



Louisiana Association
of Public Charter Schools

New Laws Guide for Charter Schools **2022**

ADMINISTRATIVE GUIDE



A Note from LAPCS about the 2022 Legislative Session:

LAPCS is proud to present our **2022 New Laws Guide for Charter Schools**. The 2022 legislative session was long and hard, with a historic number of education bills filed—most of which focused on literacy, teacher recruitment and retention, and school choice.

Literacy, or rather our state's low literacy rates, appears to be the most pressing issue for legislators—and rightfully so. In partnership with the Louisiana Department of Education, legislators filed and approved a plethora of bills to tackle the issue on multiple fronts. We saw everything from increasing the number of student reading assessments throughout the year to new reading instruction standards for teacher certification. We generally support these efforts and hope the intense focus on this issue will serve as a catalyst in future sessions to provide more funding resources for schools and students.

For charter schools, specifically, we saw our community rally together at unprecedented levels to defeat an anti-New Orleans charter school bill that could have had adverse ripple effects statewide. We also saw new legislators carry pro-charter school bills that would have expanded the opportunity for BESE-authorized charter schools and eased some of our compliance burdens. Unfortunately, these pro-charter school bills failed to make it through the legislative process, but we are encouraged by the amount of support expressed by legislators.

That support will become crucial as legislators expand their interests in school choice issues, particularly Education Savings Accounts (ESAs). One of the outcomes of the COVID-19 pandemic

is a desire by many families for more educational options that meet their specific needs. As a result, legislators are responding to not only a call-to-action for school choice but a particular call-to-action to better assist families in escaping a low-performing public school to which they may be assigned.

In general, ESAs are a type of voucher that permits families to utilize public funds for qualifying private schooling purposes. Governor John Bel Edwards vetoed the two ESA bills passed by legislators this year, but we very much anticipate continued interest by legislators to push school choice and ESA issues. LAPCS is overall supportive of expanded school choice for all families. But, we are concerned that the opportunities and uniqueness provided by charter schools may become lost in the ESA conversation that primarily focuses on private versus public schools. As a result, now more than ever, the charter school community needs to inform legislators about the advantages of charter schools to ensure our success stories and community continue to stand out.

LAPCS prides itself on being a strong advocate for charter schools. We hope you enjoy this user-friendly guide to new laws, and we thank you for your service to the great state of Louisiana and its future.

— **Caroline Roemer**
& Team LAPCS

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Glossary of Commonly Used Acronyms:

- **BESE:** The State Board of Elementary and Secondary Education
- **LDOE:** The Louisiana Department of Education
- **LSERS:** Louisiana School Employment Retirement System
- **SPED:** Students with exceptionalities, not including gifted or talented (Special Education)
- **TRSL:** Teacher Retirement System of Louisiana



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Note: LAPCS' 2022 New Laws Guide provides only summaries of the laws passed during the 2022 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 interpretation and implementation. If you have any questions, please do not hesitate to contact LAPCS, your authorizer, or the Louisiana Department of Education for additional guidance.

I. Charter School Specific Requirements

A. Student Safety Instruction and Policies

[Act 180](#)

Child Assault Awareness Instruction for Students

K. Jackson

Amends La. R.S. [17:7\(16\)](#) and [17:81\(Y\)](#) to require public schools, including charter schools, to:

- Annually report to LDOE information concerning the school's compliance with La. R.S. 17:81(Y). Notification must include: (i) a grade-level listing of each course that includes instruction on child assault awareness and prevention; and, (ii) the school's website location that prominently displays the child protection toll-free hotline number operated by La.'s Department of Children and Family Services (DCFS).
- Expand the required K-12 grade- and age-appropriate instruction on child assault awareness and prevention to now include how students may report suspected child abuse or assault via the child-protection toll-free hotline and where students can find the hotline number on the school's website.

Note: DCFS' [website](#) and toll-free hotline: **1-855-4LA-KIDS** (1-855-452-5437)

[Act 643](#)

Suicide Prevention Training for Students

Schlegel

Updates suicide prevention programs and training law ([La. R.S. 17:282.4](#)), which applies to charter schools via [La. R.S. 17:3996\(B\)\(57\)](#), to clarify that:

- *Each public and charter school shall annually provide evidenced-based, age- and grade-appropriate suicide prevention and student safety instruction, including violence and social isolation prevention, to students in grades 6-12;*
- *Suicide prevention instruction may utilize in-person, video instruction, or a combination of both; social isolation training may be administered through assemblies, digital learning, and homework; training and must include how students can recognize signs of depression, suicide, and those at risk of self-injury or harming others, as well as how students can seek help and report dangerous or threatening activities;*
- *Annual instruction for suicide and social isolation prevention shall not be less than 1-hour or 1-standard class period in length, whichever is shorter (a student may be excused from any training with the written consent of the student's parent or legal guardian);*
- *LDOE shall develop and maintain a list of training resources for schools to utilize; and,*
- *Each school governing authority shall permit the creation of a student-led club focused on suicide prevention, student safety, and violence and social isolation prevention in schools with students in grades six through twelve.*

Note: On July 16, 2022, the [National Suicide Prevention Hotline \(1-800-273-822\)](#) launched a national three-digit dialing code ([988](#)).

[Act 697](#)

Anti-Bullying Policy

Jackson

Reauthorizes anti-bullying student code of conduct requirements ([La. R.S. 17:416.13](#)) under a new statute, La. R.S. 17:416.14, as well as makes technical changes to the law and adds the following new requirements, which apply to charter schools:

- Clarifies that all K-12 schools must institute a program for prohibiting, preventing, reporting, investigating, and disciplining bullying and to ensure all students, parents, staff, and volunteers are made aware of the program and their duties and responsibilities under its policies;
- Requires schools to add bullying report forms to the school's website;
- Requires schools to provide a copy of any bullying reports and investigative documents to appropriate law enforcement officials, as applicable;
- Requires schools to suspend without pay (for a term determined by the school) any school employee who, upon investigation, is found to have failed to report a bullying incident to a school official;
- Requires schools to suspend without pay (for a term determined by the school) any school official who, upon investigation, is found to have failed to appropriately notify a parent of a bullying report, investigate a bullying report, take prompt and appropriate disciplinary action upon a student determined to have engaged in bullying, or report suspected criminal conduct to appropriate law enforcement; and,
- Requires schools to report to LDOE any school employee or school official who has been suspended without pay due to finding a reasonable exception that the individual failed to act.

[Act 650](#)

Mental Health Instruction

Duplessis

Requires public schools, including charter schools, to provide age- and grade-appropriate mental health instruction to K-12 students integrated into an existing required course; instruction shall include preventative mental health measures, the relationship between mental and physical health, identifying and understanding trauma and stress, and available resources to assist people with mental health issues.

[Act 722](#)

Water Safety Instruction

Orgeron

Requires schools, including charter schools, to provide customizable age- and grade-appropriate water safety instruction to K-12 students. Instruction shall be incorporated into an existing required course and shall include such topics as awareness of water conditions, using proper flotation devices, the importance of formal swim lessons, CPR safety, etc. Law also requires LDOE to establish and maintain a clearinghouse of water safety instruction resources and materials for schools.

[Act 315](#)

EpiPen Policy

Bouie

Amends current law concerning the administration of medicine ([La. R.S. 17:436.1](#)), which applies to charter schools via [17:3996\(B\)\(13\)](#), to clarify that each K-12 public school governing authority shall adopt a policy to maintain a supply of auto-injectable epinephrine (“epi-pen”) in a secure location in each classroom assigned to a student who is deemed by a doctor to be at high risk for anaphylactic reaction and is incapable of self-administering an epi-pen.

- The policy shall require the student’s parent or legal guardian to annually provide the school with an epi-pen supply to be kept in each classroom, written authorization for the administration of medication, written certification from the student’s licensed medical physician, and a written treatment plan.
- The teacher in each classroom where an epi-pen is stored shall be provided information for how to access and administer the epi-pen, as well as the signs and symptoms of anaphylactic reactions and how to care for the student.
- The school shall inform the student’s parent or legal guardian in writing that the school shall incur no liability as a result of any injury sustained by the student from the good-faith administration of an epi-pen.
- The school shall include its epi-pen policy in its student handbook as well as post the policy on the school’s website and be disclosed to any parent or legal guardian who notifies the school that the student has a condition that puts him/her at risk for anaphylaxis.

[Act 562](#)

Seizure Management Treatment Plans

Crews

Permits parents or legal guardians of a student with a seizure disorder to submit to the school a seizure management and treatment plan developed by the student's parent and physician for review and use by school employees with whom the student has regular interaction.

- The plan should include health care services the student may receive at school or during a school activity; evaluation of the student's ability to manage and understand his/her seizure disorder; and signatures from the student's parent or guardian and the treating physician.
- Also requires LDOE to develop and make available seizure training courses for school nurses and other school employees and bus operators who have regular interactions with students who have a seizure management plan.

Note: Act 562 does not expressly apply to charter schools via Charter Law, but could be applicable to a student enrolled in a charter school who seeks to submit a seizure management plan.

B. Curriculum Requirements

[Act 466](#)

Curriculum Transparency

L. Harris

Requires each public school governing authority, including charter schools, to:

- 1. Website Posting:** prominently post on its website (readily accessible from the website's main landing page) information explaining a parent's right to access instructional materials used in their child's education, including an easily understandable summary and the full text and legal citation of both [La. R.S. 17:355](#) (Parental Access to Instructional Materials) and [La. R.S. 17:406.9](#) (Parents' Bill of Rights); and,
- 2. Annual Direct-Communications:** annually distribute curriculum-access information to parents (via paperwork or electronic communications) during the first week of school.

[Act 447](#)

Mandatory Geometry

Hughes

Beginning with students entering high school during or after the 2023-24 school year, Career Pathway students and TOPS-Tech awards recipients will be required to take Geometry or an applied Geometry course (no longer optional).

[Act 502](#)

Computer Science TOPS Curriculum

Hewitt

Beginning with students who graduate during or after the 2026-27 school year, two units of Computer Science may be taken in lieu of two units of a foreign language as part of the TOPS core curriculum requirements.

[Act 541](#)

Computer Science Education Act

Hewitt

Establishes the Computer Science Education Advisory Commission to provide recommendations to BESE, through LDOE, for the development and implementation of a comprehensive K-12 computer science education curriculum and delivery strategy. *LAPCS is a named member of the Commission.*

C. Literacy Requirements

[Act 517](#)

Early Literacy Textbooks Requirement

Nelson

Amends current law relative to early literacy instruction ([La. R.S. 17:24.10](#)), which applies to charter schools via [La. R.S. 17:3996\(B\)\(60\)](#), to expressly prohibit the use of certain types of textbooks and instructional materials that are based on visual cueing and/or the three cueing-system model of reading and are not based on the science-of-reading.

[Act 520](#)

Early Literacy Screeners

Hughes

Amends current early literacy laws ([La. R.S. 17:24.9](#), [17:24.10](#), and [17:12](#)), which apply to charter schools via [La. R.S. 17:3996\(B\)\(59\)-\(61\)](#), to including the following new requirements:

- 1. 3x Literacy Screeners:** Beginning with the 2022-23 school year, schools must now administer a literacy screener provided by LDOE three times a year to students in grades K-3:
 - The first screener is to be administered within the first 30 days of the school year; the second screener is to be administered in December; and, the third screener is to be administered in April.
 - Parents must be notified after the results of any of the three tests indicate that the student is reading below grade level.
- 2. Individual Reading Improvement Plans:** Within 30 days of being identified as reading below grade level as determined by the screener, the school shall create an individual reading improvement plan for any qualifying K-3 student; the plan must describe the evidence-based reading intervention services as well as recommendations for at-home and summer learning strategies and opportunities.
- 3. Literacy Coaches for Teachers:** Each school governing authority must provide literacy coaches for K-3 reading teachers for onsite teacher training and support.

D. Students with Disabilities

[Act 588](#)

SPED Classroom Video and Audio Recording Policy

Foil

Amends existing law ([La. R.S. 17:1948](#)) concerning the installation of video and audio cameras in qualifying SPED classrooms, which applies to charter schools via [La. R.S. 17:3996\(B\)\(65\)](#), to clarify that the required school policy must be adopted by school boards no later than December 31, 2022 and submitted to LDOE by January 15, 2023; also clarifies that the policy must include provisions as to how a parent can request the installation of a camera, and that the school must install a requested camera upon the receipt of funds for that purpose.

[Act 622](#)

Dyslexia Student Screenings

Marino

Amends current law ([La. R.S. 17:392.1](#)) to: clarify that it applies to charter schools; to extend the annual screening report submission to LDOE by December 15 of each year; and to clarify that if 10 or fewer students in a grade are identified as dyslexic, then the report shall only indicate that less than 11 students are identified.

[Act 576](#)

SPED Advisory Councils Update

Miller

Updates current SPED Advisory Council Law ([La. R.S. 17:1944.1](#)), which applies to charter schools via [La. R.S. 17:3996\(B\)\(58\)](#), to now clarify and require

1. At least **50%** of the council shall be made of:
 - Parents of students with an exceptionality not including gifted or talented, who are enrolled in or receiving special education services from the school and are not employed by the school's governing authority; and/or
 - One high school student enrolled at the school who has an exceptionality not including gifted or talented; and/or
 - One person who represents an entity that serves students with disabilities or their families.
2. At least **10%** of council membership shall include special education stakeholders other than parents and teachers, principals, or paraprofessionals; and that the balance of the council membership shall be made of teachers, principals, and/or paraprofessionals employed by the school's governing authority.
3. If the council has fewer than eight members, the authority creating the council shall explain this decision to the council and include the explanation in its annual report.
4. Each annual report (due each May) shall be posted on the school's and LDOE's websites as well as submitted to the school's governing board and the state's Special Education Advisory Panel.

E. School Policies

[Act 529](#)

Anti-Discrimination Policies

Newell

Amends current anti-discrimination laws for public school students and staff, which apply to charter schools via [La. R.S. 17:3991\(E\)\(4\)](#), to include a prohibition against natural, protective, or cultural hairstyle discrimination. Defines “natural, protective, or cultural hairstyle” to include, but not be limited to, afros, dreadlocks, twists, locs, braids, cornrow braids, Bantu knots, curls and hairstyles to protect hair texture or for cultural significance.

[Act 624](#)

Student Voter Registration

Mincey

Requires public school governing authorities, including charter schools, to adopt a policy that provides high school seniors who are at least 17 years old with the opportunity to register to vote; prohibits the involvement of any political or partisan group or organization in the registration process.

[Act 472](#)

Support for Pregnant and Parenting Students Act

Landry

The governing authority of each public high school, including charter high schools, must adopt the following policies for pregnant and parenting students:

1. An Attendance Policy that Requires Schools to:

- A. Excuse absences due to conditions related to pregnancy and parenting, including medical and legal appointments (requires a school to accept documentation from a physician or the parent's student or legal guardian when granting an excused absence);
- B. Permit at least 10 days of excused absences for both the parenting mother and father after the birth of their child;
- C. Permit a pregnant or parenting student to make up classwork in a reasonable amount of time that is at least the same length of their excused absence time or more and provide options for how the student can make up the missed coursework (e.g. retaking the semester, course recovery program participation, home-based instruction, etc.).

2. A Breastfeeding Policy that Requires Schools to:

- A. Provide reasonable accommodations on a school campus to lactating students for breastfeeding purposes (i.e., access to a private and secure room, permission to bring a breast pump to campus, access to a power source for a breast pump or any other lactation equipment; access to safely store breast milk, etc.);
- B. Provide a lactating student with a reasonable amount of time to accommodate the need to express breast milk or breastfeed a child while at school; and,
- C. Ensure that a student does not incur an academic penalty as a result of use, during the school day, of the reasonable breastfeeding accommodations and is provided the opportunity to make up any work missed due to such us.

3. A Child Care Policy that Requires:

- A. When a School Provides Access to Child Care: If a public high school provides access to child care either on campus or off campus, the school's governing authority shall adopt a policy for notifying students of such child care options, which shall be available to both student mothers and student fathers.
- B. When a School Does Not Provide Access to Child Care: If a public high school does not provide access to child care, its governing authority shall adopt a policy for assisting parenting students in identifying child care providers.

[Act 276](#)

Student Information Sharing Policy (Food Program)

Freeman

Continues to permit schools to share certain student information with the Department of Children and Family Services for pandemic-related federal food assistance programs via [La. R.S. 17:3914\(M\)](#), which applies to charter schools via [La. R.S. 17:3996\(B\)\(38\)](#).

[Act 567](#)

Student Information Sharing Policy (Workforce)

McKnight

Creates a new exception in student privacy law ([La. R.S. 17:3914](#)), which applies to charter schools via [La. R.S. 17:3996\(B\)\(38\)](#), to permit the transfer of personally identifiable student information (with either parental permission or permission from students of majority age) to the La. Workforce Commission for evaluating workforce preparation programs.

[Act 640](#)

School Bus Transportation Policy Updates

Muscarello

Updates various provisions of school bus regulations, which apply to charter schools that provide bus transportation (per [La. R.S. 17:3996\(18\)-\(20\) & \(37\)](#)):

- Repeals the specific restraints for the loading or unloading of students on the shoulder of a road; permits the loading or unloading if the bus is in the lane farthest to the right side of the road; updates bus signal requirements; and clarifies when buses that transport students must be painted yellow.

II. Teacher Certification, Training, and Other Requirements

[Act 119](#)

State Budget, Teacher Pay Raise

Zeringue

The state legislature approved the Minimum Foundation Program (MFP) school funding formula for the 2022-23 school year ([HCR 23](#)), for a total of \$148 million, inclusive of a restrictive \$1,500 pay raise for teachers and \$750 pay raise for support workers, applicable to charter school staff. This increase in funding creates a new, guaranteed MFP funding floor for schools moving forward.

This is not a one-time bonus but a required salary pay increase for eligible teachers and support staff.

- Schools should refer to this [MFP guide provided by LDOE](#) as to how to implement this recent

[Act 745](#)

Teacher Background Checks

Freiberg

Beginning June 1, 2023 all new teacher certification and teacher authorization applicants must undergo a state and federal background check as part of LDOE's approval process.

- Anyone who had previously been granted a teacher certification or teacher authorization prior to June 1, 2023 shall obtain a state and federal criminal history background check when seeking renewal, advancement, or any other modification or by June 1, 2028, whichever occurs sooner.

Note: though charter schools are not required to hire certified teachers, any teaching applicant who does not present a current teaching certificate in good standing must undergo the teacher authorization process with LDOE ([La. R.S. 17:3996\(B\)\(45\)](#); [La. R.S. 17:7\(10\)](#)).

[Act 333](#)

Teacher Evaluations

Bryant

Updates current teacher evaluation law ([La. R.S. 17:3902\(B\)\(5\)](#)), which applies to charter schools via [La. R.S. 17:3997\(D\)](#), to clarify that teachers must meet with their evaluators to discuss student learning targets for each student and that any student learning target that is not discussed in a meeting between the teacher and his/her evaluator cannot be used in the teacher's evaluation.

[Act 569](#)

Legislative Teacher Training Mandates

Mincey

Provides that a legislative requirement for additional teacher training shall become effective only if a provision is made for teachers to receive the training at a time when they are being compensated and not participating in local professional development activities or the burden of the requirement is offset by the elimination of another training requirement completion of which requires at least the same amount of time as the additional requirement.

[Act 463](#)

Geaux Teach Scholarship Program

Thompson

Establishes the Geaux Teach Program and Geaux Teach Fund under LDOE to award scholarships to students in state-approved teacher preparation programs.

[Act 448](#)

Teacher Reading Instruction Requirement

Nelson

Requires passage of a reading instruction and intervention test as a condition of becoming a certified K-5 teacher beginning January 1, 2024.

[Act 607](#)**Dyslexia Training Requirement for Teacher Certification***Marino*

Requires that teacher education programs include at least three credit hours on teaching students with dyslexia and specifies content of such coursework.

[Act 244](#)**Alternative Teacher Certification Pathways***B. Peacock*

Eases the process for individuals with a master's degree, but no education training, to earn state certification over time as well as eases the certification process for those who hold valid out-of-state teaching licenses.

[Act 707](#)**Teacher Preparation Program Enrollment Requirements***Mincey*

Removes entrance examination requirements for teacher preparation programs.

[Act 359](#)**LSERS Permanent Benefits Increase***Devillier*

Permits a Permanent Benefits Increase (PBI) beginning July 1, 2022, for the following LSERS retirees: (i) Any retiree, other than a disability retiree, who has attained at least age sixty and who has received a benefit for at least one year; (ii) Any non-retiree beneficiary whose receipt of benefits is not based on the death of a disability retiree, if benefits had been paid to the retiree or the beneficiary, or both combined, for at least one year and if the retiree would have attained age sixty; and, (iii) Any disability retiree or a person who receives benefits from the system based on the death of a disability retiree, if benefits have been paid to the retiree or the beneficiary, or both combined, for at least one year.

[Act 657](#)**TRSL Benefit Increase***Price*

Beginning July 1, 2022, grants a 2% benefit increase on the first \$68,396 of the annual benefit to the following TRSL retirees: (i) Regular retiree who has been retired for at least one year and is at least age 60; (ii) Disability retiree who has been retired at least one year regardless of age; (iii) Beneficiary of a retiree who would have met the eligibility criteria if the retiree were alive; and, (iv) Nonretiree beneficiary who has been receiving benefits for at least a year and whose benefits are derived from service of a deceased member who would have attained age 60.

III. Higher Education Updates

[Act 205](#)

Bachelor & Associate Degree Credit Transfers

K. Brass

Requires the Board of Regents to develop a process by which a student can easily reverse transfer credits whereby a student who transfers from a two-year institution to a four-year institution can be granted their associate's degree while continuing to work toward a bachelor's degree; also permits students to more easily combine credits earned at two- and four-year institutions.

[Act 681](#)

TOPS Hurricane Ida Extension

Fields

Applicable to the 2021-2022 academic year, waives certain TOPS initial eligibility requirements if a student who live in a parish affected by Hurricane Ida (Jefferson, Lafourche, Livingston, Plaquemines, St. Charles, St. Helena, St. James, St. John the Baptist, Tangipahoa, or Terrebonne) experienced compliance hardships that were more likely than not due to disruptions caused by Hurricane Ida.

[Act 682](#)**Postsecondary Inclusive Education Fund and Advisory Council***Boudreaux*

Creates the Louisiana Postsecondary Inclusive Education Fund for the purpose of funding approved comprehensive inclusive postsecondary programs at each public postsecondary education institution in order to provide pathways to postsecondary degree, certificate, and apprenticeship programs designed to increase independent living and employment opportunities for students with intellectual and developmental disabilities; also creates a council to advise the Board of Regents on expanding inclusive programs in the state.

IV. Student Athletics Updates

[Act 385](#)

Sudden Cardiac Arrest Instruction for Staff

Hodges

Requires each public school and charter school nurse, coach, athletic trainer, and athletic director, whether employed or serving as a volunteer, to annually complete a sudden cardiac arrest education program developed by LDOE.

[Act 113](#)

School Sports Injury Management Plans

C. Turner

Clarifies current law ([La. R.S. 40:1087.1](#)) to exempt football jamborees and regular season games (as defined in the act) from adhering to sports injury best practices when not conducting activities in a climate-controlled facility.

[Act 283](#)

Fairness in Women's Sports Act

Mizell

Limits interscholastic (K-12) and intercollegiate female-only sporting events and activities to biological females; permits trans-female students participation in athletic events that are either aligned to their sex at birth or events designated as co-ed or mixed.

Note: The law explicitly does not apply to intramural events.

[Act 495](#)**Athletic Trainer Professional Development Program***Beullieu*

Creates an Athletic Trainer Professional Development Program under LDOE to help increase the number of certified athletic trainers in rural areas through a trainer certification loan repayment program and professional development fund.

V. General Education Updates

[Act 209](#)

BESE Course Information Forms for Students

K. Brass

Requires BESE to develop an advisement policy that informs and assists K-12 students and their parents in the scheduling of advanced courses and early college opportunities.

[Act 222](#)

Students and Digital Devices Health Concerns

Freeman

Requires LDOE to develop and distribute health and safety best practices and guidelines for the effective integration of digital devices in public schools.

[Act 302](#) / [Act 617](#)

Blind Students' and Blind Child's Bill of Rights

Fields & Turner

- **Act 302:** Updates the definition of a blind student under the Blind Persons' Literacy Rights and Education Act ([La. R.S. 17:1982](#)) and clarifies a student's rights to individualized assessments, education plans, and appropriate support under [La. R.S. 17:1983](#).
- **Act 617:** Creates a new "Blind and Visually Impaired Child's Bill of Rights," which sets for certain requirements of schools and programs attended by students who are blind, visually impaired, and deaf-blind, including fostering an educational environment for the students to learn and be active participants in the classroom, training and equipping personnel with braille materials for their students, and providing opportunities for parents to participate in the development of their child's Individualized Education Plan and Section 504 Plan.

[Act 324](#) & [Act 325](#)

Student School Checkout Safety

Mincey

- **Act 324:** clarifies what documentation a person needs to produce to a school when seeking to remove a minor from school pursuant to a custody order.
- **Act 325:** clarifies that each public school governing authority shall either adopt a uniform policy for student check-out or require each principal under its jurisdiction to establish such a policy.

Note: even though Act 325 does not expressly apply to charter schools, charters should adopt clear policies and procedures for when a minor student can be removed from campus, especially in accordance with the rules set forth in the Children's Code per Act 324.

[Act 338](#)

Required Teacher Training Review

Mincey

Requires LDOE to create and maintain a database (with resources) of training that teachers are required by law to complete.

[Act 387](#)

Games of Chance for Schools

Stefanski

Permits private and public schools to hold and operate certain games of chance (e.g. raffles) and exempts schools from certain licensing and reporting requirements.

[Act 395](#)

Reading Enrichment and Academic Deliverables (READ) Program

Schlegel

Creates the “Reading Enrichment and Academic Deliverables” (READ) program whereby LDOE will provide additional books and other reading materials to eligible students (K-5 students who struggle with reading) to help develop students’ literacy skills. *Program can only be implemented with funding appropriated by the legislature to LDOE for this purpose.*

[Act 414](#)

First Grade Entry Requirements

Fields

Makes technical changes to first grade entry requirements beginning with the 2023-24 school year to align with current law that mandates kindergarten for students beginning with the 2022-23 school year, per [Act 386](#) of the 2021 legislative session.

VI. Public Sunshine Law Updates for Charters

[Act 47](#)

Code of Ethics and School Nepotism

P. Thomas

Updates nepotism law ([La. R.S. 42:1119](#)), which applies to charters via [La. R.S. 17:3996\(B\)\(20\)](#), to clarify that an immediate family member of a school board member or superintendent may be promoted to an administrative position if the immediate family member has been employed for at least one year prior to the promotion (and has the appropriate qualifications and certifications for the promoted position).

[Act 50](#)

Code of Ethics and School Nepotism Disclosures

P. Thomas

Updates nepotism law ([La. R.S. 42:1119](#)), which applies to charters via [La. R.S. 17:3996\(B\)\(20\)](#), to require school board members and superintendents whose immediate family member is employed by the school to annually file a [disclosure statement](#) with the Board of Ethics ([Form 403](#)) by September 15 of each school year.

[Act 337](#)

Public Records Law and Fees for Electronic Copies

Duplessis

Clarifies that reasonable fees for copies of a public record may include fees for the transmission of electronic copies of a public record.

[Act 770](#)

Public Records Requests

Bernard

Makes technical changes and expands certain duties of the custodian of records:

- Adds electronically stored information and information contained in databases to the list of materials considered public records.
- Authorizes the custodian to make an additional inquiry relative to the specificity of the request if, after review of the initial request, he is unable to ascertain what records are being requested. Further clarifies that a custodian may deny access to a record only after reasonable attempts to narrow or specify the request with the requestor if he determines that a records request would substantially disrupt required government operations.
- Provides that a custodian shall not be required to provide copies to persons who fail to pay applicable copying fees or fulfill subsequent records requests until any outstanding fee balance is resolved where the requester was notified of the amount in advance of production.
- Now grants the custodian five days (instead of the previous three days), exclusive of weekends and legal public holidays, to provide written notice to a requesting party as to the legal basis under which the custodian has determined to exempt a record from a public records request.

VII. Other Education Laws

-Not Expressly Applied to Charter Schools

The following is a list of additional education laws passed during the 2022 legislative session for informational purposes as these do not expressly apply directly or indirectly to charter school communities via Charter Law.

[Act 323](#)

Clarifies that each public school governing authority (and not BESE or LDOE) shall determine the school-year calendar for the schools under its jurisdiction.

[Act 370](#)

Requires schools to annually observe “Celebrate Freedom Week” with age- and grade-appropriate instruction on topics related to freedom each September in accordance with Constitution Day and Constitution Week.

- The U.S. Constitution Day is observed every September 17.

[Act 456](#)

Expands the topics required to be included in adoption awareness instruction for high schools under [La. R.S. 17:263](#).

[Act 485](#)

Allows certain patriotic organizations (e.g. the Boys Scouts of America) access to school facilities and grants their representatives the opportunity to speak to and recruit students; known as the “Patriotic Access to Students in Schools Act” or “PASS Act.”

[Act 533](#)

Expands the traditional public school choice program ([La. R.S. 17:4035 et seq.](#)) to permit a “program of choice” intra-district student transfer. In order to qualify, the program of choice cannot be offered at the public high school in which the student was most recently enrolled and the program of choice as well as the host school to which the student seeks an intra-district transfer has available capacity at the appropriate grade level.

- A “Program of Choice” is a public high school program that allows a student to concurrently pursue a high school diploma and one of the following: (i) a postsecondary degree, credential, or certificate; or, (ii) a state-registered apprenticeship or pre-apprenticeship.

[Act 626](#)

Requires traditional public school governing authorities to provide age- and grade-appropriate instruction relative to eating disorder awareness and prevention.

VIII. Resolutions

The following are resolutions passed by legislators to bring attention and awareness to various issues. While some resolutions have the power to create task forces or direct certain agencies, others simply “urge and request” a particular action but are not laws and cannot be enforced. The following are resolutions deemed pertinent to the charter school community.

[HCR 81](#)

Creates the “Workforce Opportunity and Readiness Task Force” to study workforce readiness programs and activities in the state’s public schools, identify successful programs and practices, and develop recommendations for improvement. *LAPCS is a named member of the Workforce Commission.*

[HCR 112](#)

Urges and requests local public bodies to provide a mechanism for the public to submit input concerning agenda items via electronic mail and, to the extent practicable, allow the public to view and participate in meetings via electronic means.

[SRC 33](#)

Urges and requests the state superintendent of education to create the Teacher’s Advisory Council in order to allow teacher input into the decisions that impact student learning.

Council shall include at least 6 charter school teachers that represent the following teacher categories: elementary school, middle school, high school, virtual, high performing school, and a school performing below the state average.

SRC 40

Urges and requests each city, parish, and local school board, including charter schools, to create a Teachers' Advisory Council in order to allow teacher input into the decisions that impact student learning.



Louisiana Association
of Public Charter Schools

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LAPCS is a nonprofit membership organization that serves as a voice for charter schools in Louisiana. We work in partnership with charter schools and the community to support, promote, and advocate for high-quality charter schools that provide educational choice to families statewide.

