

Pursuant to LRS 42:19A (1)

Any matter not on the published agenda may be taken up by board only upon unanimous approval of the members present.

An individual wishing to place a matter on the agenda shall submit a request to the Superintendent at least eight (8) days prior to the meeting date, stating the nature of the matter and the time required to present it. (CPSB Policy File: BCBI)

--NOTICE OF OFFICIAL MEETING--

Posted: Monday, March 25, 2024, 12:00p.m.

**AGENDA
CALCASIEU PARISH SCHOOL BOARD
Special Called Meeting
3310 BROAD STREET
LAKE CHARLES, LOUISIANA
Tuesday, March 26, 2024
5:00 p.m.**

- 1. Prayer and Pledge of Allegiance**– Rev. Desmond Wallace
- 2. Roll Call**
- 3. Take Appropriate Action**
 - A.** Consider Adoption of a Resolution expressing opposition to state legislation establishing Education Scholarship Accounts (ESAs), including House Bill 745 which creates the LA GATOR Scholarship Program, that provide public dollars for private school tuition and educational expenses.
- 4. Adjourn Meeting**

RESOLUTION

A Resolution expressing opposition to state legislation establishing Education Scholarship Accounts (ESAs), including House Bill 745 which creates the LA GATOR Scholarship Program, that provide public dollars for private school tuition and educational expenses.

WHEREAS, the Calcasieu Parish School Board respects a parent's right to have educational options outside of the public school system;

AND WHEREAS, there is a renewed and concerted effort at the legislature to enact legislation that will give public funds directly to parents to be used for private school tuition and other educational expenses with little to no oversight;

AND WHEREAS, for the past 20 years, the state has failed to adequately fund K-12 public education;

AND WHEREAS, during that same period the state has continuously placed new accountability demands on both our students and our schools;

AND WHEREAS, the Calcasieu Parish School Board provides free public K-12 education to any student who resides in our school district within the guidelines set by both the state and federal government;

AND WHEREAS, diverting public dollars to private schools and other programs through Education Scholarship Accounts (ESAs) without fully funding public schools disadvantages our students and schools;

AND WHEREAS, providing public dollars to ESAs without requiring the same state accountability testing imposed on public school students is irresponsible public policy;

THEREFORE BE IT RESOLVED, that the Calcasieu School Board does hereby express its OPPOSITION to legislation creating and/or funding Education Scholarship Accounts;

AND BE IT FURTHER RESOLVED, that the Calcasieu Parish School Board directs the Superintendent of the Calcasieu Parish School System to deliver a certified copy of this Resolution to each member of the legislative delegation of Calcasieu Parish.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

And the resolution was declared adopted on this, the 26th day of March, 2024.

Dr. Shannon Lafargue
Secretary

Eric Tarver
President

2024 Regular Session

HOUSE BILL NO. 745

BY REPRESENTATIVES EMERSON, BUTLER, AND SCHLEGEL

SCHOOLS/CHOICE: Creates and provides for the LA GATOR Scholarship Program, a universal school choice program

1 AN ACT
2 To amend and reenact R.S. 17:236(A) and 4014, to enact R.S. 17:3996(B)(82), Chapter 43-C
3 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S.
4 17:4037.1 through 4037.9, and R.S. 17:5029(F), and to repeal R.S. 17:4011 through
5 4013 and 4015 through 4025, relative to school choice; to create and provide for the
6 administration of a school choice program that provides state funding for various
7 educational options; to provide relative to the eligibility of students, schools, and
8 service providers participating in the program; to provide relative to program funds;
9 to provide relative to the testing of students participating in the program; to require
10 the state Department of Education to submit annual reports to the legislature relative
11 to the program; to provide relative to eligibility for the Taylor Opportunity Program
12 for Students for students participating in the program; to provide for the termination
13 of the Student Scholarships for Educational Excellence Program and the transition
14 from one program to another; to provide relative to rules; to provide relative to
15 definitions; to provide for an effective date; and to provide for related matters.

16 Be it enacted by the Legislature of Louisiana:

17 Section 1. R.S. 17:236(A) and 4014 are hereby amended and reenacted and R.S.
18 17:3996(B)(82), Chapter 43-C of Title 17 of the Louisiana Revised Statutes of 1950,
19 comprised of R.S. 17:4037.1 through 4037.9, and R.S. 17:5029(F) are hereby enacted to read
20 as follows:

1 §236. Definition of a school

2 A. For the purposes of this Chapter, a school is defined as an institution for
 3 the teaching of children, consisting of an adequate physical plant, whether owned or
 4 leased, instructional staff members, and students. For such an institution to be
 5 classified as a school, within the meaning of this Chapter, instructional staff
 6 members shall meet the following requirements: if a public day school or a
 7 nonpublic school which receives local, state, or federal funds or support, directly or
 8 indirectly, they shall be certified in accordance with rules established by the State
 9 Board of Elementary and Secondary Education; if a nonpublic school which receives
 10 no local, state, or federal funds or support, directly or indirectly, they shall meet such
 11 requirements as may be prescribed by the school or the church. In addition, except
 12 as otherwise provided in Subsection B of this Section, any such institution, to be
 13 classified as a school, shall operate a minimum session of not less than one hundred
 14 eighty days. Solely for purposes of compulsory attendance in a nonpublic school,
 15 a child who participates in a home study program approved by the State Board of
 16 Elementary and Secondary Education shall be considered in attendance at a day
 17 school; a home study program shall be approved if it offers a sustained curriculum
 18 of a quality at least equal to that offered by public schools at the same grade level.
 19 Solely for purposes of compulsory attendance, a child shall be considered in
 20 attendance at a day school if the child is participating in the LA GATOR Scholarship
 21 Program pursuant to R.S. 17:4037.1 et seq.

22 * * *

23 §3996. Charter schools; exemptions; requirements

24 * * *

25 B. Notwithstanding any state law, rule, or regulation to the contrary and
 26 except as may be otherwise specifically provided for in an approved charter, a
 27 charter school established and operated in accordance with the provisions of this
 28 Chapter and its approved charter and the school's officers and employees shall be
 29 exempt from all statutory mandates or other statutory requirements that are

1 applicable to public schools and to public school officers and employees except for
2 the following laws otherwise applicable to public schools with the same grades:

3 * * *

4 (82) Requirements for participation in the LA GATOR Scholarship Program,
5 R.S. 17:4037.1 et seq, if a charter school opts to participate in the program.

6 * * *

7 §4014. Student Scholarships for Educational Excellence Program; creation;
8 termination

9 The Student Scholarships for Educational Excellence Program is ~~hereby~~
10 ~~created and~~ shall be administered by the department through the end of the 2024-
11 2025 school year. Effective June 30, 2025, the program shall cease to operate, and
12 no further scholarships shall be awarded through the program.

13 * * *

14 CHAPTER 43-C. LOUISIANA GIVING ALL TRUE OPPORTUNITY TO RISE (LA
15 GATOR) SCHOLARSHIP PROGRAM

16 §4037.1. Definitions

17 As used in this Chapter, the following terms have the following meanings,
18 unless otherwise clearly indicated:

19 (1) "Account" means an education scholarship account established pursuant
20 to this Chapter and composed of state funds deposited on behalf of a student eligible
21 to participate in the program.

22 (2) "Account funds" means the funds deposited into an account on behalf of
23 a participating student.

24 (3) "Department" means the state Department of Education.

25 (4) "Parent" means a parent, legal guardian, or custodian.

26 (5) "Participating school" means a school participating in the program
27 pursuant to this Chapter.

- 1 (6) "Participating student" means a student who has been determined to be
2 eligible to participate in the program and for whom an account has been established
3 pursuant to this Chapter.
- 4 (7) "Program" means the program created by this Chapter.
- 5 (8) "Program manager" means an entity selected by the state Department of
6 Education to administer the program as provided in R.S. 17:4037.2.
- 7 (9) "Qualified education expenses" means any of the following:
- 8 (a) Tuition or fees at a nonpublic school or for nonpublic online learning
9 programs.
- 10 (b) Tutoring services provided by an individual or a tutoring facility.
- 11 (c) Services contracted for and provided by a public school, including but not
12 limited to individual classes and extracurricular activities and programs.
- 13 (d) Curricula and textbooks or other instructional materials, including but not
14 limited to any supplemental materials or online instruction required by a
15 participating school or service provider.
- 16 (e) Computer hardware or other technological devices primarily used to help
17 meet a student's educational needs.
- 18 (f) Educational software applications.
- 19 (g) School uniforms.
- 20 (h) Tuition or fees for summer education programs and specialized after
21 school education programs but not after school childcare.
- 22 (i) Tuition, fees, instructional materials, and examination fees at a career or
23 technical school.
- 24 (j) Fees for Louisiana Educational Assessment Program tests, national norm-
25 referenced examinations, Advanced Placement examinations, and examinations
26 related to postsecondary education institution admission.
- 27 (k) Educational services and therapies, including but not limited to
28 occupational, behavioral, physical, speech-language, and audiology therapies.

1 (l) Fees for transportation paid to a fee-for-service transportation provider
2 for the student to travel to and from a service provider.

3 (m) Parent navigation services.

4 (n) Any other educational expenses approved by the state board.

5 (10) "Resident school system" means the public school system in which the
6 student would be enrolled based on his residence.

7 (11) "Service provider" means a person or entity other than a participating
8 school that receives payments from accounts for qualified education expenses.

9 (12) "State board" means the State Board of Elementary and Secondary
10 Education.

11 §4037.2. Program creation and administration; powers and duties of the State Board
12 of Elementary and Secondary Education and the state Department of
13 Education; rules

14 A. The Louisiana Giving All True Opportunity to Rise (LA GATOR)
15 Scholarship Program, a universal education scholarship account program, is hereby
16 created. The department or a program manager selected by the department as
17 provided in this Section shall administer the program in accordance with state board
18 rules. The state board shall adopt rules for program administration that shall, at
19 minimum, provide for the following:

20 (1) Determination of the eligibility of students, participating schools, and
21 service providers.

22 (2) Financial audits of the program and accounts to ensure that expenditures
23 are made in accordance with this Chapter, including, at minimum, an annual random
24 audit.

25 (3) The authority of the department to deem any participating student
26 ineligible for the program and to refer a case involving the misuse of account funds
27 to the attorney general for investigation.

28 (4) The establishment of an online anonymous fraud reporting service.

1 (5) Requiring a surety bond for participating schools or service providers
2 receiving more than one hundred thousand dollars in account funds.

3 B. The department may contract with a program manager for the
4 administration of the program or parts of the program. In lieu of the Louisiana
5 Procurement Code, the department may use a process for selecting a program
6 manager as provided in rules adopted by the state board for this purpose. The
7 selection of the program manager is subject to the approval of the state board. Upon
8 approval, the department shall send written notification to the House Committee on
9 Education, the Senate Committee on Education, and the Joint Legislative Committee
10 on the Budget.

11 C.(1) The department shall inform parents of a participating student, at the
12 time of his initial entry into the program and at the beginning of the student's school
13 year in grades eight through twelve, of the eligibility requirements for the Taylor
14 Opportunity Program for Students for participating students as provided in R.S.
15 17:5029(F).

16 (2) The department shall begin enrolling participating students not later than
17 March 1, 2025, for the 2025-2026 school year; however, for students for whom
18 account funds shall be used to pay more than one participating school or service
19 provider, the department shall have until March 1, 2026, to begin enrolling students
20 for the 2026-2027 school year.

21 §4037.3. Account funds

22 A. The department, on a quarterly basis, shall allocate to each account from
23 funds appropriated or otherwise made available for the program:

24 (1) An amount equivalent to one hundred sixty percent of the average state
25 and local allocation per pupil as provided in the minimum foundation program for
26 a student who meets the criteria provided in R.S. 17:4031(B)(2) for qualification to
27 participate in the School Choice Program for Certain Students with Exceptionalities.

28 (2) An amount equivalent to eighty percent of the average state and local
29 allocation per pupil as provided in the minimum foundation program formula for a

1 student from a family with a total income that does not exceed two hundred fifty
2 percent of the federal poverty guidelines.

3 (3) An amount equivalent to fifty-five percent of the average state and local
4 allocation per pupil as provided in the minimum foundation program formula for any
5 other student.

6 B.(1) The department may withhold up to five percent of funds appropriated
7 or otherwise made available for the program annually for program administration.
8 Any amount withheld by the department shall not reduce the amount allocated to
9 accounts.

10 (2) The amount allocated to an account shall be prorated if a student transfers
11 into the program after the beginning of a school year.

12 (3) If a participating school or service provider requires partial payment of
13 tuition or fees prior to the start of the school year to reserve space for a student, the
14 department may make the partial payment prior to the start of the school year and
15 deduct the amount from subsequent quarterly account deposits to ensure adequate
16 funds remain available throughout the school year; however, if the parent decides not
17 to use the school or service provider, the school or service provider shall return the
18 partial reservation payment to the department which shall credit the amount to the
19 account.

20 C. The department shall implement a system for parents to direct funds from
21 accounts to participating schools and service providers for qualified education
22 expenses by electronic or online funds transfer. The system shall also allow parents
23 to publicly rate, review, and share information about participating schools and
24 service providers.

25 D.(1) Account funds shall be used only for qualified education expenses for
26 the participating student. Funds in a student's account that are not used in a given
27 school year shall be retained in the account for future use.

1 (2) The department shall continue to allocate funds to an account until any
2 of the following occurs, at which point the account shall be closed and funds
3 returned to the state general fund:

4 (a) The parent enrolls the student full-time in public school.

5 (b) The department determines that a parent has failed to comply with the
6 provisions of this Chapter or state board rules pertaining to the program, including
7 but not limited to a determination that the parent has misused account funds.

8 (c) The parent withdraws the student from the program.

9 (d) The student graduates from high school.

10 (e) The account has been inactive for two consecutive years unless inactivity
11 is due to lack of available funding for accounts.

12 E. No account funds shall be refunded, rebated, or shared with a parent or
13 student in any manner. Any rebate or refund for good or services purchased with
14 account funds shall be credited directly to the account.

15 §4037.4. Student eligibility; initial and continuing

16 A.(1) A student is initially eligible for an account if he meets both of the
17 following the requirements:

18 (a) The student's parent submits an application for an account in accordance
19 with procedures established by the department.

20 (b) The student's parent agrees in writing to all of the following:

21 (i) To provide an education for the participating student in at least the
22 subjects of English language arts, mathematics, social studies, and science.

23 (ii) To use account funds only for qualified education expenses of the
24 participating student.

25 (iii) To comply with all program requirements.

26 (2)(a) During the first two school years of the program, initial student
27 eligibility shall be phased in as provided in this Paragraph. Beginning with the third
28 school year of the program, the only initial eligibility requirements shall be those
29 provided in Paragraph (1) of this Subsection.

1 **(b) For the 2025-2026 school year, a student is initially eligible if the student**
2 **meets the requirements of Paragraph (1) of this Subsection and at least one of the**
3 **following criteria:**

4 **(i) The student participated in the Student Scholarships for Educational**
5 **Excellence Program for the 2024-2025 school year. A student meeting this criteria**
6 **shall be granted first priority in terms of participation during the first year of year of**
7 **the program.**

8 **(ii) The student is entering kindergarten.**

9 **(iii) The student was enrolled in a public school for the 2024-2025 school**
10 **year.**

11 **(iv) The student is from a family with a total income at or below two**
12 **hundred fifty percent of the federal poverty guidelines.**

13 **(c) For the 2026-2027 school year, a student is initially eligible if the student**
14 **meets the requirements of Paragraph (1) of this Subsection and at least one of the**
15 **following criteria:**

16 **(i) The student is entering kindergarten.**

17 **(ii) The student was enrolled in a public school in the 2025-2026 school**
18 **year.**

19 **(iii) The student is from a family with a total income at or below four**
20 **hundred percent of the federal poverty guidelines.**

21 **B.(1) The written agreement pursuant to Subparagraph (A)(1)(b) of this**
22 **Section satisfies the compulsory school attendance requirements of R.S. 17:221. The**
23 **parent of a participating student shall ensure the student is complying with the**
24 **attendance requirements of the participating school or service provider. Each**
25 **participating student who fails to comply with the attendance requirements shall be**
26 **reported to the state director of child welfare and attendance by the participating**
27 **school or service provider and shall be subject to the provisions of R.S. 17:233.**

1 (2) A participating student is eligible to participate in the program through
2 in-person education, virtual education, or a hybrid approach that combines both
3 methods.

4 C. A student shall not participate in this program concurrently with a home
5 study program approved by the state board or a home study program registered with
6 the department as a nonpublic school not seeking state approval, the Course Choice
7 Program, or the School Choice Program for Certain Students with Exceptionalities.
8 §4037.5. Schools and service providers; eligibility; participation

9 A. To be eligible to participate in the program, a school shall meet all of the
10 following criteria:

11 (1) It has been approved by the state board pursuant to R.S. 17:10 or R.S.
12 17:11 and meets any other standards established by the state board pertaining to
13 health, safety, and program of study as required by the state board.

14 (2) It is in compliance with the criteria set forth in Brumfield, et al. v. Dodd,
15 et al., 425 F. Supp. 528 (E.D. La. 1977).

16 (3) It meets all other program requirements provided in rules promulgated
17 by the state board.

18 B. The state board shall provide eligibility criteria for both schools and
19 service providers in program rules in a way that maximizes school and provider
20 participation.

21 C. A public school governing authority may adopt a policy authorizing the
22 acceptance of account funds for providing services covered as qualified education
23 expenses to a participating student who is enrolled part-time in a school under its
24 jurisdiction or who takes individual courses provided by such a school without being
25 enrolled in the school. The public school governing authority shall not include any
26 such student in its student count for purposes of receiving funding through the
27 minimum foundation program formula or any other state funding.

28 D.(1) To be eligible to participate in the program, a nonpublic school or
29 service provider shall apply to participate in the program and, if determined to be

1 eligible, accept account funds for providing services covered as qualified education
2 expenses. A nonpublic school shall annually report its full-time tuition and fees to
3 the department.

4 (2) If the department finds that any participating school or service provider
5 has failed to maintain continuing eligibility criteria or has demonstrated gross or a
6 persistent lack of academic competence, the department shall restrict its ability to
7 serve additional students through the program and may terminate its participation in
8 the program. The department shall report any such action to the state board and to
9 parents of participating students as soon as practicable. Additionally, the state
10 superintendent of education may declare a school or service provider immediately
11 ineligible to participate in cases of financial malfeasance or if its participation
12 endangers the academic welfare, health, or safety of children.

13 (3) A school deemed ineligible to participate in the Student Scholarships for
14 Educational Excellence Program or a charter school not approved for charter renewal
15 by the authorizer is not eligible to participate in the program.

16 (4)(a) Nothing in this Chapter shall be deemed to limit the independence or
17 autonomy of any participating nonpublic school or service provider or to make the
18 actions of a nonpublic school or service provider the actions of the state government.

19 (b) Participating nonpublic schools and service providers shall be given
20 maximum freedom to provide for the educational needs of participating students
21 without governmental control.

22 (c) Nothing in this Chapter shall be construed to expand the regulatory
23 authority of the state, its officers, or any school district to impose any additional
24 regulation of participating nonpublic schools or service providers beyond those
25 necessary to enforce the requirements of the program.

26 (d) A participating nonpublic school or service provider that accepts funds
27 pursuant to this Chapter is not an agent of the state or federal government.

1 (e) No participating nonpublic school or service provider shall be required
2 to alter its creed, practices, admissions policy, or curricula in order to accept account
3 funds.

4 §4037.6. Students with exceptionalities

5 A. If a participating student enrolled in a participating nonpublic school
6 would have been entitled to receive special education services in the resident school
7 system, his parent shall acknowledge in writing, as part of the program enrollment
8 process, that the parent agrees to accept only such services as are available to all
9 students enrolled in the participating school.

10 B. A parent may make a parental placement to receive special education and
11 related services from a participating school that has demonstrated the capacity to
12 offer such services.

13 C.(1) A participating school may adhere to its own admissions policy in
14 considering the admission of students participating in the program. A participating
15 school shall not discriminate against a child with special educational needs during
16 the program admissions process. However, a participating school is required to offer
17 only those services that it already provides or such services as necessary to assist
18 students with special needs that it can provide with minor adjustments. A
19 participating school may partner or contract with the local school system to provide
20 special education services.

21 (2) The department shall make information regarding the services
22 participating schools and the resident school system can provide to children with
23 special needs available to parents prior to the enrollment process.

24 §4037.7. Testing

25 A. The department shall develop a process for the annual administration of
26 either of the following to participating students:

27 (1) Any examination in English language arts and mathematics required
28 pursuant to the school and district accountability system at the prescribed grade
29 level.

1 (2) A nationally norm-referenced test or assessment approved by the state
2 board.

3 B. Notwithstanding Subsection A of this Section, upon approval by the state
4 board, a participating nonpublic school may select an assessment that is substantially
5 aligned with its program of study to be administered to participating students.

6 C. The department shall develop a process for the collection and aggregate
7 reporting of assessment results and shall ensure that the results of such assessments
8 are provided to parents of participating students and the public.

9 §4037.8. Reports

10 Not later than April thirtieth of each year, the department shall submit a
11 written report to the House Committee on Education, the Senate Committee on
12 Education, and the Joint Legislative Committee on the Budget regarding the
13 implementation of the program. The report, at a minimum, shall include the
14 following information:

15 (1) The total number of students participating in the program.

16 (2) A list of all participating schools and service providers.

17 (3) The total student enrollment of each participating school, the number of
18 participating students enrolled in each school, and the percentage of the total
19 enrollment of each school represented by program participants.

20 (4) Aggregate test result data for participating students.

21 (5) The percentage of funds used for each type of qualified education
22 expense.

23 (6) An analysis of the program's fiscal impact.

24 (7) The amount withheld by the department for administration of the
25 program, including the amount retained by the department, the amount paid to
26 program manager for the administration of the program, and the amount paid to
27 vendors for managing the payment system.

28 (8) The amount of program funds received by each participating school and
29 service provider.

1 §4037.9. Transitional provisions; Student Scholarships for Excellence Program

2 A. Any nonpublic school participating in the Student Scholarships for
 3 Excellence Program during the 2024-2025 school may participate in the LA GATOR
 4 Scholarship Program during the 2025-2026 school year without undergoing a
 5 separate application or approval process. For each school year thereafter, such
 6 schools shall comply with LA GATOR Scholarship Program requirements with
 7 respect to the application process.

8 B. Notwithstanding the provisions of R.S. 17:4037.3, for a student who
 9 participates in the Student Scholarships for Educational Excellence Program during
 10 the 2024-2025 school year and participates in the LA GATOR Scholarship Program
 11 during the 2025-2026 school year at the same school, the department shall annually
 12 allocate to the account, subject to funds appropriated or otherwise made available for
 13 the program, an amount equal to the amount of the scholarship paid during the 2024-
 14 2025 school year through the Student Scholarships for Educational Excellence
 15 Program, which shall continue until the student completes the school's terminal grade
 16 or until the student leaves the school, whichever occurs first.

17 * * *

18 §5029. Alternative initial eligibility requirements

19 * * *

20 F.(1) A student participating in the LA GATOR Scholarship Program as
 21 provided in Chapter 43-C of this Title shall be eligible to receive an award pursuant
 22 to this Chapter if he qualifies as follows:

23 (2) The participating student has graduated from a public or approved
 24 nonpublic high school as provided in R.S. 17:5021 and has met all requirements of
 25 this Chapter applicable to such graduates.

26 (3) Any other participating student has been certified by a parent, legal
 27 guardian, or custodian to have successfully completed at the twelfth grade level an
 28 educational program provided through the LA GATOR Scholarship Program and has
 29 met the following criteria:

- 1 (a) The student became a participant in the LA GATOR Scholarship
- 2 Program no later than the conclusion of his tenth grade year.
- 3 (b) The student meets the requirements of Paragraphs (B)(2) and (3) of this
- 4 Section.
- 5 Section 2. R.S. 17:4011 through 4013 and 4015 through 4025 are hereby repealed
- 6 in their entirety.
- 7 Section 3.(A) Section 1 and this Section of this Act shall become effective upon
- 8 signature of this Act by the governor or, if not signed by the governor, upon expiration of
- 9 the time for bills to become law without signature by the governor, as provided by Article
- 10 III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and
- 11 subsequently approved by the legislature, Section 1 and this Section of this Act shall become
- 12 effective on the day following such approval.
- 13 (B) Section 2 of this Act shall become effective on June 30, 2025.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 745 Original 2024 Regular Session Emerson

Abstract: Creates and provides for the administration of a program for the purpose of providing state funding for qualified education expenses for students in grades kindergarten through 12.

LA GATOR Scholarship Program; Creation and Administration

Proposed law creates the La. Giving All True Opportunity to Rise (LA GATOR) Scholarship Program, a universal education scholarship account (ESA) program for K-12 students and provides for administration by the state Dept. of Education (DOE) or a program manager selected by DOE in accordance with State Bd. of Elementary and Secondary Education (BESE) rules.

Funds

Proposed law requires the department to:

- (1) Allocate to each ESA annually, subject to funds appropriated or otherwise made available for the program, an amount that varies according to family income and whether or not the student has certain exceptionalities.
- (2) Develop a system for parents to direct account funds to participating schools and service providers by electronic or online funds transfer.

Eligibility; Students

Proposed law provides that a student is initially eligible for an account if his parent submits an application for an account in accordance with procedures established by the department and signs an agreement with the department promising all of the following:

- (1) To provide an education for the participating student in at least the subjects of English language arts, mathematics, social studies, and science.
- (2) To use account funds only for qualified education expenses of the participating student.
- (3) To comply with all program requirements.

Proposed law provides for a phased-in expansion of student eligibility over three years.

Students with Exceptionalities

Proposed law requires, if a student would have been entitled to special education services in his resident school system, his parent to acknowledge in writing that he agrees to accept only such services as are available to all students enrolled in the participating school. Requires participating schools to meet certain criteria to be eligible to offer such services.

Eligibility; Schools and Service Providers

Proposed law provides that a school shall meet all of the following criteria to be eligible to participate:

- (1) Be approved by BESE and meet any standards established by BESE pertaining to health, safety, and program of study.
- (2) Comply with criteria set forth in federal nondiscrimination requirements.
- (3) Any other program requirements set by BESE.

Proposed law authorizes public school governing authorities to accept account funds for providing services covered as qualified education expenses to a participating student who is enrolled part-time or who takes individual courses without being enrolled. Prohibits including such students in its student count for purposes of receiving funding through the MFP or any other state funding.

Testing

Proposed law requires DOE to develop a process for the annual administration of either of the following to participating students: any examination in English language arts and math required pursuant to the present law relative to school and district accountability system at the prescribed grade level or a nationally norm-referenced test or assessment approved by BESE. Further requires DOE to develop a process for the collection and aggregate reporting of results and ensure results are provided to parents.

Reporting

Proposed law requires DOE, by April 30th annually, to submit a report to the House and Senate education committees and the Jt. Legislative Committee on the Budget regarding program implementation. Provides for required report content, including the results of a parental satisfaction survey and certain financial information relative to the program.

**Transition from Student Scholarships for Educational Excellence Program
to LA GATOR Scholarship Program**

Present law provides for the Student Scholarships for Educational Excellence Program (SSEEP), through which students attend participating schools through state-funded scholarships. Proposed law provides for program termination at the end of the 2024-2025 school year and provides for student and school transition from one program to another as follows:

- (1) Schools participating in SSEEP in the 2024-2025 school year may join the LA GATOR scholarship program for the 2025-2026 school year without a separate approval or application process; thereafter, the school is subject to LA GATOR program application requirements.
- (2) The ESA for a student who ends SSEEP participation and begins LA GATOR participation at the same school shall be funded at the amount of his SSEEP scholarship until he completes that school's terminal grade or leaves that school, whichever occurs first.

TOPS

Present law provides for the Taylor Opportunity Program for Students (TOPS) as a merit scholarship program for students meeting specific initial eligibility requirements, including the following academic requirements, which vary depending on the award level:

- (1) Successful completion of a specific high school core curriculum.
- (2) Attaining a minimum grade point average on such curriculum.
- (3) Attaining a minimum ACT score.

Present law provides the general eligibility requirement of graduating from a La. public school or approved nonpublic school and provides alternate eligibility requirements for students who graduate under different scenarios.

Present law exempts students who complete BESE-approved home study programs from requirements provided in (1) and (2) above but requires them to score at least two points higher than the minimum ACT score required by present law to qualify for a TOPS-Tech or Opportunity Award and one point higher for a Performance or Honors Award.

Proposed law grants students participating in the LA GATOR program who do not graduate from an La. public school or approved nonpublic school eligibility for a TOPS award under the same alternate eligibility requirements as provided by present law for students graduating from approved home study programs. (Proposed law prohibits students from participating concurrently in the LA GATOR program and an approved home study program.)

Effective upon signature of governor or lapse of time for gubernatorial action except for repeal of the Student Scholarships for Educational Excellence Program provisions, which is effective June 30, 2025.

(Amends R.S. 17:236(A) and 4014; Adds R.S. 17:3996(B)(82), 4037.1-4037.9, and 5029(F); Repeals R.S. 17:4011-13 and 4015-4025)