

**ACT No. 424**

Regular Session, 2014

HOUSE BILL NO. 780

BY REPRESENTATIVE TALBOT

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AN ACT

To amend and reenact R.S. 47:6301(B)(1)(c)(iv) and (viii) and (3), and (C)(1)(e) and to enact R.S. 47:6301(C)(1)(g), relative to the rebate for donations to school tuition organizations; to provide with respect to requirements of certain school tuition organizations; to provide with respect to the definition of a "qualified student" for purposes of the rebate; to provide with respect to the requirements of the Department of Education; to require certain annual audits; to require certain public reports; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:6301(B)(1)(c)(iv) and (viii) and (3), and (C)(1)(e) are hereby amended and reenacted and R.S. 47:6301(C)(1)(g) is hereby enacted to read as follows:

§6301. Rebates; donations to school tuition organizations

\* \* \*

B.(1)

\* \* \*

(c) A school tuition organization which provides scholarships to qualified students shall do all of the following:

\* \* \*

(iv) Provide scholarships to qualified students on a first-come, first-served basis, with priority given to students who received a scholarship from the school tuition organization or the Student Scholarships for Educational Excellence Program in the previous year.

\* \* \*

1 (viii) Ensure that scholarships granted to qualified students are portable  
 2 during the school year and can be used at any qualifying school served by the school  
 3 tuition organization that accepts a qualified student. If the parent of a qualified  
 4 student who is receiving a scholarship desires the student to move to a new qualified  
 5 school served by the school tuition organization during a school year, the scholarship  
 6 amount may be prorated.

7 \* \* \*

8 (3)(a) For purposes of this Section, a "qualified student" shall mean a child  
 9 who is a member of a family that resides in Louisiana with a total household income  
 10 that does not exceed an amount equal to two hundred fifty percent of the federal  
 11 poverty level based on the federal poverty guidelines established by the federal office  
 12 of management and budget. ~~A qualified student shall also be~~ and who meets any of  
 13 the following:

- 14 (i) Is a student who is entering kindergarten for the first time;
- 15 (ii) Is a student who attended a public school the previous year;
- 16 (iii) Is ~~or~~ a student who received a scholarship from a school tuition  
 17 organization or the Student Scholarships for Educational Excellence Program for the  
 18 previous school year.

19 (b) Any qualified student receiving a scholarship from a school tuition  
 20 organization pursuant to the provisions of this Section shall be prohibited from  
 21 receiving any other publicly funded scholarship, voucher, or other form of financial  
 22 assistance specific to that student for purposes of attending a nonpublic school;  
 23 however, a qualified student may receive scholarships from multiple school tuition  
 24 organizations not to exceed the lesser of eighty percent of the state average  
 25 Minimum Foundation Program per pupil funding amount for the previous year in the  
 26 case of a qualified student enrolled in kindergarten through eighth grade, or ninety  
 27 percent of the state average Minimum Foundation Program per pupil funding amount

1 for the previous year in the case of a qualified student enrolled in ninth through  
2 twelfth grade.

3 \* \* \*

4 C.(1)

5 \* \* \*

6 (e) The Department of Education ~~may~~ shall annually conduct ~~either a~~  
7 ~~financial review or an~~ audit of a school tuition organization as ~~deemed necessary by~~  
8 ~~the department~~. The Department of Education shall bar a school tuition organization  
9 from participating in the rebate authorized under this Section if the school tuition  
10 organization intentionally and substantially fails to comply with the requirements of  
11 this Section.

12 \* \* \*

13 (g) The Department of Education shall publicly report state test scores for  
14 each student receiving a scholarship pursuant to the provisions of this Section in  
15 accordance with the requirements of the federal Family Educational Rights and  
16 Privacy Act (20 U.S.C. 1232(g) and federal regulations 34 C.F.R 99.1 et seq.).  
17 However, the Department of Education shall not include the name or any other  
18 identifying information of individual students.

19 \* \* \*

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_