

2026 Regular Session

SENATE BILL NO. 376

BY SENATOR MIZELL

SECONDARY EDUCATION. Provides for the Learn and Earn Act. (gov sig)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

AN ACT

To enact R.S. 17:81(A)(8) and Chapter 47 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4201 through 4212, relative to local public school boards; to provide relative to the authorization of career practicums in public high schools; to provide for definitions; to provide relative to cooperative endeavor agreements; to provide requirements for career practicums and cooperative endeavor agreements; to provide relative to student labor, safety, and supervision; to provide for reciprocity; to provide relative to the State Board of Elementary and Secondary Education's rulemaking authority; to provide for trade and commerce limitations; to provide for exemptions; to provide relative to charter school participation; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:81(A)(8) and Chapter 47 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:4201 through 4212, is hereby enacted to read as follows:

§81. General powers of local public school boards

A.(1) Each local public school board shall serve in a policymaking capacity

1 that is in the best interests of all students enrolled in schools under the board's
 2 jurisdiction. When establishing board policies, each board shall prioritize student
 3 achievement, financial efficiency, and workforce development on a local, regional,
 4 and statewide basis. When choosing a local superintendent of schools, each board
 5 shall select a leader who shall prioritize student achievement and act in the best
 6 interests of all students enrolled in schools under the board's jurisdiction.

7 * * *

8 **(8) Each local public school board shall have the authority to establish,**
 9 **operate, or enter into agreements for the operation of career practicums**
 10 **pursuant to R.S. 17:4201 et seq.**

11 * * *

12 **CHAPTER 47. CAREER PRACTICUMS**

13 **§4201. Short title**

14 **This Chapter shall be known and may be cited as the "Learn and Earn**
 15 **Act".**

16 **§4202. Legislative findings and intent**

17 **A. The legislature finds that Louisiana's long-term workforce**
 18 **competitiveness depends on the development of a coherent, statewide talent**
 19 **development system.**

20 **B. Compensated, credit bearing work-based learning aligned with the**
 21 **State Board of Elementary and Secondary Education (BESE) approved career**
 22 **pathways is a critical component of such a system.**

23 **C. Reliance solely on external employer work sites creates inequitable**
 24 **access to work-based learning for rural students and students in underserved**
 25 **communities.**

26 **D. Career practicums, as provided for in this Chapter, shall serve an**
 27 **essential educational purpose by advancing established state objectives related**
 28 **to career and technical education, financial literacy, employability skills, and**
 29 **workforce development.**

1 E.(1) A Career practicum shall operate pursuant to a cooperative
2 endeavor agreement that complies with Article VII, Section 14 of the
3 Constitution of Louisiana and meets the requirements of the *Cabela's* test as
4 held in Board of Directors of Indus. Development Bd. of City of Gonzales,
5 Louisiana, Inc. v. All Tax Payers, Property Owners, Citizens of City of
6 Gonzales, et al, 938 So.2d11(La. 9/6/06).

7 (2) In order to satisfy the *Cabela's* test, a career practicum must serve a
8 valid public purpose; be an enforceable, nongratuitous obligation; and there
9 must be a reasonable expectation of value equal to or greater than the value of
10 public assets provided.

11 (3) Compliance with the *Cabela's* test is mandatory and shall be
12 demonstrated through the cooperative endeavor agreement.

13 §4203. Definitions

14 As used in this Chapter, the following terms have the following meanings
15 unless the context clearly indicates otherwise:

16 (1) "Business partner" means a private business entity, financial
17 institution, or nonprofit organization that enters into a cooperative endeavor
18 agreement with a city, parish, or other local school board to operate a career
19 practicum.

20 (2) "Career practicum" means a limited scope educational franchise
21 operation conducted on a public high school campus pursuant to a cooperative
22 endeavor agreement, whose primary purpose is to deliver compensated, credit
23 bearing work-based learning, aligned with BESE-approved career pathways,
24 and related instruction.

25 (3) "Fair market value" means the value of public assets, services, or
26 resources made available to a business partner, including space, utilities,
27 equipment, or other measurable benefits, calculated pursuant to BESE-
28 approved methodology using commercially reasonable valuation principles.

29 (4) "Instructional scope" means the defined operational boundaries of

1 a career practicum that are directly tied to instructional objectives, including
2 pathway aligned activities, financial literacy instruction, employability skill
3 development, and compensated work-based learning.

4 (5) "Student participant" means a student enrolled in a BESE-approved,
5 work-based learning course who participates in a career practicum and is
6 compensated as an employee of the business partner.

7 §4204. Authorization; limited-scope model

8 A. A city, parish, or other local school board may establish and host one
9 or more career practicums on Louisiana public high school campuses in
10 accordance with this Chapter.

11 B. A career practicum shall operate exclusively within the instructional
12 scope defined in its cooperative endeavor agreement and shall not engage in
13 general commercial activity unrelated to instructional purposes.

14 C. Career practicums shall align with BESE-approved career pathways
15 and integrate financial literacy and employability skill development.

16 D. A business partner shall provide reciprocity under the cooperative
17 endeavor agreement that meets or exceeds the fair market value of public assets
18 utilized and shall fulfill all educational obligations established in the agreement.

19 E. Career practicums may provide customer-facing services only to the
20 extent such services fall within the instructional scope established in the
21 cooperative endeavor agreement.

22 F. Career practicums operating solely within the instructional scope of
23 a compliant cooperative endeavor agreement shall be deemed instructional
24 functions of the city, parish, or other local school board and shall not be
25 classified as commercial tenants.

26 G. Where a career practicum includes limited customer-facing services
27 within the instructional scope, the city, parish, or other local school board shall
28 retain full authority to regulate campus access consistent with existing safety
29 and visitor policies. Nothing in this Chapter shall be construed to require

1 general public access to school campuses.

2 §4205. Cooperative Endeavor Agreements

3 A. Each career practicum shall operate pursuant to a written cooperative
4 endeavor agreement between the city, parish, or other local school board and
5 the business partner.

6 B. The agreement shall include but not be limited to the following:

7 (1) A declaration of the essential educational and public purpose served.

8 (2) Enforceable, nongratuitous obligations of the business partner.

9 (3) An inventory and valuation of public assets utilized, including a fair
10 market value schedule.

11 (4) A reciprocity schedule demonstrating a reasonable expectation that
12 benefits provided by the business partner meet or exceed fair market value.

13 (5) Annual fair market value recertification pursuant to BESE rules.

14 (6) A clear statement of instructional scope and operating parameters.

15 (7) Liability insurance naming the city, parish, or other local school
16 board and the state as additional insureds.

17 (8) Indemnification of the city, parish, or other local school board and
18 the state.

19 (9) Safety, supervision, and training requirements.

20 (10) Compliance with applicable federal and state laws governing student
21 data privacy, child labor, workplace safety, and accessibility.

22 C. Each cooperative endeavor agreement shall be public record and
23 posted on the website of the city, parish, or other local school board.

24 D. Nothing in this Chapter shall limit the authority of a city, parish, or
25 other local school board to oversee, monitor, or evaluate the operations of a
26 career practicum.

27 §4206. Student labor, safety, and supervision

28 A. Student participants shall:

29 (1) Earn academic credit pursuant to BESE rules.

1 (2) Receive wages at or above the applicable minimum wage.

2 (3) Be employees of the business partner for wage and workers'
3 compensation purposes.

4 (4) Receive required safety training prior to participation.

5 (5) Be prohibited from engaging in hazardous occupations barred for
6 minors.

7 B. Career practicums shall be structured so that student participants are
8 the primary beneficiaries of the educational experience.

9 C. Career practicums shall comply with all applicable school safety,
10 supervision, and visitor access requirements.

11 D. BESE shall promulgate rules and regulations establishing permissible
12 operating hours to ensure alignment with instructional programming and
13 student safety.

14 §4207. Reciprocity and restricted use of funds

15 A. Business partners shall provide reciprocity as established in the
16 cooperative endeavor agreement, meeting or exceeding fair market value
17 requirements.

18 B. Any funds provided to a city, parish, or other local school board as
19 reciprocity or compensation shall be deposited into a restricted Career
20 Practicum Fund and used solely for work-based learning, instructional
21 equipment, or related educational purposes.

22 §4208. Rulemaking authority; limitations

23 The State Board of Elementary and Secondary Education shall
24 promulgate rules and regulations necessary to implement this Chapter in
25 accordance with the provisions of the Administrative Procedure Act. Such rules
26 shall implement but not waive, narrow, or redefine the statutory requirements
27 of instructional scope, fair market value valuation, reciprocity, or student
28 protections established in this Chapter.

29 §4209. Trade and commerce limitation

1 A career practicum operating solely within the instructional scope of a
2 compliant cooperative endeavor agreement shall not be deemed to be engaged
3 in trade or commerce for purposes of R.S. 51:1401 et seq.

4 §4210. Proprietary school exemption

5 A career practicum authorized under this Chapter shall be deemed an
6 extension of public educational programming and shall not be classified as a
7 proprietary school pursuant to R.S. 17:3140.1 et seq.

8 §4211. Charter school participation

9 A charter school governing authority may authorize a career practicum
10 on its campus in accordance with applicable charter law and the school's
11 charter contract. Where the career practicum involves the use of facilities or
12 property owned by a city, parish, or other local school board or other public
13 entity, any cooperative endeavor agreement required under this Chapter shall
14 be executed in a manner consistent with applicable law governing such
15 property.

16 §4212. Existing programs

17 A. On campus business operations or work-based learning programs
18 lawfully operating on Louisiana public high school campuses prior to the
19 effective date of this Act may continue, provided they serve an educational
20 purpose and comply with Article VII, Section 14 of the Louisiana Constitution.

21 B. Beginning with the 2029-2030 school year, all programs subject to
22 Subsection A of this Section shall be in compliance with all other provisions of
23 this Chapter.

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

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 376 Original 2026 Regular Session Mizell

Present law (R.S. 17:81) provides that each local public school board shall serve in a policymaking capacity that is in the best interests of all students enrolled in school under the board's jurisdiction.

Proposed law retains present law and further provides that each city, parish, or other local school board has the authority to establish, operate, or enter into agreements for the operation of career practicums pursuant to R.S. 17:4201 et seq.

Proposed law (R.S. 17:4201) must be referred to and may be cited as the "Learn and Earn Act".

Proposed law (R.S. 17:4202) provides that the intent of proposed law is for career practicums to serve an essential educational purpose by advancing established state objectives related to career and technical education, financial literacy, employability skills, and workforce development.

Proposed law requires a career practicum to operate pursuant to a cooperative endeavor agreement and satisfy the "*Cabela's*" test, which means it must serve a valid public purpose; be an enforceable, nongratuious obligation; and there must be a reasonable expectation of value equal to or greater than the value of public assets provided.

Proposed law (R.S. 17:4203) provides for the following definitions: "business partner"; "career practicum"; "fair market value"; "instructional scope"; and "student participant".

Proposed law (R.S. 17:4204) authorizes a city, parish, or other local school board to establish and host one or more career practicums on La. public high school campuses.

Proposed law provides that a career practicum must do the following:

- (1) Operate exclusively within the instructional scope defined in its cooperative endeavor agreement and not engage in general commercial activity unrelated to instructional purposes.
- (2) Align with BESE-approved career pathways and integrate financial literacy and employability skill development.

Proposed law provides that a business partner must provide reciprocity under the cooperative endeavor agreement that meets or exceeds the fair market value of public assets utilized and must fulfill all educational obligations established in the agreement.

Proposed law provides that a career practicum may provide customer-facing services only to the extent the services fall within the instructional scope established in the cooperative endeavor agreement; and if there is limited customer-facing services, the city, parish, or other local school board must retain authority to regulate campus access consistent with safety and visitor policies.

Proposed law provides that a career practicum that is operating within the instructional scope of a compliant cooperative endeavor agreement must be deemed instructional functions of the city, parish, or other local school board and not be classified as commercial tenants.

Proposed law (R.S. 17:4205) provides that a career practicum must operate pursuant to a written cooperative endeavor agreement between the city, parish, or other local school board and the business partner; and include the following:

- (1) A declaration of the essential education and public purpose served.
- (2) Enforceable, nongratuious obligations of the business partner.
- (3) An inventory and valuation of public assets utilized, including a fair market value schedule.
- (4) A reciprocity schedule demonstrating a reasonable expectation that benefits provided by the business partner meet or exceed fair market value.
- (5) Annual fair market value recertification pursuant to BESE rules.
- (6) A clear statement of instructional scope and operating parameters.
- (7) Liability insurance naming the city, parish, or other local school board and the state as additional insureds.
- (8) Indemnification of the city, parish, or other local school board and the state.
- (9) Safety, supervision, and training requirements.
- (10) Compliance with applicable federal and state laws governing student data privacy, child labor, workplace safety, and accessibility.

Proposed law provides that a cooperative endeavor agreement must be public record and posted on the website of the city, parish, or other local school board.

Proposed law (R.S. 17:4206) provides that a student participant must do the following:

- (1) Earn academic credit pursuant to BESE rules.
- (2) Receive wages at or above the applicable minimum wage.
- (3) Be employees of the business partner for wage and workers' compensation purposes.
- (4) Receive required safety training prior to participation.
- (5) Be prohibited from engaging in hazardous occupations barred for minors.

Proposed law provides that a career practicum must be structured so that student participants are the primary beneficiaries of the education experience and must comply with all applicable school safety, supervision, and visitor access requirements.

Proposed law requires BESE to promulgate rules and regulations establishing permissible operating hours and to ensure alignment with instructional programming and student safety.

Proposed law (R.S. 17:4207) requires business partners to provide reciprocity as established in the cooperative endeavor agreement that meets or exceeds fair market value requirements. Any funds provided to a city, parish, or other local school board as reciprocity or compensation must be deposited into a Career Practicum Fund and used solely for work-based learning, instructional equipment, or related education purposes.

Proposed law (R.S. 17:4208) requires BESE to promulgate rules and regulations necessary to implement proposed law in accordance with the provisions of the APA. The rules and

regulations must implement but not waive, narrow, or redefine the statutory requirements of instructional scope, fair market value valuation, reciprocity, or student protections established.

Proposed law (R.S. 17:4209) provides that a career practicum operating within the instructional scope of the cooperative endeavor agreement must not be deemed to be engaged in trade or commerce for purposes of unfair trade practices and consumer protection law, pursuant to R.S. 51:1401 et seq.

Proposed law (R.S. 17:4210) provides that a career practicum must be deemed an extension of public education programming and will not be classified as a proprietary school.

Proposed law (R.S. 17:4211) provides that a charter school governing authority is authorized to establish a career practicum on its campus in accordance with charter law and the school's charter contract. Any cooperative endeavor agreement required by proposed law must be executed in a manner consistent with applicable law governing such property.

Proposed law (R.S. 17:4212) provides that on-campus business operations or work-based learning programs operating on Louisiana public high school campuses prior to the enactment of proposed law may continue, provided they serve an educational purpose and comply with La. Const. Art VII 14. These programs will need to be in full compliance with all other provisions of proposed law beginning with the 2029-2030 school year.

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

(Adds R.S. 17:81(A)(8) and R.S. 17:4201-4212)