

NOTICE OF INTENT

Board of Elementary and Secondary Education

Part LXXXIII. Bulletin 111—The Louisiana School, District, and State Accountability System

(LAC 28: LXXXIII.301 and 611)

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 to revise *Bulletin 111—The Louisiana School, District, and State Accountability System* §301. School Performance Score Goal, and §611. Documenting a Graduation Index. These proposed changes update the calculation of 2016-2017 high school progress points due to the phase out of the EXPLORE and PLAN assessments by the assessment vendor, and update exit codes to reflect cohort graduation leaver codes and documentation required for application in the Student Information System.

Title 28 EDUCATION

Part LXXXIII. Bulletin 111—The Louisiana School, District, and State Accountability System

Chapter 3. School Performance Score Component

§301. School Performance Score Goal

A. – D.3.c.i. ...

d. For the 2016-2017 school year (2017 SPS), due to the inability to calculate EXPLORE to PLAN progress points due to the elimination of the EXPLORE assessment, the average of EXPLORE to PLAN points earned in the two previous years (2014-2015 and 2015-2016) will be used for the 2016-2017 school year SPS in combination with the points earned based on PLAN to ACT growth in 2016-2017. As in prior years, schools may earn up to 10 points total.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2737 (December 2003), amended LR 31:1512 (July 2005), LR 32:1017 (June 2006), LR 32:2034, 2035 (November 2006), LR 33:424 (March 2007), LR 33:2349 (November 2007), LR 33:2593 (December 2007), LR 34:430 (March 2008), LR 35:639 (April 2009), LR 36:1987 (September 2010), LR 38:3105 (December 2012), LR 39:305 (February 2013), LR 39:1421 (June 2013), LR 39:2441 (September 2013), LR 40:1313 (July 2014), LR 40:2507 (December 2014), LR 41:1481 (August 2015), LR 42:.

Chapter 6. Graduation Cohort, Index, and Rate

§611. Documenting a Graduation Index

A. Beginning with academic year 2005-2006, all schools are required to maintain the following documentation if the corresponding exit code is used.

Exit Code Documentation		
Code	Descriptions	Required Documentation
07	Death (of student) or permanent incapacitation	Letter from parent or obituary.
10	Transferred out of state or country	Request for records from the receiving school (out of state). Request for records or a statement written and signed by the parent. Documentation proving a student was a foreign exchange student.
14	Transferred to approved non-public school (must award high school diplomas)	Request for records from the receiving school
16	Transferred to BESE-approved home study	LDE Approval letter
20	Transferred to Early College Admissions Program	School withdrawal form and request for records from the College or University and proof of full-time enrollment in an academic program

B. – E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1024 (June 2006), amended LR 35:639 (April 2009), LR 35:2312 (November 2009), LR 36:2242 (October 2010), LR 36:2841 (December 2010), LR 38:3108 (December 2012), LR 40:1316 (July 2014), LR 42:.

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

Person Preparing Statement: Ryan Gremillion
Phone: 225-342-1501
Division: Policy Office
Rule Title: Part LXXXIII. Bulletin 111—The Louisiana School, District, and State Accountability System

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: Ryan Gremillion
Date Submitted: 8/23/16

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

Person Preparing Statement: Ryan Gremillion

Phone: 225-342-1501

Division: Policy Office

Rule Title: Part LXXXIII. Bulletin 111—The Louisiana School, District, and State Accountability System

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: Ryan Gremillion

Date Submitted: 8/23/16

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., October 9, 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 LOE 8/23/16
to LFO 8/23/16
back from LFO 9/2/16

Person Preparing Statement: Ryan Gremillion Dept.: LA Department of Education
Board of Elementary & Secondary Education

Phone: (225) 342-1501 Office: Policy

Return Address: P. O. Box 94064 Rule Title: Part LXXXIII, Bulletin 111—The Louisiana School, District, and State Accountability System
Baton Rouge, LA

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 revisions will have no effect on costs or savings to state or local governmental units.

The proposed revisions update the calculation of 2016-2017 high school progress points due to the phase out of the EXPLORE and PLAN assessments by the assessment vendor, and update exit codes to reflect cohort graduation leaver codes and documentation required for application in the Student Information System.

Further, the proposed changes update and condense the exit code table to include only the exits that are used to identify cohort graduation legitimate leavers and the documentation that should be available upon audit of the codes.

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

This policy change 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 no estimated cost and/or economic benefit to directly affected persons or non-governmental groups.

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 Brasseaux, staff director
Legislative Fiscal Officer or Designee

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

8/23/16
Date of Signature

8/30/16
Date of Signature

RECEIVED

LFO 10/04

AUG 23 2016

Legislative Fiscal Office

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 revisions update the calculation of 2016-2017 high school progress points due to the phase out of the EXPLORE and PLAN assessments by the assessment vendor, and update exit codes to reflect cohort graduation leaver codes and documentation required for application in the Student Information System.

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

Due to the phase out of EXPLORE and PLAN assessments by the assessment vendor, the proposal updates high school progress point policies using the average of EXPLORE to PLAN points earned in the two previous years(2014-2015 and 2015-2016) in combination with 2016-2017 PLAN to ACT growth in calculating 2016-2017 high school progress points.

Further, the proposed changes update and condense the exit code table to include only the exits that are used to identify cohort graduation legitimate leavers and the documentation that should be available upon audit of the codes.

- 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.

No

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	FY16-17	FY17-18	FY18-19
PERSONAL SERVICES			
OPERATING EXPENSES	-0-	-0-	-0-
PROFESSIONAL SERVICES			
OTHER CHARGES			
EQUIPMENT			
MAJOR REPAIR & CONSTR.			
POSITIONS (#)			
TOTAL	-0-	-0-	-0-

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 policies will have no effect on costs or savings to state or local governmental units.

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

SOURCE	FY16-17	FY17-18	FY18-19
STATE GENERAL FUND			
AGENCY SELF-GENERATED	-0-	-0-	-0-
DEDICATED			
FEDERAL FUNDS			
OTHER (Specify)			
TOTAL	-0-	-0-	-0-

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 has the necessary funds to implement the proposed action.

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 will not result in any cost, savings, or workload adjustment to local school systems.

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

No sources of funding will be affected.

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	FY16-17	FY17-18	FY18-19
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.

None.

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 LXXXIII. Bulletin 111—The Louisiana School, District, and State Accountability System

Chapter 3. School Performance Score Component

§301. School Performance Score Goal

A. – D.3.c.i. ...

d. For the 2016-2017 school year (2017 SPS), due to the inability to calculate EXPLORE to PLAN progress points due to the elimination of the EXPLORE assessment, the average of EXPLORE to PLAN points earned in the two previous years (2014-2015 and 2015-2016) will be used for the 2016-2017 school year SPS in combination with the points earned based on PLAN to ACT growth in 2016-2017. As in prior years, schools may earn up to 10 points total.

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Chapter 6. Graduation Cohort, Index, and Rate

§611. Documenting a Graduation Index

A. Beginning with academic year 2005-2006, all schools are required to maintain the following documentation if the corresponding exit code is used.

Exit Code Documentation		
Code	Descriptions	Required Documentation
01	Expelled	Due process documentation supporting expulsion. Students must be enrolled on October 1 of the following year.
03	Illness	Letter from a physician stating the student's date(s) of care written on the doctor office's letterhead with the doctor's original signature. Students must be enrolled on October 1 of the following year.
04	Graduate with Diploma	Official transcript showing successful completion of requirements along with records supporting any academic or career/technical endorsements.
05	GED only	LDE confirmation document and entry/exit in SIS.
06	Certificate of Achievement (Special Education)	Official transcript showing successful completion of requirements
07	Death (of student) or permanent incapacitation	Letter from parent or obituary.
08	Transferred to another public school within district	SIS (Student Information System) record indicating transfer.
09	Transferred to another public school within Louisiana	SIS record indicating transfer or, beginning in 2016-17, official request for records from receiving school and uploaded to SIS.
10	Transferred out of state or country	Request for records from the receiving school (out of state). Request for records or a statement written and signed by the parent. Documentation proving a student was a foreign exchange student.
12	Transferred to Correctional Institution	SIS record indicating transfer.
13	Transferred to Vocational Technical School	SIS record indicating transfer.
14	Transferred to approved non-public school (must award high school diplomas)	Request for records from the receiving school
15	Exit from grade for reassignment to another grade	Test results, summer school grades or similar forms located in the student's cumulative records supporting the grade change
16	Transferred to BESE approved home study/in-school Private Schooling	LDE Approval letter
19	Exit from non-mandatory program	Documentation of participation in specific program.
20	Transferred to Early College Admissions Program	School withdrawal form and request for records from the College or University and proof of full-time enrollment in an academic program

Exit Code Documentation		
Code	Descriptions	Required Documentation
22	Options Program Completer: GED and Industry-Based Certificate	STS and/or CATE (Career and Technical Education) record
24	Options Program Completer: Industry-Based Certification	STS and/or CATE record
27	Exit under SBESE Academic School Choice Policy	SIS record indicating transfer.
28	Exit under SBESE Unsafe School Choice Policy	SIS record indicating transfer.
34	Correctional Institution/State Custody (ages 17 and above)*	SIS record indicating transfer.
35	Transferred to LEA monitored Adult Education to pursue GED	SIS record indicating transfer.
36	Completer: Skills Certificate Only	SIS record and documentation of certificate earned
37	Disaster Exit	N/A
40	Transferred under Student Scholarship for Excellence within student's district of residence	SIS record indicating transfer.
41	Transferred under Student Scholarship for Excellence in a district other than the student's district of residence	SIS record indicating transfer.
42	Transferred under Student Scholarship for Excellence to a non-public school	SIS record indicating transfer.
44	Transferred to Registered Nonpublic School Not Seeking State Approval (Beginning in 2015-2016)	N/A
97	Unknown	N/A

B. – E. ...

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