

2026 Regular Session

HOUSE BILL NO. 1112

BY REPRESENTATIVES CHENEVERT, BAMBURG, BERAULT, BOYER, CARLSON,
HEBERT, MELERINE, AND SPELL

EARLY CHILDHOOD: Provides relative to prekindergarten programs

1 AN ACT

2 To amend and reenact R.S. 17:11(B), 24.8(A) and (B), 407.33(1) and (5), 407.35(A), and
3 407.41(A), (B)(2) and (3), and (C), relative to prekindergarten programs; to remove
4 the requirement that nonpublic prekindergarten programs be licensed as early
5 learning centers; to apply requirements pertaining to child safety and welfare
6 standards to all school prekindergarten programs; to revise the standards with respect
7 to child-to-staff ratios; to revise the definition of camp as it pertains to exemption
8 from early learning center licensing requirements; to provide for the approval of
9 nonpublic prekindergarten programs by the State Board of Elementary and
10 Secondary Education; to authorize the State Board of Elementary and Secondary
11 Education to adopt emergency rules; to provide for an effective date; and to provide
12 for related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 17:11(B), 24.8(A) and (B), 407.33(1) and (5), 407.35(A), and
15 407.41(A), (B)(2) and (3), and (C) are hereby amended and reenacted to read as follows:

16 §11. Approval of nonpublic schools by board

17 * * *

18 B.(1) The board shall approve any nonpublic elementary or secondary school
19 which makes application therefor on a form furnished by the board, if such school

1 meets and maintains a sustained curriculum or specialized course of study of quality
2 at least equal to that prescribed for similar public schools.

3 (2) The board shall approve a prekindergarten program established by a
4 nonpublic school as provided in R.S. 17:24.8 if the program meets the requirements
5 of Paragraph (1) of this Subsection and maintains substantial compliance with the
6 child safety and welfare standards provided for in R.S. 17:407.41. In its annual
7 application, each school shall attest to its substantial compliance with the standards.

8 * * *

9 §24.8. Prekindergarten programs

10 A.(1) Each city, parish, or other local public school board may develop and
11 offer prekindergarten instruction. The youngest age at which a child may enter
12 prekindergarten provided for by this Subsection shall be four years old by September
13 thirtieth of the year in which the child enrolls in prekindergarten.

14 ~~(2) All public prekindergarten programs shall comply with the child safety~~
15 ~~and welfare minimum standards provided for in R.S. 17:407.41. The governing~~
16 authority of any approved nonpublic elementary school may develop and offer
17 prekindergarten instruction. The youngest age at which a child may enter such a
18 prekindergarten program is three years old by September thirtieth of the year in
19 which the child enrolls in prekindergarten.

20 (3) Any parent who chooses to enroll his child in a prekindergarten program
21 as provided in this Subsection shall sign an acknowledgment that the parent is aware
22 of all of the following:

23 (a) The prekindergarten program is operated by a school.

24 (b) The prekindergarten is not subject to federal daycare regulations pursuant
25 to 45 CFR 98 or its successor or licensed by the department as an early learning
26 center as provided in R.S. 17:407.31 et seq.

27 ~~B.(1) The governing authority of any approved nonpublic elementary school~~
28 ~~may develop and offer prekindergarten instruction. The youngest age at which a~~
29 ~~child may enter prekindergarten provided for by this Subsection shall be three years~~

1 ~~old by September thirtieth of the year in which the child enrolls in prekindergarten.~~
2 All school prekindergarten programs shall comply with the child safety and welfare
3 standards provided for in R.S. 17:407.41.

4 (2)(a) ~~All nonpublic prekindergarten programs shall be licensed as an early~~
5 ~~learning center pursuant to Part X-B of this Chapter.~~ For a public prekindergarten
6 program with persistent or egregious noncompliance with such standards, a city,
7 parish, or other local public school board shall at a public meeting consider closure
8 of the program or other measures deemed necessary to protect the safety and welfare
9 of children enrolled in the program.

10 (b) Notwithstanding the provisions of R.S. 17:11(B)(2), if an approved
11 nonpublic school demonstrates persistent or egregious noncompliance with such
12 standards, the department shall make a recommendation to the State Board of
13 Elementary and Secondary Education to deny the approval request for a
14 prekindergarten program for the subsequent school year unless substantive assurance
15 is provided by the school that it will comply with such standards.

16 * * *

17 §407.33. Definitions

18 As used in this Part, the following terms have the following meanings unless
19 the context clearly indicates otherwise:

20 (1) "Camp" means any place or facility operated by any institution, society,
21 agency, corporation, person or persons, or any other group which meets any of the
22 following criteria:

23 (a) It serves only children ~~five~~ three years of age or older and operates only
24 when school is not in session during the summer months or school holidays
25 including but not limited to a ~~Vacation Bible School or Bible Camp.~~

26 (b) It is a tax-exempt church or religious organization in accordance with
27 Section 501(c) of the Internal Revenue Code that operates a vacation Bible school,
28 Bible camp, or religious camp for children of any age.

- 1 ~~(a) Infants and under one year - 5 to 1~~
- 2 ~~(b) One year - 7 to 1~~
- 3 ~~(c) Two years - 10 to 1~~
- 4 ~~(d)~~ (i) Three years or children enrolled in a school prekindergarten program
- 5 for three-year-olds - 13 to 1.
- 6 ~~(e)~~ (ii) Four years or children enrolled in a school prekindergarten program
- 7 for four-year-olds - 15 20 to 1.
- 8 ~~(f)~~ (iii) Five years or children enrolled in a school prekindergarten program
- 9 for five-year-olds- 19 20 to 1.
- 10 (b) Beginning in the 2027-2028 school year, child-to-staff ratios shall not
- 11 exceed the following:
- 12 (i) Three years or children enrolled in a school prekindergarten program for
- 13 three-year-olds - 13 to 1.
- 14 (ii) Four years or children enrolled in a school prekindergarten program for
- 15 four-year-olds - 15 to 1.
- 16 (iii) Five years or children enrolled in a school prekindergarten program for
- 17 five-year-olds - 20 to 1.
- 18 (3) An average of the child-to-staff ratios may be applied to mixed age
- 19 groups of children ~~only for groups that include no children under the age of two.~~
- 20 ~~(4) When a mixed age group includes children younger than age two, the age~~
- 21 ~~of the youngest child determines the child-to-staff ratio for the group.~~
- 22 ~~(5) When the nature of a child with special healthcare needs or the number~~
- 23 ~~of children with special healthcare needs warrants added care, the center shall add~~
- 24 ~~sufficient staff as necessary.~~
- 25 ~~(6)~~ Only staff members directly providing care, supervision, or guidance to
- 26 children shall be counted in the child-to-staff ratio. ~~The~~ Except for transitions
- 27 between activities or classrooms, the same staff members shall not be used to meet
- 28 the ratio requirements for two different groups of children at the same time.

1 ~~(7)~~ (5) Sufficient staffing needed to satisfy child-to-staff ratios shall be
2 present on the premises during rest time and available to assist as needed. Children
3 ~~ages one and older~~ may be grouped together at rest time with one staff member in
4 each room supervising the resting children.

5 ~~(8)~~ (6) Information regarding required child-to-staff ratios and a phone
6 number to file complaints regarding supervision with the Department of Education
7 shall be posted in each public school classroom in a location that is visible to parents.

8 ~~(9)~~ (7) Children shall be supervised at all times including on the playground,
9 on field trips, and on nonvehicular excursions.

10 ~~(10)(a)~~ (8)(a) Children shall not be left alone in any room, outdoors, or in
11 vehicles, even momentarily, without staff present.

12 (b) The provisions of this Paragraph shall not apply to restroom use as
13 provided in this Section, if a child is being provided services by therapeutic
14 professionals, or if a child is in the custody of a parent or legal guardian.

15 ~~(11)~~ (9) A staff person shall be assigned to supervise specific children whose
16 names and whereabouts ~~that~~ the staff person shall know and with whom the staff
17 person shall be physically present. Staff shall be able to state how many children are
18 in their care at all times.

19 ~~(12)(a)~~ (10)(a) A child who is developmentally able may be permitted to use
20 the restroom independently if a staff member is in proximity to and can see the child
21 to ensure immediate intervention to safeguard a child from harm or to assist with an
22 accident while in the restroom.

23 (b) An individual who is not a staff member may not enter the restroom area
24 while in use by any child other than his own child.

25 ~~(13)~~ (11) A child age five and older may be permitted to go to and return
26 from the restroom without staff.

27 ~~(14)~~ (12) If a prekindergarten program or early learning center is part of a
28 school with children in kindergarten or older, staff shall ensure that the children
29 enrolled in the prekindergarten program or early learning center are not unsupervised

1 in the restroom at the same time as any older children who are using the restroom.

2 For any facility constructed after January 1, 2026, there shall be designated separate
3 restrooms for the children enrolled in the prekindergarten program or early learning
4 center.

5 ~~(15)~~ (13) Children shall be changed and cleaned immediately following a
6 toileting accident.

7 B.

8 * * *

9 (2) The state Department of Education shall provide the document to each
10 ~~early learning center and~~ school prekindergarten program no later than August first
11 of each year.

12 (3) Each ~~early learning center and public~~ school with a prekindergarten
13 program shall distribute the document to the parents and legal guardians of all
14 children enrolled in an ~~early learning center or prekindergarten~~ the program.

15 * * *

16 C. The state Department of Education shall provide written notification to:
17 ~~the~~

18 (1) The superintendent of a school district for any complaint received by the
19 department regarding a prekindergarten program in the district pursuant to this
20 Section.

21 (2) The governing authority of a charter school or a nonpublic school for any
22 complaint received by the department regarding a prekindergarten program at the
23 school pursuant to this Section.

24 Section 2. Notwithstanding any provision of law to the contrary, the State Board of
25 Elementary and Secondary Education may adopt emergency rules in accordance of the
26 Administrative Procedure Act to implement the provisions of Section 1 of this Act.

27 Section 3. This Act shall become effective upon signature by the governor or, if not
28 signed by the governor, upon expiration of the time for bills to become law without signature
29 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following 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 1112 Original

2026 Regular Session

Chenevert

Abstract: Provides relative to prekindergarten programs.

Nonpublic prekindergarten approval

Present law requires the State Bd. of Elementary and Secondary Education to approve a nonpublic elementary or secondary school that applies for approval if it meets and maintains a sustained curriculum or specialized course of study of quality at least equal to that prescribed for similar public schools. Proposed law retains present law.

Proposed law requires BESE to approve a prekindergarten program established by a nonpublic school if the program meets the above present law requirements for approval of a nonpublic school and maintains substantial compliance with child safety and welfare standards provided for in present law and proposed law. Requires each school attest to its substantial compliance with these standards in its annual application.

Prekindergarten programs generally

Present law authorizes local public school boards and the governing authorities of approved nonpublic schools to develop and offer prekindergarten instruction. Proposed law retains present law and adds a requirement that any parent who chooses to enroll his child in either a public or nonpublic prekindergarten program sign an acknowledgment that the parent is aware that the program is operated by a school and is not subject to federal daycare requirements or licensed by the state Dept. of Education (DOE) as an early learning center.

Present law requires all public prekindergarten programs to comply with child safety and welfare standards provided for in present law. Proposed law broadens this requirement to apply to all school prekindergarten programs.

Present law requires all nonpublic prekindergarten programs to be licensed as early learning centers. Proposed law removes present law and provides that if an approved nonpublic school demonstrates egregious noncompliance with the child welfare and safety standards, DOE shall recommend that BESE deny the approval request for a prekindergarten program for the subsequent school year unless substantive assurance is provided by the school that it will comply with such standards.

Proposed law provides that for a public prekindergarten program with persistent or egregious noncompliance with such standards, a city, parish, or other local public school board shall at a public meeting consider closure of the program or other measures deemed necessary to protect the safety and welfare of children enrolled in the program.

Early learning center licensing

Present law requires that early learning centers be licensed by DOE. Proposed law retains present law. Present law defines "early learning center" as any child day care center, Early Head Start Center, Head Start Center, or nonpublic prekindergarten program. Present law

revises the definition to remove nonpublic prekindergarten programs and add standalone prekindergartens not attached to a school.

Present law exempts certain entities from the present law early learning center licensing requirements. Proposed law revises these exemptions as follows:

- (1) Present law exempts grades kindergarten and above. Proposed law retains present law.
- (2) Present law exempts prekindergarten programs attached to a public day school. Proposed law instead exempts prekindergarten programs attached to a public or nonpublic day school serving children in grades kindergarten and above.
- (3) Present law exempts La. Montessori accredited or provisionally accredited schools. Proposed law removes this exemption.
- (4) Present law exempts registered family child day care homes and care given without charge. Proposed law additionally exempts mother's day out programs.
- (5) Present law exempts camps. Proposed law retains present law but revises the definition of "camp" as explained further below.

Camps

Present law defines "camp" as any place or facility operated by any institution, society, agency, corporation, person, or any other group which serves only children five years of age or older and operates only when school is not in session during the summer months or school holidays. Proposed law lowers the minimum age of such children from five to three and broadens the definition of camp to also include the following:

- (1) A tax-exempt church or religious organization in accordance with federal regulations that operates a vacation Bible school, Bible camp, or religious camp for children of any age.
- (2) An entity operating an after-school or weekend extracurricular, academic, or athletic program, including any competition related to the program, or an after-school or weekend tutoring program or other educational or enrichment program authorized by present law.

Child safety and welfare standards

Present law requires all early learning centers and all prekindergarten programs to meet specified child safety and welfare standards. Proposed law removes the application of present law to early learning centers and specifies that it only applies to school prekindergarten programs. Proposed law retains the standards except for the following revisions relative to child-to-staff ratios:

- (1) Present law requires there to be at least two staff members present at any facility when more than four children are present except under extenuating circumstances. Proposed law retains present law.
- (2) Present law provides for maximum child-to-staff ratios. Proposed law changes these ratios through the end of the 2026-2027 school years as follows:
 - (a) Present law provides a ratio of 5:1 for infants and children under one year, 7:1 for one-year-olds, and 10:1 for two-year-olds. Proposed law removes present law.

- (b) Present law provides a ratio of 13:1 for three-year-olds. Proposed law also applies this ratio to children enrolled in a school prekindergarten program for three-year-olds.
 - (c) Present law provides a ratio of 15:1 for four-year-olds. Proposed law changes this ratio from 15:1 to 20:1 and applies it to children enrolled in a school prekindergarten program for four-year-olds.
 - (d) Present law provides for a ratio of 19:1 for five-year-olds. Proposed law changes this ratio from 19:1 to 20:1 and applies it to children enrolled in a school prekindergarten program for five-year-olds.
- (3) Proposed law provides for the following maximum ratios beginning with the 2027-2028 school year:
- (a) A ratio of 13:1 for three-year-olds or children enrolled in a school prekindergarten program for three-year-olds.
 - (b) A ratio of 15:1 for four-year-olds or children enrolled in a school prekindergarten program for four-year-olds.
 - (c) 20:1 for five-year-olds or children enrolled in a school prekindergarten program for five-year-olds.
- (4) Present law allows an average of the child-to-staff ratios to be applied to a mixed age groups of children. Proposed law retains present law. Present law limits this authorization to groups that include no children under the age of two. Proposed law removes this limitation.
- (5) Present law provides that when a mixed age group includes children younger than age two, the age of the youngest child determines the child-to-staff ratio for the group and provides that when the nature of a child with special healthcare needs or the number of children with special healthcare needs warrants added care, the center shall add sufficient staff as necessary. Proposed law removes present law.
- (6) Present law provides that only staff members directly providing care, supervision, or guidance to children shall be counted in the child-to-staff ratio. Proposed law retains present law. Present law further prohibits the same staff members from being used to meet the ratio requirements for two different groups of children at the same time. Proposed law adds an exception to allow this for transitions between activities or classrooms.
- (7) Present law requires information about ratios and a phone number to file complaints be posted in each classroom. Proposed law applies this requirement only to public schools.

Present law requires DOE to develop an informational document on the child safety and welfare standards and provide it to each early learning center and prekindergarten program not later than August first of each year. Further requires each early learning center and school prekindergarten program to distribute the document to parents. Proposed law removes the application of present law to early learning centers.

Present law further requires DOE to provide written notification to a local superintendent for any complaint DOE receives regarding a prekindergarten program. Proposed law also requires such notification to be given to the governing authorities of charter schools and nonpublic schools for complaints about prekindergarten programs at their schools.

Rules

Proposed law authorizes BESE to adopt emergency rules to implement proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 17:11(B), 24.8(A) and (B), 407.33(1) and (5), 407.35(A), and 407.41(A), (B)(2) and (3), and (C))