

NOTICE OF INTENT
BOARD OF ELEMENTARY AND SECONDARY EDUCATION

LA GATOR Scholarship Program Phases
(LAC 28:CLIII.1506)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) *et seq.*, the Board of Elementary and Secondary Education (BESE) proposes to amend LAC 28:CLIII in *Bulletin 133 -- Scholarship Programs*. Act 1 of the 2024 Regular Legislative Session created the Louisiana Giving All True Opportunity to Rise (LA GATOR) Scholarship Program to provide educational saving accounts for parental choice in K-12 education. At the August 2024 Board of Elementary and Secondary Education (BESE) meeting, the board approved, as a Notice of Intent, policy revisions to establish the LA GATOR Program. The updates to *Bulletin 133 -- Scholarship Programs* further expand the program to include regulations specific to phase 2 and phase 3 implementation.

Title 28
EDUCATION

Part CLIII. Bulletin 133 – Scholarship Programs

Chapter 15. Louisiana Giving All True Opportunity to Rise (LA GATOR) Scholarship Program

§1506. Phase 2 and Phase 3 Implementation

A. In the initial phase of program implementation, student eligibility shall be determined in accordance with §1505 of this Chapter. Upon legislative appropriation of funds sufficient to provide for program participation of all students eligible according to phase 1 criteria, additional applications shall be accepted from students meeting phase 2 eligibility criteria according to this Section. Should sufficient funds exist after all students eligible according to phase 2 criteria have been granted participation, additional applications shall be accepted from students meeting phase 3 eligibility criteria according to this Section.

B. In Phase 2, for a student to be eligible for an ESA, the student must be a resident of Louisiana and meet at least one of the following:

- a. The student is entering kindergarten.
- b. The student was enrolled in a public school for the previous school year.
- c. The student is from a family with a total income at or below four hundred percent of the federal poverty guidelines.

C. In Phase 3, for a student to be eligible for an ESA, the student must be a resident of Louisiana.

D. To be considered for participation, an applicant must submit an application according to a process and timeline outlined by the LDOE and provide information as required by the LDOE.

E. An applicant must attest to and agree with, at a minimum, the following:

1. The applicant has full authority to make this application for the prospective participating student and to attest to and take all of the actions herein listed;
2. The applicant will provide for the education of the participating student in at least the subjects of English language arts (ELA), mathematics, social studies, and science;
3. The applicant will use account funds only for qualified education expenses of the participating student;
4. The applicant will ensure the provision of an education for the participating student that satisfies the compulsory school attendance requirement. Each participating student who fails to comply with the attendance requirements shall be reported to the state director of child welfare and attendance by the participating nonpublic school or service provider and shall be subject to the provisions of R.S. 17:233 which may include referral to juvenile or family court;
5. The applicant agrees that the student will participate in student assessments as required by BESE policy including arranging transportation to and from the testing location;
6. The applicant agrees to comply with the acceptable uses of ESA funds and all responsibilities as the account holder;
7. The applicant agrees to comply with all statutory and regulatory program requirements;
8. The applicant agrees to immediately disenroll from the LA GATOR program upon enrollment in a public school, home study program, Course Choice Program, or School Choice Program for Certain Students with Exceptionalities;
9. The applicant agrees that the student shall not participate concurrently with a home study program approved by BESE or a home study program registered with LDOE as a nonpublic school not seeking state approval, the Course Choice Program, or the School Choice Program for Certain Students with Exceptionalities;
10. The applicant agrees to share the participating student's personally identifiable, assessment, performance, and attendance information with the LDOE to be used to monitor program effectiveness and for other purposes consistent with state law and policy.

F. In Phase 2 implementation, if allocated funds are insufficient to fund all students eligible for LA GATOR Program participation, an award process shall be established by the LDOE as follows:

1. Students shall be prioritized for participation in the following order:
 - a. students currently participating in the Louisiana Scholarship Program or the LA GATOR Program;
 - b. students entering kindergarten;
 - c. students enrolled in a public school for the previous school year;
 - d. students from a family with a total income at or below two hundred fifty percent of the federal poverty guidelines and students identified as having a disability under the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §1401;
 - e. students from a family with a total income at or below four hundred percent of the federal poverty guidelines;
 - f. siblings of students currently participating in the LA GATOR Program;
 - g. other eligible students.

2. Eligible students for whom funding is not available will be placed on a waiting list according to the prioritization criteria in this Subsection.

3. Students placed on a waiting list will be notified of their status and initial position on the waiting list.

G. In Phase 3 implementation, if allocated funds are insufficient to fund all students eligible for LA GATOR Program participation, an award process shall be established by the LDOE as follows:

1. Students shall be prioritized for participation in the following order:

- a. students currently participating in the Louisiana Scholarship Program or the LA GATOR Program;
- b. students from a family with a total income at or below two hundred fifty percent of the federal poverty guidelines and students identified as having a disability under the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §1401;
- c. students from a family with a total income at or below four hundred percent of the federal poverty guidelines;
- d. siblings of students currently participating in the LA GATOR Program;
- e. other eligible students.

2. Eligible students for whom funding is not available will be placed on a waiting list according to the prioritization criteria in this Subsection.

3. Students placed on a waiting list will be notified of their status and initial position on the waiting list.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S. 17:4037.2; R.S. 17:4037.5; and R.S. 17:4037.7.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:

COMPARISON DOCUMENT

TITLE 28

EDUCATION

Part CLIII. Bulletin 133 – Scholarship Programs

Chapter 15. Louisiana Giving All True Opportunity to Rise (LA GATOR) Scholarship Program

§1506. Phase 2 and Phase 3 Implementation

A. In the initial phase of program implementation, student eligibility shall be determined in accordance with §1505 of this Chapter. Upon legislative appropriation of funds sufficient to provide for program participation of all students eligible according to phase 1 criteria, additional applications shall be accepted from students meeting phase 2 eligibility criteria according to this Section. Should sufficient funds exist after all students eligible according to phase 2 criteria have been granted participation, additional applications shall be accepted from students meeting phase 3 eligibility criteria according to this Section.

B. In Phase 2, for a student to be eligible for an ESA, the student must be a resident of Louisiana and meet at least one of the following:

- a. The student is entering kindergarten.
- b. The student was enrolled in a public school for the previous school year.
- c. The student is from a family with a total income at or below four hundred percent of the federal poverty guidelines.

C. In Phase 3, for a student to be eligible for an ESA, the student must be a resident of Louisiana.

D. To be considered for participation, an applicant must submit an application according to a process and timeline outlined by the LDOE and provide information as required by the LDOE.

E. An applicant must attest to and agree with, at a minimum, the following:

1. The applicant has full authority to make this application for the prospective participating student and to attest to and take all of the actions herein listed;

2. The applicant will provide for the education of the participating student in at least the subjects of English language arts (ELA), mathematics, social studies, and science;

3. The applicant will use account funds only for qualified education expenses of the participating student;

4. The applicant will ensure the provision of an education for the participating student that satisfies the compulsory school attendance requirement. Each participating student who fails to comply with the attendance requirements shall be reported to the state director of child welfare and attendance by the participating nonpublic school or service provider and shall be subject to the provisions of R.S. 17:233 which may include referral to juvenile or family court;

5. The applicant agrees that the student will participate in student assessments as required by BESE policy including arranging transportation to and from the testing location;

6. The applicant agrees to comply with the acceptable uses of ESA funds and all responsibilities as the account holder;

7. The applicant agrees to comply with all statutory and regulatory program requirements;

8. The applicant agrees to immediately disenroll from the LA GATOR program upon enrollment in a public school, home study program, Course Choice Program, or School Choice Program for Certain Students with Exceptionalities;

9. The applicant agrees that the student shall not participate concurrently with a home study program approved by BESE or a home study program registered with LDOE as a nonpublic school not seeking state approval, the Course Choice Program, or the School Choice Program for Certain Students with Exceptionalities;

10. The applicant agrees to share the participating student's personally identifiable, assessment, performance, and attendance information with the LDOE to be used to monitor program effectiveness and for other purposes consistent with state law and policy.

F. In Phase 2 implementation, if allocated funds are insufficient to fund all students eligible for LA GATOR Program participation, an award process shall be established by the LDOE as follows:

1. Students shall be prioritized for participation in the following order:

- a. students currently participating in the Louisiana Scholarship Program or the LA GATOR Program;
 - b. students entering kindergarten;
 - c. students enrolled in a public school for the previous school year;
 - d. students from a family with a total income at or below two hundred fifty percent of the federal poverty guidelines and students identified as having a disability under the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §1401;
 - e. students from a family with a total income at or below four hundred percent of the federal poverty guidelines;
 - f. siblings of students currently participating in the LA GATOR Program;
 - g. other eligible students.
2. Eligible students for whom funding is not available will be placed on a waiting list according to the prioritization criteria in this Subsection.
3. Students placed on a waiting list will be notified of their status and initial position on the waiting list.

G. In Phase 3 implementation, if allocated funds are insufficient to fund all students eligible for LA GATOR Program participation, an award process shall be established by the LDOE as follows:

1. Students shall be prioritized for participation in the following order:
 - a. students currently participating in the Louisiana Scholarship Program or the LA GATOR Program;
 - b. students from a family with a total income at or below two hundred fifty percent of the federal poverty guidelines and students identified as having a disability under the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §1401;
 - c. students from a family with a total income at or below four hundred percent of the federal poverty guidelines;
 - d. siblings of students currently participating in the LA GATOR Program;
 - e. other eligible students.
2. Eligible students for whom funding is not available will be placed on a waiting list according to the prioritization criteria in this Subsection.
3. Students placed on a waiting list will be notified of their status and initial position on the waiting list.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S. 17:4037.2; R.S. 17:4037.5; and R.S. 17:4037.7.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:

**BOARD OF ELEMENTARY AND SECONDARY EDUCATION
FAMILY IMPACT STATEMENT
(LA R.S. 49:953 and 972)**

Person Preparing

Statement: Ashley Townsend
Phone: 225.342.3446
Division: Governmental, Administrative, and Public Affairs

Rule Title: Part CLIII. *Bulletin 133, Scholarship Programs* (LAC 28:CLIII.1506)

In accordance with Section 953 and 974 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on the rule proposed for adoption, repeal or amendment. All Family Impact Statements shall be kept on file in the State Board Office which has adopted, amended, or repealed a rule in accordance with the applicable provisions of the law relating to public records.

PLEASE RESPOND (YES, NO, OR LACKS SUFFICIENT INFORMATION TO DETERMINE) TO THE FOLLOWING:

1. Will the proposed Rule affect the stability of the family? No
2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No
3. Will the proposed Rule affect the functioning of the family? No
4. Will the proposed Rule affect family earnings and family budget? Yes
5. Will the proposed Rule affect the behavior and personal responsibility of children? No
6. Is the family or local government able to perform the function as contained in the proposed Rule? Yes

Signature of Contact Person: *Ashley Townsend*
Date Submitted: 10/14/2024

**POVERTY IMPACT STATEMENT
(LA R.S. 49:973)**

Person Preparing

Statement: Ashley Townsend
Phone: 225.342.3446
Division: Governmental, Administrative, and Public Affairs

Rule Title: Part CLIII. *Bulletin 133, Scholarship Programs* (LAC 28:CLIII.1506)

In accordance with Section 973 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a Poverty Impact Statement on the rule proposed for adoption, amendment, or repeal. All Poverty Impact Statements shall be in writing and kept on file in the state agency which has adopted, amended, or repealed a rule in accordance with the applicable provisions of the law relating to public records. For the purposes of this Section, the word "poverty" means living at or below one hundred percent of the federal poverty line.

PLEASE RESPOND (YES, NO, OR LACKS SUFFICIENT INFORMATION TO DETERMINE) TO THE FOLLOWING:

1. Will the proposed Rule affect the household income, assets, and financial authority? No
2. Will the proposed Rule affect early childhood development and preschool through postsecondary education development? No
3. Will the proposed Rule affect employment and workforce development? No
4. Will the proposed Rule affect taxes and tax credits? No
5. Will the proposed Rule affect child and dependent care, housing, health care, nutrition, transportation, and utilities assistance? No

Signature of Contact Person: *Ashley Townsend*
Date Submitted: 10/14/2024

Small Business Statement

The impact of the proposed Rule on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed rule on small businesses.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments via the U.S. Mail until noon, December 10, 2024, to Tavares Walker, Executive Director, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064. Written comments may also be hand delivered to Tavares Walker, Executive Director, Board of Elementary and Secondary Education, Suite 5-190, 1201 North Third Street, Baton Rouge, LA 70802 and must be date stamped by the BESE office on the date received. Public comments must be dated and include the original signature of the person submitting the comments.

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

Person Preparing Statement:	<u>Ashley Townsend</u>	Department:	<u>Louisiana Department of Education, Board of Elementary and Secondary Education</u>
Phone:	<u>225.342.3446</u>	Office:	<u>Governmental, Administrative, and Public Affairs</u>
Return Address:	<u>P.O. Box 94064 Baton Rouge, LA 70804</u>	Rule Title:	<u>Part CLIII. <i>Bulletin 133, Scholarship Programs</i> (LAC 28:CLIII.1506)</u>
		Date Rule Takes Effect:	<u>Upon final adoption by BESE</u>

SUMMARY
(Use complete sentences)

In accordance with Section 961 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The proposed rule change will not result in increased implementation costs to state or local governmental units. The proposed rule change clarifies rules adopted by the Board of Elementary and Secondary Education (BESE) at its August meeting regarding the Louisiana Giving All True Opportunity to Rise (LA GATOR) scholarship program. The rule change provides regulations applicable to Phase 2 and Phase 3 implementation should the Legislature choose to appropriate funding sufficient to provide accounts for all students eligible in Phase 1.

- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The fiscal impact on revenue collected by local education agencies (LEAs) will vary based on the extent to which students currently funded through the Minimum Foundation Program (MFP) participate in the LA GATOR program and on the extent to which local systems enroll as service providers to provide additional courses or services through the program. While students who leave the public school system will result in a decrease in revenues for LEAs, students who participate in LA GATOR and use account funds to enroll in services provided by participating LEAs will increase anticipated revenue collections.
SGF revenues may shift depending on how education scholarship accounts impact the annual amount of tax credits claimed for nonpublic school tuition expenses. This tax credit permits parents to annually claim up to \$6,000 of nonpublic school tuition costs.

- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)
Families of current Student Scholarships for Educational Excellence Program (SSEEP) students should experience little impact, as those students will continue to be funded at the same rate until they graduate or exit the terminal grade of the school in which they are currently enrolled. Families of entering kindergarteners or current public school students who would have chosen to enroll their children in nonpublic school the following year but who choose to participate in the LA GATOR program will benefit from program funding. Families of current nonpublic school students who fall below 400% of the federal poverty guidelines and who participate in the program will benefit by having to fund less of their children’s tuition and fees through their personal finances.

- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
Additional competition for student enrollment may result from the program. This will primarily be due to whether or not public schools opt to allow for part-time enrollment for students seeking to participate in specific programs, courses or activities. It is expected these spots, like those in programs targeted towards students with disabilities, will be limited. There is a potential the implementation of LA GATOR will lead to the opening of additional nonpublic education institutions in order to provide services for an increased student population. If this were to occur, increased competition between institutions may result.

Beth Scioneaux
Signature of Head or Designee

Beth Scioneaux, Deputy Superintendent for Management and Finance

Typed Name & Title of Agency Head or Designee

11.7.24
Date of Signature

Patrice Thomas, Deputy Fiscal Officer
Legislative Fiscal Officer or Designee

11/08/2024
Date of Signature

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The proposed rule change amends LAC 28 CLIII. *Bulletin 133 -- Scholarship Programs* to expand the rules specific to the administration and management of the LA GATOR Scholarship Program during implementation phases 2 and 3 of the program. At the August 2024 Board of Elementary and Secondary Education (BESE) meeting, the board approved, as a Notice of Intent, policy revisions to establish the LA GATOR Program. The updates to *Bulletin 133 -- Scholarship Programs* further allow for program expansion to include phase 2 and 3 regulations.

- B. Summarize the circumstances, which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

Act 1 of the 2024 RS requires BESE to adopt rules for LA GATOR program administration.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session

- (1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

The proposed rule change will not result in an increase in the expenditure of funds.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) _____ YES. If yes, attach documentation.

(b) _____ NO. If no, provide justification as to why this rule change should be published at this time

**FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET**

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY 25	FY 26	FY 27
PERSONAL SERVICES	\$0	\$0	\$0
OPERATING EXPENSES	\$0	\$0	\$0
PROFESSIONAL SERVICES	\$0	\$0	\$0
OTHER CHARGES	See Below	See Below	See Below
EQUIPMENT	\$0	\$0	\$0
MAJOR REPAIR & CONSTR.	\$0	\$0	\$0
TOTAL	See Below	See Below	See Below
POSITIONS (#)	2	2	2

2. Provide a narrative explanation of the costs or savings shown in "A. 1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

While the LA GATOR program will result in an increase in SGF expenditures for both administrative and programmatic functions, the proposed rule change has no impact on the costs or savings of state agencies.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 25	FY 26	FY 27
STATE GENERAL FUND	See Below	See Below	See Below
AGENCY SELF-GENERATED	\$0	\$0	\$0
DEDICATED	\$0	\$0	\$0
FEDERAL FUNDS	\$0	\$0	\$0
OTHER (Specify)	\$0	\$0	\$0
TOTAL	See Below	See Below	See Below

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

LA GATOR implementation is funded in FY 25 via legislative appropriation. Future fiscal year appropriations are unknown at this time and, per Act 1, are to annually be determined by the Legislature.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

Local schools may experience a reduction in the number of students served dependent on the number of families who opt to participate in the LA GATOR program. Alternatively, schools may experience an increase in demand for programs if they choose to participate as service providers.

2. Indicate the sources of funding of the local governmental unit, which will be affected by these costs or savings.

Local schools may participate as a service provider and receive scholarship funds for students who participate in courses or services offered by the school without being enrolled in the school.

**FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET**

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

The proposed rule change may have an unknown impact on state and local governmental unit revenue collections depending on LA GATOR program participation as outlined below.

REVENUE INCREASE/DECREASE	FY 25	FY 26	FY 27
STATE GENERAL FUND	\$0	See Below	\$See Below
AGENCY SELF-GENERATED	\$0	\$0	\$0
DEDICATED	\$0	\$0	\$0
FEDERAL FUNDS	\$0	\$0	\$0
LOCAL FUNDS	\$0	See Below	See Below
TOTAL	\$0	\$0	\$0

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

The fiscal impact on revenue collected by local education agencies (LEAs) will vary based on the extent to which students currently funded through the Minimum Foundation Program (MFP) participate in the LA GATOR program and on the extent to which local systems enroll as service providers to provide additional courses or services through the program. While students who leave the public school system will result in a decrease in revenues for LEAs, students who participate in LA GATOR and use account funds to enroll in services provided by participating LEAs will increase anticipated revenue collections.

SGF revenues may shift depending on how ESAs impact the annual amount of tax credits claimed for nonpublic school tuition expenses. This tax credit permits parents to annually claim up to \$6,000 of nonpublic school tuition costs.

**FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET**

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS

- A. What persons, small businesses, or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

Families of current Student Scholarships for Educational Excellence Program (SSEEP) students should experience little impact, as those students will continue to be funded at the same rate until they graduate or exit the terminal grade of the school in which they are currently enrolled. Families of entering kindergarteners or current public school students who would have chosen to enroll their children in nonpublic school the following year but who choose to participate in the LA GATOR program will benefit from program funding. Families of current nonpublic school students who fall below 400% of the federal poverty guidelines and who participate in the program will benefit by having to fund less of their children's tuition and fees through their personal finances.

- B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

Depending on the amount awarded for a specific student, families participating in LA GATOR could annually utilize between \$5,243 up to \$15,253 of state funds to provide for their children's education. Benefits to education service providers will depend on the cost structure for the goods or services purchased by parents using account funds.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

Additional competition for student enrollment may result from the program. This will primarily be due to whether or not public schools opt to allow for part-time enrollment for students seeking to participate in specific programs, courses or activities. It is expected these spots, like those in programs targeted towards students with disabilities, will be limited. There is a potential the implementation of LA GATOR will lead to the opening of additional nonpublic education institutions in order to provide services for an increased student population. If this were to occur, increased competition between institutions may result.