



STATE BOARD of ELEMENTARY and SECONDARY EDUCATION

P.O. Box 94064, Capitol Station, Baton Rouge, LA 70804-9064 · PHONE: 225-342-5840 · FAX: 225-342-5843

June 10, 2020

MEMORANDUM

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Member-at-Large

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TO: Senator Patrick Page Cortez, Senate President
Representative Clay Schexnayder, Speaker of the House
Senator Cleo Fields, Chair, Senate Committee on Education
Representative Raymond E. Garofalo, Chair, House Committee on Education

FROM: Shan N. Davis, Executive Director
Board of Elementary and Secondary Education

RE: Summary Report on Board of Elementary and Secondary Education Proposed Rulemaking

Pursuant to R.S. 49:968(D)(1)(b), the Board of Elementary and Secondary Education hereby submits to you this summary report and announces its plan to proceed with rulemaking by finalizing the May 20, 2020, Notice of Intent that was promulgated on pages 711-712 of the *Louisiana Register*.

The Board has received no comments or requests for a public hearing and has not conducted a hearing pursuant to R.S. 49:953(A)(2)(a).

The Board has made no change to the proposed Rule.

Subject to legislative oversight by either the House Committee on Education or Senate Committee on Education, the Board anticipates adopting the Notice of Intent as a final Rule in the August 20, 2020, issue of the *Louisiana Register*.

The following document is attached:

1. A copy of the Notice of Intent.

Please contact Shannon Rawson at (225) 342-5841 if the Board may be of any assistance to you concerning this Rule.

SND:slr

Attachment (1)

- c: Shalyric Self, Senior Analyst, Senate Committee on Education
Cheryl Serrett, Analyst, Senate Committee on Education
Elizabeth Borne, Senior Legislative Analyst, House Committee on Education
Lisa Lovello, Legislative Analyst, House Committee on Education
Ryan Gremillion, Policy Director, Louisiana Department of Education
Shan N. Davis, Executive Director, BESE
Kevin Calbert, Communications Manager, BESE

Shan N. Davis
Executive Director

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:

Family Impact Statement

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.

1. Will the proposed Rule affect the stability of the family? No.

2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No.

3. Will the proposed Rule affect the functioning of the family? No.

4. Will the proposed Rule affect family earning and family budget? No.

5. Will the proposed Rule affect the behavior and personal responsibility of children? No.

6. Is the family or a local government able to perform the function as contained in the proposed Rule? Yes.

Poverty Impact Statement

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.

1. Will the proposed Rule affect the household income, assets, and financial authority? No.

2. Will the proposed rule affect early childhood development and preschool through postsecondary education development? Yes.

3. Will the proposed rule affect employment and workforce development? No.

4. Will the proposed rule affect taxes and tax credits? No.

5. Will the proposed rule affect child and dependent care, housing, health care, nutrition, transportation, and utilities assistance? No.

Small Business Analysis

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 the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;

2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or

3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments via the U.S. Mail until noon, June 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 RULE TITLE: **Jump Start—Waiver Requests; Career Diploma; and Program Authorization**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT 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 2020-2021 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 NONGOVERNMENTAL 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.

Beth Scioneaux
Deputy Superintendent
2005#035

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

Tuition Trust Authority Office of Student Financial Assistance

START Saving Program (LAC 28:VI.107 and 315)

The Louisiana Tuition Trust Authority announces its intention to amend its START Saving Program rules (R.S. 17:3091 et seq.).

This rulemaking adds the applicable interest rates for the START Saving Program for the 2019 calendar year. It also amends the definition of Qualified Higher Education Expenses to align Louisiana START Saving Program Rules with Internal Revenue Code Section 529, as amended by the Setting Every Community Up for Retirement Enhancement (SECURE) Act. (ST20189NI)