

NOTICE OF INTENT
BOARD OF ELEMENTARY AND SECONDARY EDUCATION

Dyslexia
(LAC 28: XXXV.101, 103, 105, 107, 109, and 111)

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:XXXV in *Bulletin 1903 –Louisiana Handbook for Students with Dyslexia*. The proposed revisions, developed in response to Act 266 of the 2023 Regular Legislative Session, set forth the following: update terms and definitions; add team member trained in identification of dyslexia during screening, assessment, and intervention planning; identify information and skilled staff to be included when reviewing a student case; clarify refusal to SBLC or pupil appraisal and required parent notification; and outline criteria for multisensory structured language and literacy programs.

Title 28
EDUCATION

Part XXXV. Bulletin 1903—Louisiana Handbook for Students with Dyslexia

Chapter 1. General Provisions

§101. Definitions

Accommodation—strategies, tools, or adjustments to the educational environment that facilitate equal access to instruction and instructional content for students with disabilities. Accommodations do not alter the rigor, expectations, requirements, or content of the curriculum, learning task, or assessment measures.

Assessment—the act or systematic process of using a wide variety of methods or tools to evaluate, measure, and document the academic readiness, learning progress, skill acquisition, or educational needs of students in order to improve student learning.

At-risk—a classification of scores falling within a certain range on a screening measure that indicates a student may have difficulties with grade-level tasks and that additional, targeted instructional support is necessary.

* * *

Developmental Auditory Imperception—Repealed.

Dysgraphia—Repealed.

Dyslexia—an unexpected difficulty in reading for an individual who has the intelligence to be a much better reader, most commonly caused by a difficulty in phonological processing, the appreciation of the individual sounds of spoken and written language, which affects the ability of an individual to speak, read, and spell.

Dysphasia—Repealed.

Evaluation—the in-depth process, in accordance with LAC 28:CI, *Bulletin 1508*, used by qualified personnel in the of review, examination, and interpretation of intervention efforts, test results, interviews, observations, and other assessment information to gather relevant functional, developmental, and academic information that may assist in determining whether a student has an exceptionality and the nature and extent of the special education and related services.

Expressive Language—the act of conveying information through writing, speaking, or gesturing.

Fluency—reading words at an adequate rate, with high levels of accuracy, rate, and with appropriate expression.

Grapheme—Repealed.

IDEA—Individuals with Disabilities Education Act (Public Law 105-17), also referred to as the special education statute. The federal regulation is designed to provide a free appropriate public education (FAPE) to eligible children with disabilities and ensure special education and related services to those children.

* * *

Phonemic Awareness—the ability to hear and manipulate sounds in spoken words and understand that syllables can be divided into a sequence of phonemes, which is one aspect of the larger category of phonological awareness.

Phonics—method of instruction that teaches the systematic relationship between letter and letter combinations in written language and the individual sounds in spoken language and how to use these relationships to read and spell words.

* * *

Phonology—the study of the speech sounds of a language and the underlying rules of usage.

Rapid Automatic Naming (RAN)—the ability to rapidly name visually presented stimuli such as colors, objects, numbers, and letters.

Receptive Language—the act of understanding information by listening, reading, or gesturing.

Related Disorders—Repealed.

Screening—a quick procedure designed to identify individuals who demonstrate a greater probability of having a specific condition and may receive supplemental intervention services or be referred for more in-depth assessment.

* * *

Semantics—the study of word and phrase meanings.

Syntax—the study of how sentences are formed and of the grammatical rules that govern sentence formation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(11), R.S. 17:392.1 and 17:392.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 47:722 (June 2021), repromulgated LR 47:1287 (September 2021), LR 50:

§103. Local Education Agency (LEA) Responsibilities

A. When considering dyslexia, LEAs shall assign school personnel trained in the identification of dyslexia to oversee student screening, assessment, and evaluation for determination of program eligibility.

B. For students with dyslexia, LEAs shall implement an evidence-based multisensory structured language and literacy instructional approach with a program that includes instruction that utilizes all learning pathways in the brain, including visual/auditory and kinesthetic/tactile, simultaneously to enhance memory and learning. Instruction should be explicit, systematic, sequential, cumulative, individualized, and diagnostic and should include automaticity of performance, simultaneous multisensory activities, and synthetic analytic phonics and in accordance with state and federal requirements.

C. No later than December 15 annually, LEAs shall submit a report to the LDOE relative to the occurrence of dyslexia. The report shall include numbers of students of all grade levels:

1. identified as having dyslexia through a Section 504 plan;
2. initially identified as having dyslexia the previous year;
3. identified with an IEP as having a specific learning disability, dyslexia; and
4. total number identified as having dyslexia.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(11), R.S. 17:392.1 and 17:392.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 47:723 (June 2021), repromulgated LR 47:1287 (September 2021), LR 49:245 (February 2023), repromulgated LR 49:851 (May 2023), LR 50:

§105. School Level Responsibilities

A. School leaders shall select a School Building Level Committee (SBLC) composed of members knowledgeable of student data, assessment processes, and dyslexia to determine if a student is at-risk. SBLC members shall use information from teachers and parents or guardians, screening data, intervention data, performance based tasks, and/or written assignments indicating below grade-level performance deficits in basic reading skills to guide decision making.

B. SBLC members on committees reviewing data for a student who is identified as at-risk for reading difficulty, which includes indicators of dyslexia, shall include, but are not limited to:

1. ...
2. Repealed.
3. a speech-language pathologist, educational diagnostician, dyslexia practitioner, dyslexia therapist, and/or a person trained in the identification of dyslexia;
4. a principal or their designee; and
5. the referring teacher.
6. A parent or guardian shall be an invited participant in discussions regarding their child's difficulties.

C. ...

D. Professional development shall be provided regarding the identification of dyslexia, state and federal regulations regarding dyslexia, the characteristics of dyslexia, and LEA policies for implementation of the assessment and program process.

E. Educator training shall include information necessary to implement specialized research-based, multi-sensory language instructional interventions and strategies for students with dyslexia.

F. Students identified with skills below grade level shall receive interventions and a reading improvement plan.

G. Screening Results. If screening results indicate that a student is at-risk for dyslexia,

- a. the parent or guardian shall be notified within thirty days of the results of the screening; and
- b. the school shall determine through history, observation, and psychometric assessment if there are unexpected difficulties in reading and associated linguistic problems at the level of phonological processing that are unrelated to the student's intelligence, age, and grade level.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(11), R.S. 17:392.1 and 17:392.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 47:723 (June 2021), repromulgated LR 47:1288 (September 2021), LR 50:

§107. School Building Level Committee (SBLC) Responsibilities

A. Request for SBLC review from a parent or educator or at-risk screening data shall initiate the preliminary gathering of data to assist in addressing the educational progress of a student who is consistently struggling or having difficulty attaining expected academic progress, despite receiving instruction in a high quality curriculum with the implementation of additional instructional intervention strategies within the framework of a multi-tiered system of support.

B. – C.4.

5. referral to pupil appraisal for support services;
6. return to regular classroom without further strategies or interventions.

D. The SBLC may repeat the review process should concerns regarding dyslexia or reading difficulties become evident or emerge at a later date.

E. Private evaluation results and documentation submitted by a parent or guardian must be reviewed by the SBLC which shall include at least one member trained in the identification of dyslexia.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(11), R.S. 17:392.1 and 17:392.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 47:723 (June 2021), repromulgated LR 47:1288 (September 2021), LR 50:

§109. Screening Requirements

A. In accordance with LAC 28: CXV. *Bulletin 741: Louisiana Handbook for School Administrators*, all students enrolled in kindergarten through third grade shall be administered a universal early literacy screener three times per school year: within the first 30 days of the school year, in December, and in April. Screening results shall be used to plan instruction and provide appropriate and timely intervention.

B. The early literacy screening instrument shall measure, at minimum, developmentally appropriate skills in:

1. phonological awareness,
2. phonics,
3. decoding,
4. fluency, and
5. comprehension.

C. – C.2.

Repealed.

D. A universal early literacy screener score that indicates deficits, below grade level benchmarks, shall result in additional screening to include:

1. Kindergarten and fall semester of first grade students shall be screened in the following areas:
 - a. phonological awareness including onset and rime, rhyming and syllable manipulation; and
 - b. rapid automatic naming of colors, objects, and/or numbers.
2. spring semester of first grade through third grade students shall be screened in the following areas:
 - a. phonological/phonemic awareness including blending, onset and rime, rhyming, syllable manipulation, and phoneme segmentation and manipulation;
 - b. rapid automatic naming of colors, objects, and/or numbers;
 - c. encoding skills using spontaneous spelling;
 - d. oral and written language skills; and
 - e. letter sound association.

E. Data from screenings should be used to make informed decisions about evidence-based interventions. Progress should be monitored frequently to determine the student’s response to the targeted interventions and the rate of improvement. If a student continues to struggle with literacy skills, despite high-quality instruction using a multi-tiered system of supports, the student shall be referred for SBLC review.

F. Screening is not limited to students in kindergarten through third grade and may be administered at any grade level if a student exhibits impediments to a successful school experience or upon request of a teacher, parent, or guardian.

G. – H.

...

I. The IDEA Child Find mandate requires all school districts to proactively identify, locate, and evaluate all students who are suspected of having a disability. If a school system suspects that a student has a disability based on screening data, the LEA is obligated to evaluate the needs of the student. The use of screening measures and/or tiered interventions may not be used to delay or deny the evaluation of a student suspected of having a disability.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(11), R.S. 17:24.9, R.S. 17:392.1 and 17:392.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 47:724 (June 2021), repromulgated LR 47:1288 (September 2021), LR 50:

§111. Multisensory Structured Language and Literacy Program Criteria

A. A multisensory structured language and literacy program utilizes all the senses to enhance student memory and learning and shall consist of specific content components to include:

1. – D.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(11), R.S. 17:392.1 and 392.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 47:724 (June 2021), repromulgated LR 47:1289 (September 2021), LR 50:

COMPARISON DOCUMENT

TITLE 28

EDUCATION

Part XXXV. Bulletin 1903—Louisiana Handbook for Students with Dyslexia

Chapter 1. General Provisions

§101. Definitions

Accommodation—strategies, tools, or adjustments to the educational environment that facilitate equal access to instruction and instructional content for students with disabilities. Accommodations do not alter the rigor, expectations, requirements, or content of the curriculum, learning task, or assessment measures. any technique that alters the academic setting or environment but generally does not change the information or amount of information learned to enable a student to exhibit knowledge more accurately.

Assessment—the act or systematic process of using a wide variety of methods or tools to evaluate, measure, and document the academic readiness, learning progress, skill acquisition, or educational needs of students in order to improve student learning. gathering data in order to better understand the strengths and weaknesses of student learning through observation, testing, interviews, screening, and evaluation.

At-risk—a classification of scores falling within a certain range on a screening measure that indicates a student may have difficulties with grade-level tasks and that additional, targeted instructional support is necessary.

Developmental Auditory Imperception—Repealed.

Dysgraphia—Repealed.

Dyslexia—an unexpected difficulty in reading for an individual who has the intelligence to be a much better reader, most commonly caused by a difficulty in phonological processing, the appreciation of the individual sounds of spoken and written

language, which affects the ability of an individual to speak, read, and spell, noting that phonological processing is the appreciation of the individual sounds of spoken and written language.

Dysphasia—Repealed.

Evaluation—the in-depth process, in accordance with LAC 28:CI, *Bulletin 1508*, used by qualified personnel in the of review, examination, and interpretation of intervention efforts, test results, interviews, observations, and other assessment information to gather relevant functional, developmental, and academic information that may assist in determining whether a student has an exceptionality and the nature and extent of the special education and related services, relative to predetermined criteria.

Expressive Language—the act of conveying information through writing, speaking, or gesturing.

Fluency—reading words at an adequate rate, with high levels of accuracy, rate, and with appropriate expression. the clear, easy, written or spoken expression of ideas.

Grapheme—Repealed.

IDEA—Individuals with Disabilities Education Act (Public Law 105-17), also referred to as the special education statute. The federal regulation is designed to provide a free appropriate public education (FAPE) to eligible children with disabilities and ensure special education and related services to those children.

* * *

Phonemic Awareness—the ability to hear and manipulate sounds in spoken words and understand that syllables can be divided into a sequence of phonemes, which is one aspect of the larger category awareness that spoken words or syllables can be divided into a sequence of phonemes, which pertains to the rule system and is a subcategory of phonological awareness.

Phonics—method of instruction that teaches the systematic relationship between letter and letter combinations in written language and the individual sounds in spoken language and how to use these relationships to read and spell words, an approach to teaching reading and spelling that stresses symbol-sound relationships, especially in beginning reading instruction.

* * *

Phonology—the study of the speech sounds of a language and the underlying rules of usage.

Rapid Automatic Naming (RAN)—the ability to rapidly name visually presented stimuli such as colors, objects, numbers, and letters.

Receptive Language—the act of understanding information by listening, reading, or gesturing.

Related Disorders—Repealed.

Screening—a quick procedure designed to identify individuals who demonstrate a greater probability of having a specific condition and may receive supplemental intervention services or be referred for more in-depth assessment, a brief examination, which determines the presence or absence of an important impediment to learning.

* * *

Semantics—the study of word and phrase meanings, in language.

Syntax—the study of how sentences are formed and of the grammatical rules that govern sentence formation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(11), R.S. 17:392.1 and 17:392.3.

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B. For students with dyslexia, LEAs shall implement an evidence-based multisensory structured language and literacy instructional approach with a program that includes instruction that utilizes all learning pathways in the brain, including visual/auditory and kinesthetic/tactile, simultaneously to enhance memory and learning. Instruction should be explicit, systematic, sequential, cumulative, individualized, and diagnostic and should include automaticity of performance, simultaneous multisensory activities, and synthetic analytic phonics and programs for students with characteristics of dyslexia and other related disorders in accordance with state and federal requirements.

C. No later than December 15 annually, LEAs shall submit a report to the LDOE relative to the occurrence of dyslexia. The report shall include numbers of students of all grade levels: identified as dyslexic or exhibiting characteristics of dyslexia:

1. identified as having dyslexia through a Section 504 plan;
2. initially identified as having dyslexia the previous year;
3. identified with an IEP as having a specific learning disability, dyslexia; and
4. total number identified as having dyslexia.

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B. SBLC members on committees reviewing data for a student who is identified as at-risk for reading difficulty, which includes indicators of dyslexia, shall include, but are not limited to:

1. ...
2. Repealed.

3. a speech-language pathologist, educational diagnostician, dyslexia practitioner, dyslexia therapist, and/or a person trained in the identification of dyslexia;

4. a principal or their designee; and

5. the referring teacher.

6. A parent or guardian shall be an invited participant in discussions regarding their child's difficulties.

C. ...

D. Professional development shall be provided ~~about~~ regarding the identification of dyslexia, state and federal regulations regarding dyslexia, the characteristics of dyslexia, and the LEA policies for implementation of the assessment and program process.

E. Educator training shall include information necessary to implement specialized research-based, multi-sensory language instructional interventions and strategies for students with ~~characteristics of~~ dyslexia.

F. Students identified with skills below grade level shall receive interventions and a reading improvement plan. An intervention plan shall be established for students identified as demonstrating characteristics of dyslexia according to assessment and program determinations.

G. Screening Results. If screening results indicate that a student is at-risk for dyslexia,

a. the parent or guardian shall be notified within thirty days of the results of the screening; and

b. the school shall determine through history, observation, and psychometric assessment if there are unexpected difficulties in reading and associated linguistic problems at the level of phonological processing that are unrelated to the student's intelligence, age, and grade level.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(11), R.S. 17:392.1 and 17:392.3.

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§107. School Building Level Committee (SBLC) Responsibilities

A. Request for SBLC review from a parent or educator ~~or at-risk screening data~~ shall initiate the preliminary gathering of data to assist in addressing the educational progress of a student who is consistently struggling or having difficulty attaining expected academic progress, despite receiving instruction in a high quality curriculum with the implementation of additional instructional intervention strategies within the framework of a multi-tiered system of support.

B. – C.4. ...

5. ~~referral to pupil appraisal for support services; return to regular classroom without further strategies or interventions.~~

6. return to regular classroom without further strategies or interventions.

D. The SBLC may repeat the review process should ~~characteristics of dyslexia concerns~~ regarding dyslexia or reading difficulties become evident or emerge at a later date.

E. Private evaluation results and documentation submitted by a parent or guardian must be reviewed by the SBLC which shall include at least one member trained in the identification of dyslexia.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(11), R.S. 17:392.1 and 17:392.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 47:723 (June 2021), repromulgated LR 47:1288 (September 2021), LR 50:

§109. Screening Requirements

A. In accordance with LAC 28: CXV. Bulletin 741: Louisiana Handbook for School Administrators, all students enrolled in kindergarten through third grade shall be administered an a universal early literacy screener three times per school year: within the first 30 days of the school year, ~~in December, and in April.~~ Screening results shall be used to plan instruction and provide appropriate and timely intervention.

B. ~~Students in kindergarten and fall semester of first grade shall be screened with an~~ The early literacy screening instrument shall ~~to measure, at minimum, developmentally appropriate skills in:~~

1. phonemic phonological awareness,

2. phonics, letter naming fluency, and

3. ~~decoding, letter sound recognition.~~

4. fluency, and

5. comprehension.

C. – C.2.

Repealed.

D. A universal early literacy screener score that indicates deficits, below grade level benchmarks, shall result in additional screening to include:

1. Kindergarten and fall semester of first grade students shall be screened in the following areas:

a. phonological awareness ~~such as~~ including onset and rime, rhyming and syllable manipulation; and/or

b. rapid automatic naming skills ~~such as~~ of colors, objects, and/or numbers.

2. spring semester of first grade through third grade students shall be screened in the following areas:

a. phonological/phonemic awareness ~~such as~~ including blending, onset and rime, rhyming, syllable manipulation, and phoneme segmentation and manipulation ~~or phoneme manipulation;~~

b. rapid automatic naming ~~skills such as~~ of colors, objects, letters, and/or numbers;

c. encoding skills using spontaneous spelling;

d. oral and written language skills; ~~and.~~

e. letter sound association.

E. Data from screenings should be used to make informed decisions about evidence-based interventions. Progress should be monitored frequently to determine the student's response to the targeted interventions and the rate of improvement. If a student continues to struggle with literacy skills, despite high-quality instruction using a multi-tiered system of supports, the student shall be referred for SBLC review. A student demonstrating deficits after additional screening is considered to have characteristics of dyslexia and shall be provided appropriate structured language and literacy interventions.

F. Screening is not limited to students in kindergarten through third grade and may be administered at any grade level if a student exhibits impediments to a successful school experience or upon request of a teacher, parent, or guardian.

G. – H.

I. The IDEA Child Find mandate requires all school districts to proactively identify, locate, and evaluate all students who are suspected of having a disability. If a school system suspects that a student has a disability based on screening data, the LEA is obligated to evaluate the needs of the student. The use of screening measures and/or tiered interventions may not be used to delay or deny the evaluation of a student suspected of having a disability.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(11), R.S. 17:24.9, R.S. 17:392.1 and 17:392.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 47:724 (June 2021), repromulgated LR 47:1288 (September 2021), LR 50:

§111. Multisensory Structured Language and Literacy Program Criteria

A. A multisensory structured language and literacy program utilizes all the senses to enhance student memory and learning and shall consist of specific content components to include:

1. – D.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(11), R.S. 17:392.1 and 392.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 47:724 (June 2021), repromulgated LR 47:1289 (September 2021), LR 50:

**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
Part XXXV. Bulletin 1903— Louisiana Handbook for Students with Dyslexia (LAC 28:XXXV.101, 103, 105, 107, 109, and 111)
Rule Title: 105, 107, 109, and 111)

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? No
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: 4/12/2024

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

Person Preparing

Statement: Ashley Townsend
Phone: 225.342.3446
Division: Governmental, Administrative, and Public Affairs
Part XXXV. Bulletin 1903— Louisiana Handbook for Students with Dyslexia (LAC 28:XXXV.101, 103, 105, 107, 109, and 111)
Rule Title: 105, 107, 109, and 111)

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: 4/12/2024

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, June 10, 2024, to Kimberly Tripeaux, Interim 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.

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

Person Preparing Statement: <u>Ashley Townsend</u>	Department:	Louisiana Department of Education; Board of Elementary and Secondary Education
Phone: <u>225.342.3446</u>	Office:	Governmental, Administrative, and Public Affairs
Return Address: <u>P.O. Box 94064 Baton Rouge, LA 70804</u>	Rule Title:	Part XXXV. <i>Bulletin 1903—Louisiana Handbook for Students with Dyslexia</i> (LAC 28:XXXV.101, 103, 105, 107, 109, and 111)
	Date Rule Takes Effect:	<u>Upon final adoption by BESE</u>

SUMMARY

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)

There are no anticipated implementation costs or savings to state or local governmental units due to the proposed rule change. The rule change, made in response to Act 266 of the 2023 Regular Legislative Session, sets forth revisions regarding updated terms and definitions; adds a team member trained in identification of dyslexia during screening, assessment, and intervention planning; identifies information and skilled staff to be included when reviewing a student case; clarifies referral to a School Building Level Committee or pupil appraisal and required parent notification; and outlines criteria for multisensory structured language and literacy programs.

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


There is no anticipated effect on the revenue collections of state or local governmental units as a result of the proposed rule change.

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

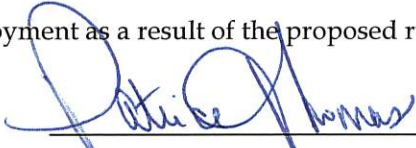
There are no anticipated costs or benefits to directly affected persons, small businesses, or nongovernmental groups as a result of the proposed rule change.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment as a result of the proposed rule change.



Signature of Agency Head or Designee



Legislative Fiscal Officer or Designee

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

5/09/2024

Date of Signature

5/09/2024

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 sets forth the following revisions: updates terms and definitions; adds a team member trained in identification of dyslexia during screening, assessment, and intervention planning; identifies information and skilled staff to be included when reviewing a student case; clarifies referral to SBLC or pupil appraisal and required parent notification; and outlines criteria for multisensory structured language and literacy programs.

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

Act 266 of the 2023 Regular Legislative Session revised several statutes regarding dyslexia and also provided for dyslexia screening for kindergarten students. The actual screening requirement was promulgated through previous BESE rule, but further review of policy was conducted to ensure compliance with statute and support of best practices.

- 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, 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?

The proposed rule change will have no effect on costs or savings to state agencies.

COSTS	FY 24	FY 25	FY 26
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 REPAIR & 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.

Not applicable.

SOURCE	FY 24	FY 25	FY 26
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?

Not applicable.

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.

There are no anticipated impacts to local governmental units as a result of the proposed rule change.

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

Not applicable.

**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?

There is no anticipated effect on the revenue collections of state or local governmental units as a result of the proposed rule change.

<u>REVENUE INCREASE/DECREASE</u>	<u>FY 24</u>	<u>FY 25</u>	<u>FY 26</u>
STATE GENERAL FUND	\$0	\$0	\$0
AGENCY SELF-GENERATED	\$0	\$0	\$0
DEDICATED	\$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 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.

The proposed rule change will not result in costs or economic benefits to directly affected persons, small businesses, or nongovernmental groups.

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.

There is no anticipated impact on competition and employment as a result of the proposed rule change.