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SB 376 Original DIGEST Mizell
2026 Regular Session

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, nongratuitous 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, nongratuitous 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)