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## **ACT No. 245**

SENATE BILL NO. 481

BY SENATORS FIELDS, ABRAHAM, BARROW, BOUIE, CARTER, CATHEY, CLOUD, CONNICK, CORTEZ, FESI, FOIL, HARRIS, HENSGENS, HEWITT, JACKSON, JOHNS, LAMBERT, LUNEAU, MCMATH, MILLIGAN, ROBERT MILLS, POPE, PRICE, REESE, SMITH, TARVER, WARD, WHITE AND WOMACK

AN ACT

2	To amend and reenact the heading of Part IV of Chapter 50 of Title 17 of the Louisiana
3	Revised Statutes of 1950 and to enact R.S. 17:8, 3351(M), and 5103, relative to
4	elementary, secondary, and postsecondary education; to provide relative to students
5	impacted as a consequence of the public health emergency declared by the governor
6	on March 11, 2020, in response to COVID-19; to provide with respect to the
7	applicability of certain statutes related to the provision and conduct of elementary
8	and secondary education; to provide relative to the powers and duties of
9	postsecondary management boards; to provide for waivers and exceptions to certain
10	program requirements and conditions for Taylor Opportunity Program for Students
11	awards; and to provide for related matters.
12	Be it enacted by the Legislature of Louisiana:
13	Section 1. The heading of Part IV of Chapter 50 of Title 17 of the Louisiana Revised
14	Statutes of 1950 is hereby amended and reenacted and R.S. 17:8, 3351(M), and 5103 are
15	hereby enacted to read as follows:
16	§8. Students impacted by declaration of public health emergency; 2019-2020
17	school year
18	A. The legislature finds that due to the public health emergency declared
19	by the governor on March 11, 2020, relative to the novel coronavirus, COVID-
20	19, and the subsequent ordered closure of public schools, it is in the best
21	interests of the elementary and secondary students of this state that certain
22	statutory provisions be suspended for the entirety of the 2019-2020 school year,
23	including:

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1	(1) The provisions of R.S. 17:10.1 relative to the statewide school and
2	district accountability system.
3	(2) The provisions of R.S. 17:24.4 that mandate annual administration
4	of testing through the Louisiana Educational Assessment Program and end-of-
5	course examinations.
6	(3) The provisions of R.S. 17:4023 and R.S. 47:6301(B)(2)(a)(ii) that
7	require nonpublic schools to administer state assessments to students
8	participating in the Louisiana Student Scholarships for Educational Excellence
9	<u>Program and to students receiving scholarships from donations to school tuition</u>
10	organizations.
11	(4) The provisions of R.S. 17:391.2 et seq., relative to public school
12	accountability and assessments.
13	(5) The provisions of R.S. 17:407.23 relative to a uniform assessment and
14	accountability system for publicly funded early childhood education programs.
15	(6) The provisions of R.S. 17:154.1 that provide for a minimum number
16	of instructional days and instructional minutes per school year.
17	(7) The provisions of R.S. 17:154.3 that require teachers to work a
18	minimum number of days per school year.
19	(8) The provisions of R.S. 17:194(B) to allow school districts greater
20	flexibility in administering nutrition programs.
21	(9) The provisions of R.S. 17:221 that mandate school attendance.
22	(10) The provisions of R.S. 17:232 that require attendance to be checked
23	at all schools.
24	(11) The provisions of R.S. 17:3881 et seq., R.S. 17:3901 et seq., and R.S.
25	17:3997(D) relative to teacher evaluations and use of value-added data as a
26	criteria for the receipt of teaching credentials.
27	(12) The provisions of R.S. 17:3991(C)(1)(b) that require charter schools
28	to adhere to certain student application and enrollment procedures.
29	B. The State Board of Elementary and Secondary Education shall adopt
30	emergency rules in accordance with the Administrative Procedure Act to effect

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the suspension of the statutes enumerated in Subsection A of this Section.

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2	* * *
3	§3351. General powers, duties, and functions of postsecondary education
4	management boards
5	* * *
6	M. Each public postsecondary education management board shall adopt
7	such policies as it considers necessary and prudent to address and minimize the
8	negative impacts of the public health emergency declared by the governor in
9	response to the novel coronavirus, COVID-19, upon the students, faculty, and
10	employees of each institution under its management and supervision. Such
11	policies may include, but not necessarily be limited to online and distance
12	learning, student housing and food services, refund of tuition and fees as
13	appropriate, faculty and employees working remotely, cancellation or
14	postponement of campus events, commencement activities, and regular
15	communication with students, faculty, and employees.
16	* * *
17	PART IV. STUDENTS <del>DISPLACED</del> <u>AFFECTED</u> BY CERTAIN
18	NATURAL DISASTERS AND EMERGENCIES
19	* * *
20	§5103. Eligibility under declared health emergency
21	A. The legislature finds that due to the effects of the public health
22	emergency declared by the governor on March 11, 2020, relative to the novel
23	coronavirus, COVID-19, it is in the best interest for the education of the people
24	of the state that initial and continuing eligibility requirements established in
25	Part I of this Chapter for awards pursuant to the Taylor Opportunity Program
26	for Students be modified as provided by this Section for students impacted as
27	a result of the public health emergency.
28	B.(1) In response to the public health emergency, provisions of this
29	Chapter that provide for initial eligibility are modified or waived as more fully
30	specified in this Subsection:

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1	(a) Notwithstanding the provisions of R.S. 17:5062, the deadline for
2	taking the ACT or SAT for consideration for an award for the 2020-2021
3	academic year is September 30, 2020. The administering agency shall not reduce
4	the time period of eligibility for the award, as set forth in R.S. 17:5002, of an
5	applicant who qualifies for an award pursuant to authority granted by this
6	Subparagraph.
7	(b) Notwithstanding the provisions of R.S. 17:5026, a student on a Jump
8	Start graduation track shall not be required to complete any Jump Start course,
9	experience, or credential that was waived by the student's high school for high
10	school graduation purposes.
11	(c) The administering agency may waive the home study requirements
12	of R.S. 17:5029 for a student if it determines that the student's failure to meet
13	those requirements was, more likely than not, due solely to consequences of
14	measures taken to limit the spread of COVID-19.
15	(2) The provisions of this Subsection apply only to students who meet one
16	of the following criteria:
17	(a) The student was enrolled in a Louisiana public high school.
18	(b) The student was enrolled in a nonpublic high school in Louisiana
19	having the approval by the State Board of Elementary and Secondary
20	Education required by Part I of this Chapter for program eligibility purposes.
21	(c) The student resided in the state of Louisiana and was enrolled in a
22	home study program approved by the State Board of Elementary and
23	Secondary Education.
24	(d) The student resided out of state during the 2019-2020 academic year
25	but is able to meet the residency requirements to qualify for an award provided
26	for in R.S. 17:5023.
27	C.(1) In response to the public health emergency, provisions of this
28	Chapter relative to continuing eligibility are modified or waived with respect
29	to the 2019-2020 academic year as more fully specified in this Subsection:
30	(a) The provisions of R.S. 17:5041 or 5042 requiring that a student meet

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achieve a certain cumulative grade point average to continue eligibility for 1 award are waived.  (c) For a student whose program award was suspended due to a le grade point average or failure to make steady academic progress, the th periods provided in Part 1 of this Chapter for the student to meet su requirement before losing program eligibility shall be extended by one semest for each semester the student is unable to enroll or complete due to measur taken to limit the spread of COVID-19.  (d) The administering agency may, by rule, waive any provision of Pa L of this Chapter that imposes a program requirement or condition that student cannot comply with or meet if the administering agency determines th the failure to comply with the requirement or meet the condition is, more like than not, due solely to a consequence of measures taken to limit the spread COVID-19.  (2) The provisions of this Subsection apply only to students who meet o of the following criteria:  (a) The student was enrolled full time as of the census date at an eligil college or university during the spring semester of 2020.  (b) The student was cnrolled full time at an out-of-state college university as of the census date during the spring semester of 2020.  (c) The student was scheduled to be enrolled full time at a sche operating on a basis other than semesters during the spring of 2020.  D. The administering agency may adopt any rule, policy, or guideli necessary to implement the provisions of this Section and shall dissemina information regarding program changes pursuant to the provisions of th	1	steady academic progress as defined by the administering agency are waived.
(c) For a student whose program award was suspended due to a legacy point average or failure to make steady academic progress, the time periods provided in Part I of this Chapter for the student to meet suspended by one semest of reach semester the student is unable to enroll or complete due to measure taken to limit the spread of COVID-19.  (d) The administering agency may, by rule, waive any provision of Psus I of this Chapter that imposes a program requirement or condition that student cannot comply with or meet if the administering agency determines the the failure to comply with or meet if the administering agency determines the the failure to comply with the requirement or meet the condition is, more like than not, due solely to a consequence of measures taken to limit the spread COVID-19.  (2) The provisions of this Subsection apply only to students who meet of the following criteria:  (a) The student was enrolled full time as of the census date at an eligible college or university during the spring semester of 2020.  (b) The student was enrolled full time at an out-of-state college university as of the census date during the spring semester of 2020.  (c) The student was scheduled to be enrolled full time at a schedoperating on a basis other than semesters during the spring of 2020.  D. The administering agency may adopt any rule, policy, or guideling necessary to implement the provisions of this Section and shall dissemination regarding program changes pursuant to the provisions of the Section in the most timely manner possible.	2	(b) The provisions of R.S. 17:5041 or 5042 requiring that a student
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23 (c) The student was scheduled to be enrolled full time at a scheduled operating on a basis other than semesters during the spring of 2020.  25 D. The administering agency may adopt any rule, policy, or guidelice of the provisions of this Section and shall dissemina information regarding program changes pursuant to the provisions of the Section in the most timely manner possible.  28 Section 2. This Act shall become effective upon signature by the governor or, if recommendation is section 2. This Act shall become effective upon signature by the governor or, if recommendation is section 2. This Act shall become effective upon signature by the governor or, if recommendation is section 2. This Act shall become effective upon signature by the governor or, if recommendation is section 2. This Act shall become effective upon signature by the governor or, if recommendation is section 2. This Act shall become effective upon signature by the governor or, if recommendation is section 2. This Act shall become effective upon signature by the governor or, if recommendation is section 2. This Act shall become effective upon signature by the governor or, if recommendation is section 2.	21	(b) The student was enrolled full time at an out-of-state college or
24 operating on a basis other than semesters during the spring of 2020.  25 D. The administering agency may adopt any rule, policy, or guideli 26 necessary to implement the provisions of this Section and shall dissemina 27 information regarding program changes pursuant to the provisions of the Section in the most timely manner possible. 28 Section 2. This Act shall become effective upon signature by the governor or, if respective upon signature by the governor or o	22	university as of the census date during the spring semester of 2020.
D. The administering agency may adopt any rule, policy, or guideling necessary to implement the provisions of this Section and shall dissemina information regarding program changes pursuant to the provisions of the Section in the most timely manner possible.  Section 2. This Act shall become effective upon signature by the governor or, if received the section in the most timely manner possible.	23	(c) The student was scheduled to be enrolled full time at a school
necessary to implement the provisions of this Section and shall dissemina information regarding program changes pursuant to the provisions of the Section in the most timely manner possible.  Section 2. This Act shall become effective upon signature by the governor or, if respective upon signature is the section of the s	24	operating on a basis other than semesters during the spring of 2020.
27 <u>information regarding program changes pursuant to the provisions of the Section in the most timely manner possible.</u> 29 Section 2. This Act shall become effective upon signature by the governor or, if respective upon signature is the section of the section	25	D. The administering agency may adopt any rule, policy, or guideline
<ul> <li>Section in the most timely manner possible.</li> <li>Section 2. This Act shall become effective upon signature by the governor or, if remaining the section of the sectio</li></ul>	26	necessary to implement the provisions of this Section and shall disseminate
Section 2. This Act shall become effective upon signature by the governor or, if r	27	information regarding program changes pursuant to the provisions of this
	28	Section in the most timely manner possible.
30 signed by the governor, upon expiration of the time for bills to become law without signatu	29	Section 2. This Act shall become effective upon signature by the governor or, if not
	30	signed by the governor, upon expiration of the time for bills to become law without signature

by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
vetoed by the governor and subsequently approved by the legislature, this Act shall become
effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

**ENROLLED** 

**SB NO. 481** 

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