

The Louisiana Legislature adjourned the 2020 Regular Legislative Session on June 1, 2020. Below are summaries of new laws and legislative resolutions relative to Pre-Kindergarten through 12th grade education policy that are most relevant to local school governing authorities. To access the full text and to search for other legislative instruments, please click on the links or visit www.legis.la.gov.

Athletics

Act 259 (HB 371) – Rep. Turner – Act 259 requires each school participating in interscholastic athletics to provide for a comprehensive emergency action plan that follows the best practices of the American College of Sports Medicine and the National Athletic Trainers’ Association.

Courses and Curriculum

Act 204 (HB 734) – Rep. Brass – The law provides for uniform and equitable access to dual enrollment for all students statewide. It also creates the Dual Enrollment Innovation and Equity Grant that will facilitate funding the implementation of a statewide dual enrollment framework to assist and encourage high schools and public postsecondary education institutions to implement new or conduct existing dual enrollment programs that provide equitable access and healthy participation by students.

COVID-19 Public Health Emergency

Act 245 (SB 481) – Sen. Fields – This law codifies the suspension of statutory provisions due to the COVID-19 public health emergency declared by the governor on March 11, 2020 for the 2019-2020 school year. The law also provides for the Taylor Opportunity Program for Students (TOPS) scholarship eligibility due to the COVID-19 public health emergency.

Act 346 (HB 870) – Rep. Garofalo – Act 346 provides for qualifications for the Taylor Opportunity Program for Students (TOPS) scholarships due to the COVID-19 public health emergency. The law provides for a new ACT or SAT testing deadline of September 30, 2020 for consideration of TOPS awards for the 2020-2021 academic year. The law allows the administering agency to waive home study requirements in R.S. 17:5029 for students who fail to meet those requirements due to consequences of measures taken to limit the spread of COVID-19. Students on a Jump Start graduation track are not required to complete any Jump Start course, experience, or credential that was waived by their high school for high school graduation purposes.

Act 336 (HB 826) – Rep. Pressly – The law provides that no natural or juridical person, state government, local government or political subdivision shall be liable for any civil damages for injury or death resulting from actual or related exposure to COVID-19 in the course of or through the performance of the business’s operations unless the person, government or political subdivision failed to substantially comply with COVID-19 safety procedures.

Act 362 (SB 435) – Sen. Abraham – This law provides for immunity of personnel of natural or juridical persons, state government, local government or political subdivisions from liability for damages or personal injury resulting from or related to an actual or alleged exposure to COVID-19 in the course of or through the performance or provision of the business’s operations unless the person, government, or political subdivision failed to substantially comply with COVID-19 safety procedures.

Act 123 (SB 439) – Sen. Abraham – Act 123 provides that a nonprofit organization or employee shall not be held liable for disclosing in good faith to a prospective employer information about a former employee of the organization when the information is believed to be accurate regarding the person engaging in acts of sexual misconduct, sexual abuse, sexual harassment, sex trafficking, sexual assault, or other sexual offenses.

Act 302 (SB 466) – Sen. Hewitt – During a governor declared state of emergency or disaster involving a geographic area within the jurisdiction of the public body, the public body may conduct and its members may participate in meetings by electronic means. The law further provides for other matters regarding the electronic meetings including notices, agendas and public participation.

SCR 23 – Sen. Fields – This resolution suspends certain laws to address the circumstances related to the closing of schools due to COVID-19.

SCR 63 – Sen. Jackson – The resolution requests the State Board of Elementary and Secondary Education (BESE) to create a task force to develop and oversee continuous learning outside of normal practices.

Early Childhood Care and Education

Act 180 (HB 251) – Rep. Hilferty – Act 180 re-creates the Early Childhood Care and Education Commission to study and make recommendations relative to establishing a vision for the future of early childhood care and education in Louisiana.

Individual Graduation Plans

Act 238 (SB 365) – Sen. Cloud – When counselors are developing and reviewing a students' Individual Graduation Plan, the student must be provided information developed by the Louisiana Workforce Commission (LWC) regarding the top twenty high-demand, high-wage jobs in the state and in the student's region. A counselor or qualified designee must demonstrate to a student how to access the information on the LWC's website and must print and provide a copy of the listing of the appropriate region's top twenty high-demand, high-wage jobs to the student. The Department of Education shall display the link to the LWC's website on its webpage and each city, parish, and other local public school board shall require each public middle school and high school under its jurisdiction to display the link on its website.

School Boards/Schools

Act 58 (SB 84) – Sen. Fields – The Louisiana Constitution provides for prioritized plans for the expenditure of funds from the Education Excellence Fund. Schools and school systems submit expenditure plans to the Department for Education for approval. Act 58 provides that after the Department approves the expenditure plans that they be submitted to the Senate and House Committees on Education for approval by November 15 each year.

School Employees

Act 337 (HB 8) – Rep. Bourriaque – This law provides for the reemployment of retirees from the Teachers' Retirement System of Louisiana (TRSL) and includes several options regarding earnings and benefits for retirees returning to active service.

Act 272 (HB 474) – Rep. Freeman – Act 272 requires teaching or child care providers to annually complete online training on how to identify the signs and symptoms of child neglect and abuse, including sexual abuse, offered by the Department of Children and Family Services (DCFS) between June 1 and August 31.

Act 122 (SB 433) – Sen. Mizell – This law adds the reporting of the pregnancy of a child under the age of thirteen years as cause to consider whether the child has been abused as part of the identification of signs and symptoms of child neglect and abuse for mandatory reporters.

Act 154 (HB 602) – Rep. Bryant – Act 134 authorizes the Department of Education to receive FBI Records of Arrests and Prosecutions Backgrounds (RAP Backs) on an ongoing basis after an early learning center employee or K-12 educator submits their initial fingerprint application for a criminal background check.

HCR 20 – Rep. White – The resolution requests that the Board of Elementary and Secondary Education (BESE) study the compensation schedule for school bus operators and to submit a written report of its findings and conclusions to the House and Senate Committees on Education.

School Safety

Act 211 (SB 80) – Sen. Carter – The law exempts interior blueprints and floor plans of public school buildings and facilities from the definition of "public records" under the Public Records Law.

SCR 62 – Sen. Milligan – The resolution requests the State Board of Elementary and Secondary Education (BESE) to implement a traumatic injury response program in all public schools.

Special Education

[Act 1](#) (HB 848) – Rep. James – This law provides that Act No. 833 of the 2014 Regular Session, which provides for alternative pathways for grade level promotion and graduation of certain special education students, shall be known and may be cited as the "April Dunn Act."

TOPS

[Act 6](#) (HB 37) – Rep. McMahan – Act 6 provides that any student who is eligible for a Taylor Opportunity Program for Students (TOPS) award and attends Northwest Louisiana Technical community college shall be awarded an amount equal to the award amount at other technical community colleges pursuant to R.S. 17:5002.

[Act 225](#) (SB 318) – Sen. Cathey - Effective for the 2020-2021, 2021-2022, and 2022-2023 academic years, an individual who was honorably discharged from a branch of the United States Armed Forces from a military installation in Louisiana shall be eligible to receive a TOPS-Tech Award provided he meets the requirements provided for in the law.

Other/Miscellaneous

[Act 282](#) (HB 607) – Rep. Hodges – The law removes the requirement that the Department of Education provide a school attendance form for school boards, home school providers and adult education supervisors for minors seeking a driver's license or learner's permit. A signed statement attesting to the student's compliance with attendance laws to obtain a driver's license or learner's permit shall document attendance.

[Act 206](#) (HB 871) – Rep. Marino – This law revises the definition of dyslexia to align with the definition found in the First Step Act of 2018 ([Public Law 115-391, § 3635.](#))