

2024 Regular Session

HOUSE BILL NO. 745

BY REPRESENTATIVES EMERSON, BUTLER, CARLSON, CHENEVERT, COX, CREWS, DEVILLIER, DEWITT, DOMANGUE, ECHOLS, EDMONSTON, EGAN, FREIBERG, HENRY, MIKE JOHNSON, MCMAKIN, MELERINE, SCHLEGEL, AND WRIGHT

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,

1 comprised of R.S. 17:4037.1 through 4037.9, and R.S. 17:5029(F) are hereby enacted to read
2 as follows:

3 §236. Definition of a school

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

24 * * *

25 §3996. Charter schools; exemptions; requirements

26 * * *

27 B. Notwithstanding any state law, rule, or regulation to the contrary and
28 except as may be otherwise specifically provided for in an approved charter, a
29 charter school established and operated in accordance with the provisions of this

1 Chapter and its approved charter and the school's officers and employees shall be
2 exempt from all statutory mandates or other statutory requirements that are
3 applicable to public schools and to public school officers and employees except for
4 the following laws otherwise applicable to public schools with the same grades:

5 * * *

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

8 * * *

9 §4014. Student Scholarships for Educational Excellence Program; creation;
10 termination

11 The Student Scholarships for Educational Excellence Program ~~is hereby~~
12 ~~created and~~ shall be administered by the department through the end of the 2024-
13 2025 school year. Effective June 30, 2025, the program shall cease to operate, and
14 no further scholarships shall be awarded through the program.

15 * * *

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

18 §4037.1. Definitions

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

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

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

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

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

28 (5) "Participating school" means a school participating in the program
29 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 and approved by the state board to administer the program as provided in
7 R.S. 17:4037.2.

8 (9) "Qualified education expenses" means any of the following:

9 (a) Tuition or fees at a nonpublic school or for nonpublic online learning
10 programs.

11 (b) Tutoring services provided by an individual or a tutoring facility.

12 (c) Services contracted for and provided by a public school, including but not
13 limited to individual classes and extracurricular activities and programs.

14 (d) Curricula and textbooks or other instructional materials, including but not
15 limited to any supplemental materials or online instruction required by a
16 participating school or service provider.

17 (e) Computer hardware or other technological devices primarily used to help
18 meet a student's educational needs.

19 (f) Educational software applications.

20 (g) School uniforms.

21 (h) Tuition or fees for summer education programs and specialized after
22 school education programs but not after school childcare.

23 (i) Tuition, fees, instructional materials, and examination fees at a career or
24 technical school.

25 (j) Fees for Louisiana Educational Assessment Program tests, national norm-
26 referenced examinations, Advanced Placement examinations, and examinations
27 related to postsecondary education institution admission.

28 (k) Educational services and therapies, including but not limited to
29 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, including professional consultations to assist
4 parents with the selection of, application for, and enrollment in educational services
5 addressing the academic needs of students, curriculum selection, and advice on
6 career and postsecondary education opportunities.

7 (n) Tuition and fees at a postsecondary education institution providing
8 instruction for a student participating in dual enrollment as provided in Chapter 18-A
9 of this Title.

10 (o) Any other educational expenses approved by the state board.

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

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

15 (12) "State board" means the State Board of Elementary and Secondary
16 Education.

17 §4037.2. Program creation and administration; powers and duties of the State Board
18 of Elementary and Secondary Education and the state Department of
19 Education; rules

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

26 (1) Determination of the eligibility of students, participating schools, and
27 service providers.

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

1 (3) The authority of the department to deem any participating student
2 ineligible for the program and to refer a case involving the misuse of account funds
3 to the attorney general for recovery of misused funds.

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

5 (5) Requiring a surety bond or a letter of credit for participating schools or
6 service providers that have been operating for fewer than three years and that will
7 receive more than one hundred thousand dollars in account funds in a school year.

8 (6) The establishment of a standardized appeals process for students,
9 schools, or service providers removed from the program.

10 B. The department may contract with a program manager for the
11 administration of the program or parts of the program. In lieu of the Louisiana
12 Procurement Code, the department may use a process for selecting a program
13 manager as provided in rules adopted by the state board for this purpose. The
14 selection of the program manager is subject to the approval of the state board. Upon
15 approval, the department shall send written notification to the House Committee on
16 Education, the Senate Committee on Education, and the Joint Legislative Committee
17 on the Budget.

18 C.(1) The department shall inform parents of a participating student, at the
19 time of his initial entry into the program and at the beginning of the student's school
20 year in grades eight through twelve, of the eligibility requirements for the Taylor
21 Opportunity Program for Students for participating students as provided in R.S.
22 17:5029(F).

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

28 §4037.3. Account funds

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

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

5 (2) An amount equivalent to eighty percent of the average state and local
6 allocation per pupil as provided in the minimum foundation program formula for a
7 student from a family with a total income that does not exceed two hundred fifty
8 percent of the federal poverty guidelines.

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

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

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

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

26 C. The department shall implement a system for parents to direct funds from
27 accounts to participating schools and service providers for qualified education
28 expenses by electronic or online funds transfer. The system shall also allow parents

1 to publicly rate, review, and share information about participating schools and
2 service providers.

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

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

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

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

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

14 (d) The student graduates from high school.

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

17 E. No account funds shall be refunded, rebated, or shared with a parent or
18 student in any manner. Any rebate or refund for goods or services purchased with
19 account funds shall be credited directly to the account.

20 §4037.4. Student eligibility; initial and continuing

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

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

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

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

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

1 (iii) To comply with all program requirements.

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

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

9 (i) The student participated in the Student Scholarships for Educational
10 Excellence Program for the 2024-2025 school year. A student meeting this criterion
11 shall be granted first priority in terms of participation during the first year of the
12 program.

13 (ii) The student is entering kindergarten.

14 (iii) The student was enrolled in a public school for the 2024-2025 school
15 year.

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

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

21 (i) The student is entering kindergarten.

22 (ii) The student was enrolled in a public school in the 2025-2026 school
23 year.

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

26 B.(1) The written agreement pursuant to Subparagraph (A)(1)(b) of this
27 Section satisfies the compulsory school attendance requirements of R.S. 17:221. The
28 parent of a participating student shall ensure the student is complying with the
29 attendance requirements of the participating school or service provider. Each

1 participating student who fails to comply with the attendance requirements shall be
2 reported to the state director of child welfare and attendance by the participating
3 school or service provider and shall be subject to the provisions of R.S. 17:233.

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

7 C. A student shall not participate in this program concurrently with a home
8 study program approved by the state board or a home study program registered with
9 the department as a nonpublic school not seeking state approval, the Course Choice
10 Program, or the School Choice Program for Certain Students with Exceptionalities.

11 §4037.5. Schools and service providers; eligibility; participation

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

14 (1) It has been approved by the state board pursuant to R.S. 17:10 or R.S.
15 17:11 and meets any other standards established by the state board pertaining to
16 health, safety, and program of study as required by the state board.

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

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

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

24 C. A public school governing authority may adopt a policy authorizing the
25 acceptance of account funds for providing services covered as qualified education
26 expenses to a participating student who is enrolled part-time in a school under its
27 jurisdiction or who takes individual courses provided by such a school without being
28 enrolled in the school. The public school governing authority shall not include any

1 such student in its student count for purposes of receiving funding through the
2 minimum foundation program formula or any other state funding.

3 D.(1) To be eligible to participate in the program, a nonpublic school or
4 service provider shall apply to participate in the program and, if determined to be
5 eligible, accept account funds for providing services covered as qualified education
6 expenses. A nonpublic school shall annually report its full-time tuition and fees to
7 the department.

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

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

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

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

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

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

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

6 §4037.6. Students with exceptionalities

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

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

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

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

26 §4037.7. Testing

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

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

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

6 B. Notwithstanding Subsection A of this Section:

7 (1) Upon approval by the state board, a participating nonpublic school may
8 select an assessment that is substantially aligned with its program of study and that
9 is to be administered to participating students.

10 (2) A student with an exceptionality shall not be required to take any
11 assessment from which he would have been exempt if enrolled in a public school.

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

15 §4037.8. Reports

16 Not later than April thirtieth of each year, the department shall submit a
17 written report to the House Committee on Education, the Senate Committee on
18 Education, and the Joint Legislative Committee on the Budget regarding the
19 implementation of the program. The report, at a minimum, shall include the
20 following information:

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

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

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

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

27 (5) The percentage of funds used for each type of qualified education
28 expense.

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

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

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

8 (a) He became a participant in the LA GATOR Scholarship Program no later
9 than the conclusion of his tenth grade year.

10 (b) He meets the requirements of Paragraphs (B)(2) and (3) of this Section.

11 Section 2. R.S. 17:4011 through 4013 and 4015 through 4025 are hereby repealed
12 in their entirety.

13 Section 3.(A) Section 1 of this Act shall become effective when an Act of the
14 legislature containing a specific appropriation of monies for the implementation of the
15 provisions of this Act becomes effective.

16 (B) Section 2 of this Act shall become effective one year from the date of
17 effectiveness of Section 1 of this Act.

18 (C) The provisions of this Section shall become effective upon signature of this Act
19 by the governor or, if not signed by the governor, upon expiration of the time for bills to
20 become law without signature by the governor, as provided by Article III, Section 18 of the
21 Constitution of Louisiana. If this Act is vetoed by the governor and subsequently approved
22 by the legislature, the provisions of this Section shall become effective on the day following
23 such approval.

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 Reengrossed

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. Subjects selection of program manager to BESE approval. Proposed law provides that proposed law relative to the LA GATOR program becomes effective when an Act of the legislature containing a specific appropriation of monies for proposed law implementation becomes effective.

Proposed law requires BESE to provide for certain program components by rule, including:

- (1) Requiring a surety bond or letter of credit for participating schools or service providers in operation for fewer than three years and that will receive more than \$100,000 in account funds in a school year.
- (2) DOE's authority to refer cases involving misuse of account funds to the attorney general for recovery.

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. Allows nonpublic schools to select their own assessments. Provides that students with exceptionalities shall not be required to take assessments from which they would have been exempt if enrolled in public school. 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:

- (1) The establishment of the LA GATOR program, which shall become effective when an Act of the legislature containing a specific appropriation of monies for its implementation becomes effective.
- (2) The repeal of the Student Scholarships for Educational Excellence Program provisions, which shall become effective one year from the effective date of (1) above.

(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)

Summary of Amendments Adopted by House

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

1. Add that students with exceptionalities shall not be required to take assessments from which they would be exempt if enrolled in public school.
2. Add letter of credit as alternative to surety bond for schools and service providers receiving more than \$100,000 in a school year and limits application to those in operation fewer than three years.
3. Relative to qualified education expenses:

- (a) Add tuition and fees for students participating in dual enrollment.
 - (b) Elaborate on meaning of parent navigation services.
4. Add that proposed law relative to the LA Gator program shall become effective when an Act of the legislature containing a specific appropriation of monies for program implementation becomes effective.

The House Floor Amendments to the engrossed bill:

- 1. Provide for DOE's authority to refer cases of misuse of account funds to the attorney general for the recovery of such funds instead of for investigation.