



# STATE BOARD of ELEMENTARY and SECONDARY EDUCATION

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June 11, 2026

## MEMORANDUM

TO: Senator Cameron Henry, Senate President  
Representative Phillip DeVillier, Speaker of the House  
Senator Rick Edmonds, Chair, Senate Committee on Education  
Representative Laurie Schlegel, Chair, House Committee on Education

FROM: Tavares A. Walker, 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, 2026, Notice of Intent that was promulgated on pages 766-767 of the *Louisiana Register*.

The Board has received no public comments 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, 2026, issue of the *Louisiana Register*.

The following document is attached:

1. A copy of the Notice of Intent.

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

TAW:med

Attachment (1)

c: Caroline Tyler, Secretary, Senate Committee on Education  
Elizabeth Borne, Legislative Analyst, House Committee on Education  
Lisa Lovello, Legislative Analyst, House Committee on Education  
Ashley Townsend, Assistant Superintendent, Louisiana Department of Education  
Max Dupuy, Records Management Administrator, BESE

**Tavares A. Walker**  
Executive Director

**Dr. Cade Brumley**  
State Superintendent

## NOTICE OF INTENT

### Board of Elementary and Secondary Education

Bulletin 126—Charter Schools  
Charter Governance and Eligibility for Renewal  
(LAC 28:CXXXIX.503, 1505, and 2101)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) proposes to amend LAC 28:CXXXIX in *Bulletin 126—Charter Schools*. The proposed revisions clarify board membership residency and composition requirements, provide a board governance participation plan for operators with multiple schools in different geographical locations that outlines the process for community input, and include provisions for the 2026 renewal process that utilize accountability metrics and school performance scores.

#### Title 28

#### EDUCATION

#### Part CXXXIX. Bulletin 126—Charter Schools

#### Chapter 5. Application and Approval Process for BESE-Authorized Charter Schools

#### §503. Eligibility to Apply for a Type 2 Charter School

##### A. - A.2. ...

3. have a board of directors with a minimum of three members and at least 60 percent of the board of directors shall reside in the state of Louisiana;

a. At the time of application, all new operators and/or experienced operators not currently operating a charter school in Louisiana must undergo a criminal background check for each board member identified with the submission of the full application. The request for information shall be from the Bureau of Criminal Identification and Information and the Federal Bureau of Investigation concerning whether the person has been arrested for, convicted of, or pled nolo contendere to any criminal offense.

b. Subsequent board member nominations or replacements shall also be required to undergo the required criminal background check upon appointment.

c. For charter operators that operate multiple schools in different communities, the application shall include a board governance participation plan for input from the community where the proposed school will be geographically located. The plan shall include how the board of directors will engage the community, how board members can be accessed, and how the community can participate in board meetings.

##### A.4. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3973, R.S. 17:3981, R.S. 17:3982, R.S. 17:3983, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1360 (July 2008), amended LR 37:868 (March 2011), LR 38:3117 (December 2012), LR 39:1431 (June 2013), LR 39:3064 (November 2013), LR 44:232 (February 2018), LR 47:571 (May 2021), LR 51:37 (January 2025), LR 51:2064 (December 2025), LR 52:

#### Chapter 15. Charter Renewal

#### §1505. Eligibility for Renewal for BESE-Authorized Charter Schools (Formerly §1503.B)

##### A. - D. ...

1. For the 2026 renewal process, in addition to the 2026 school performance score and letter grade, the LDOE shall calculate a school performance score and letter grade for each charter school being considered for renewal based on the formula utilized for the 2025 school performance score and letter grade. The school performance score and letter grade that results in the better outcome for the charter school shall be considered by the LDOE and BESE for renewal purposes. For components no longer calculated, the previous year index will be used. Schools with no previous score will not have a simulated score.

##### E. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3992.

HISTORICAL NOTE: HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:479 (March 2010), amended LR 37:871 (March 2011), LR 37:2388 (August 2011), LR 38:752 (March 2012), repromulgated LR 38:1394 (June 2012), amended LR 38:3119 (December 2012), LR 39:1436 (June 2013), LR 39:3066 (November 2013), LR 40:1323 (July 2014), LR 41:1264 (July 2015), amended LR 44:238 (February 2018), LR 46:788 (June 2020), LR 51:39 (January 2025), LR 52:

#### Chapter 21. Charter School Governance

#### §2101. Board of Director Composition

##### A. - F.2. ...

3. No fewer than 60% of the board of directors of each charter operator should be composed of members who reside in the state of Louisiana.

##### 4. ...

5. The board governance participation plan submitted in accordance with §503 of this Part shall be posted on the school website.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10) and 17:3981.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1370 (July 2008), amended LR 37:873 (March 2011), LR 37:1377 (May 2011), LR 44:240 (February 2018), LR 44:2130 (December 2018), LR 52:

#### 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 rules proposed for adoption, repeal, or amendment. All Family Impact Statements will be kept on file in the state board office which has adopted, amended, or repealed rules 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 earnings and family budget? No.

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

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

#### 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 rules proposed for adoption, amendment, or

repeal. All Poverty Impact Statements will be in writing and kept on file in the state agency which has adopted, amended, or repealed rules 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 100 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? No.
3. Will the proposed Rule affect employment and workforce development? No.
4. Will the proposed Rule affect taxes and tax credits? No.
5. Will the proposed Rule affect child and dependent care, housing, health care, nutrition, transportation, and utilities assistance? No.

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

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

#### Public Comments

Interested persons may submit written comments via the U.S. Mail until noon, June 10, 2026, to Tavares Walker, 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 Tavares Walker, 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.

Tavares A. Walker  
Executive Director

## FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: **Bulletin 126—Charter Schools Charter Governance and Eligibility for Renewal**

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

There are no anticipated implementation costs or savings to state or local governmental units due to the proposed rule change. The proposed rule change amends LAC 28:CXXXIX in Bulletin 126—Charter Schools to clarify board membership residency and composition requirements, provides a board governance participation plan for operators with multiple schools in different geographical locations, and includes provisions for the 2026 renewal process that utilize accountability metrics and school performance scores.

For the 2026 renewal process, LDOE will calculate both a 2026 school performance score and letter grade and an additional score and letter grade using the 2025 accountability formula for each charter school. BESE will then use whichever score yields the more favorable outcome for charter renewal purposes.

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

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

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

There are no anticipated costs or benefits to directly affected persons, small business, or nongovernmental groups as a result of the proposed rule change. The amendments provide clarity regarding charter governance and eligibility for renewal.

### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

For a charter school that would otherwise have been recommended for closure or a shorter length of charter renewal term, the individuals employed by the school could benefit from the continued operation of the school. The extent to which this option will be utilized is unknown.

Beth Scioneaux  
Deputy Superintendent  
2605#052

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

### NOTICE OF INTENT

#### Board of Elementary and Secondary Education

Bulletin 140—Louisiana Early Childhood Care and Education Network—Early Childhood (LAC 28:CLXVII.503, 509, and 511)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) proposes to amend LAC 28:CLXVII in *Bulletin 140—Louisiana Early Childhood Care and Education Network*. The aforementioned revisions update the CLASS<sup>®</sup> observation tool used in early childhood classrooms to measure the experiences of children and to calculate performance ratings for publicly funded sites and community networks. The CLASS<sup>®</sup> 2<sup>nd</sup> Edition Infant-Toddler and CLASS<sup>®</sup> 2<sup>nd</sup> Edition Pre-K-3<sup>rd</sup> are being adopted effective with the 2026-2027 academic year.