

RÉSUMÉ DIGEST

SB 203

2022 Regular Session

Hewitt

Proposed law would have created the Reading Education Savings Account Program for students who are not reading on grade level, as determined by the results of literacy assessments provided in the second or third grade.

Proposed law would have provided for program administration by the state Dept. of Education (DOE) in accordance with State Board of Elementary and Secondary Education (BESE) rules.

Proposed law would have required DOE to:

- (1) Have allocated to each account annually 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) Have developed a system for parents to direct account funds to participating schools and service providers.
- (3) Have provided parents of eligible students printed or online resources and materials regarding the importance of reading and how to support their child in learning to read.

Proposed law would have provided that once participating, a student could have continued to participate in the program until he enrolled in a public school, he received a high school diploma or its equivalent, or his account was closed.

Proposed law would have required BESE to adopt rules to set eligibility criteria for service providers. Further would have required that to be eligible to participate in the program, a school or service provider would have applied to DOE and, if determined to be eligible, accepted RESA funds for providing services covered as qualified education expenses. Would have provided that if a school or provider failed to maintain eligibility criteria or that demonstrated a gross or persistent lack of academic competence be restricted from serving additional students and could have been terminated from the program.

Proposed law would have required that a parent of a student entitled to special education services in his resident school system to acknowledge in writing that they accept only such services for the student that were available in the participating school.

Would have become effective upon signature of the governor or lapse of time for gubernatorial action.

(Proposed to amend R.S. 17:236(A); proposed to add R.S. 17:4037.1-4037.8)

VETO MESSAGE:

"Please be advised that I have vetoed Senate Bill 203 of the 2022 Regular Session.

This bill purports to create an "education savings account" for students not reading at grade level. This label itself is a misnomer, as the bill does not establish any accounts for parents to save money for education, but instead would potentially divert Minimum Foundation Program (MFP) funds for students to attend non-public schools. While I do not question the intentions of the author in that she is attempting to provide opportunities for students reading below grade level, I cannot support this bill.

First, and perhaps most importantly, this bill would potentially divert needed funds from public education without any consideration for need or income levels. As passed, this bill would allow the children of wealthy parents to attend private schools subsidized by taxpayer dollars. Further, as drafted, and dependent upon rules yet to be promulgated by the Department of Education, these funds may also be considered to be school expense deductions that would provide for a significant loss in state tax revenues. Thus, depending

on how the rules are drafted, wealthy parents would possibly be allowed to deduct these expenses from their tax liability even though the funds were provided by the taxpayers.

Second, there is no real accountability provided to parents and the public for these non-public schools that will now be subsidized with taxpayer dollars. This has remained an issue with the existing voucher program, which also provides for taxpayer subsidization for non-public schools, some of which are the worst performing schools in the state. If the taxpayers are required to redirect funds to non-public schools, the public should be able to expect accountability and performance from those schools. Further, because students in non-public schools are not required to take the same assessments as students in public schools, there is no true measure that accurately compares school performance between public and non-public schools.

Third, the bill does not clearly provide for the students who may qualify for this program. As an example, the bill provides for a student to be eligible if the student is "not reading on grade level." However, this imprecise definition would technically allow for a student reading above grade level to be eligible. While this may have not been intended, this bill does have this effect.

These are just some of the concerns I have with this bill, so I cannot assure my support if these issues are able to be resolved in another bill next year. I have long been opposed to the diversion of MFP dollars to non-public schools. I believe we should do everything we can as a state to support public education, and this bill does not meet that standard."