

2021 Regular Session

HOUSE BILL NO. 280

BY REPRESENTATIVE EDMONDS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS/CHOICE: Provides relative to program administration and school eligibility for Student Scholarships for Educational Excellence Program

1 AN ACT

2 To amend and reenact R.S. 17:4021(A) and to enact R.S. 17:4015(10), 4021(D), and 4021.1,  
3 relative to the Student Scholarships for Educational Excellence Program; to provide  
4 for the state Department of Education's responsibilities in administering the program;  
5 to revise the eligibility criteria schools must meet in order to participate in the  
6 program; to remove the enrollment cap applicable to certain schools; to provide for  
7 applicability; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:4021(A) is hereby amended and reenacted and R.S. 17:4015(10),  
10 4021(D), and 4021.1 are hereby enacted to read as follows:

11 §4015. Program administration

12 In administering the program pursuant to this Part, the department shall:

13 \* \* \*

14 (10) Conduct site visits each school year at schools about which concerns  
15 have been raised regarding the academic welfare, health, or safety of participating  
16 students in order to observe the learning environment.

17 \* \* \*

18 §4021. School eligibility

19 A. To be eligible to participate in the program, a nonpublic school shall meet  
20 all of the following criteria:

1 (1) Be ~~approved, provisionally approved, or probationally~~ approved by the  
2 State Board of Elementary and Secondary Education pursuant to R.S. 17:11.

3 (2) Comply with the criteria set forth in *Brumfield, et al. v. Dodd, et al.* 425  
4 F. Supp. 528.

5 (3)(a) ~~Enrollment of scholarship recipients in a participating school that has~~  
6 ~~been approved, provisionally approved, or probationally approved for less than two~~  
7 ~~years shall not exceed twenty percent of such school's total student enrollment. Be~~  
8 ~~accredited or designated as a provisionally accredited approved school. For purposes~~  
9 ~~of this Paragraph:~~

10 (i) "Provisionally accredited approved school" means the school is working  
11 toward meeting accreditation requirements and has met all other criteria for approval  
12 by the state board.

13 (ii) Accrediting entities shall be the Southern Association of Colleges and  
14 Schools accreditation organizations, the Cognia accreditation organizations, the  
15 National Association of Independent Schools accreditation organizations, the  
16 Louisiana Montessori Association, and the diocese or archdiocese in which the  
17 school is located.

18 (b) A provisionally accredited approved school shall be removed from the  
19 program if it does not receive accreditation within four years.

20 \* \* \*

21 D. A participating school that fails for three consecutive years to meet  
22 minimum standards for academic performance as determined by the accountability  
23 system provided state board policy shall be ineligible to participate in the program.  
24 §4021.1. School eligibility; exceptions; applicability

25 A. R.S. 17:4021(A)(3) shall not apply to a nonpublic school initially  
26 participating in the program prior to the 2022-2023 school year.

27 B. The measurement of three consecutive years for purposes of R.S.  
28 17:4021(D) shall commence with the 2021-2022 school year.

---

**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)]

---

HB 280 Original

2021 Regular Session

Edmonds

**Abstract:** Revises eligibility criteria for school participation in the Student Scholarships for Educational Excellence Program and removes the program enrollment cap applicable to certain schools.

**Student Scholarships for Educational Excellence Program, generally**

Present law provides for the Student Scholarships for Educational Excellence Program, through which students attend participating schools through state-funded scholarships. Provides for administration by the state Dept. of Education.

**Dept. of Education responsibilities**

Present law provides for the responsibilities of the state Dept. of Education to relative to program administration. Proposed law retains present law and additionally requires DOE to conduct annual site visits at schools about which concerns have been raised regarding the academic welfare, health, or safety of participating students in order to observe the learning environment.

**Enrollment cap**

Present law caps enrollment of scholarship recipients in a school that has been approved, provisionally approved, or probationally approved for under two years to a maximum of 20% of the school's total enrollment. Proposed law removes this enrollment cap.

**Eligibility of participating nonpublic schools**

Present law provides eligibility criteria for nonpublic schools to participate in the program, including being BESE-approved and being in compliance with nondiscrimination requirements in federal law (*Brumfield vs. Dodd*). Proposed law, applicable to schools joining the program in the 2022-2023 school year or thereafter, provides that such schools must also be either:

- (1) Accredited by an accrediting entity specified in proposed law.
- (2) Designated as a provisionally accredited approved school, which means that it is working toward meeting accreditation requirements and has met all other criteria for BESE approval. (Provides for removal of such a school from the program if it fails to receive accreditation within four years.)

**Ineligibility**

Proposed law adds that a school that fails to meet minimum standards for academic performance for three consecutive school years shall not be eligible for program participation; provides that measurement of three consecutive years for this purpose shall commence with the 2021-2022 school year.

(Amends R.S. 17:4021(A); Adds R.S. 17:4015(10), 4021(D), and 4021.1)