

ACT No. 415

HOUSE BILL NO. 85

BY REPRESENTATIVES MCKNIGHT, ADAMS, BACALA, BAGLEY, BRASS, BUTLER, CARPENTER, GARY CARTER, WILFORD CARTER, CORMIER, COX, DAVIS, EDMONDS, FREEMAN, FREIBERG, FRIEMAN, GADBERRY, GAINES, GAROFALO, GREEN, HARRIS, HORTON, HUGHES, ILLG, IVEY, JAMES, JEFFERSON, JENKINS, MIKE JOHNSON, JONES, JORDAN, KERNER, LARVADAIN, MARCELLE, MCFARLAND, DUSTIN MILLER, MOORE, NEWELL, ORGERON, CHARLES OWEN, PIERRE, SCHEXNAYDER, SEABAUGH, SELDERS, ST. BLANC, STAGNI, THOMAS, THOMPSON, TURNER, WILLARD, WRIGHT, AND ZERINGUE AND SENATORS ALLAIN, BARROW, BERNARD, BOUDREAUX, BOUIE, CATHEY, CLOUD, CONNICK, CORTEZ, FESI, FIELDS, FOIL, HARRIS, HENRY, HENSGENS, HEWITT, JOHNS, LUNEAU, FRED MILLS, ROBERT MILLS, PEACOCK, PETERSON, POPE, PRICE, REESE, SMITH, TALBOT, WARD, WHITE, AND WOMACK

1 AN ACT

2 To enact Part III of Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 17:4032.1, relative to reading assistance for certain public school
4 students; to establish the Steve Carter Literacy Program; to provide for student and
5 service provider eligibility, program administration, payment amounts and uses,
6 notifications, reports, and funding; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part III of Chapter 43 of Title 17 of the Louisiana Revised Statutes of
9 1950, comprised of R.S. 17:4032.1, is hereby enacted to read as follows:

10 PART III. STEVE CARTER LITERACY PROGRAM

11 §4032.1. Steve Carter Literacy Program; establishment; student eligibility; service
12 provider eligibility and approval; administration; payment amounts and uses;
13 notifications; reports; funding

14 A. The Steve Carter Literacy Program, referred to in this Part as the
15 "program", is hereby established for the purpose of providing funds for supplemental
16 educational services for eligible students.

1 B. A public school student who falls into one of the following categories is
2 eligible to participate in the program:

3 (1) He is in kindergarten or the first, second, or third grade and is determined
4 to read below grade level or be at risk for reading difficulties according to the results
5 of a literacy assessment.

6 (2) He is in the fourth or fifth grade and scored below mastery in English
7 language arts on the state assessment administered the prior school year.

8 (3) His eligibility cannot be determined according to the measures provided
9 in Paragraphs (1) and (2) of this Subsection due to the lack of literacy assessment or
10 state assessment results but he is recommended by his English language arts teacher
11 for participation in the program due to the student's reading difficulties.

12 C. The state Department of Education shall administer and provide for the
13 implementation of the program pursuant to rules and regulations developed and
14 adopted for such purpose by the State Board of Elementary and Secondary Education
15 in accordance with the Administrative Procedure Act.

16 D. In administering the program, the department shall:

17 (1) Evaluate student's eligibility for the program.

18 (2) Develop an application process for students and providers and accept
19 applications.

20 (3) Evaluate providers of supplemental educational services including but
21 not limited to those with expertise in early literacy to determine their initial and
22 continued eligibility for program payments. The department shall establish
23 minimum criteria by which approved providers shall be evaluated to ensure program
24 effectiveness in improving students' reading abilities, including but not limited to
25 performance on approved literacy assessments and the Louisiana Educational
26 Assessment Program state assessment. Providers that fail to demonstrate
27 improvement in students' reading abilities for two consecutive years shall be deemed
28 ineligible to participate in the program.

1 (4) Remit payments to such providers for services rendered to students in the
2 program with the lowest-performing economically disadvantaged students given the
3 highest priority.

4 (5) Notify the governing authority of each public school of the application
5 process, requirements, and deadlines for parents and legal guardians.

6 E. By not later than September thirtieth of each year, or as soon as
7 practicable if a student's reading deficiency is identified after this date, each public
8 school governing authority shall notify the parent or legal guardian of each student
9 who is eligible to participate in the program of the process for applying for the
10 program and other information provided by the department pursuant to Paragraph
11 (D)(5) of this Section.

12 F.(1) The department shall remit payment for services provided, up to a
13 maximum of one thousand dollars per student per school year. Program money may
14 be used for any of the following eligible purposes that are designed to improve
15 reading or literacy skills:

16 (a) Books for home use, including electronic or digital books and
17 subscriptions to online book clubs; however, such costs shall not exceed two hundred
18 fifty dollars per school year.

19 (b) Instructional materials and curriculum, including but not limited to online
20 materials, that have been reviewed in accordance with R.S. 17:351.1 and have been
21 determined to fully align with state academic content standards.

22 (c) Tutoring services provided by a person who is trained in the state
23 standards for English language arts and who holds a valid teaching certificate in
24 either elementary education or reading or holds a baccalaureate or graduate degree
25 in education, English, or another subject area indicative of expertise in reading and
26 literacy.

27 (d) Summer education programs.

28 (e) After-school education programs.

29 (2) The department shall remit payments to approved providers on behalf of
30 eligible students.

1 (3) Any expenses above the limit established in Paragraph (1) of this
2 Subsection shall be the responsibility of the student's parent or legal guardian.

3 (4) The department shall develop a procedure for verification that students
4 in the program received the services for which payments were made.

5 G. The department shall submit a report to the House Committee on
6 Education and the Senate Committee on Education by not later than April thirtieth
7 of each year regarding the implementation of the program. The report shall include,
8 at a minimum, the following information for that year:

9 (1) The total number of students on whose behalf payments were remitted.

10 (2) The public schools in which such students are enrolled and the number
11 of students on whose behalf payments were remitted in each school.

12 (3) The total dollar amount of payments remitted to approved providers.

13 (4) A list of the approved providers to which payments were remitted and the
14 supplemental educational services provided to each student.

15 (5) A report relative to the performance of each provider and overall
16 program performance with respect to improving participants' reading abilities.

17 H. Implementation of the program is subject to the appropriation of funds or
18 the availability of any local funds for the purposes of this Part. The department may
19 use any federal or state funds appropriated for the purpose of increasing early
20 literacy or supporting academic achievement among elementary school students to
21 make program payments.

22 Section 2. The state Department of Education shall provide a written report to the
23 House Committee on Education and the Senate Committee on Education not later than sixty
24 days prior to the beginning of the 2022 Regular Session of the Legislature relative to the
25 feasibility of providing state-approved early literacy training to persons who do not meet the
26 requirements of R.S. 17:4032.1(F)(1)(c) as enacted by this Act in order to equip them with
27 the knowledge and skills necessary to serve as effective providers of tutoring services for
28 the program.

29 Section 3. If the Act that originated as Senate Bill No. 216 of the 2021 Regular
30 Session of the Louisiana Legislature is enacted and becomes effective, the state Department

1 of Education shall ensure that any person who provides tutoring services through this
2 program successfully completes and provides documentation of successful completion of
3 the early literacy professional development course required by such Act not later than
4 December 31, 2023.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____