

SENATE BILL NO. 481

BY SENATORS FIELDS, ABRAHAM, BARROW, BOUIE, CARTER, CATHEY, CLOUD, CONNICK, CORTEZ, FESI, FOIL, HARRIS, HENSGENS, HEWITT, JACKSON, JOHNS, LAMBERT, LUNEAU, MCMATH, MILLIGAN, ROBERT MILLS, POPE, PRICE, REESE, SMITH, TARVER, WARD, WHITE AND WOMACK

1 AN ACT

2 To amend and reenact the heading of Part IV of Chapter 50 of Title 17 of the Louisiana
3 Revised Statutes of 1950 and to enact R.S. 17:8, 3351(M), and 5103, relative to
4 elementary, secondary, and postsecondary education; to provide relative to students
5 impacted as a consequence of the public health emergency declared by the governor
6 on March 11, 2020, in response to COVID-19; to provide with respect to the
7 applicability of certain statutes related to the provision and conduct of elementary
8 and secondary education; to provide relative to the powers and duties of
9 postsecondary management boards; to provide for waivers and exceptions to certain
10 program requirements and conditions for Taylor Opportunity Program for Students'
11 awards; and to provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. The heading of Part IV of Chapter 50 of Title 17 of the Louisiana Revised
14 Statutes of 1950 is hereby amended and reenacted and R.S. 17:8, 3351(M), and 5103 are
15 hereby enacted to read as follows:

16 **§8. Students impacted by declaration of public health emergency; 2019-2020**
17 **school year**

18 **A. The legislature finds that due to the public health emergency declared**
19 **by the governor on March 11, 2020, relative to the novel coronavirus, COVID-**
20 **19, and the subsequent ordered closure of public schools, it is in the best**
21 **interests of the elementary and secondary students of this state that certain**
22 **statutory provisions be suspended for the entirety of the 2019-2020 school year,**
23 **including:**

1 (1) The provisions of R.S. 17:10.1 relative to the statewide school and
2 district accountability system.

3 (2) The provisions of R.S. 17:24.4 that mandate annual administration
4 of testing through the Louisiana Educational Assessment Program and end-of-
5 course examinations.

6 (3) The provisions of R.S. 17:4023 and R.S. 47:6301(B)(2)(a)(ii) that
7 require nonpublic schools to administer state assessments to students
8 participating in the Louisiana Student Scholarships for Educational Excellence
9 Program and to students receiving scholarships from donations to school tuition
10 organizations.

11 (4) The provisions of R.S. 17:391.2 et seq., relative to public school
12 accountability and assessments.

13 (5) The provisions of R.S. 17:407.23 relative to a uniform assessment and
14 accountability system for publicly funded early childhood education programs.

15 (6) The provisions of R.S. 17:154.1 that provide for a minimum number
16 of instructional days and instructional minutes per school year.

17 (7) The provisions of R.S. 17:154.3 that require teachers to work a
18 minimum number of days per school year.

19 (8) The provisions of R.S. 17:194(B) to allow school districts greater
20 flexibility in administering nutrition programs.

21 (9) The provisions of R.S. 17:221 that mandate school attendance.

22 (10) The provisions of R.S. 17:232 that require attendance to be checked
23 at all schools.

24 (11) The provisions of R.S. 17:3881 et seq., R.S. 17:3901 et seq., and R.S.
25 17:3997(D) relative to teacher evaluations and use of value-added data as a
26 criteria for the receipt of teaching credentials.

27 (12) The provisions of R.S. 17:3991(C)(1)(b) that require charter schools
28 to adhere to certain student application and enrollment procedures.

29 B. The State Board of Elementary and Secondary Education shall adopt
30 emergency rules in accordance with the Administrative Procedure Act to effect

1 the suspension of the statutes enumerated in Subsection A of this Section.

2 * * *

3 §3351. General powers, duties, and functions of postsecondary education
4 management boards

5 * * *

6 M. Each public postsecondary education management board shall adopt
7 such policies as it considers necessary and prudent to address and minimize the
8 negative impacts of the public health emergency declared by the governor in
9 response to the novel coronavirus, COVID-19, upon the students, faculty, and
10 employees of each institution under its management and supervision. Such
11 policies may include, but not necessarily be limited to online and distance
12 learning, student housing and food services, refund of tuition and fees as
13 appropriate, faculty and employees working remotely, cancellation or
14 postponement of campus events, commencement activities, and regular
15 communication with students, faculty, and employees.

16 * * *

17 PART IV. STUDENTS ~~DISPLACED~~ AFFECTED BY CERTAIN
18 ~~NATURAL DISASTERS~~ AND EMERGENCIES

19 * * *

20 §5103. Eligibility under declared health emergency

21 A. The legislature finds that due to the effects of the public health
22 emergency declared by the governor on March 11, 2020, relative to the novel
23 coronavirus, COVID-19, it is in the best interest for the education of the people
24 of the state that initial and continuing eligibility requirements established in
25 Part I of this Chapter for awards pursuant to the Taylor Opportunity Program
26 for Students be modified as provided by this Section for students impacted as
27 a result of the public health emergency.

28 B.(1) In response to the public health emergency, provisions of this
29 Chapter that provide for initial eligibility are modified or waived as more fully
30 specified in this Subsection:

1 (a) Notwithstanding the provisions of R.S. 17:5062, the deadline for
2 taking the ACT or SAT for consideration for an award for the 2020-2021
3 academic year is September 30, 2020. The administering agency shall not reduce
4 the time period of eligibility for the award, as set forth in R.S. 17:5002, of an
5 applicant who qualifies for an award pursuant to authority granted by this
6 Subparagraph.

7 (b) Notwithstanding the provisions of R.S. 17:5026, a student on a Jump
8 Start graduation track shall not be required to complete any Jump Start course,
9 experience, or credential that was waived by the student's high school for high
10 school graduation purposes.

11 (c) The administering agency may waive the home study requirements
12 of R.S. 17:5029 for a student if it determines that the student's failure to meet
13 those requirements was, more likely than not, due solely to consequences of
14 measures taken to limit the spread of COVID-19.

15 (2) The provisions of this Subsection apply only to students who meet one
16 of the following criteria:

17 (a) The student was enrolled in a Louisiana public high school.

18 (b) The student was enrolled in a nonpublic high school in Louisiana
19 having the approval by the State Board of Elementary and Secondary
20 Education required by Part I of this Chapter for program eligibility purposes.

21 (c) The student resided in the state of Louisiana and was enrolled in a
22 home study program approved by the State Board of Elementary and
23 Secondary Education.

24 (d) The student resided out of state during the 2019-2020 academic year
25 but is able to meet the residency requirements to qualify for an award provided
26 for in R.S. 17:5023.

27 C.(1) In response to the public health emergency, provisions of this
28 Chapter relative to continuing eligibility are modified or waived with respect
29 to the 2019-2020 academic year as more fully specified in this Subsection:

30 (a) The provisions of R.S. 17:5041 or 5042 requiring that a student meet

1 steady academic progress as defined by the administering agency are waived.

2 (b) The provisions of R.S. 17:5041 or 5042 requiring that a student
3 achieve a certain cumulative grade point average to continue eligibility for his
4 award are waived.

5 (c) For a student whose program award was suspended due to a low
6 grade point average or failure to make steady academic progress, the time
7 periods provided in Part I of this Chapter for the student to meet such
8 requirement before losing program eligibility shall be extended by one semester
9 for each semester the student is unable to enroll or complete due to measures
10 taken to limit the spread of COVID-19.

11 (d) The administering agency may, by rule, waive any provision of Part
12 I of this Chapter that imposes a program requirement or condition that a
13 student cannot comply with or meet if the administering agency determines that
14 the failure to comply with the requirement or meet the condition is, more likely
15 than not, due solely to a consequence of measures taken to limit the spread of
16 COVID-19.

17 (2) The provisions of this Subsection apply only to students who meet one
18 of the following criteria:

19 (a) The student was enrolled full time as of the census date at an eligible
20 college or university during the spring semester of 2020.

21 (b) The student was enrolled full time at an out-of-state college or
22 university as of the census date during the spring semester of 2020.

23 (c) The student was scheduled to be enrolled full time at a school
24 operating on a basis other than semesters during the spring of 2020.

25 D. The administering agency may adopt any rule, policy, or guideline
26 necessary to implement the provisions of this Section and shall disseminate
27 information regarding program changes pursuant to the provisions of this
28 Section in the most timely manner possible.

29 Section 2. This Act shall become effective upon signature by the governor or, if not
30 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become
3 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____