

2026 Regular Session

HOUSE BILL NO. 1112

BY REPRESENTATIVES CHENEVERT, BAMBURG, BERAULT, BOYER, BRAUD, BROUSSARD, CARLSON, CARVER, EDMONSTON, HEBERT, HORTON, MARTINEZ, MELERINE, OWEN, SCHLEGEL, SPELL, AND ST. BLANC

EARLY CHILDHOOD: Provides relative to prekindergarten programs

1 AN ACT

2 To amend and reenact R.S. 17:11(B), 24.8(A), (B), and (D)(1), 407.33(1) and (5),

3 407.35(A), and 407.41(A), (B)(2) and (3), and (C) and to enact R.S. 17:407.41(D),

4 relative to prekindergarten programs; to remove the requirement that nonpublic

5 prekindergarten programs be licensed as early learning centers; to apply

6 requirements pertaining to child safety and welfare standards to certain school

7 prekindergarten programs; to revise the standards with respect to child-to-staff ratios;

8 to revise the definition of camp as it pertains to exemption from early learning center

9 licensing requirements; to provide for the approval of nonpublic prekindergarten

10 programs by the State Board of Elementary and Secondary Education; to authorize

11 the State Board of Elementary and Secondary Education to adopt emergency rules;

12 to provide for an effective date; and to provide for related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 17:11(B), 24.8(A), (B), and (D)(1), 407.33(1) and (5), 407.35(A),

15 and 407.41(A), (B)(2) and (3), and (C) are hereby amended and reenacted and R.S.

16 17:407.41(D) is hereby enacted to read as follows:

17 §11. Approval of nonpublic schools by board

18 \* \* \*

19 B.(1) The board shall approve any nonpublic elementary or secondary school

20 which makes application therefor on a form furnished by the board, if such school

1 meets and maintains a sustained curriculum or specialized course of study of quality  
2 at least equal to that prescribed for similar public schools.

3 (2) The board shall approve a prekindergarten program established by a  
4 nonpublic school as provided in R.S. 17:24.8 if the program meets the requirements  
5 of Paragraph (1) of this Subsection.

6 \* \* \*

7 §24.8. Prekindergarten programs

8 A.(1) Each city, parish, or other local public school board may develop and  
9 offer prekindergarten instruction. The youngest age at which a child may enter  
10 prekindergarten provided for by this ~~Subsection~~ Paragraph shall be four years old by  
11 September thirtieth of the year in which the child enrolls in prekindergarten.

12 ~~(2) All public prekindergarten programs shall comply with the child safety~~  
13 ~~and welfare minimum standards provided for in R.S. 17:407.41. The governing~~  
14 authority of any approved nonpublic elementary school may develop and offer  
15 prekindergarten instruction. The youngest age at which a child may enter such a  
16 prekindergarten program is three years old by September thirtieth of the year in  
17 which the child enrolls in prekindergarten.

18 (3) Any parent or legal guardian who chooses to enroll his child in a  
19 prekindergarten program as provided in this Subsection shall be provided the  
20 following information:

21 (a) The prekindergarten program is operated by a school.

22 (b) The prekindergarten is not subject to federal daycare regulations pursuant  
23 to 45 CFR 98 or its successor or licensed by the department as an early learning  
24 center as provided in R.S. 17:407.31 et seq.

25 ~~B.(1) The governing authority of any approved nonpublic elementary school~~  
26 ~~may develop and offer prekindergarten instruction. The youngest age at which a~~  
27 ~~child may enter prekindergarten provided for by this Subsection shall be three years~~  
28 ~~old by September thirtieth of the year in which the child enrolls in prekindergarten.~~  
29 All school prekindergarten programs, except for programs operated by nonpublic

1 schools approved by the State Board of Elementary and Secondary Education as  
2 provided in R.S. 17:11, shall comply with the child safety and welfare standards  
3 provided for in R.S. 17:407.41.

4 (2)(a) ~~All nonpublic prekindergarten programs shall be licensed as an early~~  
5 ~~learning center pursuant to Part X-B of this Chapter.~~ For a public prekindergarten  
6 program with persistent or egregious noncompliance with such standards, a city,  
7 parish, or other local public school board shall at a public meeting consider closure  
8 of the program or other measures deemed necessary to protect the safety and welfare  
9 of children enrolled in the program.

10 (b) The State Board of Elementary and Secondary Education may revoke its  
11 approval of a nonpublic school at any time if the board determines that the school  
12 has jeopardized the health, safety, or welfare of its students.

13 \* \* \*

14 D.(1) Beginning with the 2023-2024 school year, each city, parish, or other  
15 local public school board shall work to develop a mixed provider delivery model for  
16 full-day, year-round, high-quality prekindergarten instruction to each child residing  
17 within the boundaries of the school district who is eligible for a prekindergarten  
18 program pursuant to ~~Subsection A Paragraph (A)(1)~~ Paragraph (A)(1) of this Section.

19 \* \* \*

20 §407.33. Definitions

21 As used in this Part, the following terms have the following meanings unless  
22 the context clearly indicates otherwise:

23 (1) "Camp" means any place or facility operated by any institution, society,  
24 agency, corporation, person or persons, or any other group which meets any of the  
25 following criteria:

26 (a) It serves only children ~~five~~ three years of age or older and operates only  
27 when school is not in session during the summer months or school holidays  
28 including but not limited to a Vacation Bible School or Bible Camp.



1 (1) There shall be a minimum of two staff members present at any facility  
2 when more than four children are present, except under an extenuating circumstance  
3 that temporarily prevents compliance with this Paragraph.

4 (2)(a) ~~The~~ Through the end of the 2026-2027 school year, the child-to-staff  
5 ratios shall not exceed the following:

6 (a) ~~Infants and under one year - 5 to 1~~

7 (b) ~~One year - 7 to 1~~

8 (c) ~~Two years - 10 to 1~~

9 ~~(d)~~ (i) Three years or children enrolled in a school prekindergarten program  
10 for three-year-olds - 13 to 1.

11 ~~(e)~~ (ii) Four years or children enrolled in a school prekindergarten program  
12 for four-year-olds - 15 20 to 1.

13 (f) (iii) Five years or children enrolled in a school prekindergarten program  
14 for five-year-olds- 19 20 to 1.

15 (b) Beginning in the 2027-2028 school year, child-to-staff ratios shall not  
16 exceed the following:

17 (i) Three years or children enrolled in a school prekindergarten program for  
18 three-year-olds - 13 to 1.

19 (ii) Four years or children enrolled in a school prekindergarten program for  
20 four-year-olds - 15 to 1.

21 (iii) Five years or children enrolled in a school prekindergarten program for  
22 five-year-olds - 20 to 1.

23 (3) An average of the child-to-staff ratios may be applied to mixed age  
24 groups of children ~~only for groups that include no children under the age of two.~~

25 (4) ~~When a mixed age group includes children younger than age two, the age~~  
26 ~~of the youngest child determines the child-to-staff ratio for the group.~~

27 (5) ~~When the nature of a child with special healthcare needs or the number~~  
28 ~~of children with special healthcare needs warrants added care, the center shall add~~  
29 ~~sufficient staff as necessary.~~

1           ~~(6)~~ Only staff members directly providing care, supervision, or guidance to  
2 children shall be counted in the child-to-staff ratio. ~~The~~ Except for transitions  
3 between activities or classrooms, the same staff members shall not be used to meet  
4 the ratio requirements for two different groups of children at the same time.

5           ~~(7)~~ (5) Sufficient staffing needed to satisfy child-to-staff ratios shall be  
6 present on the premises during rest time and available to assist as needed. Children  
7 ~~ages one and older~~ may be grouped together at rest time with one staff member in  
8 each room supervising the resting children.

9           ~~(8)~~ (6) Information regarding required child-to-staff ratios and a phone  
10 number to file complaints regarding supervision with the Department of Education  
11 shall be posted in each public school classroom in a location that is visible to parents  
12 and legal guardians.

13           ~~(9)~~ (7) Children shall be supervised at all times including on the playground,  
14 on field trips, and on nonvehicular excursions.

15           ~~(10)(a)~~ (8)(a) Children shall not be left alone in any room, outdoors, or in  
16 vehicles, even momentarily, without staff present.

17           (b) The provisions of this Paragraph shall not apply to restroom use as  
18 provided in this Section, if a child is being provided services by therapeutic  
19 professionals, or if a child is in the custody of a parent or legal guardian.

20           ~~(11)~~ (9) A staff person shall be assigned to supervise specific children whose  
21 names and whereabouts ~~that~~ the staff person shall know and with whom the staff  
22 person shall be physically present. Staff shall be able to state how many children are  
23 in their care at all times.

24           ~~(12)(a)~~ (10)(a) A child who is developmentally able may be permitted to use  
25 the restroom independently if a staff member is in proximity to and can see the child  
26 to ensure immediate intervention to safeguard a child from harm or to assist with an  
27 accident while in the restroom.

28           (b) An individual who is not a staff member may not enter the restroom area  
29 while in use by any child other than his own child.



1           D. Prekindergarten programs operated by nonpublic schools approved by the  
2           State Board of Elementary and Secondary Education as provided in R.S. 17:11 are  
3           exempt from the provisions of Subsections A through C of this Section.

4           Section 2. Notwithstanding any provision of law to the contrary, the State Board of  
5           Elementary and Secondary Education may adopt emergency rules in accordance of the  
6           Administrative Procedure Act to implement the provisions of Section 1 of this Act.

7           Section 3. This Act shall become effective upon signature by the governor or, if not  
8           signed by the governor, upon expiration of the time for bills to become law without signature  
9           by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
10          vetoed by the governor and subsequently approved by the legislature, this Act shall become  
11          effective on the day following such approval.

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#### 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)]

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HB 1112 Engrossed

2026 Regular Session

Chenevert

**Abstract:**

Provides relative to prekindergarten programs.

**Nonpublic prekindergarten approval**

Present law requires the State Bd. of Elementary and Secondary Education (BESE) to approve a nonpublic elementary or secondary school that applies for approval if it meets and maintains a sustained curriculum or specialized course of study of quality at least equal to that prescribed for similar public schools. Proposed law retains present law and requires BESE to approve a prekindergarten program established by a nonpublic school if the program meets the present law requirements for approval of a nonpublic school.

**Prekindergarten programs generally**

Present law authorizes local public school boards and the governing authorities of approved nonpublic schools to develop and offer prekindergarten instruction. Proposed law retains present law and adds a requirement that any parent or legal guardian who chooses to enroll his child in either a public or nonpublic prekindergarten program be provided with the following information:

- (1) The program is operated by a school and is not subject to federal daycare requirements.
- (2) The program is not licensed by the state Dept. of Education (DOE) as an early learning center.

Present law requires all public prekindergarten programs to comply with child safety and welfare standards provided for in present law. Proposed law applies this requirement to all school prekindergarten programs except for programs operated by BESE-approved nonpublic schools.

Proposed law provides that for a public prekindergarten program with persistent or egregious noncompliance with such standards, a city, parish, or other local public school board shall at a public meeting consider closure of the program or other measures deemed necessary to protect the safety and welfare of children enrolled in the program.

Proposed law authorizes BESE to revoke its approval of a nonpublic school that jeopardizes the health, safety, or welfare of students.

Present law requires all nonpublic prekindergarten programs to be licensed as early learning centers. Proposed law removes present law.

### **Early learning center licensing**

Present law requires that early learning centers be licensed by DOE. Proposed law retains present law. Present law defines "early learning center" as any child day care center, Early Head Start Center, Head Start Center, or nonpublic prekindergarten program. Present law revises the definition to remove nonpublic prekindergarten programs and add standalone prekindergartens not attached to a school.

Present law exempts certain entities from the present law early learning center licensing requirements. Proposed law revises these exemptions as follows:

- (1) Present law exempts grades kindergarten and above. Proposed law retains present law.
- (2) Present law exempts prekindergarten programs attached to a public day school. Proposed law instead exempts prekindergarten programs attached to a public or nonpublic day school serving children in grades kindergarten and above.
- (3) Present law exempts La. Montessori accredited or provisionally accredited schools. Proposed law removes this exemption.
- (4) Present law exempts registered family child day care homes and care given without charge. Proposed law additionally exempts mother's day out programs.
- (5) Present law exempts camps. Proposed law retains present law but revises the definition of "camp" as explained further below.

### **Camps**

Present law defines "camp" as any place or facility operated by any institution, society, agency, corporation, person, or any other group which serves only children five years of age or older and operates only when school is not in session during the summer months or school holidays. Proposed law lowers the minimum age of such children from five to three and broadens the definition of camp to also include the following:

- (1) A tax-exempt church or religious organization in accordance with federal regulations that operates a vacation Bible school, Bible camp, or religious camp for children of any age.
- (2) An entity operating an after-school or weekend extracurricular, academic, or athletic program, including any competition related to the program, or an after-school or

weekend tutoring program or other educational or enrichment program authorized by present law.

### **Child safety and welfare standards**

Present law requires all early learning centers and all prekindergarten programs to meet specified child safety and welfare standards. Proposed law removes the application of present law to early learning centers and specifies that it applies to school prekindergarten programs except for those operated by BESE-approved nonpublic schools. Proposed law retains the standards except for the following revisions relative to child-to-staff ratios:

- (1) Present law requires there to be at least two staff members present at any facility when more than four children are present except under extenuating circumstances. Proposed law retains present law.
- (2) Present law provides for maximum child-to-staff ratios. Proposed law changes these ratios through the end of the 2026-2027 school years as follows:
  - (a) Present law provides a ratio of 5:1 for infants and children under one year, 7:1 for one-year-olds, and 10:1 for two-year-olds. Proposed law removes present law.
  - (b) Present law provides a ratio of 13:1 for three-year-olds. Proposed law also applies this ratio to children enrolled in a school prekindergarten program for three-year-olds.
  - (c) Present law provides a ratio of 15:1 for four-year-olds. Proposed law changes this ratio from 15:1 to 20:1 and applies it to children enrolled in a school prekindergarten program for four-year-olds.
  - (d) Present law provides for a ratio of 19:1 for five-year-olds. Proposed law changes this ratio from 19:1 to 20:1 and applies it to children enrolled in a school prekindergarten program for five-year-olds.
- (3) Proposed law provides for the following maximum ratios beginning with the 2027-2028 school year:
  - (a) A ratio of 13:1 for three-year-olds or children enrolled in a school prekindergarten program for three-year-olds.
  - (b) A ratio of 15:1 for four-year-olds or children enrolled in a school prekindergarten program for four-year-olds.
  - (c) 20:1 for five-year-olds or children enrolled in a school prekindergarten program for five-year-olds.
- (4) Present law allows an average of the child-to-staff ratios to be applied to mixed age groups of children. Proposed law retains present law. Present law limits this authorization to groups that include no children under the age of two. Proposed law removes this limitation.
- (5) Present law provides that when a mixed age group includes children younger than age two, the age of the youngest child determines the child-to-staff ratio for the group and provides that when the nature of a child with special healthcare needs or the number of children with special healthcare needs warrants added care, the center shall add sufficient staff as necessary. Proposed law removes present law.

- (6) Present law provides that only staff members directly providing care, supervision, or guidance to children shall be counted in the child-to-staff ratio. Proposed law retains present law. Present law further prohibits the same staff members from being used to meet the ratio requirements for two different groups of children at the same time. Proposed law adds an exception to allow this for transitions between activities or classrooms.
- (7) Present law requires information about ratios and a phone number to file complaints be posted in each classroom. Proposed law applies this requirement only to public schools.

Present law requires DOE to develop an informational document on the child safety and welfare standards and provide it to each early learning center and prekindergarten program not later than August first of each year. Further requires each early learning center and school prekindergarten program to distribute the document to parents. Proposed law removes the application of present law to early learning centers.

Present law further requires DOE to provide written notification to a local superintendent for any complaint DOE receives regarding a prekindergarten program. Proposed law also requires such notification to be given to the governing authorities of charter schools and nonpublic schools for complaints about prekindergarten programs at their schools.

Proposed law exempts prekindergarten programs operated by BESE-approved nonpublic schools from all of the above proposed law requirements relative to the child safety and welfare standards.

### **Rules**

Proposed law authorizes BESE to adopt emergency rules to implement proposed law.

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

(Amends R.S. 17:11(B), 24.8(A), (B), and (D)(1), 407.33(1) and (5), 407.35(A), and 407.41(A), (B)(2) and (3), and (C); Adds R.S. 17:407.41(D))

### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Exempt prekindergarten programs operated by BESE-approved nonpublic schools from present law and proposed law requirements pertaining to child safety and welfare standards.
2. Authorize BESE to revoke its approval of a nonpublic school that jeopardizes the health, safety, or welfare of students instead of providing that if an approved nonpublic school demonstrates egregious noncompliance with the standards, DOE shall recommend that BESE deny the approval request for the subsequent school year unless substantive assurance is provided by the school that it will comply with such standards.