

NOTICE OF INTENT

Board of Elementary and Secondary Education

Learning Pods

(LAC 28: CXV.905, 3601, 3603, 3605, 3607, 3609, 3703; LAC 28: CXXIX.2721)

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 proposes to amend LAC 28: CXV in *Bulletin 741 – Louisiana Handbook for School Administrators* and LAC 28: CXXIX in *Bulletin 126 – Charter Schools*. The aforementioned revisions to LAC 28: CXV in *Bulletin 741 – Louisiana Handbook for School Administrators* provides the following: that elementary school teachers shall not teach no more than two grades in a combined group except when assigned to a learning pod; the rules that govern the implementation of learning pods by public school governing authorities and also defines what a learning pod is; eligibility and admission requirements for students assigned to learning pods; pertinent policies, procedures and requirements for the implementation of learning pods in a public school governing authority; the qualifications and requirements of teachers providing instruction to learning pods; the required information that shall be provided to the department for each learning pod location request; and the definition of what a public school governing authority is. The aforementioned revision to LAC 28: CXXIX in *Bulletin 126* provides that charter schools may establish learning pods pursuant to R.S. 17:4036.1 and LAC. CXV.

TITLE 28

EDUCATION

Bulletin 741 – Louisiana Handbook for School Administrators

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 9. Scheduling

§905. Elementary Grades Per Class

A. Elementary teachers shall teach no more than two grades in a combined group except in band, music, and art, or when assigned to a learning pod.

A.1.-2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S. 17:7; R.S. 17:151; R.S. 17:174.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1271 (June 2005), LR 49:

Chapter 36. Learning Pods

§3601. Purpose

A. This section outlines rules for public school governing authorities to govern the implementation of learning pods as extensions of public schools.

B. A learning pod is defined as at least ten students enrolled in a school who receive instruction in a small group setting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6) and R.S. 4036.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 49:

§3603. Student Assignment and Eligibility

A. A student is eligible for assignment to a learning pod if the student meets admission requirements in accordance with R.S. 17:221(B) and eligibility requirements in accordance with R.S. 17:222(A).

B. A student shall be assigned to a learning pod only if the assignment is:

1. Requested, in writing, by the parent or legal guardian of the student; and
2. Recommended by school officials.

C. Students shall be registered at the school with which the learning pod is affiliated.

D. Any students assigned to a learning pod shall be subject to all requirements applicable to students enrolled in the school who are not assigned to a learning pod.

E. Any students assigned to a learning pod shall be eligible for participation in all services and activities for which they would be eligible if not assigned to a learning pod.

1. Assignment to a learning pod shall not violate provision of services required in state and federal statute and BESE policy and shall be in compliance with Section 504 of the Rehabilitation Act and IDEA mandates.

2. If a required service is not available at the learning pod site, those services shall be provided to the student at the main school campus or by other acceptable alternative sites consistent with state and federal law.

F. A student assigned to a learning pod shall be withdrawn from the learning pod upon parental request, parental approval of a school recommendation to remove the student from the learning pod, or after a fair and impartial due process hearing.

G. The student population of a learning pod may be a blended population of multiple grade levels, in compliance with all state and federal laws and regulations.

H. Students assigned to a learning pod shall be counted among the enrollment of the school for purposes of full funding through the minimum foundation program formula, provided the student meets the MFP Membership Definition as provided in BESE Administrative Code (LAC 28:I.1107).

I. Students assigned to a learning pod shall be included in the performance measures for the school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.1; R.S. 17:158; and R.S. 17:4036.1

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 49:

§3605. Policies and Procedures

A. Each public school governing authority may establish learning pods as an extension of any school under its jurisdiction.

B. The establishment of a learning pod shall be subject to policies and procedures adopted by a public school governing authority, which, at a minimum, shall provide for the following:

1. The student population of the learning pod, which may be a blended population of students of different grade levels, including the proposed number of students enrolled in each learning pod.

2. The method of instruction for the learning pod, which may occur in-person at a physical location on the school campus, remotely through virtual instruction, or through a hybrid approach that combines both methods, including the proposed school times for each learning pod.

3. Any specialized curriculum or program provided in the learning pod.

4. The process for a parent to request student assignment to a learning pod, grant authorization for student assignment to a learning pod if recommended by school officials, and withdraw a student from a learning pod.

5. The process for seeking parent approval to enroll additional students in the learning pod should the enrollment in a learning pod fall below the threshold of ten students.

6. Emergency procedures required for each learning pod, which must be included in the emergency plan developed in accordance with §339 of this Bulletin and must include the following:

a. a description of available communications systems located at the learning pod;

b. whether teachers at the learning pod have been trained on the incident report policy, threat assessment policy, and emergency response procedures of the public school governing authority and learning pod;

c. required contact information for local law enforcement for the learning pod location.

7. Provision of special educational and related services to exceptional students in accordance with the IEP for the entirety of the school year.

8. An incident report policy for the learning pod.

9. If applicable, evidence of insurance coverage of learning pod location.

C. Attendance at a learning pod shall be checked and recorded in accordance with LAC 28: CXV.1103.

D. The facility in which a learning pod is located must meet the definition of a school as defined in R.S. 17:236 and must be structurally sound, lack known or potentially dangerous material that may be present in construction material, and should have sufficient available space to meet the needs of the students.

E. "Virtual instruction" does not constitute a "virtual school" as that term is defined by LRS 17:236.3(A).

F. Additional school policies may be adopted to address specific operation of the learning pod distinct from the general requirements applicable to all students enrolled in the school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.1; R.S. 17:24.5; R.S. 17:232.B.(1); R.S. 17:236; and R.S. 17:4036.1

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 49:

§3607. Teacher Qualifications & Requirements

A. All instruction provided to students assigned to learning pods shall be provided by teachers employed by the school operating the learning pod.

B. All teachers providing instruction in a learning pod shall meet all qualifications and be subject to all requirements applicable to teachers at the school who are not assigned to a learning pod.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.1; R.S. 17:7(6); and R.S. 17:4036.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 49:

§3609. Reporting

A. Public school governing authorities shall provide the department the following information for each learning pod location upon request:

1. the physical location of each learning pod authorized by the public school governing authority;

2. the hours of operation;

3. the name of the teacher(s) of record in the learning pod;

4. the list of students served at the learning pod location;

5. the purpose or key focus area of each learning pod; and

6. evidence of insurance coverage for the learning pod location.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.1 and R.S. 17:4036.1

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 49:

§3703. Definitions

Public School—a school operated by publicly elected or appointed school officials and supported primarily by public funds.

Public School Governing Authority—the city, parish, charter, or other local public school board of any public elementary or secondary school.

Public School System Accreditation—an accreditation classification, which is based upon the fifth-year, on-site verification of the annual system and school reports, and which is granted by the state Department of Education.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:439.1, and 17:3391.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1316 (June 2005), amended LR 39:2231 (August 2013), LR 46:1673 (December 2020), amended LR 48:34 (January 2022), LR 49:

Bulletin 126 – Charter Schools

Part CXXXIX. Bulletin 126—Charter Schools

Chapter 27. Charter School Recruitment and Enrollment

§2721. Learning Pods

A. Charter schools may establish learning pods pursuant to R.S. 17:4036.1 and LAC 28:CXV. Chapter 36 upon providing written notice to the department and completing a learning pod pre-opening checklist.

1. The school must provide written notice to the department prior to the scheduled opening date of the learning pod.
2. The charter school must complete all learning pod pre-opening requirements before students can enter the designated learning pod location.
3. The charter school must receive written notice of approval from the department before opening the designated learning pod location. Written approval shall be provided by the department to the charter school within 60 days of receipt of the request from the charter school; otherwise the request shall be deemed approved.

B. In accordance with R.S. 17:4036.1, a charter school pod shall be considered an extension of the charter school and be subject to all state and federal laws, policies, rules, and regulations applicable under the charter operating agreement, including compliance with R.S. 17:3991(E)(3).

C. The procedures for recruitment and enrollment of charter school students assigned to a learning pod shall be consistent with the provisions of LAC 28:CXXXIX. Chapter 7, except that the waitlist for the learning pod shall be maintained and administered separately from that of the charter school home campus.

D. The charter operator must seek a material amendment to the charter contract prior to opening a learning pod in the case of one or more of the following:

1. the school enrollment will exceed the authorized total enrollment stated in the charter agreement pursuant to R.S. 17:3991 and LAC 28:CXXXIX.2703;
2. more than fifty percent of the students enrolled in the charter school will attend a location other than the initially approved main school location site; or
3. more than fifty percent of the students enrolled in the charter school will engage in a virtual learning program for more than fifty percent of the school day averaged over a semester.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S. 17:7; R.S. 17:3981; and R.S. 17:4036.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 49:

COMPARISON DOCUMENT

TITLE 28

EDUCATION

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§905. Elementary Grades Per Class

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2. The charter school must complete all learning pod pre-opening requirements before students can enter the designated learning pod location.

3. The charter school must receive written notice of approval from the department before opening the designated learning pod location. Written approval shall be provided by the department to the charter school within 60 days of receipt of the request from the charter school; otherwise the request shall be deemed approved.

B. In accordance with R.S. 17:4036.1, a charter school pod shall be considered an extension of the charter school and be subject to all state and federal laws, policies, rules, and regulations applicable under the charter operating agreement, including compliance with R.S. 17:3991(E)(3).

C. The procedures for recruitment and enrollment of charter school students assigned to a learning pod shall be consistent with the provisions of LAC 28:CXXXIX, Chapter 7, except that the waitlist for the learning pod shall be maintained and administered separately from that of the charter school home campus.

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AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S. 17:7; R.S. 17:3981; and R.S. 17:4036.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 49:

**STATE 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 CXV. *Bulletin 741—Louisiana Handbook for School Administrators* (LAC 28: CXV.905, 3601, 3603, 3605, 3607, 3609, and 3703) and Part CXXXIX. *Bulletin 126—Charter Schools* (LAC 28:CXXXIX.2721)

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:

I. 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: 12/20/2022

**STATE BOARD OF ELEMENTARY AND SECONDARY EDUCATION
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 CXV. *Bulletin 741—Louisiana Handbook for School Administrators* (LAC 28: CXV.905, 3601, 3603, 3605, 3607, 3609, and 3703) and Part CXXXIX. *Bulletin 126—Charter Schools* (LAC 28:CXXXIX.2721)

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: _____

Date Submitted: 12/20/2022

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, February 10, 2023, to Shan N. Davis, 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 Shan Davis, 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.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

Person
Preparing
Statement: Ashley Townsend Dept.: LA Department of Education
Board of Elementary &
Secondary Education

Phone: (225) 342-3446 Office: Governmental, Admin., and Public Affairs

Return
Address: P. O. Box 94064 Rule
Baton Rouge, LA Title: Part CXV. *Bulletin 741 -*
Louisiana Handbook for School
Administrators (LAC 28: CXV.905, 3601,
3603, 3607, 3609, and 3703) and Part
CXXXIX. *Bulletin 126—Charter Schools*
(LAC 28:CXXIX.2721)

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)

There are no anticipated implementation costs or savings to state or local governmental units due to the proposed rule revisions to LAC 28: CXV in *Bulletin 741 – Louisiana Handbook for School Administrators*. The proposed rule changes provide that elementary school teachers shall teach no more than two grades in a combined group, except when assigned to a learning pod; define the rules that govern the implementation of learning pods by public school governing authorities and also define a learning pod; outline eligibility and admission requirements for students assigned to learning pods; provide for pertinent policies, procedures and requirements for the implementation of learning pods by a public school governing authority; outline the qualifications and requirements of teachers providing instruction in learning pods; outline the required information that shall be provided to the department for each learning pod information request; and define of a public school governing authority. The proposed rule revisions to LAC 28: CXXXIX in *Bulletin 126 – Charter Schools* provide for the manner in which charter schools may establish learning pods pursuant to R.S. 17:4036.1 and LAC 28: CXV.

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

The proposed rule revisions will not have a determinable effect on revenue collections of state or local governmental units. Charter schools may be able to attract greater student enrollment due to the ability to provide unique or more conveniently located programs through the creation of learning pods. This may result in an increase in the amount of student funding directed to the charter school through the Minimum Foundation Program and a decrease in the amount of student funding directed to the traditional public school that the student would otherwise attend. Charter schools may not charge tuition or attendance fees pursuant to R.S. 17:3991(E)(3). The number of additional students and the resultant increase or decrease in minimum foundation program funds directed to a school are indeterminable.

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

The proposed rule revisions may benefit students and parents due to the ability to provide unique or more conveniently located programs through the creation of learning pods.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule revisions will not have an effect on competition and employment. The teachers in a learning pod must be on the staff of the school for which the learning pod is an extension.

Signature of Agency Head or Designee

Legislative Fiscal Officer or Designee

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

Date of Signature

Date of Signature

LFO 10/04

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 revisions to LAC 28: CXV in *Bulletin 741 – Louisiana Handbook for School Administrators* provide that elementary school teachers shall teach no more than two grades in a combined group, except when assigned to a learning pod; define the rules that govern the implementation of learning pods by public school governing authorities and also define a learning pod; outline eligibility and admission requirements for students assigned to learning pods; provide for pertinent policies, procedures and requirements for the implementation of learning pods by a public school governing authority; outline the qualifications and requirements of teachers providing instruction in learning pods; outline the required information that shall be provided to the department for each learning pod information request; and defines of a public school governing authority. The proposed rule revisions to LAC 28: CXXXIX in *Bulletin 126 – Charter Schools* provide for the manner in which charter schools may establish learning pods pursuant to R.S. 17:4036.1 and LAC 28: CXV.

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

Act 400 of the 2021 Regular Legislative Session enacted R.S. 17:4036.1 to provide for learning pods. The proposed rule revisions establish policy to outline rules for public school governing authorities to govern the implementation of learning pods in accordance with statute.

- 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?

The proposed rule revisions will have no effect on costs or savings to state agencies. Type 2 charter schools seeking to open a learning pod will request approval from the Louisiana Department of Education (LDOE). LDOE will utilize existing staff to review and communicate approval status of these applications. This is not anticipated to result in an increase to costs.

| COSTS | FY 23 | FY 24 | FY 25 |
|-------------------------|--------------|--------------|--------------|
| Personal Services | 0 | 0 | 0 |
| Operating Expenses | 0 | 0 | 0 |
| Professional Services | 0 | 0 | 0 |
| Other Charges | 0 | 0 | 0 |
| Equipment | 0 | 0 | 0 |
| Major Repairs & Constr. | 0 | 0 | 0 |
| TOTAL | 0 | 0 | 0 |
| POSITIONS (#) | 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.

Not applicable.

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

| SOURCE | FY 23 | FY 24 | FY 25 |
|-----------------------|--------------|--------------|--------------|
| State General Fund | 0 | 0 | 0 |
| Agency Self-Generated | 0 | 0 | 0 |
| Dedicated | 0 | 0 | 0 |
| Federal Funds | 0 | 0 | 0 |
| Other (Specify) | 0 | 0 | 0 |
| 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?

Yes.

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.

Charter schools may be able to attract greater student enrollment due to the ability to provide unique or more conveniently located programs through the creation of learning pods.

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

The proposed rule revisions may result in an increase in the amount of student funding directed to the charter school through the Minimum Foundation Program and a decrease in the amount of student funding directed to the traditional public school that the student would otherwise attend.

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 revisions will not have a determinable effect on revenue collections of local governmental units. Charter schools may be able to attract greater student enrollment due to the ability to provide unique or more conveniently located programs through the creation of learning pods. This may result in an increase in the amount of student funding directed to the charter school through the Minimum Foundation Program and a decrease in the amount of student funding directed to the traditional public school that the student would otherwise attend. Charter schools may not charge tuition or attendance fees pursuant to R.S. 17:3991(E)(3). The number of additional students and the resultant increase or decrease in minimum foundation program funds directed to a school are indeterminable.

| REVENUE INCREASE/DECREASE | FY 23 | FY 24 | FY 25 |
|----------------------------------|--------------|--------------|--------------|
| State General Fund | 0 | 0 | 0 |
| Agency Self-Generated | 0 | 0 | 0 |
| Dedicated Funds* | 0 | 0 | 0 |
| Federal Funds | 0 | 0 | 0 |
| Local Funds | 0 | 0 | 0 |
| 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.

Not applicable.

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

The proposed rule revisions may benefit students and parents due to the ability to provide unique or more conveniently located programs through the creation of learning pods.

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.

Not applicable.

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.

Teachers in learning pods must be on the staff of the school of which the learning pod is an extension. The creation of learning pods may enable traditional or charter public schools to increase marketability and attract greater student enrollment. The extent to which schools will choose to create learning pods is unknown.