

2026 Regular Session

SENATE BILL NO. 394

BY SENATOR EDMONDS

SCHOOLS. Allows parents to voluntarily sign a limited waiver of student privacy rights in order to streamline and expedite tuition payments for LA Gator students who are enrolled full time in BESE approved nonpublic schools. (gov sig)

1 AN ACT  
2 To amend and reenact R.S. 17:4037.6(A), (B), and (C) and to enact R.S. 17:4037.3(12),  
3 4037.13 and 4037.14, relative to the Louisiana Giving All True Opportunity to Rise  
4 (LA GATOR) Scholarship Program; to provide for expedited tuition payments for  
5 participating students who enroll as full-time students in approved participating  
6 nonpublic schools; to provide for voluntary waivers of certain education privacy  
7 rights by parents for certain purposes; to authorize the Department of Education to  
8 disclose limited student information to a contracted program manager and  
9 participating nonpublic schools for purposes of administering the scholarship  
10 program; to provide for limitations, safeguards, and consent requirements on the  
11 release of protected student information; to provide for definitions; to provide for an  
12 effective date; and to provide for related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 17:4037.6(A), (B), and (C) are hereby amended and reenacted and  
15 R.S. 17:4037.3(12), 4037.13 and 4037.14 are hereby enacted to read as follows:

16 §4037.3. Definitions

17 As used in this Chapter, the following terms have the following meanings,

1 unless otherwise clearly indicated:

2 \* \* \*

3 **(12) "Participating nonpublic school" means a state board approved**  
4 **nonpublic school that enrolls participating students who receive scholarships**  
5 **under the program.**

6 \* \* \*

7 §4037.6. Account funds

8 A. The department, on a quarterly basis, shall allocate funds, in an amount  
9 determined by the state board, to each **student's** account from funds appropriated or  
10 otherwise made available for the program.

11 B.(1) The amount allocated to an account shall be prorated if a student  
12 transfers into the program after the beginning of a school year.

13 (2)(a) If a participating school or service provider requires partial payment  
14 of tuition or fees prior to the start of the school year to reserve space for a student,  
15 the department may make the partial payment prior to the start of the school year and  
16 deduct the amount from subsequent quarterly account deposits to ensure that  
17 adequate funds remain available throughout the school year.

18 **(b) If a participating student reserves a space or enrolls as a full-time**  
19 **student at a participating nonpublic school, then the provisions of R.S. 17:**  
20 **4037.13 and 4037.14 shall apply.**

21 (c); however **In all circumstances**, if the parent decides not to use the school  
22 or service provider, the school or service provider shall return the partial reservation  
23 payment **or the full-time tuition payment** to the department which shall credit the  
24 amount to the account.

25 C.(1) The department shall implement a system for parents to direct funds  
26 from accounts to participating schools and service providers for qualified education  
27 expenses by electronic or online funds transfer. **The system shall include provisions**  
28 **related to expedited full-time tuition payment made pursuant to R.S.**  
29 **17:4037.14.**



1 match the parent to the participating students and the chosen participating  
2 nonpublic school.

3 (5) Enrollment status and scholarship eligibility status.

4 D. The disclosure of protected information shall be limited strictly to  
5 information necessary to do the following:

6 (1) Verify student identity and scholarship eligibility.

7 (2) Facilitate enrollment in a participating nonpublic school.

8 (3) Administer scholarship funds in a manner so that a participating  
9 nonpublic school and the program manager may identify and connect a  
10 participating student to the parent who is authorized to direct payments from  
11 the scholarship account funds to make full-time tuition payments to the  
12 nonpublic school.

13 (4) Ensure compliance and accountability provisions that govern the  
14 scholarship program.

15 E. Any program manager or nonpublic school receiving student  
16 information pursuant to this Section shall:

17 (1) Use the information solely for purposes of administering the  
18 scholarship program.

19 (2) Implement reasonable administrative, technical, and physical  
20 safeguards to protect the confidentiality and security of student information.

21 (3) Be contractually prohibited from redisclosing student information  
22 except as expressly authorized by the department and consistent with R.S.  
23 17:3914.

24 F. The department shall include data privacy and security requirements  
25 in all contracts with program managers, including provisions for breach  
26 notification, and penalties for unauthorized disclosure.

27 G.(1) The department shall develop a standardized consent and waiver  
28 form. The form shall comply with this Section and shall clearly and  
29 conspicuously state:

1           **(a) The specific information to be disclosed.**

2           **(b) The entities authorized to receive the information.**

3           **(c) The purpose of the disclosure.**

4           **(d) The duration of the consent.**

5           **(2) Nothing herein shall interfere with the parents right to revoke**  
6 **consent in writing at any time prior to the disclosure, subject to administrative**  
7 **time lines necessary for program operation.**

8           **H. Consent provided under this Section shall remain in effect for the**  
9 **duration of the student's participation in the scholarship program unless**  
10 **revoked in writing by the parent.**

11 **§4037.14. Expedited payments for full-time participating students at**  
12 **participating nonpublic schools**

13           **A. Once the program manager is notified by the department that the**  
14 **participating student is qualified for the scholarship program, that the parent**  
15 **has executed a voluntary limited waiver of education privacy rights, pursuant**  
16 **to R.S. 17:4037.14, and that the participating student intends to enroll in a**  
17 **particular nonpublic school, then the program manager shall do all of the**  
18 **following:**

19           **(1) Confirm with the participating nonpublic school that the student has**  
20 **met the enrollment requirements and has been accepted at the school.**

21           **(2) Confirm that the student intends to enroll as a full-time student at the**  
22 **particular participating nonpublic school.**

23           **(3) Place a hold on funds in the student's account in an amount equal to**  
24 **the costs of full-time tuition at the participating nonpublic school, once**  
25 **enrollment has been confirmed.**

26           **(4) Make an expedited electronic or online transfer of the payments to**  
27 **the participating nonpublic school upon enrollment of the student, with partial**  
28 **payments to be made in compliance with R.S. 17:4037.6.**

29           **B. If the student, for whatever reason, does not enroll or attend the**

1           indicated participating nonpublic school, then the school shall immediately  
 2           return any payments made pursuant to this Section, including advanced  
 3           payment to reserve a seat, in the manner provided by in R.S. 17:4037.6.

4           Section 2. The Louisiana State Law Institute, pursuant to its statutory authority, is  
 5 hereby directed to renumber and rearrange in alphabetic order the definitions in R.S.  
 6 17:4037.3.

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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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)]

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## DIGEST

SB 394 Original

2026 Regular Session

Edmonds

Present law provides for the Louisiana Giving All True Opportunity to Rise (LA GATOR) Scholarship Program, which is a state-funded Education Scholarship Account (ESA) program, that provides eligible families with state funds to pay for private school tuition at a BESE approved nonpublic school, tutoring, textbooks, and other educational expenses.

Present law provides that the La. Dept. of Education may hire a program manager (private vendor) to administer and manage the day-to-day operations of the LA GATOR scholarship program and to ensure accountability with state law.

Present law provides that the La. Dept. of Education will allocate scholarship funds to each student's account, on quarterly basis, in order for the student's parent to pay for educational expenses. Present law further provides that participating nonpublic schools are to be paid quarterly for student tuition for students that attend an approved nonpublic school.

Present law provides for student privacy rights which prohibit the sharing of the personally identifiable information of students, without written parental consent. Present law also prohibits data collection of students' personal information, mandates secure data storage, prohibits using student data for marketing, and imposes penalties for violations. Present law limits personal student information from being given to a private company or vendor, even if the company is a vendor for an educational agency.

Proposed law retains present law and provides for a voluntary limited student privacy waiver option for a parent whose child enrolls full-time in a participating nonpublic school, in order to expedite payment of the student's tuition. Proposed law defines "participating nonpublic school" to mean a BESE approved nonpublic school that enrolls students who are approved for LA GATOR scholarships.

Proposed law provides for the voluntary limited student privacy waiver to serve as a mechanism to reserve spots in participating nonpublic schools, ensure timely tuition payments, and prevent loss of enrollment due to payment delays, while limiting the disclosure of all of other student privacy information that is not related to the expedited payments of full-time tuition.

Proposed law provides that the voluntary, limited, student privacy waiver option for parents whose child enrolls full-time in a participating nonpublic school so that the La. Dept. of Education can share the following private information with both the LA GATOR program manager (private company and vendor) and the participating nonpublic school, as follows:

- (1) Student name and ID number.
- (2) Date of birth.
- (3) Grade level.
- (4) Parent contact information.
- (5) Enrollment and scholarship eligibility status.

Proposed law provides that the program managers (private company or vendor) and the participating schools must only use the student information for scholarship administration and must implement security safeguards and be contractually prohibited from unauthorized redisclosure of student information.

Proposed law provides that voluntary limited student privacy waiver, for purposes of proposed law, remains effective only for the duration of LA GATOR program participation, unless revoked sooner by the parent.

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

(Amends R.S. 17:4037.6(A), (B), and (C); adds R.S. 17:4037.3(12), 4037.13 and 4037.14)