

## NOTICE OF INTENT

### Board of Elementary and Secondary Education

Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act  
(LAC 28:XLIII.101, 153, 450, 508, 904, 1101, 1153, 1508, and 1511)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education proposes to amend *Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act*. The proposed amendments clarify time limits for formal written complaint and due process hearing procedures. The proposed amendments also removes the Louisiana Special Education Center as a BESE Special School, in accordance with Act 411 of the 2019 Regular Legislative Session.

### Title 28 EDUCATION

#### Part XLIII. Bulletin 1706—Implementation of the Children with Exceptionalities Act

##### Subpart 1. Students with Disabilities

#### Chapter 1. State Eligibility

##### Subchapter A. Free Appropriate Public Education (FAPE)

#### §101. Authority and Scope

A. ...

1. In accordance with R.S. 17:1941 et seq., the Board of Elementary and Secondary Education is:
  - a. responsible for the assurance of a free appropriate public education to all students residing in the state; and
  - b. directly responsible for the provision of a free appropriate public education to students within the jurisdiction of the Special School District, the Recovery School District, or in a BESE Special School (the Louisiana School for the Visually Impaired or the Louisiana School for the Deaf).

B. - C.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2036 (October 2008), amended LR 46:

##### Subchapter J. State Complaint Procedures

#### §153. Formal Written Complaint Procedures

A. Time Limit; Minimum Procedures. The time limits in this Section commence after LDE receives a signed written complaint filed in accordance with §152 of this Chapter. The LDE will refer the complaint to the LEA superintendent, special education director/supervisor, or ERP representative in accordance with §151 of this Chapter.

1. The LDE will:
  - a. not commence investigation of a formal written complaint until after the expiration of the 15-day early resolution period described in §151 of this Chapter; but

A.1.b. - K.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2047 (October 2008), amended LR 36:1500 (July 2010), LR 46:

#### Chapter 4. Special School District and BESE Special Schools

##### Subchapter B. BESE Special Schools

#### §450. BESE Special Schools

A. In accordance with R.S. 17:1943, the state superintendent will supervise and oversee the administration of the BESE special schools. The BESE special schools are Louisiana School for the Deaf (LSD) and Louisiana School for the Visually Impaired (LSVI), and are state-operated schools providing educational programs and services for residential and/or day students.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2066 (October 2008), amended LR 46:

#### Chapter 5. Procedural Safeguards

##### Subchapter A. Due Process Procedures for Parents and Students

#### §508. Due Process Hearing Request

A. General

1. A party, or the attorney representing a party, files a request for due process hearing by sending a written request for a due process hearing to the LDE. Such request will remain confidential.
2. The party filing a request for a due process hearing must forward a copy of the request for due process hearing to the other party.
3. The time limits in this Section commence after LDE receives the request for a due process hearing. When the LDE receives a written request for a due process hearing, the LDE will provide a copy of the request to the other party. The date the LDE delivers or receives confirmation that the other party has received the request will be the presumptive date of verifying receipt.

4. Within two business days of receipt of a written request, the LDE will transmit the request for due process hearing to the Division of Administrative Law (DAL), who will docket the request and assign a hearing officer.

B. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2071 (October 2008), amended LR 38:2367 (September 2012), LR 46:

## Chapter 9. General

### Subchapter B. Definitions used in these Regulations

#### §904. Abbreviations/Acronyms

*ALJ*—administrative law judge.

\* \* \*

*LSD*—Louisiana School for the Deaf.

*LSVI*—Louisiana School for the Visually Impaired.

\* \* \*

*SSD*—special school district.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2089 (October 2008), amended LR 38:2368 (September 2012), LR 46:

### Subpart 2. Gifted/Talented Students

Editor's Note: This Subpart has been realigned and amended to coincide with recent Subpart 1 changes and to align with *Louisiana Revised Statute* 17:1941 et seq. The Rule was published in the September 2010 *Louisiana Register*, pages 2011-2029.

## Chapter 11. State Eligibility

### §1101. Free Appropriate Public Education

A. ...

B. The state board will be directly responsible for the provision of a free appropriate public education (FAPE) to gifted and talented students, ages 3 through 21 years, who are within the jurisdiction of either the Special School District or in a BESE special schools (Louisiana School for the Visually Impaired or Louisiana School for the Deaf) unless the student exits with a high school diploma.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 26:1576 (August 2000), amended LR 36:2011 (September 2010), LR 46:

### §1153. Formal Written Complaint Procedures

A. Time Limit; Minimum Procedures. The time limits in this Section begin after the LDE receives a signed written complaint filed under §1152. The LDE will refer the complaint to the LEA superintendent, special education director/supervisor, or ERP representative in accordance with §1151.

1. The LDE will:

a. not commence investigation of a formal written complaint until after expiration of the 15-day early resolution period described in §1151; but

A.1.b. - K.1.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2014 (September 2010), amended LR 46:

## Chapter 15 Procedural Safeguards

### §1508. Due Process Hearing Request

A. General

1. A party, or the attorney representing a party, files a request for due process hearing by sending a written request for due process hearing to the LDE. Such request will remain confidential.

2. The party filing a request for due process hearing will forward a copy of the request for due process hearing to the other party.

3. The time limits in this Section begin after the LDE receives a written request for a due process hearing.

a. The LDE will provide a copy of the request to the other party.

b. The date the LDE delivers or receives confirmation that the other party has received the request will be the presumptive date verifying receipt.

4. Within three business days of receipt of a written request, the LDE will transmit the request for due process hearing to the Division of Administrative Law (DAL), who will docket the request and assign a hearing officer.

B. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2021 (September 2010), amended LR 46:

**§1511. Impartial Due Process Hearing and Hearing Officer Appointments**

A. ...

B. Agency Responsible for Conducting the Due Process Hearing. The due process hearing described in Paragraph A of this Section will be conducted in accordance with the law and LDE regulations.

C. Impartial Hearing Officer. The DAL will designate hearing officers, who:

C.1. - H.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2023 (September 2010), amended LR 46:

## COMPARISON DOCUMENT

### Part XLIII. Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act

#### Subpart 1. Students with Disabilities

##### Chapter 1. State Eligibility

##### Subchapter A. ~~FAPE Requirements~~ Free Appropriate Public Education (FAPE)

##### §101. ~~Free Appropriate Public Education (FAPE)~~ Authority and Scope

A. ...

1. ~~In accordance with R.S. 17:1941 et seq., the Louisiana State Board of Elementary and Secondary Education is: (the state board) shall be responsible for the assurance of a free appropriate public education to all students residing in the state; and shall be directly responsible for the provision of a free appropriate public education to students who are within the jurisdiction of the Special School District, the Recovery School District, or in a BESE Special School (Louisiana School for Visually Impaired, Louisiana School for the Deaf, or Louisiana Special Education Center).~~

a. responsible for the assurance of a free appropriate public education to all students residing in the state; and

b. directly responsible for the provision of a free appropriate public education to students within the jurisdiction of the Special School District, the Recovery School District, or in a BESE special school (the Louisiana School for the Visually Impaired or the Louisiana School for the Deaf).

B. - C.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2036 (October 2008), amended LR 46:

##### Subchapter J. State Complaint Procedures

##### §153. Formal Written Complaint Procedures

A. Time Limit; Minimum Procedures. ~~Upon~~ The time limits in this Section commence after LDE receives receipt of a signed written complaint filed under in accordance with §152 of this Chapter. ~~The LDE shall will~~ refer the complaint to the LEA superintendent, special education director/supervisor, or ERP representative in accordance with §151 of this Chapter.

1. ~~The LDE shall will:~~

a. not commence investigation of a formal written complaint until after the expiration of the informal 15-day early resolution period described in §151-C.3 of this Chapter; but

A.1.b. - K.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2047 (October 2008), amended LR 36:1500 (July 2010), LR 46:

##### Chapter 4. Special School District (~~SSD~~) and BESE Special Schools (~~BSS~~)

##### Subchapter B. BESE Special Schools

##### §450. BESE Special Schools (~~BSS~~)

A. ~~BESE is the governing authority of the BESE Special Schools (BSS). In accordance with R.S. 17:1943, the State Superintendent shall will supervise and oversee the administration of the BESE Special Schools. The BESE Special Schools are Louisiana School for the Deaf (LSD); and Louisiana School for the Visually Impaired (LSVI), and Louisiana Special Education Center (LSEC). These, and are State-operated schools providing educational programs and services for residential and/or day students.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2066 (October 2008), amended LR 46:

##### Chapter 5. Procedural Safeguards

##### Subchapter A. Due Process Procedures for Parents and Students

##### §508. Due Process Hearing Request

A. General

1. A party, or the attorney representing a party, files a request for due process hearing by sending ~~to the other party~~ a written request for a due process hearing to the LDE. ~~(which shall Such request will remain confidential).~~

2. The party filing a request for a due process hearing shall must forward a copy of the request for due process hearing to the LDE other party.

3. The time limits in this Section commence after LDE receives the request for a due process hearing. When the LDE receives a written request for a due process hearing, the LDE will provide a copy of the request to the other party. ~~The date on which the LDE delivers or receives confirmation confirms~~ that the other party has received the request will be the presumptive date of verifying receipt.

4. Within two business days of receipt of a written request, the LDE ~~shall will~~ transmit the request for due process hearing to the Division of Administrative Law (DAL), who ~~shall will~~ docket the request and assign a hearing officer.

B. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2071 (October 2008), amended LR 38:2367 (September 2012), LR 46:

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#### §904. ~~Abbreviations/Acronyms used in these Regulations~~

*ALJ*—administrative law judge.

\* \* \*

*LSD*—Louisiana School for the Deaf.

~~*LSEC*—Louisiana Special Education Center.~~

*LSVI*—Louisiana School for the Visually Impaired.

\* \* \*

*SSD*—special school district.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2089 (October 2008), amended LR 38:2368 (September 2012), LR 46:

#### Subpart 2. ~~Regulations for Gifted/Talented Students~~

Editor's Note: This Subpart has been realigned and amended to coincide with recent Subpart 1 changes and to align with *Louisiana Revised Statute* 17:1941 et seq. The Rule was published in the September 2010 *Louisiana Register*, pages 2011-2029.

## Chapter 11. State Eligibility

### §1101. Free Appropriate Public Education

A. ...

B. The state board ~~shall~~ will be directly responsible for the provision of a free appropriate public education (FAPE) to gifted and talented students, ages ~~three-3~~ through 21 years, who are within the jurisdiction of either the Special School District or in the state board a BESE special schools (Louisiana School for the Visually Impaired, or Louisiana School for the Deaf, or Louisiana Special Education Center) unless the student exits with a high school diploma.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 26:1576 (August 2000), amended LR 36:2011 (September 2010), LR 46:

### §1153. Formal Written Complaint Procedures

A. Time Limit; Minimum Procedures. The time limits in this Section begin after the LDE receives receipt of a signed written complaint filed under §1152. The LDE shall will refer the complaint to the LEA superintendent, special education director/supervisor, or ERP representative in accordance with §1151.

1. The LDE ~~shall~~ will:

a. not commence investigation of a formal written complaint until after the expiration of the informal 15-day early resolution period described in §1151-C.3; but

A.1.b. - K.1.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2014 (September 2010), amended LR 46:

## Chapter 15 Procedural Safeguards

### §1508. Due Process Hearing Request

A. General

1. A party, or the attorney representing a party, files a request for due process hearing by sending ~~to the other party~~ a written request for due process hearing to the LDE (which shall Such request will remain confidential).

2. The party filing a request for due process hearing ~~shall~~ will forward a copy of the request for due process hearing to the LDE other party.

3. The time limits in this Section begin after the LDE receives a written request for a due process hearing.

a. The LDE will provide a copy of the request to the other party.

b. The date the LDE delivers or receives confirmation that the other party has received the request will be the presumptive date verifying receipt.

4. Within three business days of receipt of a written request, the LDE will transmit the request for due process hearing to the Division of Administrative Law (DAL), who will docket the request and assign a hearing officer.

B. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2021 (September 2010), amended LR 46:

### §1511. Impartial Due Process Hearing and Hearing Officer Appointments

A. ...

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

**Person Preparing Statement:** Ryan Gremillion  
**Phone:** 225-342-1501  
**Division:** Policy Office  
**Rule Title:** Part XLIII. Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act

In accordance with Section 953 and 974 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on the rule proposed for adoption, repeal or amendment. All Family Impact Statements shall be kept on file in the State Board Office which has adopted, amended, or repealed a rule in accordance with the applicable provisions of the law relating to public records.

PLEASE RESPOND TO THE FOLLOWING:

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

Signature of Contact Person: Ryan Gremillion

Date Submitted: 11/6/19

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

Person Preparing Statement: Ryan Gremillion

Phone: 225-342-4991

Division: Policy Office

Rule Title: Part XLIII. Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act

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: 11/6/19

### **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, December 9, 2019, 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: Ryan Gremillion Dept.: LA Department of Education  
Board of Elementary & Secondary Education

Phone: (225) 342-1501 Office: Policy

Return Address: P. O. Box 94064 Rule Title: Part XLIII. Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act  
Baton Rouge, LA

Date Rule Takes Effect: Upon final adoption by BESE

SUMMARY

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS. (Summary)

There is no anticipated impact to either the Department of Education (LDE) or local school districts as a result of the technical revisions. Current policy includes procedures to resolve written complaints and to request hearings to resolve exceptionality disputes. The proposed changes establish that the timelines for such hearings begin once LDE has received the request, upon expiration of the 15-day early resolution period. Further, Act 411 of 2019 transfers the Louisiana Special Education Center (LSEC) from the Special School District to the Department of Health; technical revisions remove references to the LSEC from BESE policy.

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

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

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

This policy change will not result in estimated costs and/or benefits to directly affected persons or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment.

Beth Scioneaux  
Signature of Agency Head or Designee

Evan Brassel, Staff Director  
Legislative Fiscal Officer or Designee

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

11/6/19  
Date of Signature

11/7/19  
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).

Current policy includes procedures to resolve written complaints and to request a hearing to resolve an exceptionality dispute, alleging that a public agency has violated Part B of the Individuals with Disabilities Education Act (IDEA). To provide clarity to school systems, schools, and families, the proposed revisions establish that the timelines begin after the LDE receives the request.

Also, Act 411 of the 2019 Louisiana Regular Legislative Session transfers the Louisiana Special Education Center from the Special School District to the Louisiana Department of Health. The process must conclude no later than January 31, 2020. The proposed revisions are in accordance with Act 411, which mandates the removal of the Louisiana Special Education Center as a BESE Special School.

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

The proposed revisions are required to provide clarity to school systems, schools, and families regarding procedures to resolve written complaints and to request hearings to resolve exceptionality disputes, alleging that a public agency has violated Part B of the Individuals with Disabilities Education Act (IDEA).

The proposed revisions are also required by Act 411 of the 2019 Regular Legislative Session.

- 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.

COSTS	FY19-20	FY20-21	FY21-22
PERSONAL SERVICES			
OPERATING EXPENSES	-0-	-0-	-0-
PROFESSIONAL SERVICES			
OTHER CHARGES			
EQUIPMENT			
MAJOR REPAIR & CONSTR.			
POSITIONS (#)			
<b>TOTAL</b>	-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	FY19-20	FY20-21	FY21-22
STATE GENERAL FUND	-0-	-0-	-0-
AGENCY SELF-GENERATED	-0-	-0-	-0-
DEDICATED			
FEDERAL FUNDS	-0-	-0-	-0-
OTHER (Specify)			
<b>TOTAL</b>	-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.

The proposed revisions will likely not result in costs or savings to local governmental units.

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

N/A

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

This proposed action will have no effect on revenue collection.

REVENUE INCREASE/DECREASE	FY19-20	FY20-21	FY21-22
STATE GENERAL FUND	-0-	-0-	-0-
AGENCY SELF GENERATED			
RESTRICTED FUNDS*			
FEDERAL FUNDS			
LOCAL FUNDS			
<b>TOTAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

\*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

This proposed action will have no effect on revenue collection.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

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

A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

The proposed revisions will not result in costs and/or economic benefits to persons and/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.

None.