

NOTICE OF INTENT

Board of Elementary and Secondary Education

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

(LAC 28: CXV.901)

In accordance with R.S. 49:950, et seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education approved for advertisement revisions to *Bulletin 741—Louisiana Handbook for School Administrators* §901.Scheduling. The proposed policy revisions seek to increase student access to state and federal financial aid by requiring that students graduating spring 2018 and beyond have completed an application for financial aid or submitted a request to waive that requirement.

Title 28 EDUCATION

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 9. Scheduling

§901. Scheduling

A - B.4. ...

5. By the end of the tenth grade, each student's individual graduation plan or the student's IEP, if applicable, shall outline the school graduation requirements relevant to the student's chosen postsecondary goals based on the student's academic record, talents, and interests. Using information provided by the LDE and the Office of Student Financial Assistance, LEAs shall provide the student and the student's parent or legal custodian information regarding state and federal need-based and merit-based financial aid programs to support postsecondary education and training. The LEA shall ensure that each student receives adequate support in completing and submitting an application for financial aid.

6. Each student, with the assistance of his parent or other legal custodian and school counselor shall choose the high school curriculum framework and related graduation requirements that best meet his postsecondary goals.

7. The individual graduation plan or the IEP, if applicable, shall be reviewed annually and updated as necessary to identify the courses to be taken each year until all required courses are completed.

C. Student scheduling shall be individually appropriate and flexible to allow entry into and exit from courses and course sequences that are available for meeting curricular requirements.

D. Beginning with the 2017-2018 school year, each graduating senior shall, as part of his individual graduation plan and as a requirement for graduation, complete at least one of the following steps to support a successful transition to postsecondary education or training:

1. Complete and submit to the Office of Student Financial Assistance an application for a Taylor Opportunity Program for Students (TOPS) award;

2. Complete and submit to the U.S. Department of Education a Free Application for Federal Student Aid; or

3. A parent or legal custodian, or a student legally emancipated or of the legal age of majority, may certify a waiver in writing to the LEA if he refuses to complete such an application.

4. If a graduating senior is not able to fulfill the requirements of subsection D of this section due to extenuating circumstances, the LEA may apply for a waiver to be approved by the state superintendent of education to waive the student of this requirement for graduation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:175 and R.S. 17:183.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1271 (June 2005), amended LR 36:1498 (July 2010), LR 39:2204 (August 2013), LR 40:2522 (December 2014), LR 42:

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

Person Preparing Statement: Nancy Beben
Phone: 225-342-4991
Division: Policy Office
Rule Title: Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

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 TO THE FOLLOWING:

1. WILL THE PROPOSED RULE AFFECT THE STABILITY OF THE FAMILY?
 No
 Yes
 Lacks sufficient information to determine
2. WILL THE PROPOSED RULE AFFECT THE AUTHORITY AND RIGHTS OF PARENTS REGARDING THE EDUCATION AND SUPERVISION OF THEIR CHILDREN?
 No
 Yes
 Lacks sufficient information to determine.
3. WILL THE PROPOSED RULE AFFECT THE FUNCTIONING OF THE FAMILY?
 No
 Yes
 Lacks sufficient information to determine
4. WILL THE PROPOSED RULE AFFECT FAMILY EARNINGS AND FAMILY BUDGET?
 No
 Yes
 Lacks sufficient information to determine
5. WILL THE PROPOSED RULE AFFECT THE BEHAVIOR AND PERSONAL RESPONSIBILITY OF CHILDREN?
 No
 Yes
 Lacks sufficient information to determine
6. IS THE FAMILY OR A LOCAL GOVERNMENT ABLE TO PERFORM THE FUNCTION AS CONTAINED IN THE PROPOSED RULE?
 No
 Yes
 Lacks sufficient information to determine

Signature of Contact Person: _____

Date Submitted: _____

Nancy Beben

12/2/13

STATE BOARD OF ELEMENTARY AND SECONDARY EDUCATION
POVERTY IMPACT STATEMENT
(LA R.S. 49:973)

Person Preparing Statement: Nancy Beben

Phone: 225-342-4991

Division: Policy Office

Rule Title: Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

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 TO THE FOLLOWING:

1. WILL THE PROPOSED RULE AFFECT THE HOUSEHOLD INCOME, ASSETS, AND FINANCIAL SECURITY?

- No
- Yes
- Lacks sufficient information to determine

2. WILL THE PROPOSED RULE AFFECT EARLY CHILDHOOD DEVELOPMENT AND PRESCHOOL THROUGH POSTSECONDARY EDUCATION DEVELOPMENT?

- No
- Yes
- Lacks sufficient information to determine

3. WILL THE PROPOSED RULE AFFECT EMPLOYMENT AND WORKFORCE DEVELOPMENT?

- No
- Yes
- Lacks sufficient information to determine

4. WILL THE PROPOSED RULE AFFECT TAXES AND TAX CREDITS?

- No
- Yes
- Lacks sufficient information to determine

5. WILL THE PROPOSED RULE AFFECT CHILD AND DEPENDENT CARE, HOUSING, HEALTH CARE, NUTRITION, TRANSPORTATION, AND UTILITIES ASSISTANCE?

- No
- Yes
- Lacks sufficient information to determine

Signature of Contact Person: Nancy Beben
Date Submitted: 12/2/13

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 4:30 p.m., February 8, 2016, to Shan N. Davis, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

rec'd from LDE 1/4/16
to LFO 1/5/16
lock from LFO 1/7/16

Person Preparing Statement: Nancy Beben Dept.: LA Department of Education
Board of Elementary & Secondary Education

Phone: (225) 342-4991 Office: Policy

Return Address: P. O. Box 94064 Rule Title: Part CXV, Bulletin 741—Louisiana
Baton Rouge, LA Handbook for School Administrators

Date Rule Takes Effect: Upon final adoption by BESE

SUMMARY

In accordance with Section 953 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 policy revision may result in increased costs to the state or local school districts if the Department of Education or the local school districts provide more training, extra staff, or other support services to assist students and parents in meeting the proposed financial aid application requirement. Many supports are already available for students, families, and schools. The Louisiana Office of Student Financial Assistance (LOSFA) currently sponsors programs such as College Bowl Sunday and provides training to school counselors; however, these outreach initiatives are funded with grant funds, which may not be available in FY 17 and thereafter, requiring an alternative funding source. Furthermore, LOSFA would require additional resources to increase current outreach initiatives for all graduating seniors. Finally, increased applications for TOPS could result in an increase in the level of scholarships awarded thereby increasing the overall cost of the TOPS program. The Department of Education anticipates providing \$1 million in grants, through the redirection of existing funds, to assist students, their families, and local school systems in meeting this requirement if waiver requests are not submitted.

The proposed policy revisions seek to increase student access to state and federal financial aid by requiring that students graduating in spring 2018 and beyond have completed an application for financial aid or submitted a request to waive that requirement.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

This policy will have no effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

There will be an increase in grants and scholarships awarded to students who complete the financial aid forms if they are determined to be eligible for federal and/or state financial aid for college.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This policy will have no effect on competition and employment.

Beth Scioneaux
Signature of Agency Head or Designee

Evan Prange, Staff Director
Legislative Fiscal Officer or Designee

Beth Scioneaux, Deputy Superintendent for Management and Finance
Typed Name and Title of Agency Head or Designee

1/4/16
Date of Signature

1/6/16
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 policy revisions seek to increase student access to state and federal financial aid by requiring that students graduating spring 2018 and beyond have completed an application for financial aid or submitted a request to waive that requirement.

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

The revisions are needed to ensure students take advantage of every opportunity to receive financial aid for post-secondary education for which they qualify.

- 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.

Yes. The Department of Education has indicated its intent to provide up to \$1 million in grants, through redirection of existing funds, to support students, their families, and local school systems in meeting this requirement if a waiver request is not submitted. To the extent to which local school systems choose to dedicate their own funds to support students in meeting this requirement, such support could come from existing federal, state, or local funds.

Increased funding for outreach initiatives will be requested by LOSFA based on actual projected expenditures.

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.

While the legislature has not appropriated funds specifically to implement this particular proposed rule, the Louisiana Office of Student Financial Assistance has received state and federal funds to support high school students in accessing financial aid for post-secondary education. Local school systems receive federal, state and local funds to support high school students and to employ school counselors and other staff to assist high school students in preparing for post-secondary education. The Department of Education has also indicated its intent to redirect existing federal and state funds to support students and local school districts in implementing this rule. Implementation of the proposed rule will not be effective until the 2017-2018 school year (FY18).

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	FY15-16	FY16-17	FY17-18
PERSONAL SERVICES			
OPERATING EXPENSES	-0-	-0-	indeterminable
PROFESSIONAL SERVICES			
OTHER CHARGES			
EQUIPMENT			
MAJOR REPAIR & CONSTR.			
POSITIONS (#)			
TOTAL	--0-	-0-	indeterminable

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.

The proposed policy revision may result in increased costs to the state or local school districts if the Department of Education or the local school districts provide more training, extra staff, or other support services to assist students and parents in meeting the proposed financial aid application requirement. Many supports are already available for students, families, and schools. The Louisiana Office of Student Financial Assistance (LOSFA) currently sponsors programs such as College Bowl Sunday and provides training to school counselors; however, these outreach initiatives are funded with grant funds, which may not be available in FY 17 and thereafter, requiring an alternative funding source. Furthermore, LOSFA would require additional resources to increase current outreach initiatives for all graduating seniors. Finally, increased applications for TOPS could result in an increase in the level of scholarships awarded thereby increasing the overall cost of the TOPS program. The Department of Education anticipates providing \$1 million in grants, through the redirection of existing funds, to assist students, their families, and local school systems in meeting this requirement if waiver requests are not submitted.

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

SOURCE	FY15-16	FY16-17	FY17-18
STATE GENERAL FUND			
AGENCY SELF-GENERATED	--0-	-0-	indeterminable
DEDICATED			
FEDERAL FUNDS			
OTHER (Specify)			
TOTAL	---0-	-0-	indeterminable

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

The Department of Education may reallocate existing funds to provide grants as a supplement to existing supports that will aid in implementation of the proposed rule.

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.

The proposed action may result in extra costs to local school systems to provide more training for counselors and assistance for students and parents.

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

Local school districts are funded with a mix of federal, state and local revenues. Additional grant funding from the Department of Education may be available to support implementation of the proposed rule.

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?

This proposed action will have no effect on revenue collection.

REVENUE INCREASE/DECREASE	FY15-16	FY16-17	FY17-18
STATE GENERAL FUND	-0-	-0-	-0-
AGENCY SELF GENERATED			
RESTRICTED FUNDS*			
FEDERAL FUNDS			
LOCAL FUNDS			
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.

This proposed action will have no effect on revenue collection.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS

- A. What persons 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.

There will be an economic benefit for students and parents who complete the financial aid forms and are eligible for federal and state financial aid for college.

- 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.

No impact on income is anticipated as a result of this rule change.

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.

The policy will have no effect on competition and employment.

COMPARISON DOCUMENT

**Title 28
EDUCATION**

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 9. Scheduling

§901. Scheduling

A. – B.4. ...

5. By the end of the tenth grade, each student's individual graduation plan or the student's IEP, if applicable, shall outline the school graduation requirements relevant to the student's chosen postsecondary goals based on the student's academic record, talents, and interests. Using information provided by the LDE and the Office of Student Financial Assistance, LEAs shall provide the student and the student's parent or legal custodian information regarding state and federal need-based and merit-based financial aid programs to support postsecondary education and training. The LEA shall ensure that each student receives adequate support in completing and submitting an application for financial aid.

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