



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

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2nd BESE District

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October 13, 2025

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 September 20, 2025, Notice of Intent that was promulgated on pages 1388-1401 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 December 20, 2025, issue of the *Louisiana Register*.

The following document is attached:

1. A copy of the Notice of Intent.

Please contact Max Dupuy at (225) 342-5840 if the Board may be of any assistance to you concerning this Rule.

TAW:med

Attachment (1)

Tavares A. Walker
Executive Director

Dr. Cade Brumley
State Superintendent

- 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, Policy Director, Louisiana Department of Education
Max Dupuy, Records Management Administrator, BESE

- Act 479. Requires that, beginning 9/01/31, an applicant for initial certification shall have earned coursework that includes instruction in crisis intervention and effective strategies for behavior management of students with disabilities, which may be incorporated into an existing course of study.

Bulletin 996—Standards for Approval of Teacher and/or Educational Leader Preparation Programs

- Act 268. Requires that beginning with the 2026-2027 school year, for all certification areas, preparation programs include instruction on teaching computer science, which may be incorporated into an existing course of study. The delay of implementation allows the department to include any expenditures necessitated by the provisions of the Computer Science Education Act within its existing computer science budget in future fiscal years. LDOE's current computer science budget supports professional development, teacher certification, and technical assistance grants to expand capacity to offer computer science education across the state.
- Act 353. Requires that beginning with the 2025-2026 school year, for prescribed certification areas, the preparation program include instruction on teaching foundational numeracy skills. Certification areas include B-5, PK-K, elementary 1-5, elementary 1-5 integrated to merged, mathematics 4-8, mathematics 4-8 integrated to merged, mathematics 6-12, and mathematics 6-12 integrated to merged.
- Act 479. Requires that beginning with the 2027-2028 school year, for all certification areas, the preparation program include instruction in crisis intervention and effective strategies for behavior management of students with disabilities, which may be incorporated into an existing course of study.

Further revisions unrelated to legislative action adopt language, general educator, and English learner competencies, certification requirements, a new educator leader pathway, procedures for educator preparation program closure, program quality clarification, policy language alignment, and technical edits.

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 OR NONGOVERNMENTAL GROUPS (Summary)

Current and new teachers will benefit from targeted knowledge needed to teach special skills and diverse populations of students. This professional development will increase the quality of educators in the field and better serve student needs.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment as a result of the proposed rule change.

Beth Scioneaux
Deputy Superintendent
2509#065

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

Implementation of Education Acts of the
2025 Regular Legislative Session
(LAC 28:LXXIX.107, 121, 123, 1303, 1903, 2107, 2110,
2111, and 3019 and LAC 28:CXV.Chapters 3-31)

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:LXXIX in *Bulletin 741(Nonpublic)—Louisiana Handbook for Nonpublic School Administrators* LAC 28:CXV in *Bulletin 741—Louisiana Handbook for School Administrators*. During the 2025 Regular Legislative Session, laws were enacted that require revisions to Board of Elementary and Secondary Education (BESE) policy to include:

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

- Act 409. Child Safety and Welfare
- Act 463. Nutrition
- Act 356. 10 point scale
- Act 268. Computer science

Bulletin 741—Louisiana Handbook for School Administrators

- Act 200. Military status
- Act 409. Child safety and welfare
- Act 449. Vocational/technical courses
- Act 353. Numeracy
- Act 439. School employee bill of rights
- Act 181. Discipline records
- Act 497. Expulsion exception
- Act 210. ACSBD repealed
- Act 103. Parent access to materials
- Act 42. Transportation network companies
- Act 463. Nutrition
- Act 356. 10 point scale
- Act 268. Computer Science

Further revisions reorganize sections regarding graduation course and assessment requirements, alignment of policy language to statute, frequency of work-based learning observations, assessment levels, codification, and technical edits.

Title 28

EDUCATION

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

Chapter 1. Operation and Administration

§107. School Approval

A. - A.2. ...

3. the school must comply with any other requirements specific to the funding source, including specifically, but not limited to, applicable federal regulations.

B. - J. ...

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2342 (November 2003), amended LR 31:3073 (December 2005), LR 36:2847 (December 2010), LR 37:2145 (July 2011), LR 39:306 (February 2013), LR 39:1438 (June 2013), LR 39:3070 (November 2013), LR 50:174 (February 2024), LR 51:

§121. Emergency Planning and Procedures

A. - D.2....

3. Beginning with the 2026-2027 school year and not later than September thirtieth annually, each nonpublic school shall submit a list to LDOE, in the manner communicated by the department, of all employees who have complied with the training and employees that have not complied.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, R.S. 17:411, R.S. 17:416.16, R.S. 29:726.3, and CHC 603.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2343 (November 2003), amended LR 31:3074 (December 2005), LR 40:766 (April 2014), LR 51:51 (January 2025), LR 51:

§123. Personnel

A. - F.1. ...

G. Beginning August 1, 2025, no person whose name is recorded on the DCFS state central registry as a perpetrator for a substantiated finding of abuse or neglect of a child on or after August 1, 2018, shall be hired by any elementary or secondary school as a teacher, substitute teacher, bus driver, substitute bus driver, janitor, or as a temporary, part-time, or permanent school employee of any kind.

1. An administrator, teacher, or other school employee whose name is recorded on the DCFS state central registry on or after August 1, 2025, shall report the recordation to the employer and LDOE within two business days, exclusive of weekends and holidays.

2. A school shall dismiss any teacher or any other school employee whose name is recorded on the DCFS state central registry after August 1, 2025.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:15, 17:22(6), 17:391.1-391.10, 17:411, and 17:587.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2344 (November 2003), amended LR 31:3074 (December 2005), LR 39:1439 (June 2013), LR 44:2132 (December 2018), LR 50:1447 (October 2024), LR 51:

Chapter 13. Preventive Programs

§1303. Abuse

A. - D. ...

E. All instances of alleged child abuse that occur in a school setting shall immediately be reported to parents and to local or state law enforcement, regardless of the alleged perpetrator.

F. If more than one child is involved in the allegations, the school shall immediately report to the parent of all involved children.

G. Any sexual abuse cases in which the alleged perpetrator is a child shall be referred to DCFS.

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

R.S. 17:391.1-391.10; R.S. 17:411, R.S. 14:403.3, and R.S. 17:407.41.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2348 (November 2003), amended LR 31:3079 (December 2005), LR 51:51 (January 2025), LR 51:

Chapter 19. Support Services

§1903. School Food Service

A. - E. ...

F. Beginning with the 2028-2029 school year and beyond, no public school governing authority or nonpublic school that receives state funds shall serve any food or beverage containing a prohibited ingredient identified in R.S. 197.2 to students in schools under its jurisdiction.

1. The provisions of the Subsection shall apply to breakfast and lunches served to a student on a school campus during regular school hours and to any food or beverages served by the school to a student during aftercare.

2. The provisions of this Subsection shall not apply to food or beverages served or sold in concession stands and vending machines.

3. Each public school and any nonpublic school that receives state funds shall purchase food produced in Louisiana, to the extent practicable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), 17:82, 17:191, R.S. 17:391.1-391.10, R.S. 17:197.2, and R.S. 44:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2349 (November 2003), amended LR 31:3080 (December 2005), LR 39:1443 (June 2013), LR 47:1494 (October 2021), LR 51:

Chapter 21. Curriculum and Instruction

Subchapter C. Secondary Schools

§2107. Unit of Credit

A. ...

B. Beginning with the 2024-2025 school year and beyond, each school shall use the ten point grading scale for the purpose of assigning grades used in the calculation of the minimum GPA required for any TOPS award, regardless of whether the school uses a different grading scale for other purposes.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2350 (November 2003), amended LR 31:3081 (December 2005), LR 51:

§2109. TOPS University Diploma

A. Minimum Course Requirements. Course code and course selection criteria shall be in compliance with the TOPS Honors and TOPS Tech course requirements approved jointly by BESE and Board of Regents.

B. - F.8. Repealed.

G. - G.3.b. ...

H. For incoming freshmen in the 2014-2015 through 2023-2024 school years who are completing the TOPS university diploma, the minimum course requirements shall be the following:

1. - 2.k.Repealed.

3. English—four units;

4. Mathematics—four units;

5. Science—four units;

6. Social studies—four units;
7. Foreign language—two units;
8. Art—one unit;
9. Physical Education—one and one-half units;
10. Health—one-half unit; and
11. Electives—three units.
12. Total—24 units.

I. For incoming freshmen in the 2024-2025 through 2026-2027 school years who are completing the TOPS university diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—four units;
4. Social studies—four units;
5. Foreign language—two units;
6. Art—one unit;
7. Physical Education—one and one-half units;
8. Health—one-half unit;
9. Financial literacy—one unit; and
10. Electives—two units.
11. Total—24 units.

J. For incoming freshmen in the 2027-2028 school year and beyond who are completing the TOPS university diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—four units;
4. Social studies—four units;
5. Foreign language—two units;
6. Art—one unit;
7. Physical Education—one and one-half units;
8. Health—one-half unit;
9. Financial literacy—one unit;
10. Computer Science—one unit; and
11. Elective—one unit.
12. Total—24 units.

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 46:1084 (August 2020), amended LR 48:34 (January 2022), LR 48:2098 (August 2022), LR 49:642 (April 2023), LR 50:483 (April 2024), LR 51:

§2110. Career Diploma

A. Minimum Course Requirements. Course code and course selection criteria shall be in compliance with the TOPS Honors and TOPS Tech course requirements approved jointly by BESE and Board of Regents.

B. Curriculum and Entrance Requirements

1. The 23 units required for the career diploma shall include academic credits and a sequence of seven credits in career and technical education for incoming freshmen prior to the 2014-2015 school year or participation in approved training programs that lead to an approved industry-based credential for incoming freshmen in the 2014-2015 school year and beyond.

2. Students with exceptionalities assessed on the regular academic content standards who meet certain requirements may attain a career diploma by meeting the requirements of their IEP. See *Bulletin 1530—Louisiana's IEP Handbook for Students with Exceptionalities*. Students with exceptionalities assessed on the alternate academic content standards may attain a career diploma by meeting the requirements in §2320 of this bulletin.

C. Career diploma students may qualify for the State Seal of Biliteracy in accordance with §2109.G of this Part.

D. For incoming freshmen in the 2014-2015 through 2022-2023 school years who are completing the Career Diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—two units;
4. Social studies—two units;
5. Physical Education—one-half unit;
6. Health—one and one-half units; and
7. Jump Start course sequence, workplace experiences, and credentials—nine units.
8. Total—23 units.

E. For incoming freshmen in the 2023-2024 school year who are completing the Career Diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—two units;
4. Social studies—two units;
5. Physical Education—one and one-half units;
6. Health—one-half unit; and
7. Jump Start course sequence, workplace experiences, and credentials—nine units.

a. Jump Start 1.0 course sequences shall be available for incoming freshmen through the 2020-2021 school year; and

b. Jump Start 2.0 course sequences shall be available for incoming freshmen in the 2020-2021 school year and beyond

8. Total—23 units.

F. For incoming freshmen in the 2024-2025 through the 2026-2027 school year who are completing the Career Diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—two units;
4. Social studies—two units;
5. Physical Education—one and one-half units;

6. Health—one-half unit; and
7. Jump Start course sequence, workplace experiences, and credentials—nine units.

a. Jump Start 1.0 course sequences shall be available for incoming freshmen through the 2020-2021 school year; and

b. Jump Start 2.0 course sequences shall be available for incoming freshmen in the 2020-2021 school year and beyond

8. Total—23 units.

G. For incoming freshmen in the 2027-2028 school year and beyond who are completing the Career Diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—two units;
4. Social studies—two units;
5. Physical Education—one and one-half units;
6. Health—one-half unit;
7. Computer Science—one unit;
8. Jump Start course sequence, workplace experiences, and credentials—nine units.

a. Jump Start 1.0 course sequences shall be available for incoming freshmen through the 2020-2021 school year; and

b. Jump Start 2.0 course sequences shall be available for incoming freshmen in the 2020-2021 school year and beyond

9. Total—23 units.

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 51:

§2111. State Diploma

A. A nonpublic high school choosing to issue a state diploma shall meet state requirements in accordance with LAC 28:CXV.2316.

B. ...

1. - 3.d.Repealed.

C. Any state-approved nonpublic school that wishes to award the state diploma shall contact the LDOE for time lines and other administrative guidelines for administering state assessments. Any nonpublic school that opts to participate in the state assessment program shall follow BESE policy including the test security policy as defined in LAC 28:XI, *Bulletin 118—Statewide Assessment Standards and Practices*.

C.1. - 2. Repealed.

D. Any approved nonpublic school that does not choose to participate in the state assessment program may grant a school diploma, which shall carry the same privileges as one issued by a state-approved public school.

E. ...

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2351 (November 2003), amended LR 31:636 (March 2005), LR 31:3082 (December 2005), LR 36:1498 (July 2010), LR 39:1446 (June 2013), LR 48:38 (January 2022), LR 48:2560 (October 2022) LR 49:642 (April 2023), LR 49:861 (May 2023), LR 51:

Chapter 30. Health and Safety Rules and Regulations for Approved Non-Public School Three-Year-Old Programs

§3019. Child Safety and Welfare Minimum Standards

A. To ensure the safety and welfare of children, all early learning centers and all public and nonpublic prekindergarten programs shall meet minimum standards in accordance with this Chapter. As used in this Section, center includes both early learning centers and prekindergarten programs.

B. There shall be a minimum of two staff members present at any facility when more than four children are present, except under an extenuating circumstance that temporarily prevents compliance with this Paragraph.

C. The child-to-staff ratios shall not exceed the following:

1. Infants and under one year, 5 to 1.
2. One year, 7 to 1.
3. Two years, 10 to 1.
4. Three years, 13 to 1.
5. Four years, 15 to 1.
6. Five years, 19 to 1.

D. An average of the child-to-staff ratios may be applied to mixed age groups of children only for groups that include no children under the age of two.

E. When a mixed age group includes children younger than age two, the age of the youngest child determines the child-to-staff ratio for the group.

F. When the nature of a child with special healthcare needs or the number of children with special healthcare needs warrants added care, the center shall add sufficient staff as necessary.

G. Only staff members directly providing care, supervision, or guidance to children shall be counted in the child-to-staff ratios. The same staff members shall not be used to meet the ratio requirements for two different groups of children at the same time.

H. Sufficient staffing needed to satisfy child-to-staff ratios shall be present during rest time and available to assist as needed. Children ages one and older may be grouped together at rest time with one staff member in each room supervising the resting children.

I. Information regarding required child-to-staff ratios and a phone number to file complaints regarding supervision with LDOE shall be posted in each classroom in a location that is visible to parents.

J. Children shall be supervised at all times including on the playground, on field trips, and on non-vehicular excursions.

K. Children shall not be left alone in any room, outdoors, or in vehicles, even momentarily, without staff present.

1. The provisions of this Section shall not apply to restroom use in accordance with this Section, if a child is being provided services by therapeutic professionals, or if a child is in the custody of a parent or legal guardian.

L. A staff member shall be assigned to supervise children whose names and whereabouts that the staff person shall know and with whom the staff members shall be physically present. Staff shall be able to state how many children are in their care at all times.

M. A child who is developmentally able may be permitted to use the restroom independently if a staff member is in proximity to and can see the child to ensure immediate intervention to safeguard a child from harm or to assist with an accident while in the restroom.

1. An individual who is not a staff member shall not enter the restroom while in use by any child other than his own child.

N. A child age five and older may be permitted to go to and return from the restroom without staff.

O. If a prekindergarten program or early learning center is part of a school with children in kindergarten or older, staff shall ensure that the children enrolled in the prekindergarten program or early learning center are not unsupervised in the restroom at the same time as any older children who are using the restroom. For any facility constructed after January 1, 2026, there shall be designated separate restrooms for the children enrolled in the prekindergarten program or early learning center.

P. Children shall be cleaned and changed immediately following a toileting accident.

Q. By August 1 annually, the LDOE shall provide an informational document to each early learning center and prekindergarten program. The document shall be distributed to the parents and legal guardians of all children enrolled in the center or program at the beginning of each school year and may be distributed electronically.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7, and R.S. 17:407.41.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:

Title 28

EDUCATION

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 3. Operation and Administration

§301. General Authority

A. - B. ...

C. Each local education agency (LEA) shall ensure that all eligible persons, regardless of race, creed, color, national origin, military status, sex, or disability, have access to educational programs supported by public funds.

D. - E. ...

AUTHORITY NOTE: Promulgated in accordance with La. Const. Art. VIII §1 and §3; R.S. 17:6; R.S. 17:7; R.S. 17:111; R.S. 17:151; R.S. 17:172; R.S. 17:1941, et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1257 (June 2005), amended LR 51:

§326. Child Safety and Welfare Minimum Standards

A. To ensure the safety and welfare of children, all early learning centers and all public and nonpublic prekindergarten programs shall meet minimum standards in accordance with this Chapter. As used in this Section, center includes both early learning centers and prekindergarten programs.

B. There shall be a minimum of two staff members present at any facility when more than four children are present, except under an extenuating circumstance that temporarily prevents compliance.

C. The child-to-staff ratios shall not exceed the following:

1. Infants and under one year, 5 to 1.
2. One year, 7 to 1.
3. Two years, 10 to 1.
4. Three years, 13 to 1.
5. Four years, 15 to 1.
6. Five years, 19 to 1.

D. An average of the child-to-staff ratios may be applied to mixed age groups of children only for groups that include no children under the age of two.

E. When a mixed age group includes children younger than age two, the age of the youngest child determines the child-to-staff ratio for the group.

F. When the nature of a child with special healthcare needs or the number of children with special healthcare needs warrants added care, the center shall add sufficient staff as necessary.

G. Only staff members directly providing care, supervision, or guidance to children shall be counted in the child-to-staff ratios. The same staff members shall not be used to meet the ratio requirements for two different groups of children at the same time.

H. Sufficient staffing needed to satisfy child-to-staff ratios shall be present during rest time and available to assist as needed. Children ages one and older may be grouped together at rest time with one staff member in each room supervising the resting children.

I. Information regarding required child-to-staff ratios and a phone number to file complaints regarding supervision with LDOE shall be posted in each classroom in a location that is visible to parents.

J. Children shall be supervised at all times including on the playground, on field trips, and on non-vehicular excursions.

K. Children shall not be left alone in any room, outdoors, or in vehicles, even momentarily, without staff present.

1. The provisions of this Section shall not apply to restroom use in accordance with this Section, if a child is being provided services by therapeutic professionals, or if a child is in the custody of a parent or legal guardian.

L. A staff member shall be assigned to supervise children whose names and whereabouts that the staff person shall know and with whom the staff members shall be physically present. Staff shall be able to state how many children are in their care at all times.

M. A child who is developmentally able may be permitted to use the restroom independently if a staff member is in proximity to and can see the child to ensure immediate intervention to safeguard a child from harm or to assist with an accident while in the restroom.

1. An individual who is not a staff member shall not enter the restroom area while in use by any child other than his own child.

N. A child age five and older may be permitted to go to and return from the restroom without staff.

O. If a prekindergarten program or early learning center is part of a school with children in kindergarten or older, staff shall ensure that the children enrolled in the prekindergarten program or early learning center are not unsupervised in the restroom at the same time as any older children who are using the restroom. For any facility

constructed after January 1, 2026, there shall be designated separate restrooms for the children enrolled in the prekindergarten program or early learning center.

P. Children shall be cleaned and changed immediately following a toileting accident.

Q. By August 1 annually, the LDOE shall provide an informational document to each early learning center and prekindergarten program. The document shall be distributed to the parents and legal guardians of all children enrolled in the center or program at the beginning of each school year and may be distributed electronically.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7, and R.S. 17:407.41.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:

§339. Emergency Planning and Procedures

A. - M.5. ...

N. Each employee shall annually complete a mandatory reporter training course regarding the statutory requirements and responsibility of reporting child abuse and neglect.

1. A record of completion of the course shall be provided to the employee and retained by the school.

2. The school shall retain a list of all employees who have not completed the training.

3. Beginning with the 2026-2027 school year and not later than September thirtieth annually, each LEA shall submit a list to LDOE of all employees who have complied with the training and employees that have not complied.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:154.1, R.S. 29:726.5, et seq., R.S. 40:1137.3, and 17:416.16.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1262 (June 2005), amended LR 39:3258 (December 2013), LR 41:372 (February 2015), LR 45:36 (January 2019), LR 45:1746 (December 2019), LR 50:175 (February 2024), LR 51:55 (January 2025), LR 51:

§345. Requesting Waivers of BESE Policy

A. - D. ...

E. If the high school's approved mission or curriculum model does not align with providing vocational and technical education courses, the governing authority of the school may request a waiver from BESE. The waiver request shall include:

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

2. documentation of the approved mission or curriculum model.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.2(B)(5), R.S. 17:24.10(C)(1)(c), R.S. 17:151(B)(2), R.S. 17:192(B)(2), R.S. 17:274(D), R.S. 17:183.4 and R.S. 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 46:1085 (August 2020), LR 51:

Chapter 5. Personnel

§501. Criminal Background Checks

A. - C. ...

D. A teacher or other school employee, upon final conviction or plea of guilty or nolo contendere to any criminal offense, excluding traffic offenses, shall report the fact of the conviction or plea to his employer within 48 hours, excluding weekends and holidays, of the conviction or plea.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:15, and 17:587.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1265 (June 2005), amended LR 33:431 (March 2007), LR 34:607 (April 2008), repromulgated LR 35:443 (March 2009), amended LR 35:1473 (August 2009), LR 39:2200 (August 2013), LR 44:2132 (December 2018), LR 50:1448 (October 2024), LR 51:

§502. Staff Misconduct

A. Each LEA, prior to hiring any employee, shall require that the applicant for employment sign a statement providing for the disclosure of information by DCFS regarding the state central registry and by the applicant's current or previous employer, if such employer is an LEA, relative to all instances of sexual misconduct with students committed by the applicant, if any, and releasing the current or previous employer, if such employer is a city, parish, or other local public school board, and any school employee acting on behalf of such employer from any liability for providing such information.

1. - 10. ...

11. Beginning August 1, 2025, a person whose name is recorded on the DCFS state central registry as a perpetrator for a substantiated finding of abuse or neglect of a child on or after August 1, 2018, shall not be hired by any elementary or secondary school as a teacher, substitute teacher, bus driver, substitute bus driver, janitor, or as a temporary, part-time, or permanent school employee of any kind.

B. - D.7. ...

8. An administrator, teacher, or other school employee whose name is recorded on the DCFS state central registry on or after August 1, 2025 shall report the recordation to the employer and LDOE within two business days, exclusive of weekends and holidays. A school shall dismiss any teacher or any other school employee whose name is recorded on the DCFS state central registry after August 1, 2025.

E. - E.6.a. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:15; R.S. 17:81.9; R.S. 17:587.1; R.S. 17:7.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1265 (June 2005), amended LR 33:431 (March 2007), LR 34:607 (April 2008), repromulgated LR 35:444 (March 2009), amended LR 35:1099 (June 2009), LR 37:1138 (April 2011), LR 38:41 (January 2012), amended LR 48:31 (January 2022), LR 51:

§511. Completion of Approved Numeracy Skills Course

A. ...

B. For the purposes of the Section, *teacher* means a public school kindergarten through eighth grade mathematics teacher.

C. Not later than the beginning of the 2025-2026 school year, each fourth through eighth grade teacher must successfully complete at least one approved professional development course and provide documentation of successful completion of the course to the employing school. A teacher who provides documentation of successful completion of an approved professional development course within the five years prior to August 1, 2025, shall be considered in compliance with the provisions of this Paragraph.

D. Documentation of Completion. Any teacher hired must provide documentation to the employing school of successful completion of an approved professional development course within two years of the date of employment, as follows:

1. Any fourth through eighth grade teacher hired after July 31, 2025.

2. Any kindergarten through third grade teacher hired after July 31, 2027.

E. - G. ...

H. Not later than August 1, 2027, each kindergarten through third grade teacher must successfully complete at least one approved professional development course and provide documentation to the teacher's employing school. A teacher who provides documentation of successful completion of an approved professional development course within five years prior to August 1, 2027, shall be considered in compliance with the provisions of this Subsection.

I. Each LEA shall provide for numeracy coaches for math teachers in kindergarten through third grade for the purposes of providing on-site training on evidence-based mathematics instruction, demonstrating lessons, co-teaching or observation, and providing feedback for improving instruction, subject to the allocation of funds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:176 and R.S. 17:2119.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 50:176 (February 2024), amended LR 51:

§520. School Employee Bill of Rights

A. Respecting the authority of school employees is essential to creating a safe environment conducive to learning, effective instruction in the classroom, and proper administration of city, parish, and other local public schools. To maintain and protect that authority, it is important that school employees, administrators, parents, and students are fully informed of the various rights conferred upon school employees pursuant to this policy, which are:

1. A school employee has the right to work in a safe, secure, and orderly environment that is conducive to learning and free from recognized dangers or hazards that are causing or likely to cause serious injury.

2. A school employee has the right to work free from the fear of frivolous lawsuits, including the right to qualified immunity and to a legal defense, and to indemnification by the employing school board for actions taken in the performance of duties of the school employee's employment.

3. A school employee has the right to hold students accountable for disorderly conduct in accordance with state law and a city, parish or other local public school board regulation.

4. A school employee has the right to have his or her professional judgment and discretion respected by school and district administrators in any disciplinary action taken by the school employee in accordance with state law and with school and district policy.

5. A school employee has the right to be involved in decisions regarding student behavior management.

6. A school employee has the right to have additional compensation in accordance with state law and any compensation provided by any city, parish, or other local public school board regulation.

7. A school employee shall not have his or her wages reduced for any school year below the amount paid to the school employee in hourly wage or annual salary during the previous school year, nor shall the amount of the hourly wage or annual salary paid to any school employee be reduced at any time during the academic year.

8. A school employee serving as a substitute teacher shall have the right to additional compensation.

9. A school employee has the right to be treated with civility and respect.

10. A school employee shall have the right to perform noncomplex medical procedures only if all requirements have been met and documented in accordance with LAC 28: CLVII.

11. A school employee shall have the right to administer medication only if all requirements have been met and documented in accordance with LAC 28: CLVII.

12. A school employee required by law or regulation to be trained for a specific job requirement shall be required to perform those specific duties only if they have received the mandated training and the training has been documented as required by law or regulation.

13. A school employee shall have the right to professional development and career advancement and should be supported in advancing their careers.

14. A school employee shall have the right to complete only paperwork that is not excessively burdensome and that, if required by law or regulation, adheres to the law or regulation and does not result in overly cumbersome interpretations of that law or regulation.

B. No LEA shall establish policies that prevent school employees from exercising the rights as provided in this Section. No principal or administrator shall retaliate or take adverse employment action against a school employee for exercising the rights provided in this Section. The provisions of this Section do not authorize the school employee to violate the provisions of any discipline policy adopted by the public school governing authority.

C. The provisions of this Section shall not be construed to supersede any other state law, BESE policy, or LEA policy enacted or adopted relative to the discipline of students.

D. Each LEA shall provide a copy of this policy to all school employees at the beginning of each school year, shall post a copy of the rights provided in this policy in a prominent place in every school and administrative building it operates, and shall provide a copy to parents or legal guardians of all children attending such schools in a form and manner approved by the school board. Each LEA and every school under its jurisdiction that maintains an internet website shall post on such website a copy of the School Employee Bill of Rights.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416, R.S. 17:416.18.1, and R.S. 17:416.8.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:

Chapter 7. Records and Reports

§709. Transfer of Student Records

A. - A1. ...

2. Transferred records shall include the student's full school disciplinary record, including but not limited to the dates of any suspension or expulsion and the reasons for which the student was suspended or expelled.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:112 and R.S. 17:221.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1270 (June 2005), amended LR 36:1224 (June 2010), LR 39:2203 (August 2013), LR 51:

Chapter 11. Student Services

§1135. Child Abuse

A. - D. ...

E. All instances of alleged child abuse that occur in a school setting shall immediately be reported to the child's parent and to local or state law enforcement, regardless of the alleged perpetrator.

F. If more than one child is involved in the allegations, the school shall immediately report to the parent of all involved children.

G. Any sexual abuse cases in which the alleged perpetrator is a child shall be referred to DCFS.

AUTHORITY NOTE: Promulgated in accordance with R.S. 14:403.3., R.S. 17:6, R.S. 17:7, and R.S. 17:407.41.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1282 (June 2005), amended LR 51:49 (January 2025), LR 51:

Chapter 13. Discipline

§1307. Reasons for Expulsions

A. - A.3.c. ...

4. Any student in sixth grade and above found guilty of being in possession of tobacco, alcohol, or vaping products or found guilty on first occurrence of being in possession of marijuana, tetrahydrocannabinol, or any chemical derivative thereof on school property, on a school bus, or at a school-sponsored event may be recommended for expulsion.

5. A student in grades six and above who is found guilty of being in possession of a firearm, a knife with a blade equal to or in excess of two and one-half inches in length, or any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school event shall be expelled from school for a minimum period of two complete school semesters and shall be referred to the district attorney for appropriate action. The school principal or designee shall, within five days of arrest, refer such student for testing or screening by a qualified medical professional for evidence of abuse of alcohol, illegal narcotics, drugs, or other controlled dangerous substances. If evidence of abuse is found, the principal or designee shall refer the student to an alcohol and drug abuse treatment professional chosen by the student's parent or legal guardian.

6. ...

7. A student in grades six through twelve found guilty of being in possession of marijuana, tetrahydrocannabinol, or any chemical derivative thereof shall not be subject to the provisions of Paragraph 5 of this Subsection unless the offense is the second or subsequent occurrence.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1284 (June 2005), amended LR 34:608 (April 2008), LR 39:2211 (August 2013), LR 43:2483 (December 2017), LR 48:1013 (April 2022), LR 51:58 (January 2025), LR 51:

§1319. Advisory Council on Student Behavior and Discipline

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.1 and R.S. 17:253.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:2096 (August 2022), amended LR 51:36 (January 2025), repealed LR 51:

Chapter 17. Instructional Support

§1701. Instructional Materials and Equipment

A. - B. ...

C. Each LEA shall adopt policies for each school to make instructional materials readily available for review, upon request, by parents or legal guardians of students enrolled in the school. The policy shall:

1. specify reasonable hours for in-person review;
2. provide access to instructional materials, including online access;
3. impose no fee for in-person viewing or access to online instructional materials;
4. establish reasonable and customary fees to be collected to cover the cost of providing copies, if requested; and
5. permit parents to make their own copies on school premises via mobile or other device that has the capability of making copies.

D. Assessments of academic knowledge, skills, or abilities, including non-secure tests, assessments, and assessment answer keys, may be made available to parents at the discretion of the local school board and may include only in-person viewing at the school.

E. The requirement to provide online access to instructional materials shall be limited to curricula that is adopted in accordance with R.S. 17:351.1.

F. Other instructional materials may be made available to a parent in-person in accordance with local rules and policies adopted by the local school board.

G. Each local school board shall submit to the LDOE an electronic copy or a digital link to rules and policies that are adopted pursuant to this Section. The submission shall include the reasonable and customary fee schedule which may be charged to the parent pursuant to this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:355, R.S. 17:6; R.S. 17:7; R.S. 17:351.1 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1286 (June 2005), amended LR 51:

Chapter 21. Support Services

§2101. Transportation

A. - C. ...

D. Alternate means of transportation may be contracted with a transportation network company in accordance with LAC 28: CXIII.1909.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1287 (June 2005), amended LR 39:2212 (August 2013), LR 51:

§2103. School Food Service

A. - E. ...

F. Beginning with the 2028-2029 school year and beyond, no public school governing authority or nonpublic school that receives state funds shall serve any food or beverage containing a prohibited ingredient identified in R.S. 17:197.2 to students in schools under its jurisdiction.

1. The provisions of the Subsection shall apply to breakfast and lunches served to a student on a school campus during regular school hours and to any food or beverages served by the school to a student during aftercare.

2. The provisions of this Subsection shall not apply to food or beverages served or sold in concession stands and vending machines in accordance with R.S. 17:197.1.

3. Each public school and any nonpublic school that receives state funds shall purchase food produced in Louisiana, to the extent practicable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:82, R.S. 17:191 et seq., and R.S. 17:197.1-2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1287 (June 2005), amended LR 38:3135 (December 2012), LR 39:2212 (August 2013), LR 47:1494 (October 2021), LR 51:

Chapter 23. Curriculum and Instruction

Subchapter A. Standards and Curricula

§2302. Uniform Grading Policy

A. - A.5. ...

B. Beginning with the 2024-2025 school year and beyond, each school shall use the ten point grading scale for the purpose of assigning grades used in the calculation of the minimum GPA required for any TOPS award.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(31)(A).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2390 (August 2011), amended LR 39:2213 (August 2013), LR 51:50 (January 2025), LR 51:

§2303. Planning and Instruction

A. - H. ...

I. All public high schools shall provide students the opportunity to enroll in available vocational and technical education courses.

1. If a high school does not offer vocational and technical education courses, the governing authority of the school may enter into agreements to partner with other public schools or with one or more two-year public postsecondary education institutions in the state or with nonprofit proprietary schools or Course Choice providers approved by BESE to provide available courses.

2. No student shall be assessed a course fee when the LEA receives career development funds in the MFP for such course. Prioritization of Course Choice funding shall be accordance with LAC 28:CLI.701.

AUTHORITY NOTE: Promulgated in accordance with Louisiana Constitution Art. VIII Preamble and R.S. 17:7.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1288 (June 2005), amended LR 39:2213 (August 2013), LR 40:764 (April 2014), LR 51:58 (January 2025), LR 51:

§2305. Ancillary Areas of Instruction

A. - G. ...

H. Beginning with the 2026-2027 school year, each public high school shall provide instruction in computer science to students, and each public school with students in

sixth through eighth grade shall provide instruction in exploratory computer science.

I. Beginning with the 2027-2028 school year, each public elementary school shall provide instruction in the basics of computer science and computational thinking.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:81, 17:154, 17:261 et seq., 17:263, 17:270, 17:280, 17:281 et seq., 17:404, and 17:405 et seq., and 36 USC 106.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1288 (June 2005), amended LR 33:2353 (November 2007), LR 39:2214 (August 2013), LR 39:3259 (December 2013), LR 40:2531 (December 2014), LR 44:1443 (August 2018), LR 44:1868 (October 2018), LR 45:36 (January 2019), LR 45:1746 (December 2019), amended LR 48:33 (January 2022), LR 49:251 (February 2023), repromulgated LR 49:857 (May 2023), amended LR 50:177 (February 2024), LR 51:59 (January 2025), LR 51:

§2316. Assessment Requirements

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

B. Prior to or upon the student's entering the tenth grade, all LEAs shall notify each student and his/her parents or guardians of the requirement of passing LEAP tests.

C. Upon their entering a school system, students transferring to any high school of an LEA shall be notified by that system of the graduation requirement for passing LEAP.

D. Students enrolled in a course for which there is a LEAP test must take the LEAP test.

E. The LEAP test score shall count as a percentage of the student's final grade for the course. The percentage shall be between 15 percent and 30 percent inclusive, and shall be determined by the LEA.

1. For students with disabilities identified under IDEA who meet the participation criteria found in *Bulletin 1530—Louisiana's IEP Handbook for Students with Exceptionalities*, §405.B and R.S. 17:183.2, the LEAP test score shall count for 5 percent of the students' final grade for the course.

2. The grades assigned for the test achievement levels shall be as follows.

- a. Excellent = A.
- b. Good = B.
- c. Fair = C.
- d. Needs Improvement = D or F.

F. For incoming freshmen in the 2010-2011 through 2016-2017 school years must pass three end-of-course tests in the following categories:

1. English II or English III;
2. Algebra I or geometry;
3. biology or American history.

G. For incoming freshmen in the 2017-2018 through 2023-2024 school years must pass three LEAP 2025 assessments in the following categories:

1. English I or English II;
2. Algebra I or geometry;
3. biology or U.S. history.

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

I. Covid Exemption. For high school seniors enrolled during spring 2021 and graduating by August 31, 2021, and for high school seniors enrolled during spring 2022 and graduating by August 31, 2022, the following may be substituted for the LEAP 2025 high school assessment requirement, provided the student has initially participated in all required assessments:

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

2. an ACT composite score of 17 or higher for all students; or

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

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

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

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

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

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

- b. a qualified teacher is defined as a teacher holding a valid and current Louisiana teaching certificate or has received a final COMPASS evaluation of effective: emerging or higher.

- c. for purposes of this Section, a qualified teacher is defined as a teacher holding a valid and current Louisiana teaching certificate or has received a final COMPASS evaluation of effective: emerging or higher.

J. For incoming freshmen in 2024-2025 and beyond, the LEAP 2025 Civics assessment will replace the LEAP 2025 U.S. History assessment as the social studies assessment required for graduation. The LEAP 2025 U.S. History assessment will be available through 2026-2027 for those students requiring a retest to fulfill graduation requirements. Students must pass three LEAP 2025 assessments in the following categories:

1. English I or English II;

2. Algebra I or geometry;

3. biology or civics.

K. A maximum of one Carnegie unit of elective credit may be applied toward meeting high school graduation requirements by an eighth grade student who has scored at the *unsatisfactory* achievement level on either the English language arts and/or the mathematics component(s) of the eighth grade LEAP provided the student:

1. successfully completed specially designed elective(s) for LEAP remediation;

2. scored at or above the *basic* achievement level on those component(s) of the 8th grade LEAP for which the

student previously scored at the *unsatisfactory* achievement level.

L. During the transition to new tests, the requirement to count a LEAP 2025 test score as a percentage of the student's final grade will be waived for high school state assessments as follows:

1. English I, English II, Algebra I, and geometry scores from the fall 2017 administration; the decision to include scores from these assessments in final grades in spring 2018 shall be a district decision that must be outlined in the pupil progression plan.

2. U.S. history scores from the fall and spring administrations in 2017-2018;

3. biology scores from the fall and spring administrations in 2018-2019; and

4. civics scores from the fall and spring administration in 2024-2025.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:

§2317. High Schools

A. - L.3.b. ...

M. All public high schools shall advise students of the availability of the TOPS Tech Early Start Award for eligible students and shall provide information on the eligibility criteria of the award.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:154, 17:264, 17:1944, 17:1945, and 17:4073.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 36:1485 (July 2010), LR 37:1137 (April 2011), LR 38:754 (March 2012), LR 39:1038 (April 2013), LR 39:2216 (August 2013), LR 40:1328 (July 2014), repromulgated LR 40:1528 (August 2014), amended LR 40:2530 (December 2014), LR 45:37 (January 2019), LR 45:227 (February 2019), LR 46:1671 (December 2020), amended LR 48:33 (January 2022), LR 50:178 (February 2024), LR 51:1128 (August 2025), LR 51:

§2318. The TOPS University Diploma

A. Minimum Course Requirements. Course code and course selection criteria shall be in compliance with the TOPS Honors and TOPS Tech course requirements approved jointly by BESE and Board of Regents.

A.1. - C.3. Repealed.

D. - F. Reserved.

G. For incoming freshmen in the 2014-2015 through 2023-2024 school years who are completing the TOPS university diploma, the minimum course requirements shall be the following:

1. - 2.k. Repealed.

3. English—four units;

4. Mathematics—four units;

5. Science—four units;

6. Social studies—four units;

7. Foreign language—two units;

8. Art—one unit;

9. Physical Education—one and one-half units;

10. Health—one-half unit; and

11. Electives—three units.

12. Total—24 units.

H. For incoming freshmen in the 2024-2025 through 2026-2027 school years who are completing the TOPS university diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—four units;
4. Social studies—four units;
5. Foreign language—two units;
6. Art—one unit;
7. Physical Education—one and one-half units;
8. Health—one-half unit;
9. Financial literacy—one unit; and
10. Electives—two units.
11. Total—24 units.

I. For incoming freshmen in the 2027-2028 school year and beyond who are completing the TOPS university diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—four units;
4. Social studies—four units;
5. Foreign language—two units;
6. Art—one unit;
7. Physical Education—one and one-half units;
8. Health—one-half unit;
9. Financial literacy—one unit;
10. Computer Science—one unit; and
11. Elective—one unit.
12. Total—24 units.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 31:2211 (September 2005), LR 31:3070 (December 2005), LR 31:3072 (December 2005), LR 32:1414 (August 2006), LR 33:429 (March 2007), LR 33:432 (March 2007), LR 33:2050 (October 2007), LR 33:2354 (November 2007), LR 33:2601 (December 2007), LR 34:1607 (August 2008), LR 36:1486 (July 2010), LR 37:547 (February 2011), LR 37:1128 (April 2011), LR 37:2129 (July 2011), LR 37:2132 (July 2011), LR 37:3193 (November 2011), LR 38:754, 761 (March 2012), LR 38:1001 (April 2012), LR 38:1584 (July 2012), LR 40:994 (May 2014), LR 40:1328 (July 2014), LR 40:1679 (September 2014), LR 40:2525 (December 2014), LR 41:915 (May 2015), LR 41:1482 (August 2015), LR 41:2126 (October 2015), LR 42:232 (February 2016), LR 42:1062 (July 2016), LR 42:1878 (November 2016), LR 42:2176 (December 2016), LR 43:1287 (July 2017), LR 43:2132 (November 2017), LR 43:2483 (December 2017), LR 44:263 (February 2018), LR 44:1868 (October 2018), repromulgated LR 44:1998 (November 2018), amended LR 45:1454 (October 2019), LR 46:556 (April 2020), LR 47:860 (July 2021), amended LR 48:33 (January 2022), LR 48:39 (January 2022), repromulgated LR 48:1092 (April 2022), amended LR 48:2098 (August 2022), LR 48:2560 (October 2022), LR 49:642 (April 2023), LR 49:862 (May 2023), LR 50:480 (April 2024), LR 51:50 (January 2025), LR 51:

§2319. The Career Diploma

A. Minimum Course Requirements. Course code and course selection criteria shall be in compliance with the TOPS Honors and TOPS Tech course requirements approved jointly by BESE and Board of Regents.

A.1. - C.3.h. Repealed.

D. ...

E. Curriculum and Entrance Requirements

1. The 23 units required for the career diploma shall include academic credits and a sequence of seven credits in career and technical education for incoming freshmen prior to the 2014-2015 school year or participation in approved

training programs that lead to an approved industry-based credential for incoming freshmen in the 2014-2015 school year and beyond.

2. Students with exceptionalities assessed on the regular academic content standards who meet certain requirements may attain a career diploma by meeting the requirements of their IEP. See *Bulletin 1530—Louisiana's IEP Handbook for Students with Exceptionalities*. Students with exceptionalities assessed on the alternate academic content standards may attain a career diploma by meeting the requirements in §2320 of this bulletin.

F. - H. Reserved.

I. For incoming freshmen in the 2014-2015 through 2022-2023 school years who are completing the Career Diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—two units;
4. Social studies—two units;
5. Physical Education—one and one-half unit;
6. Health—one-half unit; and
7. Jump Start course sequence, workplace experiences, and credentials—nine units.
8. Total—23 units.

J. For incoming freshmen in the 2023-2024 school year who are completing the Career Diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—two units;
4. Social studies—two units;
5. Physical Education—one and one-half units;
6. Health—one-half unit; and
7. Jump Start course sequence, workplace experiences, and credentials—nine units.

a. Jump Start 1.0 course sequences shall be available for incoming freshmen through the 2020-2021 school year; and

b. Jump Start 2.0 course sequences shall be available for incoming freshmen in the 2020-2021 school year and beyond

8. Total—23 units.

K. For incoming freshmen in the 2024-2025 through the 2026-2027 school year who are completing the Career Diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—two units;
4. Social studies—two units;
5. Physical Education—one and one-half units;
6. Health—one-half unit; and
7. Jump Start course sequence, workplace experiences, and credentials—nine units.

a. Jump Start 1.0 course sequences shall be available for incoming freshmen through the 2020-2021 school year; and

b. Jump Start 2.0 course sequences shall be available for incoming freshmen in the 2020-2021 school year and beyond

8. Total—23 units.

L. For incoming freshmen in the 2027-2028 school year and beyond who are completing the Career Diploma, the minimum course requirements shall be the following:

1. English—four units;
2. Mathematics—four units;
3. Science—two units;
4. Social studies—two units;
5. Physical Education—one and one-half units;
6. Health—one-half unit;
7. Computer Science—one unit;
8. Jump Start course sequence, workplace experiences, and credentials—nine units.

a. Jump Start 1.0 course sequences shall be available for incoming freshmen through the 2020-2021 school year; and

b. Jump Start 2.0 course sequences shall be available for incoming freshmen in the 2020-2021 school year and beyond

9. Total—23 units.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 31:2211 (September 2005), LR 31:3070 (December 2005), LR 31:3072 (December 2005), LR 32:1414 (August 2006), LR 33:429 (March 2007), LR 33:432 (March 2007), LR 33:2050 (October 2007), LR 33:2354 (November 2007), LR 33:2601 (December 2007), LR 34:1607 (August 2008), LR 35:1230 (July 2009), LR 35:1876 (September 2009), LR 35:2321 (November 2009), LR 35:2750 (December 2009), LR 36:1490 (July 2010), LR 37:548 (February 2011), LR 37:1130 (April 2011), LR 37:2130 (July 2011), LR 37:3197 (November 2011), LR 38:761 (March 2012), LR 38:1005 (April 2012), LR 40:2522 (December 2014), LR 41:1482 (August 2015), LR 41:2594 (December 2015), LR 42:232 (February 2016), LR 43:1287 (July 2017), LR 43:2132 (November 2017), LR 43:2484 (December 2017), LR 44:1868 (October 2018), LR 45:1747 (December 2019), LR 46:557 (April 2020), LR 46:1086 (August 2020), LR 47:860 (July 2021), LR 48:39 (January 2022), repromulgated LR 48:1093 (April 2022), LR 48:2560 (October 2022), LR 49:252 (February 2023), LR 49:643 (April 2023), repromulgated LR 49:858 (May 2023), LR 50:482 (April 2024), amended LR 50:972 (July 2024), LR 51:50 (January 2025), LR 51:

Chapter 31. Career and Technical Education (CTE)

§3113. Work-Based Learning

A. - E.4. ...

5. The teacher-coordinator shall visit each student on the job to observe the student at work, to confer with the employer, and to obtain an evaluation of the student's progress at least two times during the school year or semester or one time during summer months in which the student is employed as part of a work-based learning program.

A.6. - F.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1310 (June 2005), amended LR 33:280 (February 2007), LR 39:2228 (August 2013), LR 43:2134 (November 2017), LR 50:1148 (August 2024), LR 51:

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 earnings and family budget? No.

5. Will the proposed Rule affect the behavior and personal responsibility of children? Yes.

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 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? No.

3. Will the proposed Rule affect employment and workforce development? Yes.

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, October 10, 2025, 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: Implementation of Education Acts of the 2025 Regular Legislative Session

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

As detailed below, the proposed rule change will increase expenditures for the Louisiana Department of Education (LDOE) by \$877,792 beginning in FY 26. The proposed rule change updates LAC 28: CXV *Bulletin 741—Louisiana Handbook for School Administrators* and LAC 28:LXXIX *Bulletin 741(Nonpublic)—Louisiana Handbook for Nonpublic School Administrators* and aligns BESE policy with legislation enacted in the 2025 Regular Legislative Session. The rule change adopts requirements for the implementation of Acts 42, 100, 103, 181, 210, 268, 353, 365, 409, 439, 449, 463, and 497.

Part CXV, Chapter 3, Section 301 (Act 100) adds military status to the current law prohibiting discrimination in public schools. There is no anticipated impact on governmental expenditures as a result of this rule change.

Part CXV, Chapter 3, Sections 326 and 339, and Chapter 5, Sections 501, and 502 and Part LXXIX, Chapter 1, Sections 107, 121, and 123, Chapter 13 Section 1303 and Chapter 30, Section 3019 (Act 409) make changes in compliance with Act 409 will increase expenditures for LDOE by \$877,792 beginning in FY 26. The rule change requires all nonpublic pre-kindergarten programs to be licensed as early learning centers and apply by 1/01/26; prohibits a person whose name is recorded on the state central registry (SCR) on or after 8/01/18 from participating in the governance of certain child-related services and being hired by certain school boards, nonpublic schools, and school systems; requires certain school boards to dismiss certain school employees whose name is recorded on the SCR on or after 8/01/25; requires compliance with child safety and welfare minimum standards no later than 10/01/25; and requires LDOE to publish all child-related business violations on its website.

Additional LDOE staff will be required to process the additional applications for licensure and ongoing monitoring and inspection of the increased number of early childhood centers located in nonpublic schools, estimated at eight authorized positions. These include six (6) Licensing Specialists I/II to conduct inspections and monitor an additional 254 nonpublic prekindergarten programs; one (1) Licensing Supervisor to train specialists, review inspection reports for accuracy, and conduct onsite quality monitoring; and one (1) Licensing Consultant to review initial, renewal, and changing licensing applications and conduct consultations regarding compliance with Louisiana early learning center licensing regulations. The estimated cost for these positions, \$877,792,

was appropriated in Act 1 of the 2025 Regular Session (p. 159, lines 8-13).

The requirement concerning the collection of information regarding completion of the Department of Children and Family Services (DCFS) mandated reporter training will require a system modification to the existing system. Due to the implementation timeline, LDOE will be able to request these builds through existing processes and contracts. No additional cost is expected. Production and dissemination of the required document regarding the minimum safety standards have been completed using existing resources.

Part CXV, Chapter 3, Section 345 and Chapter 23, Section 2303 (Act 449) are not anticipated to result in an impact to expenditures. The rule change provides for a method by which public high schools whose BESE-approved mission or curriculum model does not align with the provision of vocational and technical education can seek a waiver from the requirements of Act 449. Additional changes require that public high schools provide students an opportunity to enroll in available vocational and technical education courses or that school systems may enter into agreements and partner with other public schools or one or more public postsecondary two-year institutions of higher education in the state, or with nonprofit proprietary schools or Course Choice providers approved by BESE offering such courses.

Part CXV, Chapter 5, Section 511 (Act 353) expands the provision of approved numeracy skills instruction courses to include kindergarten through third grade teachers who teach mathematics. This change is not anticipated to increase expenditures as LDOE already provides these courses at no cost. Current law, R.S. 17:24.13 provides that the courses may be completed during the educator's work day, although Act 353 provides that districts may offer a stipend for courses completed outside of the work day. Any increase in local fund expenditures for such stipends is indeterminable and will vary by school system.

Part CXV, Chapter 5, Section 520 (Act 439) establishes the School Employee Bill of Rights for school employees in city, parish, or other local public schools, a compilation of numerous provisions of existing law. There are no anticipated impacts to governmental expenditures as a result of this change.

Part CXV, Chapter 7, Section 709 (Act 181) expands current law requirements providing for public schools, including charter schools, to transfer a student's entire disciplinary record, not just suspensions and expulsions, upon the written request of any authorized person on behalf of a public school, nonpublic school, or educational facility within a correctional or health facility where the student is enrolled or seeking enrollment. There is no anticipated direct material effect on governmental expenditures as a result of this change.

Part CXV, Chapter 13, Section 1307 (Act 497) makes changes to disciplinary penalties for certain public school students for certain violations. There is no anticipated impact to governmental expenditures as a result of this rule change.

Part CXV, Chapter 13, Section 1319 (Act 210) reduces the number of required annual meetings of the Early Childhood Care and Education Commission from four to two and abolishes the Louisiana Environmental Education Commission and the Advisory Council on Student Behavior and Discipline. There are no anticipated implementation costs or savings as a result of these changes.

Part CXV, Chapter 17, Section 1701 (Act 103) requires local school boards to develop rules and policies to make certain instructional materials available for online review at no cost, which may result in an increase in local fund expenditures. To the extent a local school system already uses an online database for instructional materials, no additional expenditures are anticipated; however, for systems without an existing database, there may be a one-time increase in

expenditures to develop such a system, with continued annual expenditures for maintenance and any training needed for operation of the system. Any costs will vary by school system and are indeterminable. There is no expected impact on state expenditures as the Louisiana Department of Education (LDOE) will complete the data collection and compilation required using current staff within the scope of their current positions.

Part CXV, Chapter 21, Section 2101 (Act 42) authorizes any city, parish, or local public school board to contract with a transportation network company to transport students under the age of 18 to or from school or a school sanctioned activity. To the extent a city, parish, or other local school system opts to contract with a transportation network company to transport students under the age of 18, an increase in local fund expenditures is anticipated. However, such an expense will vary by school system and be dependent on the specific contract entered into. There is no anticipated impact to state governmental expenditures as a result of the proposed legislation.

Part CXV, Chapter 21, Section 2103 and Part LXXIX, Chapter 19, Section 1903 (Act 463) prohibit public schools and nonpublic schools that receive state funds from serving foods that contain specific artificial colors and additives to students, effective for the 2028-29 school year. A majority of school sites in the state opt in to the Community Eligibility Provision (CEP), which allows schools to offer free meals to all students in high-poverty areas based on a formula to determine federal vs. local responsibility. If the cost of meals increases and federal reimbursement rates are not increased in kind, local fund expenditures may be impacted. If such an impact occurs, it is not anticipated to be significant. LDOE provides that any increase in costs should be absorbable within current federal reimbursement rates. Any impacts to expenditures as a result of this change are not anticipated within the three-year period covered in this FEIS.

Part CXV, Chapter 23, Subchapter A, Section 2302 (Act 365) requires all public and approved nonpublic schools to use a 10-point grading scale for the purpose of assigning grades used in the calculation of the minimum grade point average for the Taylor Opportunity Program for Students (TOPS) award qualification, regardless of whether the school uses a different grading scale for other purposes. There is no anticipated increase in governmental expenditures as a result of this rule change.

Part CXV, Chapter 23, Subchapter A, Sections 2305, 2316, 2317, 2318, and 2319 and Part LXXIX, Chapter 21, Sections 2107, 2109, 2110, and 2111 (Act 268) make changes concerning the delayed implementation of the Computer Science Education Act allowing LDOE to include any expenditures necessitated by the provisions Act within its existing computer science budget in future fiscal years. Additional funding to meet the requirements of the Computer Science Education Act, specifically the hiring of five (5) Teacher Leader Advisors (TLAs), was contemplated and included during the department's FY 26 budget development process.

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

Changes made to Chapter 3, Sections 326, 339, and Chapter 5, 501, and 502 may result in an increase in revenues for LDOE. Administrative fees ranging from \$25 to \$250, depending on the size of the center, are collected with each application for initial licensure in accordance with R.S. 17:407.39. LDOE reports an anticipated revenue increase of \$6,350 SGR from collecting licensing fees received from nonpublic pre-kindergarten programs due to the proposed law requiring these programs to be licensed as early learning

centers. The department identified 254 nonpublic pre-kindergarten programs without a license that will incur a cost of \$25 per program upon enactment.

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

Some early childhood programs in nonpublic schools may require updates to facilities in order to comply with mandated licensure, as required by this rule change, in compliance with Act 409. Additional classroom space and/or staff may also be needed to fulfill minimum standards and licensure requirements. This impact is indeterminable. There is also a cost of approximately \$100 associated with each Child Care Criminal Background Check determinations for employees and/or employers. The cost may vary depending on the fingerprinting location utilized. The rule change complies with enacted legislation, requiring separate restrooms for students enrolled in prekindergarten programs or early learning centers constructed after 1/01/26, possibly resulting in additional expenditures for construction; however, this amount is indeterminable.

Providers of school food items may realize an impacts as a result of changes in food purchasing made by public and nonpublic schools in order to comply with the proposed rule change concerning prohibited food items. Any impacts to costs or benefits of these businesses as a result of this change are not anticipated within the three-year period covered in this FEIS.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Additional employment opportunities for early childhood teachers and support staff (Act 409), transportation network drivers (Act 42), and numeracy coaches (Act 353) could emerge depending on the demand for services in a particular region.

Beth Scioneaux
Deputy Superintendent
2509#067

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

Implementation of Education Acts of the 2025 Regular Legislative Session (LAC 28: CXIII 1909; LAC 28: CXXXIX. Chapters 3-43; LAC 28: CLV. Chapters 1-11; and LAC 28: CLVII. 307)

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: CXIII in *Bulletin 119—Transportation*, LAC 28: CXXXIX in *Bulletin 126—Charter Schools*, LAC 28: CLV in *Bulletin 134—Tuition Donation Rebate Program*, and LAC 28: CLVII in *Bulletin 135—Health and Safety*. During the 2025 Regular Legislative Session, laws were enacted that require revisions to Board of Elementary and Secondary Education (BESE) policy to include:

- Bulletin 119—Transportation
 - Act 42. Transportation network companies
- Bulletin 126—Charter Schools
 - Act 413. Charter school start up loan fund
 - Act 129. Charter school assets
 - Act 497. Expulsion exception