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## DIGEST

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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))