

RÉSUMÉ DIGEST

HB 194

2022 Regular Session

Butler

Proposed law would have created the Education Savings Account Program for certain students with exceptionalities and provided for program administration by the state Dept. of Education (DOE) and would have:

- (1) Required DOE to allocate to each account annually an amount equal to the state's base per-pupil allocation as provided in the minimum foundation program (MFP) formula, plus any applicable weighted funds based on student characteristics, and to develop a system for parents to direct account funds to participating schools and service providers.
- (2) Limited authorized use of funds to qualified education expenses.
- (3) Provided initial and continuing eligibility criteria for students, schools, and service providers.
- (4) Required the annual administration of certain standardized tests to participating students and provided for reporting test results.
- (5) Required DOE, by April 30th annually, to submit a report to the House and Senate education committees and the Jt. Legislative Committee on the Budget regarding program implementation.

(Proposed to amend R.S. 17:236(A); Proposed to add R.S. 17:4037.1-4037.7)

VETO MESSAGE:

"Please allow this letter to inform you that I have vetoed House Bill 194 of the 2022 Regular Session.

This bill purports to create an "education savings account" for students with exceptionalities as defined by La. R.S. 17: 1942. 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 in need of additional support and attention, I cannot support this bill.

First, and perhaps most importantly, this bill would potentially divert needed funds from public education without any consideration of 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, 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 nonpublic 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.

Third, the bill does not clearly provide for the students who may qualify for this program. I believe that the bill is simply too broad in its application to all students with exceptionalities. Given this expansive definition, there will be too many students eligible for this program at too great a cost to the public school system.

These are just some of the concerns I have with this bill. However, I have confirmed that I

will work with the author of the bill between now and the 2023 Regular Session to determine if the issues can be resolved. However, I believe we should do everything we can as a state to support public education. As currently drafted, this bill does not meet that standard."