

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 741—Louisiana Handbook for School Administrators
Diploma Integrity—Individual Graduation Plans and
Credit Recovery Courses and Units (LAC 28:CXV.901 and 2324)

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:CXV (Bulletin 741). Proposed amendments will provide clarity for credit recovery courses and units and establish best-practices for valid course recognition. Beginning with the 2020-2021 school year, graduating seniors must finalize individual graduation plans (IGPs) with the school counselor. Further, prior to being awarded a diploma, all academic records must be uploaded to the state student transcript system (STS) with a graduation date posted.

Title 28

EDUCATION

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 9. Scheduling

§901. Scheduling

- A. - E. ...
- F. Beginning with the 2020-2021 school year, the school counselor must:
 - 1. finalize the individual graduation plan for each graduating senior;
 - 2. upload all academic records into the state student transcript system (STS); and
 - 3. post the student's graduation date prior to the awarding of a diploma.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:175, and 17:183.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1271 (June 2005), amended LR 36:1498 (July 2010), LR 39:2204 (August 2013), LR 40:2522 (December 2014), LR 42:557 (April 2016), LR 43:2483 (December 2017), LR 46:

Chapter 23. Curriculum and Instruction

Subchapter A. Standards and Curricula

§2324. Credit Recovery Courses and Units

- A. ...
- B. LEAs may implement credit recovery programs.
 - 1. Beginning in 2020-2021, LEA credit recovery program and policy will be included in the local pupil progression plan submitted to LDE.
 - 2. Students may earn a maximum of seven credit recovery units that may be applied towards diploma graduation requirements and no more than two Carnegie units annually. The school system must annually report to LDE the rationale for any student:
 - a. receiving more than two credit recovery credits annually; and/or
 - b. applying more than seven total credit recovery Carnegie units towards graduation requirements.
 - 3. Students earning Carnegie credit in a credit recovery course must have previously taken and failed the course. Previously-attempted coursework is considered an academic record and must be recorded on the official transcript.
 - 4. Completed credit recovery courses must be recorded and clearly labeled on the official transcript.
 - a. Repealed.
 - 5. Students enrolled in credit recovery courses are not required to meet the instructional minute requirements found in §333.A of this Part.
 - 6. Credit recovery courses must be aligned with state content standards and include a standards-aligned pre-assessment to identify unfinished learning and a standards-aligned post-assessment to demonstrate course proficiency for content identified as non-proficient.
 - 7. Credit recovery courses taught in a classroom setting using online courses designed for credit recovery must have an assigned certified Louisiana teacher of record or certified teacher of record recognized through a state reciprocity agreement facilitating the instruction.
 - 8. The end-of-course exam weight in a student’s final grade determined by the LEA must be the same for a traditional course and a credit recovery course. Students who have previously passed the end-of-course exam, but have failed the course, may choose to retain the previous end-of-course exam score in lieu of participating in an additional administration of the exam.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2352 (November 2007), amended LR 38:3134 (December 2012), LR 39:2216 (August 2013), LR 39:3260 (December 2013), LR 46:

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 CXV. Bulletin 741—Louisiana Handbook for School Administrators

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?

(X)

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?

(X)

No

()

Yes

()

Lacks sufficient information to determine.
3.

WILL THE PROPOSED RULE AFFECT THE FUNCTIONING OF THE FAMILY?

(X)

No

()

Yes

()

Lacks sufficient information to determine
4.

WILL THE PROPOSED RULE AFFECT FAMILY EARNINGS AND FAMILY BUDGET?

(X)

No

()

Yes

()

Lacks sufficient information to determine
5.

WILL THE PROPOSED RULE AFFECT THE BEHAVIOR AND PERSONAL RESPONSIBILITY OF CHILDREN?

(X)

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

(X)

Yes

()

Lacks sufficient information to determine

DocuSigned by:

Ryan Gremillion

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Signature of Contact Person:

4/9/2020

Date Submitted:

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

Person Preparing Statement: Ryan Gremillion

Phone: 225-342-1501

Division: Policy Office

Rule Title: Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

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:

I. WILL THE PROPOSED RULE AFFECT THE HOUSEHOLD INCOME, ASSETS, AND FINANCIAL SECURITY?

- (X) No
() Yes
() Lacks sufficient information to determine

2. WILL THE PROPOSED RULE AFFECT EARLY CHILDHOOD DEVELOPMENT AND PRESCHOOL THROUGH POSTSECONDARY EDUCATION DEVELOPMENT?

- () No
(X) Yes
() Lacks sufficient information to determine

3. WILL THE PROPOSED RULE AFFECT EMPLOYMENT AND WORKFORCE DEVELOPMENT?

- (X) No
() Yes
() Lacks sufficient information to determine

4. WILL THE PROPOSED RULE AFFECT TAXES AND TAX CREDITS?

- (X) 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?

- (X) No
() Yes
() Lacks sufficient information to determine

DocuSigned by:
Signature of Contact Person: Ryan Gremillion
Date Submitted: 4/9/2020
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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, 2020 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
Baton Rouge, LA

Rule

Title: Part CXV. Bulletin 741 –
Louisiana Handbook for School
Administrators

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.	
1. State	
2. Local	
3. Total	

(Summary)

It is unknown whether local education agencies (LEAs) that offer credit recovery programs will incur additional costs in order to ensure each course is taught by a certified teacher. LEAs are not required to develop credit recovery programs and the Department of Education does not have data on the number of courses that would be impacted by this requirement. To the extent a credit recovery course is currently taught by a paraprofessional, teacher aide, or other position, districts may incur additional costs associated with higher salary levels for certified staff. However, some districts may experience reduced costs if fewer students enroll in credit recovery courses due to the limit of two courses per year. In addition, high school counselors may experience increased workload to finalize individual graduation plans for each graduating senior, upload academic records data to the state system, and post graduation dates, although this is indeterminable.

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 policy revisions.

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

There are no estimated costs and/or economic benefits to directly affected persons or non-governmental groups as a result of the proposed revisions.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There are no estimated effects on competition and employment as a result of the proposed revisions.

- DocuSigned by:

Beth Scioneaux

Signature of Agency Head or Designee

Legislative Fiscal Officer or Designee

Beth Scioneaux, Deputy Superintendent for Management and Finance

Typed Name and Title of Agency Head or Designee

4/9/2020 | 5:59 PM CDT

Date of Signature

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).

Proposed amendments require the following: (1) school system credit recovery program and policy are included in the local Pupil Progression Plan; (2) credit recovery units applied towards graduation requirements are limited to a maximum of seven, with no more than two annually; (3) in order to be eligible for credit recovery, students must have previously taken and failed the course and all attempts must be documented on the official transcript; (4) credit recovery courses are identified and labeled on the official transcript; (5) credit recovery courses are aligned with state content standards and have an aligned pre-test to identify areas in need of remediation and post-tests to demonstrate proficiency in content previously identified as deficient; (6) online credit recovery courses have an assigned Louisiana certified teacher of record; and (7) beginning with the 2020-2021 school year, graduating seniors must finalize Individual Graduation Plans (IGP) with the school counselor.

- 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 provide clarity and establish best-practices for valid course recognition.

- 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.

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 are no anticipated impacts on costs as a result of the proposed revisions.

COSTS	FY20-21	FY21-22	FY22-23
PERSONAL SERVICES	Unknown		
OPERATING EXPENSES		-0-	-0-
PROFESSIONAL SERVICES			
OTHER CHARGES			
EQUIPMENT			
MAJOR REPAIR & CONSTR.			
<u>POSITIONS (#)</u>			
TOTAL	Unknown	-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	FY20-21	FY21-22	FY22-23
STATE GENERAL FUND			
AGENCY SELF-GENERATED			
DEDICATED			
FEDERAL FUNDS			
OTHER (Specify)			
TOTAL	Unknown		

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.

It is unknown whether local education agencies (LEAs) that offer credit recovery programs will incur additional costs in order to ensure each course is taught by a certified teacher. LEAs are not required to develop credit recovery programs and the Department of Education does not have data on the number of courses that would be impacted by this requirement. To the extent a credit recovery course is currently taught by a paraprofessional, teacher aide, or other position, districts may incur additional costs associated with higher salary levels for certified staff. However, some districts may experience reduced costs if fewer students enroll in credit recovery courses due to the limit of two courses per year. In addition, high school counselors may experience increased workload to finalize individual graduation plans for each graduating senior, upload academic records data to the state system, and post graduation dates, although this is indeterminable.

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

Local educational authorities utilize a mix of state funding from the MFP, statutory dedications, local revenues, and federal revenues for operational expenses.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

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

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

The proposed revisions will not impact revenue collections of state and local governmental units.

REVENUE INCREASE/DECREASE	FY20-21	FY21-22	FY22-23
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.

See above.

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 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 will not have an impact on competition and employment.

COMPARISON DOCUMENT

Title 28

EDUCATION

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 9. Scheduling

§901. Scheduling

A. - E. ...

F. Beginning with the 2020-2021 school year, the school counselor must:

- 1. finalize the individual graduation plan for each graduating senior;
- 2. upload all academic records into the state student transcript system (STS); and
- 3. post the student's graduation date prior to the awarding of a diploma.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:175, and 17:183.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1271 (June 2005), amended LR 36:1498 (July 2010), LR 39:2204 (August 2013), LR 40:2522 (December 2014), LR 42:557 (April 2016), LR 43:2483 (December 2017), LR 46:

Chapter 23. Curriculum and Instruction

Subchapter A. Standards and Curricula

§2324. Credit Recovery Courses and Units

A. ...

B. LEAs may ~~develop~~ implement credit recovery programs ~~which are self-paced and competency-based.~~

~~1. Students earning Carnegie credit in a *credit recovery* course must have previously taken and failed the course.~~ Beginning in 2020-2021, LEA credit recovery program and policy will be included in the local pupil progression plan submitted to LDE.

~~2. Students shall not be required to meet attendance requirements for *credit recovery* courses.~~ Students may earn a maximum of seven credit recovery units that may be applied towards diploma graduation requirements and no more than two Carnegie units annually. The school system must annually report to LDE the rationale for any student:

- a. receiving more than two credit recovery credits annually; and/or
- b. applying more than seven total credit recovery Carnegie units towards graduation requirements.

~~3. *Credit recovery* courses must be aligned with the state's content standards.~~ Students earning Carnegie credit in a credit recovery course must have previously taken and failed the course. Previously-attempted course-work is considered an academic record and must be recorded on the official transcript.

~~4. *Credit recovery* courses taught in a classroom setting using computer software programs designed for *credit recovery* must be facilitated by a certified teacher.~~ Completed credit recovery courses must be recorded and clearly labeled on the official transcript.

~~a. Additional instruction to cover standards and grade level expectations not included in the software programs shall be provided by a teacher properly certified in the content area.~~ Repealed.

~~5. The end-of-course exam weight in a student's final grade determined by the LEA shall be the same for a traditional course and a *credit recovery* course. Students who have previously passed the end-of-course exam, but have failed the course, may choose to retain their previous end-of-course exam score in lieu of participating in an additional administration of the exam.~~ Students enrolled in credit recovery courses are not required to meet the instructional minute requirements found in §333.A of this Part.

6. Credit recovery courses must be aligned with state content standards and include a standards-aligned pre-assessment to identify unfinished learning and a standards-aligned post-assessment to demonstrate course proficiency for content identified as non-proficient.

7. Credit recovery courses taught in a classroom setting using online courses designed for credit recovery must have an assigned certified Louisiana teacher of record or certified teacher of record recognized through a state reciprocity agreement facilitating the instruction.

8. The end-of-course exam weight in a student's final grade determined by the LEA must be the same for a traditional course and a credit recovery course. Students who have previously passed the end-of-course exam, but have failed the course, may choose to retain their previous end-of-course exam score in lieu of participating in an additional administration of the exam.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2352 (November 2007), amended LR 38:3134 (December 2012), LR 39:2216 (August 2013), LR 39:3260 (December 2013), LR 46:

NOTICE OF INTENT

Board of Elementary and Secondary Education

Jump Start—Waiver Requests; Career Diploma; and Program Authorization
(LAC 28:CXV.345 and 2319 and CLXIII.201)

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:CXV (Bulletin 741) and LAC 28: CLXIII (Bulletin 138). Proposed amendments will:

- provided the Jump Start 1.0 course sequences for incoming freshmen through the 2020-2021 school year;
- provided the Jump Start 2.0 course sequences for incoming freshmen beginning in 2020-2021 school year and beyond;
- establish a Jump Start 2.0 Career Diploma CTE hardship waiver process for eligible students; and
- align regional teams for Jump Start programs with the federal Carl D. Perkins Career and Technical Education Act.

Title 28

EDUCATION

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 3. Operation and Administration

§345. Requesting Waivers of BESE Policy

A. - C.1.a.iii. ...

2. Course requirement waivers:

a. the LDE may waive up to one Carnegie unit required for graduation in the following circumstances:

i. waivers for students who transfer to Louisiana from another state during their senior year, are on course to graduate in their previous state of residence, and are unable to schedule and complete the needed course; and

ii. waivers due to administrative errors;

b. beginning with the 2020-2021 incoming freshman class, the LDE may grant a Jump Start 2.0 career diploma CTE hardship waiver for applicable students:

i. waiver requests may be considered for seniors with extraordinary circumstances; and

ii. school systems must submit Jump Start 2.0 course waiver requests with proposed CTE course equivalents via the LDE Jump Start 2.0 course waiver request form, using the Secure ID; and

c. in each situation, the district must provide:

i. a letter of justification from the local superintendent; and

ii. a copy of the student's transcript.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:10.2(B)(5), 17:24.10(C)(1)(c), 17:151(B)(2), 17:192(B)(2), 17:274(D), and 17:416.2(B).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1264 (June 2005), amended LR 39:2198 (August 2013), LR 46:

Chapter 23. Curriculum and Instruction

Subchapter A. Standards and Curricula

§2319. The Career Diploma

A. - B.6.a. ...

C. Minimum Course Requirements

1. - 2.f.iv. ...

g. at least nine credits in the Jump Start course sequence, workplace experiences, and credentials;

i. Jump Start 1.0 course sequences will be available for incoming freshmen through 2020-2021; and

ii. Jump Start 2.0 course sequences will be available for incoming freshmen beginning in 2020-2021 and beyond;

2.h. - 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:

Part CLXIII. Bulletin 138—Jump Start Program

Chapter 2. Jump Start Regional Teams and Program Authorization

§201. Jump Start Program Authorization

A. Regional teams for Jump Start programs that are aligned with the federal Carl D. Perkins Career and Technical Education Act must consist of:

A.1. - C. ...

D. The LDE will collaborate with Louisiana Workforce Commission, the Board of Regents, and the Department of Economic Development to evaluate proposed regional CTE pathways and Jump Start regional team proposals. The evaluation process may include, but is not limited to, assessments of:

1. - 4. ...

E. Following the evaluation of proposed regional CTE pathways and review of the Jump Start program proposal, the state superintendent of education will recommend that BESE approve an authorization period of five years for proposals receiving a favorable evaluation.

1. The recommendation may be for approval of all, some, or none of the proposed regional CTE pathways based upon the evaluation process described in this Section.

F. - I.12. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:183.2, and 17:2930.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 40:1326 (July 2014), amended LR 46:

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 CXV. Bulletin 741—Louisiana Handbook for School Administrators

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?

(X)

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?

(X)

No

()

Yes

()

Lacks sufficient information to determine.
3. WILL THE PROPOSED RULE AFFECT THE FUNCTIONING OF THE FAMILY?

(X)

No

()

Yes

()

Lacks sufficient information to determine
4. WILL THE PROPOSED RULE AFFECT FAMILY EARNINGS AND FAMILY BUDGET?

(X)

No

()

Yes

()

Lacks sufficient information to determine
5. WILL THE PROPOSED RULE AFFECT THE BEHAVIOR AND PERSONAL RESPONSIBILITY OF CHILDREN?

(X)

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

(X)

Yes

()

Lacks sufficient information to determine

DocuSigned by:
Ryan Gremillion
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Signature of Contact Person: _____

Date Submitted: 4/9/2020

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

Person Preparing Statement: Ryan Gremillion

Phone: 225-342-1501

Division: Policy Office

Rule Title: Part CLXIII.Bulletin 138—Jump Start Program Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

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:

I. WILL THE PROPOSED RULE AFFECT THE HOUSEHOLD INCOME, ASSETS, AND FINANCIAL SECURITY?

- (X) No
() Yes
() Lacks sufficient information to determine

2. WILL THE PROPOSED RULE AFFECT EARLY CHILDHOOD DEVELOPMENT AND PRESCHOOL THROUGH POSTSECONDARY EDUCATION DEVELOPMENT?

- () No
(X) Yes
() Lacks sufficient information to determine

3. WILL THE PROPOSED RULE AFFECT EMPLOYMENT AND WORKFORCE DEVELOPMENT?

- (X) No
() Yes
() Lacks sufficient information to determine

4. WILL THE PROPOSED RULE AFFECT TAXES AND TAX CREDITS?

- (X) 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?

- (X) No
() Yes
() Lacks sufficient information to determine

DocuSigned by:
Signature of Contact Person: Ryan Gremillion
Date Submitted: 4/9/2020 338E21FCEFD04CC...

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, 2020 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
Baton Rouge, LA

Rule
Title:

Part CLXIII. Bulletin 138 – Jump
Start Program Part CXV. Bulletin
741 – Louisiana Handbook for
School Administrators

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)

There may be costs to local school districts associated with providing additional classes to the extent schools offer both Jump Start 1.0 and 2.0 course sequences in the 2020-21 school year, although this is likely to be minimal. However, if the course sequences are substantially similar, there would be no additional costs. The changes are necessary to provide clarity for Jump Start courses and establish best practices for valid course recognition.

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 policy revisions.

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

There are no estimated costs and/or economic benefits to directly affected persons or non-governmental groups as a result of the proposed revisions.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There are no estimated effects on competition and employment as a result of the proposed revisions.

DocuSigned by:


1261260B51D8457

Signature of Agency Head or Designee

Legislative Fiscal Officer or Designee

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

4/9/2020 | 5:59 PM CDT

Date of Signature

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).

Proposed amendments provide for the following: Jump Start 1.0 course sequences will be available for incoming freshmen through 2020-2021; Jump Start 2.0 course sequences will be available for incoming freshmen beginning in 2020-2021 and beyond; and a Jump Start 2.0 Career Diploma CTE hardship waiver process for eligible students is established.

Proposed amendments also require Jump Start regional teams to be aligned with the federal Carl D. Perkins Career and Technical Education Act.

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

The Board recently adopted Jump Start 2.0 Graduation Pathways, which were developed with consultation and feedback from business and industry, school systems, post-secondary partners, Louisiana Workforce Commission, Louisiana Economic Development, and other stakeholders, were submitted to the Jump Start Graduation Pathway Review Panel. The Panel consists of members from Louisiana Economic Development, Louisiana Workforce Commission, and Louisiana Department of Education (LDE). The Panel ensures that pathway course offerings are relevant and credentials are relevant and rigorous.

Proposed amendments provide for the following: Jump Start 1.0 course sequences will be available for incoming freshmen through 2020-2021; Jump Start 2.0 course sequences will be available for incoming freshmen beginning in 2020-2021 and beyond; and a Jump Start 2.0 Career Diploma CTE hardship waiver process for eligible students is established.

- 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.

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 are no anticipated impacts on costs as a result of the proposed revisions.

COSTS	FY20-21	FY21-22	FY22-23
PERSONAL SERVICES			
OPERATING EXPENSES	-0-	-0-	-0-
PROFESSIONAL SERVICES			
OTHER CHARGES			
EQUIPMENT			
MAJOR REPAIR & CONSTR.			
<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	FY20-21	FY21-22	FY22-23
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?

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.

There may be costs to local school districts associated with providing additional classes to the extent schools offer both Jump Start 1.0 and 2.0 course sequences in the 2020-21 school year, although this is likely to be minimal. However, if the course sequences are substantially similar, there would be no additional costs. The changes are necessary to provide clarity for Jump Start courses and establish best practices for valid course recognition.

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

Local educational authorities utilize a mix of state funding from the MFP, statutory dedications, local revenues, and federal revenues for operational expenses.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

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

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

The proposed revisions will not impact revenue collections of state and local governmental units.

REVENUE INCREASE/DECREASE	FY20-21	FY21-22	FY22-23
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.

See above.

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 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 will not have an impact on competition and employment.

COMPARISON DOCUMENT

Board of Elementary and Secondary Education

Jump Start—Waiver Requests; Career Diploma; and Program Authorization
(LAC 28: CXV.345 and 2319 and CLXIII.201)

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: CXV (Bulletin 741) and LAC 28: CLXIII (Bulletin 138). Proposed amendments will:

- provided the Jump Start 1.0 course sequences for incoming freshmen through the 2020-2021 school year;
- provided the Jump Start 2.0 course sequences for incoming freshmen beginning in 2020-2021 school year and beyond;
- establish a Jump Start 2.0 Career Diploma CTE hardship waiver process for eligible students; and
- align regional teams for Jump Start programs with the federal Carl D. Perkins Career and Technical Education Act.

Title 28

EDUCATION

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 3. Operation and Administration

§345. Requesting Waivers of BESE Policy

A. - C.1.a.iii. ...

2. Course Requirement ~~Waivers~~ Waivers:

a. ~~The~~ LDE may waive up to one Carnegie unit required for graduation in the following circumstances:

i. waivers for students who transfer to Louisiana from another state during their senior year, are on course to graduate in their previous state of residence, and are unable to schedule and complete the needed course; and

ii. waivers due to administrative errors;

b. ~~In each situation, the district must provide—beginning with the 2020-2021 incoming freshman class, the LDE may grant a Jump Start 2.0 career diploma CTE hardship waiver for applicable students:~~

i. ~~a letter of justification from the local superintendent—waiver requests may be considered for seniors with extraordinary circumstances; and~~

ii. ~~a copy of the student's transcript. school systems must submit Jump Start 2.0 course waiver requests with proposed CTE course equivalents via the LDE Jump Start 2.0 course waiver request form, using the Secure ID; and~~

c. in each situation, the district must provide:

i. a letter of justification from the local superintendent; and

ii. a copy of the student's transcript.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:10.2(B)(5), 17:24.10(C)(1)(c), 17:151(B)(2), 17:192(B)(2), 17:274(D), and 17:416.2(B).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1264 (June 2005), amended LR 39:2198 (August 2013), LR 46:

Chapter 23. Curriculum and Instruction

Subchapter A. Standards and Curricula

§2319. The Career Diploma

A. - B.6.a. ...

C. Minimum Course Requirements

1. - 2.f.iv. ...

g. at least ~~9~~nine credits in the Jump Start course sequence, workplace experiences, and credentials;

i. Jump Start 1.0 course sequences will be available for incoming freshmen through 2020-2021; and

ii. Jump Start 2.0 course sequences will be available for incoming freshmen beginning in 2020-2021 and beyond;

2.h. - 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:

Part CLXIII. Bulletin 138—Jump Start Program

Chapter 2. Jump Start Regional Teams and Program Authorization

§201. Jump Start Program Authorization

A. Regional teams for Jump Start programs that are aligned with the federal Carl D. Perkins Career and Technical Education Act regional teams shall must consist of:

A.1. - C. ...

D. The LDE ~~shall~~will collaborate with ~~the LWC~~Louisiana Workforce Commission, the Board of Regents, and the Louisiana Department of Economic Development (LED) to evaluate proposed regional CTE pathways and Jump Start regional team proposals. The evaluation process may include, but is ~~will~~ not ~~necessarily~~ be limited to, assessments of:

1. - 4. ...

E. Following the evaluation of ~~each~~ proposed regional CTE pathways and ~~the~~ review of the ~~entire~~ Jump Start program proposal, the state superintendent of education ~~shall~~will recommend that BESE's approval approve an authorization period of five years of all for proposals receiving a favorable evaluation. ~~The state superintendent may recommend approval of all, some, or none of the proposed regional CTE pathways based on the evaluation process described in this section.~~

1. The recommendation may be for approval of all, some, or none of the proposed regional CTE pathways based upon the evaluation process described in this Section.

F. - I.12. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:183.2, and 17:2930.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 40:1326 (July 2014), amended LR 46:

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators
Carnegie Credit and Credit Flexibility—Health and Physical Education
(LAC 28:LXXIX.2102, 2109, 2319, and 2320)

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:CXV (Bulletin 741) and LAC 28: CLXIII (Bulletin 138). Proposed amendments will give nonpublic administrators increased flexibility in the awarding of Carnegie credit, regarding health and physical education, to students enrolled in nonpublic schools.

Title 28

EDUCATION

Part LXXIX. Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators

Chapter 21. Curriculum and Instruction

Subchapter A. General

§2102. Carnegie Credit and Credit Flexibility

A. Schools may permit students to earn Carnegie credit as middle school students in all courses except physical education.

B. - F.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, and 17:22(6).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:1444 (June 2013), amended LR 40:276 (February 2014), LR 40:1682 (September 2014), LR 41:1268 (July 2015), LR 46:

Subchapter C. Secondary Schools

§2109. High School Graduation Requirements

A. - D.6.j. ...

- 7. physical education—1 1/2 units in accordance with §2319.A of this Part;
- 8. health education—1/2 unit;
- 9. electives—3 units;
- 10. total—24 units.

E. - F.3.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 44:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2351 (November 2003), amended LR 30:2776 (December 2004), LR 31:3081 (December 2005), LR 34:2099 (October 2008), LR 36:2849 (December 2010), LR 37:2142, 2144 (July 2011), repromulgated LR 37:2390 (August 2011), amended LR 37:2597 (September 2011), LR 38:769 (March 2012), LR 38:1008 (April 2012), LR 39:1444 (June 2013), LR 40:1682 (September 2014), LR 40:2535 (December 2014), LR 41:915 (May 2015), LR 41:1485 (August 2015), LR 41:2127 (October 2015), LR 42:1064 (July 2016), LR 43:1289 (July 2017), LR 45:38 (January 2019), LR 45:1456 (October 2019), LR 46:

Chapter 23. High School Program of Studies

§2319. Physical Education

A. One and one-half units of physical education will be required for graduation, including:

- 1. physical education I and II;
- 2. adapted physical education I and II for eligible special education students;
- 3. JROTC I, II, III, or IV; or
- 4.a. physical education I—1 unit; and
 - b. marching band, extracurricular sports, cheering, or dance team—1/2 unit.

B. Physical education course offerings are as follows.

Physical Education Courses	
Course Title(s)	Units
Adapted Health and Physical Education I, II, III, IV	1 each
Physical Education I, II, III, IV	1 each
Marching Band	1/2
* * *	

- 1. The required units of physical education in Subsection A of this Section must be earned in grades 9-12.
- 2. - 3. Repealed.

C. No more than four units of physical education are allowed for meeting high school graduation requirements.

D. In schools having approved Junior Reserve Officer Training Corps (JROTC) training, credits may, at the option of the local school board, be substituted for the required credits in physical education.

E. Marching band, cheering, extracurricular sports, and dance team may be substituted for the physical education II credit and must:

- 1. include a minimum of 100 minutes of physical activity per week; and
- 2. encourage the benefits of a physically active lifestyle.

3. Repealed.

F. Students will be exempted from the requirements in physical education for medical reasons only; however, the minimum number of credits required for graduation will remain 24.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, R.S. 17:22(6), 17:391.1-391.10, and 44:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2354 (November 2003), amended LR 31:3086 (December 2005), LR 39:1448 (June 2013), LR 40:1685 (September 2014), LR 41:1268 (July 2015), LR 46:

§2320. Health Education

A. One-half unit of health education course offerings is required.

1. Health education will include instruction on dating violence awareness and prevention in accordance R.S. 17:81.
2. Cardiopulmonary resuscitation (CPR) will be taught.
 - a. Instruction must be provided for CPR and the use of an automated external defibrillator.
 - b. The instructional program must be nationally recognized and based on the most current national evidence-based emergency cardiovascular care guidelines.
 - c. Students are required to perform hands-on practice.
 - d. The instructor is not required to be CPR-certified.
 - e. Students trained in CPR are not required to obtain CPR certification.
 - f. The physical presence of an automated external defibrillator is not required.

B. JROTC I and II may be used to meet the health education requirement if the following requirements are met.

1. A minimum of 2000 minutes of instructional time must be devoted to health education in JROTC I and II. Students must take both JROTC I and II to meet the health education requirement.
2. All standards and GLEs for health must be covered in JROTC I and II.
3. JROTC I and II must include the instruction listed in Subsection A of this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, and 17:81.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:

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 LXXIX. Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators

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

DocuSigned by:
Ryan Gremillion
338E21FCEFD04CC...

Signature of Contact Person: _____
Date Submitted: 4/9/2020 _____

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: Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators

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:

- I.

WILL THE PROPOSED RULE AFFECT THE HOUSEHOLD INCOME, ASSETS, AND FINANCIAL SECURITY?

(X)

No

()

Yes

()

Lacks sufficient information to determine
2.

WILL THE PROPOSED RULE AFFECT EARLY CHILDHOOD DEVELOPMENT AND PRESCHOOL THROUGH POSTSECONDARY EDUCATION DEVELOPMENT?

()

No

(X)

Yes

()

Lacks sufficient information to determine
3.

WILL THE PROPOSED RULE AFFECT EMPLOYMENT AND WORKFORCE DEVELOPMENT?

(X)

No

()

Yes

()

Lacks sufficient information to determine
4.

WILL THE PROPOSED RULE AFFECT TAXES AND TAX CREDITS?

(X)

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?

(X)

No

()

Yes

()

Lacks sufficient information to determine

DocuSigned by:

Signature of Contact Person:

4/9/2020

338E21FCEF0D4CC...

Ryan Gremillion

Date Submitted:

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, 2020 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:	<u>Ryan Gremillion</u>	Dept.:	<u>LA Department of Education</u> <u>Board of Elementary &</u> <u>Secondary Education</u>
Phone:	<u>(225) 342-1501</u>	Office:	<u>Policy</u>
Return Address:	<u>P. O. Box 94064</u> <u>Baton Rouge, LA</u>	Rule Title:	<u>LXXIX. Bulletin 741 (Nonpublic)</u> <u>741 – Louisiana Handbook for</u> <u>Nonpublic School Administrators</u>

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)

There are no estimated implementation costs to the Department of Education (LDE) or local school districts due to the proposed policy revisions. The changes are necessary to provide clarity and establish best practices for valid course recognition.

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 policy revisions.

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

There may be costs associated with implementing the proposed rule to the extent nonpublic schools do not currently offer health education as a stand-alone course. Current graduation requirements are for students to complete two units of health and physical education. The proposed rule decouples health education, requiring one and one-half units of physical education and a one-half unit of health education for a combined total of two units. Nonpublic schools may incur costs to the extent they are required to hire additional staff to offer a stand-alone health education course. Proposed rule further retains instruction on CPR and adds additional components to health education in order to comply with existing state law (R.S. 17:81), including instruction on dating violence and instruction on automated external defibrillators.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There are no estimated effects on competition and employment as a result of the proposed revisions.

<div>DocuSigned by:  <small>1261260831D8237...</small></div>	
Signature of Agency Head or Designee	Legislative Fiscal Officer or Designee

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

4/9/2020 | 5:59 PM CDT

Date of Signature	Date of Signature
	LFO 10/04

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

In January 2018, the Louisiana Department of Education (LDE) established a task force to complete a comprehensive review of Bulletin 741 (Nonpublic), Louisiana Handbook for Nonpublic School Administrators. Participants included a selection of Nonpublic School Council (NPSC) members, a Board of Elementary and Secondary Education (BESE) member, and nominees from various nonpublic schools. Revisions were presented to BESE in August and October 2018.

At the January 2020 NPSC meeting, council members requested additional revisions to Bulletin 741 (Nonpublic) that would decouple health education from physical education for purposes of satisfying high school graduation requirements. The proposed policy shift would afford nonpublic administrators increased flexibility in the awarding of Carnegie credit to students enrolled in nonpublic schools.

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

In January 2018, the Louisiana Department of Education (LDE) established a task force to complete a comprehensive review of Bulletin 741 (Nonpublic), Louisiana Handbook for Nonpublic School Administrators. Participants included a selection of Nonpublic School Council (NPSC) members, a Board of Elementary and Secondary Education (BESE) member, and nominees from various nonpublic schools. Revisions were presented to BESE in August and October 2018.

At the January 2020 NPSC meeting, council members requested additional revisions to Bulletin 741 (Nonpublic) that would decouple health education from physical education for purposes of satisfying high school graduation requirements. The proposed policy shift would afford nonpublic administrators increased flexibility in the awarding of Carnegie credit to students enrolled in nonpublic schools.

- 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.

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 are no anticipated impacts on costs as a result of the proposed revisions.

COSTS	FY20-21	FY21-22	FY22-23
PERSONAL SERVICES			
OPERATING EXPENSES	-0-	-0-	-0-
PROFESSIONAL SERVICES			
OTHER CHARGES			
EQUIPMENT			
MAJOR REPAIR & CONSTR.			
<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	FY20-21	FY21-22	FY22-23
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?

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 not impact local governmental units.

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?

The proposed revisions will not impact revenue collections of state and local governmental units.

REVENUE INCREASE/DECREASE	FY20-21	FY21-22	FY22-23
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.

See above.

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.

There may be costs associated with implementing the proposed rule to the extent nonpublic schools do not currently offer health education as a stand-alone course. Current graduation requirements are for students to complete two units of health and physical education. The proposed rule decouples health education, requiring one and one-half units of physical education and a one-half unit of health education for a combined total of two units. Nonpublic schools may incur costs to the extent they are required to hire additional staff to offer a stand-alone health education course. Proposed rule further retains instruction on CPR and adds additional components to health education in order to comply with existing state law (R.S. 17:81), including instruction on dating violence and instruction on automated external defibrillators.

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 will not have an impact on competition and employment.

COMPARISON DOCUMENT

Board of Elementary and Secondary Education

Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators
Carnegie Credit and Credit Flexibility—Health and Physical Education
(LAC 28:LXXIX.2102, 2109, 2319, and 2320)

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:CXV (Bulletin 741) and LAC 28: CLXIII (Bulletin 138). Proposed amendments will afford nonpublic administrators increased flexibility in the awarding of Carnegie credit, regarding health and physical education, to students enrolled in nonpublic schools.

Title 28

EDUCATION

Part LXXIX. Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators

Chapter 21. Curriculum and Instruction

Subchapter A. General

§2102. Carnegie Credit and Credit Flexibility

A. Schools may permit students to earn Carnegie credit as middle school students in all courses except ~~health and physical education.~~

B. - F.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, and 17:22(6).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:1444 (June 2013), amended LR 40:276 (February 2014), LR 40:1682 (September 2014), LR 41:1268 (July 2015), LR 46:

Subchapter C. Secondary Schools

§2109. High School Graduation Requirements

A. - D.6.j. ...

- 7. ~~health and physical education—2 1/2 units in accordance with §2319.A of this Part;~~
- 8. ~~electives—three units health education—1/2 unit;~~
- 9. ~~total—24 units; electives—3 units;~~
- 10. ~~total—24 units.~~

E. - F.3.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 44:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2351 (November 2003), amended LR 30:2776 (December 2004), LR 31:3081 (December 2005), LR 34:2099 (October 2008), LR 36:2849 (December 2010), LR 37:2142, 2144 (July 2011), repromulgated LR 37:2390 (August 2011), amended LR 37:2597 (September 2011), LR 38:769 (March 2012), LR 38:1008 (April 2012), LR 39:1444 (June 2013), LR 40:1682 (September 2014), LR 40:2535 (December 2014), LR 41:915 (May 2015), LR 41:1485 (August 2015), LR 41:2127 (October 2015), LR 42:1064 (July 2016), LR 43:1289 (July 2017), LR 45:38 (January 2019), LR 45:1456 (October 2019), LR 46:

Chapter 23. High School Program of Studies

§2319. ~~Health and~~ Physical Education

A. ~~Two One and one-half units of health and physical education shall will be required for graduation. They shall be health and physical education I and health and physical education II, or adapted physical education for eligible special education students. The health and physical education course offerings shall be as follows, including:~~

- 1. physical education I and II;
- 2. adapted physical education I and II for eligible special education students;
- 3. JROTC I, II, III, or IV; or
- 4.a. physical education I—1 unit; and
 - b. marching band, extracurricular sports, cheering, or dance team—1/2 unit.

B. ~~The p~~Physical education course offerings shall be are as follows.

Physical Education Courses	
Course Title(s)	Units
Adapted Health and Physical Education I, II, III, IV	1 each
Health and Physical Education I, II, III, IV	1 each
Marching Band	1/2
* * *	

1. The required units of ~~health and~~ physical education in Subsection A of this Section may must be earned ~~only~~ in grades 9-12.

2. - 3. Repealed.

2. ~~A minimum of 30 hours of health instruction shall be taught in each of the two required health and physical education units. Instructional hours in health education accrued in middle school may be applied to satisfy this requirement.~~

3. ~~Cardiopulmonary resuscitation (CPR) is required.~~

C. No more than four units of ~~health and~~ physical education ~~shall be~~ are allowed for meeting high school graduation requirements.

D. In schools having approved Junior Reserve Officer Training Corps (~~JR-O-T-C-~~) training, credits may, at the option of the local school board, be substituted for the required credits in ~~health and~~ physical education, ~~including required hours in health instruction.~~

E. Marching band, cheering, extracurricular sports, and dance team may be substituted for the physical education II credit and ~~shall must~~:

- 1. include a minimum of 100 minutes of physical activity per week; and
- 2. encourage the benefits of a physically active lifestyle; ~~and~~
- 3. ~~include a minimum of 15 hours of health instruction per each one half unit that may be taught in conjunction with the activity or separately.~~ Repealed.

F. Students ~~shall will~~ be exempted from the requirements in ~~health and~~ physical education for medical reasons only; however, the minimum number of credits required for graduation ~~shall will~~ remain 24.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, R.S. 17:22(6), 17:391.1-391.10, and 44:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2354 (November 2003), amended LR 31:3086 (December 2005), LR 39:1448 (June 2013), LR 40:1685 (September 2014), LR 41:1268 (July 2015), LR 46:

§2320. Health Education

A. One-half unit of health education course offerings is required.

- 1. Health education will include instruction on dating violence awareness and prevention in accordance R.S. 17:81.
- 2. Cardiopulmonary resuscitation (CPR) will be taught.
 - a. Instruction must be provided for CPR and the use of an automated external defibrillator.
 - b. The instructional program must be nationally recognized and based on the most current national evidence-based emergency cardiovascular care guidelines.
 - c. Students are required to perform hands-on practice.
 - d. The instructor is not required to be CPR-certified.
 - e. Students trained in CPR are not required to obtain CPR certification.
 - f. The physical presence of an automated external defibrillator is not required.

B. JROTC I and II may be used to meet the health education requirement if the following requirements are met.

- 1. A minimum of 2000 minutes of instructional time must be devoted to health education in JROTC I and II. Students must take both JROTC I and II to meet the health education requirement.
- 2. All standards and GLEs for health must be covered in JROTC I and II.
- 3. JROTC I and II must include the instruction listed in Subsection A of this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, and 17:81.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46: