

Regular Session, 2014

HOUSE BILL NO. 116

BY REPRESENTATIVE FOIL

SCHOOLS/CHOICE: Provides relative to student eligibility criteria for participation in a voucher program for students with exceptionalities and for continuation of the program

1 AN ACT

2 To amend and reenact R.S. 17:4031(B)(2)(a) and to repeal Section 2 of Act No. 424 of the  
3 2012 Regular Session of the Legislature, relative to the School Choice Program for  
4 Certain Students with Exceptionalities; to provide relative to student eligibility  
5 criteria for participation in the program; to provide for continuation of the program;  
6 and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:4031(B)(2)(a) is hereby amended and reenacted to read as  
9 follows:

10 §4031. School choice program; students with exceptionalities; establishment;  
11 purpose; student eligibility; nonpublic school eligibility; educational  
12 certificates; administration; implementation; reporting

13 \* \* \*

14 B.

15 \* \* \*

16 (2) Any student who meets all of the following criteria is an eligible student:

17 (a) The student has been evaluated by a local education agency as defined  
18 in R.S. 17:1942, is determined to be in need of services for autism, a mental  
19 disability, emotional disturbance, developmental delay, other health impairment,

1           specific learning disability, or traumatic brain injury, and has one of the following  
 2           plans: an Individual Education Plan, ~~or~~ a services plan in accordance with Title 34  
 3           of the Code of Federal Regulations Part 300.37, or a plan that is created by the  
 4           nonpublic school that the student will attend and that clearly identifies the services  
 5           provided by the school and specifies how those services adequately address the  
 6           student's needs.

\*       \*       \*

8           Section 2. Section 2 of Act No. 424 of the 2012 Regular Session of the Legislature  
 9 is hereby repealed in its entirety.

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)]

Foil

HB No. 116

**Abstract:** Provides relative to student eligibility criteria for participation in a voucher program for certain students with exceptionalities and repeals provision for sunset of the program.

Present law establishes a voucher program known as the School Choice Program for Certain Students with Exceptionalities. Further provides that the purpose of the program is to provide certain students with exceptionalities the opportunity to attend schools of their parents' choosing that provide educational services that specifically address the needs of such students. Present law provides for the establishment of the program in each parish having a population in excess of 190,000 persons.

Present law provides for student eligibility criteria for participation in the program. Requires that the student be evaluated by a local education agency, be determined to be in need of services for autism, a mental disability, emotional disturbance, developmental delay, other health impairment, specific learning disability, or traumatic brain injury, and have an Individual Education Plan or a services plan in accordance with Title 34 of the Code of Federal Regulations Part 300.37.

Proposed law adds a plan created by the nonpublic school that the student will attend that clearly identifies the services provided by the nonpublic school and how those services adequately address the student's needs as an alternative to the plans required by present law; otherwise retains present law.

Present law (Section 2 of Act 424 of 2012 R.S.) terminates certain provisions of present law providing for the program, including provision establishing the program at the end of the 2014-2015 school year. Proposed law repeals this termination.

(Amends R.S. 17:4031(B)(2)(a); Repeals Section 2 of Act 424 of the 2012 R.S.)