DIGEST

SB 441 Original	2026 Regular Session	Mizell

Present law requires the State Board of Elementary and Secondary Education to approve any nonpublic elementary or secondary school which makes application to the board, if the school 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 provides for the approval of nonpublic prekindergarten programs if the program meets the requirements of present law and maintains substantial compliance with the child safety and welfare standards provided in present law. Requires each school attest to its compliance with the child safety and welfare standards in its annual application.

Present law provides for the governance of public and nonpublic prekindergarten programs. Provides that the youngest age at which a child may enter a public prekindergarten program is four years old by September 30th of the year in which the child enrolls in prekindergarten, and for a nonpublic prekindergarten, the youngest age at which a child may enter a prekindergarten program is three years old by September 30th of the year in which the child enrolls in the program.

Proposed law retains present law.

Present law defines nonpublic prekindergarten programs as early learning centers, requiring licensing and regulation in accordance with present law.

Proposed law repeals present law.

Proposed law requires any parent who enrolls his child in a prekindergarten program, public or nonpublic, to sign an acknowledgment that the parent is aware that the program is operated by a school and that the program is not licensed as an early learning center and subject to federal daycare regulations.

Present law provides for child safety and welfare minimum standards.

Proposed law retains present law standards in part, but changes the name of the standards from child safety and welfare minimum standards to child safety and welfare standard.

Proposed law changes the child safety and welfare standards as follows:

(1)   Increases the child-to-staff ratios through the 2026-2027 school year for children ages four and five and provides for child-to-staff ratios for the 2027-2028 school year and subsequent school years.

(2)   Removes references to children under the age of two from the standards and removes the requirement for additional staff for children with special healthcare needs warranting additional care.

(3)   Makes an exception for staffing during transitions between activities.

Proposed law requires all school prekindergarten programs to comply with the child safety and welfare standards and provides for consequences for public and nonpublic prekindergarten programs with persistent and egregious noncompliance with the standards.

Proposed law provides for monitoring activities for compliance with the child safety and welfare standards. Provides for violations of the standards for public and nonpublic prekindergarten programs.

Present law defines "camp" as any place or facility operated by any institution, society, agency, corporation, person or persons, 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 age of children who may attend camp from five to three and adds that the definition of "camp" include any place or facility operated by any institution, society, agency, corporation, person or persons, or any group that either:

(1)   Is a tax exempt church or religious organization that operates a Vacation Bible School, Bible Camp, or religious camp for children of any age.

(2)   Operates only an after-school or weekend extracurricular, academic, or athletic program.

Proposed law authorizes the state Department of Education to adopt emergency rules to implement proposed law.

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

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