The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cheryl Serrett.

DIGEST 2022 Regular Session

Hewitt

<u>Proposed law</u> creates the Reading Education Savings Account (RESA) Program. Provides for program administration by the state Dept. of Education (DOE) in accordance with State Board of Elementary and Secondary Education (BESE) rules which provide for:

- (1) Determination of eligibility of students, participating schools, and service providers.
- (2) Audits of the program and accounts.
- (3) DOE's authority to:

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- (a) Deem any participating student ineligible for the program and to refer cases of misuse of account funds to the attorney general for investigation.
- (b) Contract with a nonprofit organization for program administration.

Proposed law requires DOE to:

- (1) Allocate to each account annually, from funds appropriated or otherwise made available for the program, an amount equal to the state's average per pupil allocation as provided in the minimum foundation program (MFP) formula, considering all student characteristics.
- (2) Develop a system for parents to direct account funds to participating schools and service providers.

<u>Proposed law</u> further provides that:

- (1) Account funds shall be used only for qualified education expenses for the participating student.
- (2) Unused funds in an account, up to 50% of the total funds deposited into the account for the current school year, shall remain in the account for the following school year.
- (3) The account shall be closed and the funds in the account shall be returned to the state general fund if a student is no longer eligible, if an account has been inactive for two consecutive years, or if a parent fails to comply with program requirements.
- (4) Account funds do not constitute taxable income and shall not be claimed as a credit,

deduction, exemption, or rebate.

<u>Proposed law</u> provides that a student shall be initially eligible for an account if he is enrolled in a Louisiana public school in the third grade and meets all of the following criteria:

- (1) Is not reading on grade level, as determined by the results of current school year literacy assessments and update reports as provided in present law (R.S. 17:24.9).
- (2) Submits a timely application.
- (3) The student's parent signs an agreement promising all of the following:
 - (a) To provide an education for the participating student in at least the subjects of English language arts, math, social studies, and science.
 - (b) Not enroll the student in a public school while participating in the program.
 - (c) To use account funds only for qualified education expenses of the participating student.
 - (d) To comply with all program requirements.

<u>Proposed law</u> further provides that a participating student:

- (1) Is eligible until he enrolls in a public school, he receives a high school diploma or its equivalent, or his account is closed.
- (2) Is prohibited from participating concurrently in the RESA program and the Course Choice Program, the Student Scholarships for Educational Excellence Program, the School Choice Program for Certain Students with Exceptionalities, or the Tuition Donation Credit Program.

<u>Proposed law</u> provides that to be eligible to participate, a school shall:

- (1) Be approved, provisionally approved, or probationally approved by BESE.
- (2) Comply with federal nondiscrimination requirements.
- (3) Satisfy any other criteria set by BESE.

<u>Proposed law</u> requires BESE to adopt rules to set eligibility criteria for service providers. Further provides that to be eligible to participate in the program, a school or service provider shall apply to DOE and, if determined to be eligible, accept RESA funds for providing services covered as qualified education expenses.

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 available in the participating school. <u>Proposed law</u> further requires participating schools to meet certain criteria to be eligible to offer such services.

<u>Proposed law</u> provides that a participating school shall not discriminate against a child with special educational needs during the admissions process, but that the participating school is only required to offer services it already provides or services it can provide with minor adjustments. <u>Proposed law</u> further requires DOE to provide information relative to special education services to parents prior to the enrollment process.

<u>Proposed law</u> requires the DOE to develop a process for the annual administration of assessments to participating students and to provide the results of such examinations to parents.

<u>Proposed law</u> 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.

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

(Adds R.S. 17:4037.1 - 4037.8)