

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

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: LAC 28: Parts XI and CXV
Baton Rouge, LA

Date Rule Takes Effect: Upon final promulgation

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 revisions may result in increased costs to school districts to provide extended learning hours to high school seniors. Due to disruptions caused by the COVID-19 pandemic, many seniors in the class of 2021 have not yet satisfied the LEAP 2025 High School Assessment requirements. The proposed revisions would allow such students to meet the LEAP 2025 High School Assessment requirement through alternate pathways, such as by achieving certain scores on the ACT or ACT WorkKeys assessments, or through the completion of extended learning hours.

This may result in workload adjustments for local school systems to the extent students pursue the extended learning hour pathway to satisfy the LEAP 2025 High School Assessment requirement. Because the proposed revision requires extended learning hours to take place after the end of the academic year, there may be costs associated with securing educators to provide this instruction. The number of students eligible to pursue the extended learning pathway is currently unknown, therefore any associated costs are indeterminable at this time.

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

There are no estimated impacts on revenue collections as a result of the proposed revisions.

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

The proposed revisions will not result in costs or benefits to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed revisions may result in increased employment of educators in order to provide extended learning hours to students who do not satisfy the other graduation criteria provided by the revisions to high school seniors enrolled during spring 2021 and graduating by August 31, 2021. Students who do not meet applicable ACT and WorkKeys scoring criteria must complete at least 20 hours of extended learning in each LEAP 2025 high school assessment subject pair for which the student has yet to achieve level 2 (approaching basic) or above. Instruction must be provided by a qualified teacher.

DocuSigned by:
Beth Scioneaux
1261260851D845F
Signature of Agency Head or Designee

Alan R. Berkery
Legislative Fiscal Officer or Designee

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

4/8/2021
Date of Signature

4/9/21
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).

In light of the COVID-19 pandemic, the aforementioned revisions enable high school seniors enrolled during the spring 2021 semester and graduating by August 31, 2021, to substitute the following in lieu of the LEAP 2025 high school assessment requirement:

1. An ACT composite score of 17 or higher for all students; or
2. A score of Silver or higher on ACT WorkKeys for students pursuing a Career Diploma; or
3. An ACT subject score of 17 or higher in the corresponding LEAP 2025 high school assessment; or
4. The student participates in 20 or more extended learning hours per LEAP 2025 high school assessment subject pair (i.e., English I/English II; Algebra I/Geometry; and U.S. History/Biology) for which the student has yet to achieve level 2 (approaching basic/fair) or above, with such instruction provided by a qualified teacher.

- 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 COVID-19 pandemic, many students in the graduating class of 2021 have experienced increased difficulty in satisfying the LEAP 2025 High School Assessment requirements. To ensure these students have an opportunity to graduate by August 31, 2021, the proposed revisions allow eligible students to substitute performance on the ACT, ACT WorkKeys, or extended learning hours in satisfaction of the LEAP 2025 high school assessment requirement.

- 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?

There is no impact to the Department of Education (LDE) as a result of the proposed revisions.

COSTS	FY21	FY22	FY23
PERSONAL SERVICES			
OPERATING EXPENSES	-0-	-0-	-0-
PROFESSIONAL SERVICES			
OTHER CHARGES			
EQUIPMENT			
<u>MAJOR REPAIR & CONSTR.</u>			
<u>POSITIONS (#)</u>			
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.

N/A

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

SOURCE	FY21	FY22	FY23
STATE GENERAL FUND	-0-	-0-	-0-
AGENCY SELF-GENERATED	-0-	-0-	-0-
DEDICATED			
FEDERAL FUNDS	-0-	-0-	-0-
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?

N/A

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 revisions may result in increased costs to school districts to provide extended learning hours to high school seniors. Due to disruptions caused by the COVID-19 pandemic, many seniors in the class of 2021 have not yet satisfied the LEAP 2025 High School Assessment requirements. The proposed revisions would allow such students to meet the LEAP 2025 High School Assessment requirement through alternate pathways, such as by achieving certain scores on the ACT or ACT WorkKeys assessments, or through the completion of extended learning hours.

This may result in workload adjustments for local school systems to the extent students pursue the extended learning hour pathway to satisfy the LEAP 2025 High School Assessment requirement. Because the proposed revision requires extended learning hours to take place after the end of the academic year, there may be costs associated with securing educators to provide this instruction. The number of students eligible to pursue the extended learning pathway is currently unknown, therefore any associated costs are indeterminable at this time.

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

The proposed revisions will not impact sources of funding of local governmental units.

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 are no estimated impacts on revenue collections as a result of the proposed revisions.

REVENUE INCREASE/DECREASE	FY21	FY22	FY23
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.

N/A

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

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 revisions will not result in costs or benefits to directly affected persons, small businesses, or non-governmental 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.

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 proposed revisions may result in increased employment of educators in order to provide extended learning hours to students who do not satisfy the other graduation criteria provided by the revisions to high school seniors enrolled during spring 2021 and graduating by August 31, 2021. Students who do not meet applicable ACT and WorkKeys scoring criteria must complete at least 20 hours of extended learning in each LEAP 2025 high school assessment subject pair for which the student has yet to achieve level 2 (approaching basic) or above. Instruction must be provided by a qualified teacher.

COMPARISON DOCUMENT

Title 28

EDUCATION

Part XI. Accountability/Testing

Subpart 3. Bulletin 118—Statewide Assessment Standards and Practices

Chapter 68. LEAP 2025 Assessments for High School

Subchapter C. LEAP 2025 for High School Administrative Rules

§6821. High School Test Cohorts [Formerly LAC 28:CXL.1821]

A. – B.

1. For high school seniors enrolled during spring 2021 and graduating by August 31, 2021, the following may be substituted for the LEAP 2025 high school assessment requirement, provided the student has initially participated in all LEAP 2025 high school assessments.

- a. An ACT composite score of 17 or higher for all students; or
- b. A score of Silver or higher on ACT WorkKeys for students pursuing a Career Diploma; or
- c. An ACT subject score of 17 or higher in the corresponding LEAP 2025 high school assessment pair, as follows:
 - i. A score of 17 or higher on the ACT English or Reading tests shall satisfy the English I/English II LEAP 2025 high school assessment requirement;
 - ii. A score of 17 or higher on the ACT Mathematics test shall satisfy the Algebra I/Geometry LEAP 2025 high school assessment requirement; and
 - iii. A score of 17 or higher on the ACT Science test shall satisfy the Biology/U.S. History LEAP 2025 high school assessment requirement; or
 - d. The student participates in 20 or more extended learning hours per LEAP 2025 high school assessment subject pair for which the student has yet to achieve level 2 (approaching basic) or above, with such instruction provided by a qualified teacher.
 - i. The instruction must take place following the academic year, and the student must demonstrate proficiency corresponding to level 2 (approaching basic) or above, as determined by either the school or school system.
 - ii. For purposes of this Section, a qualified teacher is defined as a teacher holding a valid and current Louisiana teaching certificate or has received a final COMPASS evaluation of Effective:Emerging or higher.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:977 (May 2010), amended LR 38:36 (January 2012), LR 44:470 (March 2018), LR 47:

Title 28

EDUCATION

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 23. Curriculum and Instruction

Subchapter A. Standards and Curricula

§2318. The TOPS University Diploma

A. – B.1.c.

2. ~~For incoming freshmen in 2010-2011 and beyond, students must meet the assessment requirements below to earn a standard diploma.~~

- a. ~~Students must pass three end-of course tests in the following categories:~~
 - i. ~~English II or English III;~~
 - ii. ~~algebra I or geometry;~~
 - iii. ~~biology or American history.~~
- b. ~~Students with disabilities identified under IDEA who meet the LAA 2 participation criteria and entered high school during or prior to the 2013-2014 school year may meet the assessment requirements by passing the English language areas and mathematics components of the LAA 2 and either the science or social studies component of LAA 2.~~

2. Students who entered traditional grade 9 in 2010-2011 through 2016-2017 are required to score level 2 (approaching basic) or above on English II or English III, algebra I or geometry, and biology or U.S. history to be eligible for a standard high school diploma.

a. Students with disabilities identified under IDEA who meet the LAA 2 participation criteria and entered high school during or prior to the 2013-2014 school year may meet the assessment requirements by passing the English language areas and mathematics components of the LAA 2 and either the science or social studies component of LAA 2.

3. Students who enter traditional grade 9 during or after 2017-2018 are required to score level 2 (approaching basic) or above on English I or English II, algebra I or geometry, and biology or U.S. history to be eligible for a standard high school diploma.

a. For high school seniors enrolled during spring 2021 and graduating by August 31, 2021, the following may be substituted for the LEAP 2025 high school assessment requirement, provided the student has initially participated in all required assessments:

- i. An ACT composite score of 17 or higher for all students; or

ii. An ACT subject score of 17 or higher in the corresponding LEAP 2025 high school assessment pair, as follows:

(a) A score of 17 or higher on the ACT English or Reading tests shall satisfy the English I/English II LEAP 2025 high school assessment requirement;

(b) A score of 17 or higher on the ACT Mathematics test shall satisfy the Algebra I/Geometry LEAP 2025 high school assessment requirement; and

(c) A score of 17 or higher on the ACT Science test shall satisfy the Biology/U.S. History LEAP 2025 high school assessment requirement; or

iii. The student participates in 20 or more extended learning hours per LEAP 2025 high school assessment subject pair for which the student has yet to achieve level 2 (approaching basic) or above, with such instruction provided by a qualified teacher.

(a) The instruction must take place following the academic year, and the student must demonstrate proficiency corresponding to level 2 (approaching basic) or above, as determined by either the school or school system.

(b) A qualified teacher is defined as a teacher holding a valid and current Louisiana teaching certificate or has received a final COMPASS evaluation of Effective:Emerging or higher.

(c) For purposes of this Section, a qualified teacher is defined as a teacher holding a valid and current Louisiana teaching certificate or has received a final COMPASS evaluation of Effective:Emerging or higher.

B.3. – D.3.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, 17:183.2, and 17:395.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 31:2211 (September 2005), LR 31:3070 (December 2005), LR 31:3072 (December 2005), LR 32:1414 (August 2006), LR 33:429 (March 2007), LR 33:432 (March 2007), LR 33:2050 (October 2007), LR 33:2354 (November 2007), LR 33:2601 (December 2007), LR 34:1607 (August 2008), LR 36:1486 (July 2010), LR 37:547 (February 2011), LR 37:1128 (April 2011), LR 37:2129 (July 2011), LR 37:2132 (July 2011), LR 37:3193 (November 2011), LR 38:754, 761 (March 2012), LR 38:1001 (April 2012), LR 38:1584 (July 2012), LR 40:994 (May 2014), LR 40:1328 (July 2014), LR 40:1679 (September 2014), LR 40:2525 (December 2014), LR 41:915 (May 2015), LR 41:1482 (August 2015), LR 41:2126 (October 2015), LR 42:232 (February 2016), LR 42:1062 (July 2016), LR 42:1878 (November 2016), LR 42:2176 (December 2016), LR 43:1287 (July 2017), LR 43:2132 (November 2017), LR 43:2483 (December 2017), LR 44:263 (February 2018), LR 44:1868 (October 2018), repromulgated LR 44:1998 (November 2018), amended LR 45:1454 (October 2019), LR 46:556 (April 2020), LR 47:

§2319. The Career Diploma

A. – A.1.

a. For high school seniors enrolled during spring 2021 and graduating with a Career Diploma by August 31, 2021, a score of Silver or higher on ACT WorkKeys may substitute as the culminating IBC.

A.2 – B.1.c.

~~2. For incoming freshmen in 2010-2011 and beyond, students must meet the assessment requirements below to earn a standard diploma.~~

~~a. Students must pass three end-of-course tests in the following categories:~~

~~i. English II or English III;~~

~~ii. Algebra I or Geometry;~~

~~iii. Biology or American History.~~

~~b. Students with disabilities identified under IDEA that entered high school during or prior to the 2013-2014 school year and meet the LAA 2 participation criteria may meet the assessment requirements by passing the English language areas and mathematics components of the LAA 2 and either the science or social studies component of LAA 2.~~

~~2. Students who entered traditional grade 9 in 2010-2011 through 2016-2017 are required to score level 2 (approaching basic) or above on English II or English III, algebra I or geometry, and biology or U.S. history to be eligible for a standard high school diploma.~~

~~a. Students with disabilities identified under IDEA who meet the LAA 2 participation criteria and entered high school during or prior to the 2013-2014 school year may meet the assessment requirements by passing the English language areas and mathematics components of the LAA 2 and either the science or social studies component of LAA 2.~~

~~3. Students who enter traditional grade 9 during or after 2017-2018 are required to score level 2 (approaching basic) or above on English I or English II, algebra I or geometry, and biology or U.S. history to be eligible for a standard high school diploma.~~

~~a. For high school seniors graduating during the 2020-2021 academic year, the following may be substituted for the LEAP 2025 high school assessment requirement, provided the student has initially participated in all required assessments:~~

~~i. An ACT composite score of 17 or higher for all students; or~~

~~ii. A score of Silver or higher on ACT WorkKeys for students pursuing a Career Diploma; or~~

~~iii. An ACT subject score of 17 or higher in the corresponding LEAP 2025 high school assessment pair, as follows:~~

~~(a) A score of 17 or higher on the ACT English or Reading tests shall satisfy the English I/English II LEAP 2025 high school assessment requirement;~~

~~(b) A score of 17 or higher on the ACT Mathematics test shall satisfy the Algebra I/Geometry LEAP 2025 high school assessment requirement; and~~

~~(c) A score of 17 or higher on the ACT Science test shall satisfy the Biology/U.S. History LEAP 2025 high school assessment requirement; or~~

~~iv. The student participates in 20 or more extended learning hours per LEAP 2025 high school assessment subject pair for which the student has yet to achieve level 2 (approaching basic) or above, with such instruction provided by a qualified teacher.~~

(a). The instruction must take place following the academic year, and the student must demonstrate proficiency corresponding to level 2 (approaching basic) or above.

(b). For purposes of this section, a qualified teacher is defined as a teacher holding a valid and current Louisiana teaching certificate or has received a final COMPASS evaluation of Effective:Emerging or higher.

B.3 – C.4.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, 17:183.2, 17:183.3, 17:274, 17:274.1, and 17:395.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 31:2211 (September 2005), LR 31:3070 (December 2005), LR 31:3072 (December 2005), LR 32:1414 (August 2006), LR 33:429 (March 2007), LR 33:432 (March 2007), LR 33:2050 (October 2007), LR 33:2354 (November 2007), LR 33:2601 (December 2007), LR 34:1607 (August 2008), LR 35:1230 (July 2009), LR 35:1876 (September 2009), LR 35:2321 (November 2009), LR 35:2750 (December 2009), LR 36:1490 (July 2010), LR 37:548 (February 2011), LR 37:1130 (April 2011), LR 37:2130 (July 2011), LR 37:3197 (November 2011), LR 38:761 (March 2012), LR 38:1005 (April 2012), LR 40:2522 (December 2014), LR 41:1482 (August 2015), LR 41:2594 (December 2015), LR 42:232 (February 2016), LR 43:1287 (July 2017), LR 43:2132 (November 2017), LR 43:2484 (December 2017), LR 44:1868 (October 2018), LR 45:1747 (December 2019), LR 46:557 (April 2020), LR 46:1086 (August 2020), LR 47:

NOTICE OF INTENT

Board of Elementary and Secondary Education

Part XI—Accountability/Testing
(Part XI.6821).

Bulletin 741—Louisiana Handbook for School Administrators
(Part CXV.2318 and 2319).

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and R.S. 17:6(A)(10), the Board of Elementary and Secondary Education proposes to amend LAC 28:XI, *Accountability/Testing*, Subpart 1, *Bulletin 111—The Louisiana School, District, and State Accountability System*; and LAC 28: CXV in Bulletin 741—*Louisiana Handbook for School Administrators*. In light of the COVID-19 pandemic, the aforementioned revisions enable high school seniors enrolled during the spring 2021 semester and graduating by August 31, 2021, to substitute the following in lieu of the LEAP 2025 high school assessment requirement:

1. An ACT composite score of 17 or higher for all students; or
2. A score of Silver or higher on ACT WorkKeys for students pursuing a Career Diploma; or
3. An ACT subject score of 17 or higher in the corresponding LEAP 2025 high school assessment; or
4. The student participates in 20 or more extended learning hours per LEAP 2025 high school assessment subject pair for which the student has yet to achieve level 2 (approaching basic/fair) or above, with such instruction provided by a qualified teacher.

Title 28

EDUCATION

Part XI. Accountability/Testing

Subpart 3. Bulletin 118—Statewide Assessment Standards and Practices

Chapter 68. LEAP 2025 Assessments for High School

Subchapter C. LEAP 2025 for High School Administrative Rules

§6821. High School Test Cohorts

[Formerly LAC 28: CXI.1821]

A. – B.

1. For high school seniors enrolled during spring 2021 and graduating by August 31, 2021, the following may be substituted for the LEAP 2025 high school assessment requirement, provided the student has initially participated in all LEAP 2025 high school assessments.

- a. An ACT composite score of 17 or higher for all students; or
- b. A score of Silver or higher on ACT WorkKeys for students pursuing a Career Diploma; or
- c. An ACT subject score of 17 or higher in the corresponding LEAP 2025 high school assessment pair, as follows:
 - i. A score of 17 or higher on the ACT English or Reading tests shall satisfy the English I/English II LEAP 2025 high school assessment requirement;
 - ii. A score of 17 or higher on the ACT Mathematics test shall satisfy the Algebra I/Geometry LEAP 2025 high school assessment requirement; and
 - iii. A score of 17 or higher on the ACT Science test shall satisfy the Biology/U.S. History LEAP 2025 high school assessment requirement; or
- d. The student participates in 20 or more extended learning hours per LEAP 2025 high school assessment subject pair for which the student has yet to achieve level 2 (approaching basic) or above, with such instruction provided by a qualified teacher.
 - i. The instruction must take place following the academic year, and the student must demonstrate proficiency corresponding to level 2 (approaching basic) or above, as determined by either the school or school system.
 - ii. For purposes of this Section, a qualified teacher is defined as a teacher holding a valid and current Louisiana teaching certificate or has received a final COMPASS evaluation of Effective:Emerging or higher.

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Title 28

EDUCATION

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 23. Curriculum and Instruction

Subchapter A. Standards and Curricula

§2318. The TOPS University Diploma

A. – B.1.c.

2. For incoming freshmen in 2010-2011 and beyond, students must meet the assessment requirements below to earn a standard diploma.

- a. Students must pass three end-of-course tests in the following categories:
 - i. English II or English III;
 - ii. algebra I or geometry;

iii. biology or American history.

b. Students with disabilities identified under IDEA who meet the LAA 2 participation criteria and entered high school during or prior to the 2013-2014 school year may meet the assessment requirements by passing the English language areas and mathematics components of the LAA 2 and either the science or social studies component of LAA 2

2. Students who entered traditional grade 9 in 2010-2011 through 2016-2017 are required to score level 2 (approaching basic) or above on English II or English III, algebra I or geometry, and biology or U.S. history to be eligible for a standard high school diploma.

a. Students with disabilities identified under IDEA who meet the LAA 2 participation criteria and entered high school during or prior to the 2013-2014 school year may meet the assessment requirements by passing the English language areas and mathematics components of the LAA 2 and either the science or social studies component of LAA 2.

3. Students who enter traditional grade 9 during or after 2017-2018 are required to score level 2 (approaching basic) or above on English I or English II, algebra I or geometry, and biology or U.S. history to be eligible for a standard high school diploma.

a. For high school seniors enrolled during spring 2021 and graduating by August 31, 2021, the following may be substituted for the LEAP 2025 high school assessment requirement, provided the student has initially participated in all required assessments:

i. An ACT composite score of 17 or higher for all students; or

ii. An ACT subject score of 17 or higher in the corresponding LEAP 2025 high school assessment pair, as follows:

(a). A score of 17 or higher on the ACT English or Reading tests shall satisfy the English I/English II LEAP 2025 high school assessment requirement;

(b). A score of 17 or higher on the ACT Mathematics test shall satisfy the Algebra I/Geometry LEAP 2025 high school assessment requirement; and

(c). A score of 17 or higher on the ACT Science test shall satisfy the Biology/U.S. History LEAP 2025 high school assessment requirement; or

iii. The student participates in 20 or more extended learning hours per LEAP 2025 high school assessment subject pair for which the student has yet to achieve level 2 (approaching basic) or above, with such instruction provided by a qualified teacher.

(a). The instruction must take place following the academic year, and the student must demonstrate proficiency corresponding to level 2 (approaching basic) or above, as determined by either the school or school system.

(b). A qualified teacher is defined as a teacher holding a valid and current Louisiana teaching certificate or has received a final COMPASS evaluation of Effective:Emerging or higher.

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B.3. – D.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, 17:183.2, and 17:395.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 31:2211 (September 2005), LR 31:3070 (December 2005), LR 31:3072 (December 2005), LR 32:1414 (August 2006), LR 33:429 (March 2007), LR 33:432 (March 2007), LR 33:2050 (October 2007), LR 33:2354 (November 2007), LR 33:2601 (December 2007), LR 34:1607 (August 2008), LR 36:1486 (July 2010), LR 37:547 (February 2011), LR 37:1128 (April 2011), LR 37:2129 (July 2011), LR 37:2132 (July 2011), LR 37:3193 (November 2011), LR 38:754, 761 (March 2012), LR 38:1001 (April 2012), LR 38:1584 (July 2012), LR 40:994 (May 2014), LR 40:1328 (July 2014), LR 40:1679 (September 2014), LR 40:2525 (December 2014), LR 41:915 (May 2015), LR 41:1482 (August 2015), LR 41:2126 (October 2015), LR 42:232 (February 2016), LR 42:1062 (July 2016), LR 42:1878 (November 2016), LR 42:2176 (December 2016), LR 43:1287 (July 2017), LR 43:2132 (November 2017), LR 43:2483 (December 2017), LR 44:263 (February 2018), LR 44:1868 (October 2018), repromulgated LR 44:1998 (November 2018), amended LR 45:1454 (October 2019), LR 46:556 (April 2020), LR 47:

§2319. The Career Diploma

A. – A.I. ...

a. For high school seniors enrolled during spring 2021 and graduating with a Career Diploma by August 31, 2021, a score of Silver or higher on ACT WorkKeys may substitute as the culminating IBC.

A.2 – B.1.c. ...

2. For incoming freshmen in 2010-2011 and beyond, students must meet the assessment requirements below to earn a standard diploma.

a. Students must pass three end-of-course tests in the following categories:

i. English II or English III;

ii. Algebra I or Geometry;

iii. Biology or American History.

b. Students with disabilities identified under IDEA that entered high school during or prior to the 2013-2014 school year and meet the LAA 2 participation criteria may meet the assessment requirements by passing the English language areas and mathematics components of the LAA 2 and either the science or social studies component of LAA 2.

2. Students who entered traditional grade 9 in 2010-2011 through 2016-2017 are required to score level 2 (approaching basic) or above on English II or English III, algebra I or geometry, and biology or U.S. history to be eligible for a standard high school diploma.

a. Students with disabilities identified under IDEA who meet the LAA 2 participation criteria and entered high school during or prior to the 2013-2014 school year may meet the assessment requirements by passing the English language areas and mathematics components of the LAA 2 and either the science or social studies component of LAA 2.

3. Students who enter traditional grade 9 during or after 2017-2018 are required to score level 2 (approaching basic) or above on English I or English II, algebra I or geometry, and biology or U.S. history to be eligible for a standard high school diploma.

a. For high school seniors graduating during the 2020-2021 academic year, the following may be substituted for the LEAP 2025 high school assessment requirement, provided the student has initially participated in all required assessments:

- i. An ACT composite score of 17 or higher for all students; or
- ii. A score of Silver or higher on ACT WorkKeys for students pursuing a Career Diploma; or
- iii. An ACT subject score of 17 or higher in the corresponding LEAP 2025 high school assessment pair, as follows:

(a). A score of 17 or higher on the ACT English or Reading tests shall satisfy the English I/English II LEAP 2025 high school assessment requirement;

(b). A score of 17 or higher on the ACT Mathematics test shall satisfy the Algebra I/Geometry LEAP 2025 high school assessment requirement; and

(c). A score of 17 or higher on the ACT Science test shall satisfy the Biology/U.S. History LEAP 2025 high school assessment requirement; or

iv. The student participates in 20 or more extended learning hours per LEAP 2025 high school assessment subject pair for which the student has yet to achieve level 2 (approaching basic) or above, with such instruction provided by a qualified teacher.

(a). The instruction must take place following the academic year, and the student must demonstrate proficiency corresponding to level 2 (approaching basic) or above.

(b). For purposes of this section, a qualified teacher is defined as a teacher holding a valid and current Louisiana teaching certificate or has received a final COMPASS evaluation of Effective:Emerging or higher.

B.3 – C.4.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, 17:183.2, 17:183.3, 17:274, 17:274.1, and 17:395.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 31:2211 (September 2005), LR 31:3070 (December 2005), LR 31:3072 (December 2005), LR 32:1414 (August 2006), LR 33:429 (March 2007), LR 33:432 (March 2007), LR 33:2050 (October 2007), LR 33:2354 (November 2007), LR 33:2601 (December 2007), LR 34:1607 (August 2008), LR 35:1230 (July 2009), LR 35:1876 (September 2009), LR 35:2321 (November 2009), LR 35:2750 (December 2009), LR 36:1490 (July 2010), LR 37:548 (February 2011), LR 37:1130 (April 2011), LR 37:2130 (July 2011), LR 37:3197 (November 2011), LR 38:761 (March 2012), LR 38:1005 (April 2012), LR 40:2522 (December 2014), LR 41:1482 (August 2015), LR 41:2594 (December 2015), LR 42:232 (February 2016), LR 43:1287 (July 2017), LR 43:2132 (November 2017), LR 43:2484 (December 2017), LR 44:1868 (October 2018), LR 45:1747 (December 2019), LR 46:557 (April 2020), LR 46:1086 (August 2020), LR 47:

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: LAC 28: Parts XI and CXV

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: *Ryan Gremillion*
Date Submitted: 4/6/2021

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: LAC 28: Parts XI and CXV

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: 4/6/2021

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, May 9, 2021, 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