same manner as it is given to members of the public body under normal notice meeting rules (removes previous requirement that notice be mailed).
- **Notice of Each Meeting to Commissioner of Administration:** Creates a new law that requires all public bodies subject to Open Meetings Law via [La. R.S. 42:13](#) to submit [notice of each meeting to the commissioner of administration](#) in a manner which allows the commissioner enough time to post the notice on its website prior to the deadline applicable to the public body for giving notice in accordance with the law (i.e. 24 hours prior to the meeting, exclusive of legal holidays).

Act 617 Note: The commissioner of administration is required to establish a timeline and plan for implementation, and as such, charter schools should await further guidance on Act 617.

Act 295 Owen | Act 495 M. Johnson

Owen and M. Johnson, Public Records Law: amends current public records law, [La. R.S. 44:11](#), which applies to charter schools via [La. R.S. 17:3996\(B\)\(10\)](#), to provide that public employees' home and personal wireless telephone numbers, personal email addresses, and home addresses are confidential as a matter of law.

- **No Longer Required to Request Confidentiality:** Act 495 also removes the previous requirement that public employees must first request that their personal contact information remain confidential and further removes exceptions that allow the home address of any employee of a city or parish school board to be made available to recognized educational groups.

Act 223

Carlson, Code of Ethics Prohibited Contracts: updates the Code of Ethics, which applies to charter schools via [La. R.S. 17:3996\(B\)\(20\)](#), to clarify that no appointed board members (includes charter school board members) or a member of his immediate family, or legal entity in which he has a substantial economic interest shall bid or enter into or have a substantial economic interest in any contract, subcontract, or other transaction which is under the supervision or jurisdiction of the agency of the appointed board member.

Act 679

Tarver, Code of Ethics Advertisement Transactions Less Than \$10,000 Exception: Permits public servants, which includes charter school board members and staff via [La. R.S. 17:3996\(B\)\(20\)](#), their immediate family members, or legal entities in which the public servant or their immediate family member has a substantial interest, to provide a thing of economic value to the public servant's agency in order to obtain advertisements or other recognition (e.g. event sponsorship recognition) featuring the public servant, their immediate family member, or the legal entity if the following are met:

- The public servant recuses or disqualifies himself on all matters involving the transaction;
- The terms and conditions of the transaction are the same or substantially similar to those available to similarly situated persons who are not public servants (e.g. the terms of event sponsorship are made available to all interested parties);
- The transaction (e.g. sponsorship agreement) is conducted without preference and in the same manner and subject to the same requirements and conditions applicable to the general public; and,
- The value of the transaction does not exceed \$10,000 total (cannot enter into multiple but separate transactions as a subterfuge to avoid the \$10,000 total cap).

Act 492

Melerine, Code of Ethics Tutoring & Athletic Training Exceptions for Schools: Amends the Code of Ethics, which applies to charter schools via [La. R.S. 17:3996\(B\)\(20\)](#), to provide the following changes:

- **Employment Exception for School Board Members:** Amends [La. R.S. 42:1111\(C\)](#) to permit members of a school board (includes charter school boards) or parish or municipal governing authority to continue employment with a person who has or is seeking a contractual or other business or financial relationship with his governmental entity or an agency under the jurisdiction or supervision of his governmental entity provided all of the following conditions are met:
 - The member is a salaried or wage-earning employee of his employer.
 - The compensation of the member is substantially unaffected by his employer's contractual or other business or financial relationship with his governmental entity or other agency under the jurisdiction or supervision of his governmental entity.
 - The member is not an officer, director, trustee, or partner of his employer.
 - The member does not own an interest which exceeds one percent of the legal entity which employs him.
 - The member does not participate in any transaction with his governmental entity or agency under the jurisdiction or supervision of his governmental entity, including recusing himself from any vote, involving his employer.
 - The member complies with the disclosure requirements in [La. R.S. 42:1114](#).
- **Tutoring and Athletic Training Services Exception:** Amends [La. R.S. 42:1123](#) to permit a teacher, coach, or other educational professional to provide academic tutoring or athletic training services for compensation to students who attend the school at which the teacher, coach, or other educational professional is assigned or the waiver of any usage fees associated with use of school facilities for these purposes.

XI. School Firearm-Free Zones

On **July 4, 2024**, [La R.S. 14:95\(M\)](#) went into effect, which provides that Louisiana residents may carry a firearm without a permit if they are eighteen years of age or older, and are not prohibited from possessing a firearm under R.S. 14:95.1, 18 U.S.C. 922(g), or any other Federal or State law. This amendment removes the requirement to hold a concealed carry permit and lowers the age requirement.

- In 1990, Congress passed the Federal Gun Free Zone Act (18 USCA § 922(q)(1)(A)) prohibiting the carrying of a firearm in school zones. In 1995, it was amended to prevent guns being carried near schools. While there has been substantial litigation regarding the constitutionality of the Gun Free Zone Act, the law stands. Further, 20 U.S.C.A § 7961 was enacted to specifically prohibit students from possessing a firearm on a school's campus.

Louisiana law is also clear that carrying a firearm or dangerous weapon by a student or nonstudent on school property, at school-sponsored functions, or in a firearm-free zone, is prohibited by La. R.S. § 14:95.2.

- The statute further defines the prohibited areas as well as the penalty for violation. [La. R.S. § 14:95.6](#) still designates a school, school campus and school bus as a "fire-arm free zone".
- Although the newly enacted statute allows the ability to carry a firearm without a permit, it does not invalidate the laws that constitute schools being "firearm-free zones."

The police should be notified immediately if anyone believes any person is in possession of a firearm on school grounds, at a school-sponsored function or in any other firearm-free zone.



Louisiana Association
of Public Charter Schools

NEW LAWS GUIDE 2024

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