

2021 Regular Session

HOUSE BILL NO. 280

BY REPRESENTATIVE EDMONDS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS/CHOICE: Provides relative to program administration and school eligibility for Student Scholarships for Educational Excellence Program

1 AN ACT

2 To amend and reenact R.S. 17:4021(A) and to enact R.S. 17:4015(10), 4021(D), and 4021.1,
3 relative to the Student Scholarships for Educational Excellence Program; to provide
4 for the state Department of Education's responsibilities in administering the program;
5 to revise the eligibility criteria schools must meet in order to participate in the
6 program; to remove the enrollment cap applicable to certain schools; to provide for
7 applicability; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:4021(A) is hereby amended and reenacted and R.S. 17:4015(10),
10 4021(D), and 4021.1 are hereby enacted to read as follows:

11 §4015. Program administration

12 In administering the program pursuant to this Part, the department shall:

13 * * *

14 (10) Conduct site visits each school year in order to observe the learning
15 environment at schools that fail to meet minimum standards for academic
16 performance as determined by the accountability system provided for in state board
17 policy or that are otherwise not in good standing with respect to the program.

18 * * *

19 §4021. School eligibility

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

1 (1) Be ~~approved, provisionally approved, or probationally~~ approved by the
2 State Board of Elementary and Secondary Education pursuant to R.S. 17:11.

3 (2) Comply with the criteria set forth in *Brumfield, et al. v. Dodd, et al.* 425
4 F. Supp. 528.

5 (3)(a) ~~Enrollment of scholarship recipients in a participating school that has~~
6 ~~been approved, provisionally approved, or probationally approved for less than two~~
7 ~~years shall not exceed twenty percent of such school's total student enrollment. Be~~
8 ~~accredited or designated as a provisionally accredited approved school. For purposes~~
9 ~~of this Paragraph:~~

10 (i) "Provisionally accredited approved school" means the school is working
11 toward meeting accreditation requirements and has met all other criteria for approval
12 by the state board.

13 (ii) Accrediting entities shall be the Southern Association of Colleges and
14 Schools accreditation organizations, the Cognia accreditation organizations, the
15 National Association of Independent Schools accreditation organizations, the
16 Louisiana Montessori Association, and the diocese or archdiocese in which the
17 school is located.

18 (b) A provisionally accredited approved school shall be removed from the
19 program if it does not receive accreditation within four years.

20 * * *

21 D. A participating school that fails for three consecutive years to meet
22 minimum standards for academic performance as determined by the accountability
23 system provided for in state board policy shall be ineligible to participate in the
24 program.

25 §4021.1. School eligibility; exceptions; applicability

26 A. R.S. 17:4021(A)(3) shall not apply to a nonpublic school initially
27 participating in the program prior to the 2022-2023 school year.

28 B. The measurement of three consecutive years for purposes of R.S.
29 17:4021(D) shall commence with the 2021-2022 school year.

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 280 Engrossed

2021 Regular Session

Edmonds

Abstract: Revises eligibility criteria for school participation in the Student Scholarships for Educational Excellence Program and removes the program enrollment cap applicable to certain schools.

Student Scholarships for Educational Excellence Program, generally

Present law provides for the Student Scholarships for Educational Excellence Program, through which students attend participating schools through state-funded scholarships. Provides for administration by the state Dept. of Education.

Dept. of Education responsibilities

Present law provides for the responsibilities of the state Dept. of Education to relative to program administration. Proposed law retains present law and additionally requires DOE to conduct annual site visits at schools that fail to meet minimum standards for academic performance as determined by the accountability system provided for in State Bd. of Elementary and Secondary Education (BESE) policy or that are otherwise not in good standing with the program.

Enrollment cap

Present law caps enrollment of scholarship recipients in a school that has been approved, provisionally approved, or probationally approved for under two years to a maximum of 20% of the school's total enrollment. Proposed law removes this enrollment cap.

Eligibility of participating nonpublic schools

Present law provides eligibility criteria for nonpublic schools to participate in the program, including being BESE-approved and being in compliance with nondiscrimination requirements in federal law (*Brumfield vs. Dodd*). Proposed law, applicable to schools joining the program in the 2022-2023 school year or thereafter, provides that such schools must also be either:

- (1) Accredited by an accrediting entity specified in proposed law.
- (2) Designated as a provisionally accredited approved school, which means that it is working toward meeting accreditation requirements and has met all other criteria for BESE approval. (Provides for removal of such a school from the program if it fails to receive accreditation within four years.)

Ineligibility

Proposed law adds that a school that fails to meet minimum standards for academic performance for three consecutive school years shall not be eligible for program participation; provides that measurement of three consecutive years for this purpose shall commence with the 2021-2022 school year.

(Amends R.S. 17:4021(A); Adds R.S. 17:4015(10), 4021(D), and 4021.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Relative to site visits, require DOE to visit schools that fail to meet minimum standards for academic performance or that are otherwise not in good standing instead of schools about which concerns have been raised regarding academic welfare, health, or safety.