
 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)]

Morrish

SB No. 179

Present law provides for the Course Choice Program and requires the State Board of Elementary and Secondary Education (BESE) to create a process for authorizing course providers, including online or virtual providers, postsecondary education institutions, and corporations that offer vocational or technical courses. Provides for an initial authorization period of three years and provides for reauthorization for additional periods of three to five years, subject to BESE review of the course provider's activities and the academic performance of the students enrolled in courses offered by the course provider. Further provides for monitoring and evaluation of course providers by BESE. Proposed law retains present law.

Present law defines "eligible funded student" as a student who resides in La. and meets one of the following criteria:

- (1) Attends a public school with a school performance letter grade of "C", "D", or "F".
- (2) Attends a public school that does not offer the course in which a student desires to enroll.
- (3) Is the recipient of a scholarship pursuant to the Student Scholarships for Educational Excellence Program.

Proposed law instead defines "eligible funded student" as a student who resides in La. and meets the following criteria:

- (1) Attends a public elementary or secondary school.
- (2) Has obtained permission from the local school superintendent or other person designated by the governing authority of the school which he attends to enroll in a course offered by a course provider.

Present law defines "eligible participating student" as a student who resides in La. and meets one of the following criteria:

- (1) Attends a public school with a school performance letter grade of "A" or "B".
- (2) Attends a nonpublic school that is approved, provisionally approved, or probationally approved by BESE.
- (3) Is enrolled in a BESE-approved home study program.

Proposed law instead defines "eligible participating student" as a student who resides in La. and meets one of the following criteria:

- (1) Is the recipient of a scholarship pursuant to the Student Scholarships for Educational Excellence Program.
- (2) Attends a nonpublic school that is approved, provisionally approved, or probationally approved by BESE.
- (3) Is enrolled in a BESE-approved home study program.

Present law provides for administration of state tests to students attending a public school, pursuant to the school and district accountability system. Proposed law retains present law.

Present law requires BESE to create a reciprocal teacher certification process for teachers who reside in other states but who are employed by authorized course providers and teach virtual education courses to satisfy state certification requirements. Proposed law retains present law and additionally requires BESE to maintain the reciprocal teacher certification process.

Present law requires BESE to create a common course numbering system and a course catalogue for all courses offered, by parish. Proposed law retains present law and additionally requires BESE to timely update the course catalogue prior to the beginning of each school year. Further requires BESE to include any course offered for dual enrollment by a La. public institution of postsecondary education in the course catalogue, with no requirement for course approval by the board or the Dept. of Education (DOE), provided the course meets the Carnegie unit requirements for high school graduation.

Proposed law changes references in present law to "local school system" and "local board" to "public school governing authority".

Present law requires local school systems to establish policies and procedures for counting credits earned by and administering state tests to eligible students and for all services to be provided to eligible students, including those with Individual Education Plans. Proposed law retains present law and additionally requires the governing authority of each public school to establish policies and procedures whereby an eligible funded student may be granted approval to enroll in a course offered by a course provider, including a determination of whether a requested course is academically appropriate for the student.

Present law requires BESE to adopt rules necessary to implement present law, including requirements of school governing authorities whose students enroll in courses offered by course providers. Proposed law deletes authority for BESE to adopt rules imposing requirements on school governing authorities and requires BESE to promulgate rules to implement the Course Choice Program in accordance with the Administrative Procedure Act.

Present law requires that course providers receive a per course amount for each eligible funded student (including students attending certain low-performing public schools and students receiving scholarships pursuant to the Student Scholarships for Educational Excellence Program) which shall be 1/6 of 90% of the annual MFP per-pupil amount. Requires any remaining funds (with certain exceptions) to be returned to the state or the local school system in accordance with certain annual MFP per-pupil amounts. Provides for certain amounts of funds to remain with local school systems and schools participating in the scholarship program to finance administrative or operational costs to support students enrolled in courses offered by course providers. Proposed law deletes present law and instead provides that the course provider shall receive a course amount for each eligible funded student as approved by BESE.

Present law allows course providers to charge tuition to eligible participating students in an amount determined by the provider and reported to DOE. Proposed law instead allows a course provider to charge tuition to any eligible participating student in an amount approved by DOE.

Present law provides that 50% of the amount of tuition to be paid or transferred through the minimum foundation program (MFP) to the course provider shall be paid or transferred upon student enrollment in a course, and fifty percent shall be paid or transferred upon course completion, according to the published course length. Proposed law deletes reference to payment or transfer through the MFP and instead provides that 50% of the course amount or tuition to be paid to the course provider shall be paid upon student enrollment in a course, and 50% shall be paid upon course completion, according to the published course length.

Present law provides that if a student does not complete a course according to the published course length, the course provider shall receive 40% of the course amount, provided the student completes and receives credit for the course before graduating from high school or leaving school as provided by present law. Proposed law retains present law.

Proposed law requires the state to disburse any funds allocated, appropriated, or otherwise made available for the purposes of the Course Choice Program to each city and parish public school system and other public school. Provides that any such funds that are not committed for use by the system or school shall be subject to reallocation to another system or school for the purposes of such program.

Present law provides that no local public school system shall actively discourage, intimidate, or threaten an eligible funded student or an eligible participating student during the course enrollment process or at any time for that local school system. Proposed law deletes present law.

Present law requires each public school student to enroll in at least one course at the school in which he is enrolled full time. Proposed law deletes present law.

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

(Amends R.S. 17:4002.3(2) and (3), 4002.4(A)(1), (2)(a), (C), and (D), 4002.5(A) and (F), and 4002.6; Repeals R.S. 17:4002.5(C) and (E))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the engrossed bill

1. Requires that a course offered for dual enrollment, and included in the course catalogue, must meet the Carnegie unit requirements for high school graduation.
2. Requires BESE to approve the course amount for each eligible funded student instead of the Dept. of Education or the governing authority of the public school the student attends.

Senate Floor Amendments to engrossed bill

1. Makes technical changes.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the reengrossed bill.

1. Adds the following proposed law:
 - (a) Requires the state to disburse funds available for the program to each public school system and other public school.
 - (b) Provides that any such funds not committed for use by a system or school shall be subject to reallocation to another system or school for the purposes of such program.
2. Deletes the following proposed law:
 - (a) Requires the state to reimburse 90% of the cost of each course.
 - (b) Requires the Dept. of Education to provide forms and guidelines for such reimbursement and to ensure that it is made within 60 days.