



Louisiana Association
of Public Charter Schools

New Laws Guide for Charter Schools **2023**

ADMINISTRATIVE GUIDE



A Note from LAPCS about the 2023 Legislative Session:

Though the 2023 Legislative Session was a short fiscal-related session, it felt long and contentious until the very end when legislators literally ran out the clock. The biggest debate that loomed over the entire session was the state's budget. The state projected one of the largest budget surpluses in recent history and leaders were largely split as to how to best utilize the monies. Governor John Bel Edwards and Senate leaders wanted to spend the monies on one-time infrastructure expenditures in order to maximize federal matching funds while majority House Republicans contended the surplus should be used to pay down obligated state debt.

Unfortunately, public schools and teachers were caught in the middle as legislators could not agree as to whether the state should increase the public school funding program (the Minimum Foundation Program—MFP) to support school infrastructure needs and whether public school teachers should receive a permanent pay raise. At one point it seemed as though a deal had been made whereby schools would not receive a permanent funding increase but teachers would. However, in a surprise move within the last hour of the legislative session, the House majority rejected that proposal (and many other budget items) and opted instead to only provide a temporary, one-year stipend for teachers and teacher aides.

Other hotly contested items included bills that continued the culture war debate concerning vaccines, LGBTQ+ issues, criminal justice, and the extent to which parental consent is needed for access by minors to materials online and in public libraries. In total, the Governor vetoed 25



bills and legislators could only muster enough votes to override HB 648 by Rep. Firmont, which prohibits medical procedures and hormonal therapy for transgender minors. No other vetoed bill, including those that sought to restrict schools as to how they manage LGBTQ+ issues inside the classroom, gained the 2/3 votes of both chambers needed to override the Governor's veto.

Less controversial among legislators were bipartisan agreements to increase financial literacy requirements for schools, students, and teachers. The state is experiencing great growth in reading and literacy improvements across the state and they look to mirror those efforts for math through a slate of financial literacy bills. Notably, though charter schools were

included in these new financial literacy requirements, they were not included in a new literacy requirement for schools that will prohibit the promotion of certain students who are not reading on grade level by the end of third grade (so that standard should remain permissive but not mandatory for charter schools' student progression plans). LAPCS takes a firm position that unless a bill amends Charter School Law, in particular [La. R.S. 17:3996](#), then the bill does not apply to charter schools. As such, we do not believe [Act 422](#) by Rep. Nelson applies to our charter school community. But LAPCS will continue to monitor this issue to see if additional amendments to make it mandatory are added in the next Legislative Session.

Unfortunately, New Orleans charter schools continued their battle against anti-charter school legislation filed (once again) by Sen. Bouie of New Orleans. But this year, the New Orleans community really rallied together for weeks to successfully defeat the legislation with an all-hands-on-deck approach that included advocacy efforts by students, parents, teachers, school leaders, board members, and the Greater New Orleans education and business community. In fact, one of my proudest moments at the legislature to date (in my time as the Executive Director of LAPCS) was waiving my testimony in opposition to SB 25 during the Senate Education Committee hearing—as the New Orleans charter school community carried the opposition and my testimony would have paled in comparison to what those serving New Orleans students had to say.

Indeed, that is my hope and goal for the entire Louisiana charter school community: that LAPCS will help assist each charter school in developing their own advocacy army. After all, when the votes get tough and the debates get heated, legislators want and need to hear the most from those serving on the front lines so that they can make an informed decision. And with a slew of local and statewide elections this fall—including a new Governor and members of the Board of Elementary and Secondary Education—it's vital for the long term success of each individual charter school and to the community as a whole, that we all engage in advocacy efforts.

This is why I have recently expanded our team and reshifted our focus a bit so that we can better assist you in the areas needed most. Make no mistake, the education landscape is quickly changing, the political fights are getting tougher, and we must take an active and proactive role in shaping our future. So my question for you is: when the time is ready—who on your team will help us answer that call?

Caroline Roemer

**Executive Director, Louisiana Association
of Public Charter Schools**



Table of Contents

- I. Curriculum Mandates & Updates 5
- II. Literacy Updates & Requirements: Reading, Finance, and Numeracy 7
- III. New Orleans Specific 9
- IV. Student Issues 10
- V. Sunshine Laws 15
- VI. Teachers 19
- VII. Other Updates for Awareness 22
- VIII. School MFP Funding and the Legislative Teacher Stipend 28

Glossary of Commonly Used Acronyms:

- **ADA:** Americans with Disabilities Act
- **BESE:** The State Board of Elementary and Secondary Education
- **LDOE:** The Louisiana Department of Education
- **MFP:** Minimum Foundation Program
- **Section 504:** Section 504 of the Rehabilitation Act of 1973
- **SPED:** Students with exceptionalities, not including gifted or talented (Special Education)
- **TRSL:** Teacher Retirement System of Louisiana

New Laws Guide Notice:

LAPCS' 2023 New Laws Guide provides only summaries of the laws passed during the 2023 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 attorney, your authorizer, or the Louisiana Department of Education for additional guidance.

I. Curriculum Mandates & Updates

[Act 180](#)

Ivey - Organ Donation Instruction: Requires each public high school, including charter high schools, to provide instruction relative to organ donation to students.

- Instruction shall be integrated into an existing required course of study and schools shall utilize free resources from a Louisiana organ procurement organization or other free resources available from a similar authoritative source.

[Act 215](#)

Hodges - History and Literature of the Bible: Permits each public high school, *including charter high schools*, to offer an elective course in the history and literature of the Bible.

- If such a course is offered, the course shall maintain religious neutrality and diverse religious views, traditions, and perspectives.
- The course shall not endorse, promote, favor, disfavor, or show hostility toward any particular religion or any nonreligious perspective.

[Act 264](#)

Horton - "In God We Trust" & American Flag Instruction: Clarifies, updates, and requires (beginning August 1, 2026) each public school, including charter schools, to post in each school building and classroom a poster or framed document of our country's national motto "In God We Trust." Each posting must be at least 11x14 inches in size, and the motto must be the central focus and printed in large, easily readable font.

- **Note:** A public school governing authority cannot be required to spend its funds to purchase the national motto display; a school may spend or donate funds to purchase the displays and may accept donated displays.
- **Note: New American Flag Instruction Requirement for Charters:** Because Act 264 amended Charter School Law to require charter schools to comply with the entirety of [La. R.S. 17:262](#), charter schools are also now required to provide instruction on the flag of the United States to students by 5th grade. Instruction must include the history of the flag, etiquette, and customs pertaining to the display and use of the flag.

[Act 458](#)

McMath - Accelerated Learning Instruction Requirements for School Systems without Approved Plans: Updates [La. R.S. 17:100.13](#), which applies to charter schools, to require various accelerated learning and tutoring standards for students in grades 3-8 who fail to achieve mastery in reading or in math if the governing school fails to have an approved pandemic-related learning plan in place by August 1, 2023.

- Also specifies that no state funds or obligated federal funds shall be used for this accelerated learning program.

II. Literacy Updates & Requirements: Reading, Finance, and Numeracy

[Act 260](#)

Hewitt - Numeracy Professional Development for 4th-8th Grade Math Teachers: Requires all public school math teachers for 4th-8th grades, *including charter school teachers*, to successfully complete at least one LDOE-approved numeracy professional development course no later than August 1, 2025.

- A teacher who provides documentation of successfully completing an approved professional development course within 5 years prior to August 1, 2025, shall be considered in compliance with this new legal requirement. Any teacher hired after July 31, 2025, must provide documentation of successful completion of an approved numeracy professional development course within 2 years of the date of employment
- Each city, parish, or local public school board must report the number and percentage of teachers who successfully completed the course annually, beginning May 1, 2026.

[Act 266](#)

Marino - Mandatory Dyslexia Testing: Requires each public school, including charter schools, to administer an LDOE-provided dyslexia screener to students in the second half of kindergarten or upon the request of a teacher, parent, or legal guardian.

- If the results of the screener indicate that the student is at risk for dyslexia, then the parent or legal guardian must be notified within 30 days of the result of the screener.
- Each public school governing authority must annually submit a report by December 15 to LDOE that includes the number of students of all grade levels identified as dyslexic.

[Act 267](#)

Muscarello - Financial Literacy Requirements for Students,

Beginning 2024-25: Revises current financial literacy requirements, [La. R.S. 17:270](#), which applies to charter schools, to now require high school students beginning with students entering the 9th grade during the 2024-25 school year and thereafter to complete one unit of Financial Literacy as a required math credit for high school graduation and explicitly states the topics that must be included. Financial literacy credit is also required for students to be eligible for TOPS and TOPS-Tech awards.

- **Note:** Previous law required age and grade appropriate instruction for all students on the basic concepts of personal financial management.

[Act 347](#)

Nelson - Numeracy Requirements for Certification: Requires state teacher certification courses to include instruction on foundational numeracy skills by no later than December 31, 2023.

III. New Orleans Specific

[Act 55](#)

Hughes - School Facilities and Systemwide Needs Funding Program Updates

- **School Facilities Preservation:** Amends [La. R.S. 17:100.11](#) to:
 - Remove restraints on eligibility requirements for the district’s capital improvement fund; and,
 - Expand the definition of a qualifying “school” (for purposes of the facilities fund) to include any educational program that serves public school students on a campus pursuant to a partnership with the school board as defined by the school board’s policy governing school facilities preservation.
- **Systemwide Needs Program:** Amends [La. R.S. 17:100.12](#) to authorize the school district to receive \$10 per student from the systemwide needs fund in order to create an office to manage and oversee the program. The amount withheld from the fund for this purpose may be annually adjusted by the school board.

IV. Student Issues

[Act 164](#)

Jenkins - Threats of Violence Law Update: Makes various amendments to the Threat of Violence and Terrorism Law ([La. R.S. 17:409.1 et seq.](#)), which applies to charters:

- Requires employees to report all threats to law enforcement and to the administrator regardless of whether there is a determination that the threat is credible and imminent;
- Requires an administrator to inform persons who are targets of the threat and take all necessary measures to protect their life and safety, and provides additional steps for notifying and working with the school district; and,
- Sets the parameters for when a student can return to school and what notice must be given to any person who was the target of the threat.

[Act 268](#)

Hilferty - Corporal Punishment Restriction: Prohibits the use of any form of corporal punishment in any public school, including charter schools, unless the student's parent or legal guardian provides written consent via a document created by LDOE.

- Written consent must be given on an annual basis as it only applies to the school year in which it is given.
- No form of corporal punishment can be administered to a student with exceptionalities (not including gifted or talented) or to a student eligible for a Section 504 Plan and has an Accommodation Plan.

[Act 362](#)

R. Owen - Student Carpool Policy Requirements: Requires all public school governing authorities, including charter schools, to establish a carpool and bus line policy for students in grades K-5 that includes:

- Students must remain a safe distance from the pick up area behind something material or immaterial intended to block passage;
- Students shall wait in the pick up area and wait for vehicles to come to a complete stop;
- A student dropped off shall remain in the appropriate passenger restraint until the vehicle comes to a complete stop;
- Students in grades K-3 must be accompanied by a school employee while walking to and from the pick up area; and,
- School administrators shall post signage regarding the carpool and bus line policy.

[Act 318](#)

Marcelle - Various Student Mental Health Updates:

- **New Student Attendance–Mental Health Exemption:** Creates a new student exemption from compulsory attendance laws ([La. R.S. 17:221 et seq.](#)) to permit students to be absent from school for up to three days in any school year due to the student’s mental or behavioral health; such absences shall be excused if certification is provided in writing and in accordance with the student handbook. Students must be given the opportunity to make up any school work missed during the excused absence. And following the second day of an excused mental or behavioral health absence, the student shall be referred to the appropriate school support personnel for help addressing the underlying issue.
 - **Note:** because Act 318 does not expressly or indirectly amend Charter School Law as it relates to the mental health attendance exemption, charter schools should check with their attorneys as to its application to your school’s attendance policies.

[Act 318 \(cont'd\)](#)

- **Mental Health Instruction Update:** updates [La. R.S. 17:271.1](#), which applies to charter schools, to clarify that the required mental health instruction for students K-12 should also include: (i) the relationship and difference between mental and physical health; and, (ii) stress and anxiety management
- **Youth Suicide Prevention Program Website Postings:** updates [La. R.S. 17:282.4](#), which applies to charter schools, to require additional website postings:
 - Any school that provides a youth suicide prevention program should not only inform students of the available community youth suicide prevention services but must also post them on the school's website; and,
 - Requires all schools to post on their website information about the National Suicide Prevention hotline and a local suicide prevention hotline number (in addition to providing the information on student identification cards, if the school provides student identification cards).
- **Drug & Substance Abuse Prevention Website Posting Update:** updates [La. R.S. 17:404](#), which applies to charter schools, to require that each school's drug, alcohol, and substance abuse program include posting on the school's website the contact information (website and phone number) of at least one national organization that specializes in substance abuse for adolescents.
- **Trauma-Informed Education, Pilot Program:** updates [La. R.S. 17:437.2](#), which applies to charter schools, to require LDOE to develop and administer a pilot program within three school systems for trauma-informed mental health screening for students.
- **School Health Centers:** updates [La. R.S. 40:31.3](#), which applies to charter schools, to require any school health center be registered with the office of public health.

[Act 334](#)

Milligan - School Safety Act

- **School Crisis Management Plans:** Updates [La. R.S. 17:416.16](#), which applies to charter schools, to:
 - Explicitly describe who shall be part of a school's threat assessment team and the emergency preparedness and recovery point of contact and what roles they play in an emergency;
 - Require plans utilize resources created through the Louisiana Commission on School and Nonprofit Security per [La. R.S. 29:726.5 et seq.](#) and that plans are submitted to LDOE and the Center for Safe Schools;
 - Clarify that plans must also provide for an all-hazards approach response and who must be notified in the event of a crisis, as well as provide for mental health counseling and other services for students in the event of a shooting or other violent incident or emergency;
 - **Require schools conduct at least two school crisis management safety drills:**
 - The first drill must occur within the first 30 days of each school year and include an active shooter scenario;
 - The second drill may occur at any time but should be conducted during high traffic or transition points in the school day;
 - Require bleeding control kits (provided by the state) to be placed in easily accessible locations in each school and for the school principal to designate employees to be trained in the proper use of a bleeding control kit and in traumatic injury response;
 - Schools' in-service must involve local law enforcement, fire, public safety, and emergency preparedness officials, include an active shooter exercise, and training is reported to LDOE; and,
 - Require that schools must also submit copies of their management plans to LDOE and the Center for Safe Schools.

[Act 334 \(cont'd\)](#)

- **Louisiana Commission on School and Nonprofit Security & the Louisiana Center for Safe Schools:** Adds various members to the Commission, including a representative from LAPCS and further provides that the Commission shall provide oversight of the newly enacted Louisiana Center for Safe Schools, [La. R.S. 29:726.5.1](#).
- The Louisiana Center for Safe Schools will identify and disseminate resources to improve school safety, establish a statewide comprehensive school safety network, assist schools in developing their crisis management plans, create a statewide panic notification system and anonymous reporting system that must be utilized by schools and school systems.

V. Sunshine Laws

[Act 247](#)

Duplessis - Public Records Reasonable Fee Schedule & Posting:

Requires any public custodian of records, including those for a charter school, who elects to collect fees for making copies of requested public records to: (i) establish a reasonable fee schedule; and, (ii) post the schedule where it can be readily accessed by the public.

[Act 301](#)

Brass - Public Records Exemptions: Provides that the Public Records Act does not apply to any surveillance or security video of the inside of or covering the area immediately surrounding a building owned, operated, or maintained by a public school board or a charter school. via a document created by LDOE.

- Additionally **requires the school's governing board to adopt a policy** governing all surveillance and security video in and around school buildings that includes:
 - Retaining, storing, and disposing of recorded video and audio data (recordings must be retained for at least 30 days);
 - Protecting student privacy and determining under what circumstances the recordings may be disclosed; and,
 - Permitting parents/legal guardians and bona fide news organizations to review a recording.

[Act 370](#)

Edmonds - School Budget Transparency: Beginning July 1, 2024, requires each public school governing authority, including charter schools, to do the following:

- **Annual Budget Website Posting:** annually post on its website its most recent budget and general summary by September 30 of each year;
- **Annual Audit Website Posting:** annually post on its website its most recent annual independent audit within 30 days of notice of the approval and acceptance by the legislative auditor each year.
- **Semi-Annual Revenues, Expenditures, & Contracts Website Posting:** Beginning with the fiscal year starting on July 1, 2024, and each fiscal year thereafter, must post on its website semiannual reports detailing actual revenue, receipts, expenditures, and disbursements that include information concerning the governing authority's contracts for each quarter, including the identity of each vendor and the purpose of each contract.
 - Reports for the period July 1-December 31 shall be posted no later than March 31 of each year.
 - Reports for the period January 1 - June 30 shall be posted no later than September 30 of each year.
- Each public school governing authority shall furnish to the Department of Treasury the information required posted on its website (pursuant to deadlines described and templates created by the treasurer and the state superintendent of education).
 - The treasurer shall post the information on the website of the Department of Treasury as well as provide an online tool for comparison of school budgets and expenditures, in total and on a per-pupil basis.
- **Note:** The 2023 legislature provided funding to assist the Department of Treasury in creating the website templates and forms for reporting school budget information in accordance with Act 370. Charter schools should expect to receive more information and guidance from LDOE on this issue.

[Act 393](#)

Hewitt - Open Meetings Law Updates

- **Americans with Disabilities Act (ADA) Compliance for Public Participation in Public Meetings:** Updates [La. R.S. 42:14](#) to require each public body, including charter school boards, to:
 - **Public Participation via Tele- or Video Conference Policy:** for public bodies that have the capability to allow participation via videoconference must adopt rules, regulations, and procedures that regulate and facilitate participation in a public meeting via teleconference or videoconference for any person with an ADA recognized disability or their designated caretaker who requests that accommodation prior to the meeting.
 - **Alternative Public Participation Policy:** if the public body does not have the capability to allow any member of the public with an ADA-disability to participate in its meetings via teleconference or videoconference to adopt rules, regulations, and procedures to facilitate viable alternative methods for a member of the public with a disability or their caretaker who requests to participate in its meetings.
 - **Electronic Means for Disabled Board Member Policy:** Any member of a public body, including a charter school board member, who has a disability recognized by the ADA but who is required to be physically present in order to be counted for a quorum and to participate and vote in a meeting, to participate and vote via electronic means. The public body must adopt rules, regulations, and procedures to facilitate this requirement.
 - **Executive Session Exclusion:** Public ADA meeting accessibility via tele- or video conferencing capabilities is not applicable to executive sessions.
- **Electronic Meetings for Certain Public Bodies:** updates [La. R.S. 42:17.2](#) to permit public bodies (not otherwise expressly prohibited by the law) that have powers, duties, or functions that are not limited to a particular political subdivision or region and conducts at least six regularly scheduled meetings in a calendar year, *which could include state authorized, Type 2 charter schools that enroll students statewide or across multiple parishes.* Additional requirements include:
 - **Anchor Public Location:** the presiding officer must be physically present and preside in an anchor location that must be open to the public to also attend in person.
 - **Public Comments:** the public body must be able to receive public comment electronically prior to, and to the extent practical, during the meeting.

[Act 393 \(cont'd\)](#)

- **Electronic Meetings for Certain Public Bodies (cont'd):**
 - **Transparent Voting:** any and all votes must be clearly identified, recorded, and archived.
 - **Technical Problems:** if the public body becomes aware of technical problems that cause the meeting to no longer be audible, or visible and audible to the public, the meeting shall be recessed until the problem is resolved or adjourned if it cannot be resolved within one hour.
 - **Meeting Recordings:** meetings must be recorded and made available in an online archive located on the public body's website for at least 2 years.
 - **Meeting Materials:** all meeting materials made available to the public in attendance at the anchor location must be made available electronically to members of the public participating electronically to the extent practical.
 - **Limited Number of Electronic Meetings:** eligible public bodies must:
 - (i) limit the number of their regularly scheduled meetings via electronic means to no more than 1/3 in a calendar year;
 - (ii) limit the number of successive electronic meetings; and,
 - (iii) publish a schedule of its meetings, indicating which meetings are via electronic means and which are in-person only.

VI. Teachers

[Act 247](#)

Peacock - Teacher Certification and Authorization Updates and New laws to be Reorganized under La. 17:8.1 et seq.:

- **Teacher Education Programs, Examinations, and Permits:** establishes the terms by which certain applicants can be conditionally accepted into a certified teacher education program and granted provisional teaching permits.
- **School Psychologist Qualifications:** permits BESE to align state certification standards for school psychologists with the requirements established by the National Association of School Psychologists.
- **LDOE Certification Appeal Postings:** requires LDOE to post on its website teacher certification appeals information, including the number thereof, offenses on which an appeal is based, the disposition of each appeal, and the number of successful appeals.
- **Criminal Background Checks:** clarifies that LDOE must check the rap backs (per [La. R.S. 15:587.1](#)) whenever an applicant with an educator credential or teaching authorization who has not previously obtained a state and federal criminal history check by LDOE whenever the person is seeking to have their teacher certification or authorization renewed, advanced, or otherwise modified.
- **Criminal Conviction Notification:** places requirements on those who have an education credential or is authorized to teach to notify LDOE within 2 business days of their final conviction of or plea of guilty or nolo contendere to any felony offense or any offense listed in La. R.S. 15:587.1(C); LDOE must revoke the person's credential or authorization and must notify the last known school that employed the person.
- **LDOE Posting:** requires LDOE to maintain on its website a list of persons whose teaching certification or authorization has been denied, suspended, or revoked for certain enumerated reasons including committing a crime listed in La. R.S. 15:587.1(C), the person was found to have submitted fraudulent documentation to BESE or LDOE, or the person was found to have facilitated cheating on any state assessment.

[Act 247 \(cont'd\)](#)

- **Criminal Background Checks:** provides that a criminal history review is not required to be conducted by an employing school IF the applicant with a teaching credential or authorization has been issued by LDOE and BESE unless the applicant's certification or authorization has been denied, suspended, or revoked.
 - **Note:** Charter schools should confer with their attorneys and LDOE as to these new provisions in state law concerning criminal background checks.

[Act 56](#)

Hodges - "Protect Teachers Act": Amends La. R.S. 17:416.11 to explicitly state that any teacher, principal, or administrator in a public school system or in an approved nonpublic school who intervenes and acts in justifiable defense to protect a student or a school employee from a battery or aggravated battery committed by one or more students shall be immune from civil liability and criminal prosecution unless the act of intervention was malicious and willfully and deliberately intended to cause bodily harm.

[Act 63](#)

Jefferson - Teaching Experience Certification Credits: Permits teachers to be credited with their teaching experience for certification purposes if:

- They hold an out-of-state certification or have been teaching at a non-public school in Louisiana for at least three years with successful evaluations; OR
- They are not employed by a public school but have been teaching in a public school pursuant to a corporate contract with a teaching services company approved by BESE and has received a successful evaluation.

[Act 371](#)

Mincey - Interstate Teacher Mobility Compact (Military Families):

Amends [La. R.S. 17:7.1](#) to require BESE to grant a 5-year standard Louisiana teaching certificate to an applicant who holds a valid out-of-state teaching certificate and who is military personnel or the spouse of military personnel serving in Louisiana, provided the applicant meets all other requirements for background checks and criminal history reviews as required by law.

[Act 99](#)

McMath - Associate Educator Program: Enables BESE to authorize certain individuals with associate's degrees to serve as classroom teachers under certain conditions.

- **Not Applicable to Charter School Instructional Staff:** Act 99 did not amend Charter School Law. As such, LAPCS believes charter schools are still obligated under [La. R.S. 17:3991\(C\)\(6\)](#) to only employ instructional staff who have at least a baccalaureate degree (and pass a criminal background check).

VII. Other Updates for Awareness

[Act 79](#)

Phelps - High School Voter Registration Day: Annually recognizes the First Tuesday after the First Monday in May as “Louisiana High School Seniors Voter Registration Day.”

[Act 97](#)

Abraham - Student Exit Code Concurrence: Amends state Data Collection Systems Law ([La. R.S. 17:3911](#)) to clarify that prior to changing the exit code assigned to a student by the school system, LDOE must obtain concurrence of the city, parish, or other local public school system, including charter schools.

[Act 107](#)

Nelson - Unfunded Accrued Liability Payments: Proposed Constitutional Amendment to require the legislature to appropriate no less than twenty-five percent of nonrecurring state revenues for application to certain state retirement system unfunded accrued liability.

[Act 208](#)

R. Mills - Louisiana Literacy Advisory Commission: Creates the Louisiana Literacy Advisory Commission within LDOE for the purpose of providing recommendations for improving, strengthening, and supporting literacy in Louisiana. LAPCS is a named representative to the Commission.

[Act 210](#)

Duplessis - Employment Discrimination & Required Leave for Medical Necessary Testing: Specifies the terms under which an employer must grant an employee a day's leave of absence from work to obtain genetic testing or preventive cancer screening when medically necessary. Employers shall not be required to provide paid time off for the qualifying leave of absence, though an employee shall be permitted to substitute any accrued vacation time or other appropriate paid leave for leave taken pursuant to the law. Every employer shall post a notice setting forth these requirements, prepared by the Louisiana Workforce Commission, in a conspicuous location on its premises.

- **Note:** Though Act 210 does not expressly amend charter law, [La. R.S. 17:3991\(E\)\(4\)](#) does provide that charter schools shall not discriminate among potential employees, employees, and students in violation of any state or federal law. Because Act 210 amends Louisiana law concerning employment discrimination for public and private employers, charter schools should check with their school's attorney prior to implementing.

[Act 219](#)

Amedee - Mandatory Recess: Requires traditional public schools that serve any of the grades K-5th to provide at least 15 minutes of recess (supervised unstructured free-play) each school day.

- **Charter School Recess Survey:** Notably, Act 219 did not amend Charter School Law and therefore does not apply to charter schools. However, Rep. Amedee and Rep. Willard passed [House Resolution 199](#) that urges and requests LDOE to survey charter schools regarding recess policy and practice at their school.
- Please comply with the survey request as a survey report will be submitted to the legislature prior to the 2024 legislative session.

[Act 231](#)

Wright - State Maritime Academy: Establishes the Universities of Louisiana Maritime Academy, within the University of Louisiana System.

[Act 234](#)

Fields - Use of Automated External Defibrillators (AED): Beginning with the 2024-25 school year, each elementary, middle, and high school shall have an AED on its premises in an easily accessible location. And any elementary, middle, or high school that sponsors an interscholastic athletic event shall have an AED and a trained AED user who is also trained in first-aid CPR at the event as well as have a cardiac emergency response plan.

- **Note:** Act 234 did not amend Charter Law. However, LAPCS strongly encourages charter schools to have a cardiac emergency plan in place, including having an AED on campus, as part of a school's student safety and crisis management plans to limit liability risks. Charter schools should also inquire with LDOE for funds made available during the 2023 legislative session to purchase AEDs.

[Act 238](#)

Abraham - Textbook Selection: Amends [La. R.S. 17:351.1](#) to require LDOE to recognize (for funding eligibility and other purposes) a textbook or other instructional materials reviewed and determined by the local governing authority of a public school to be of high quality, so long as the recognition and review process meets certain standards established in law.

[Act 305](#)

Green - Free Breakfast and Lunch for Reduced Priced Students: Provides that any K-12 student who qualifies for the federal reduced meal program shall be provided free breakfast and lunch free via reimbursement to the school system by LDOE for the cost difference (based on federal rates).

- **Note:** The 2023 legislature provided funding to LDOE to support Act 305. Eligible schools should inquire with LDOE for more information.

[Act 346](#)

Owen - General Education Updates: Makes the following amendments to pre-existing law:

- **Community Service:** clarifies that in order for a student to receive a community service diploma endorsement (per La. R.S. 17:264), the community service hours served cannot count towards academic coursework or graded work; nor can the community service be related to political activities of any kind.
- **Textbook & Materials Review:** clarifies that textbook and instructional materials shall be made readily available not just online but also in person for review by parents and the public (per La. R.S. 17:351.1).
- **BESE's SPED Reporting:** requires BESE to annually report to the legislature school district compliance and noncompliance with student SPED requirements.

[Act 405](#)

Seabaugh - TOPS Residency Eligibility: Clarifies that dependent children of parents living overseas meet TOPS residency requirements under certain conditions.

[Act 422](#)

Nelson - 4th Grade Promotion: Beginning with the 2024-25 school year, prohibits promotion to 4th grade of certain students whose reading deficiencies have not been remedied by the end of the 3rd grade.

- **Note:** Act 422 did not amend Charter School Law and as such, LAPCS does not believe it is a mandatory requirement for charter schools.

[Act 436](#)

Cloud - Public Library Restrictions for Minors: Requires all municipal public libraries by January 1, 2024, to establish policies that limit the access of minors to sexually explicit materials, including establishing a library card system whereby a parent or legal guardian can select what type of library materials a minor child may have access to.

[Act 440](#)

Schlegel - Parental Consent for Interactive Computer Services for Minors: Beginning August 1, 2024, provides that no gaming or other interactive computer service, website, social networking, application, or program shall enter into a contract or other agreement, including the creation of an online account, with an unemancipated minor under the age of 18 without the consent of the legal representative of the minor.

[Act 456](#)

McMath - Parental Consent for Social Media Accounts for Minors:

Beginning July 1, 2024, requires social media companies to make commercially reasonable efforts to verify the age of Louisiana account holders and to prohibit minors under 16 years of age from being an account holder without the express consent of a parent or legal guardian.

- Provides further restrictions on social media companies as it relates to advertising and direct messaging minor account holders.
- Also permits parents and legal guardians to have certain supervisory capabilities as it relates to a minor's permitted account (including notifications, time limits, privacy settings, etc.).

[Act 466](#)

Firment - Healthcare Restrictions for Trans-Minor Children:

During the 2023 Legislative Veto Session, legislators successfully overrode Governor John Bel Edwards' veto of HB 648—enacting it into law. HB 648 Beginning January 1, 2024, Act 466 prohibits healthcare professionals from knowingly committing any act that attempts to alter a minor's appearance or to validate a minor's perception of his sex if the minor's perception is inconsistent with his biological sex.

VIII. School MFP Funding and the Legislative Teacher Stipend

Legislators during the 2023 legislative session **did not provide any increases to the MFP funding formula**. As a result, the 2022-23 MFP formula will automatically roll-over to the 2023-24 school year. As such, schools can expect **no changes in state funding** as it relates to the weights and percentages used inside the formula for each enrolled student.

Legislators, however, **did provide a one-time funding stipend for teachers**. This allocation will be a non-recurring \$2,000 stipend for teachers and \$1,000 stipend for support staff for the fiscal year 2023-24 only. The **legislature also allocated \$25 million to LDOE** for schools and school systems to provide **an additional stipend** (in an amount to be determined by LDOE) to staff in **high demand positions**.

Charter schools should await further instruction from LDOE as to how to implement these 2023-24 legislative stipends.



Louisiana Association
of Public Charter Schools

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.

20 NEW LAWS GUIDE 23

