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Title 28
EDUCATION
Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 1. Foreword

§101. Purpose

A. Policies passed by the Board of Elementary and Secondary Education (BESE) govern the operation of public elementary, middle, and secondary schools. *Bulletin 741—Louisiana Handbook for School Administrators*, contains policies for the administration of public schools.

B. The contents of this bulletin have been revised and reorganized for more efficient use as a reference document for district and school administrators. The bulletin has been extensively reviewed by members of BESE, the Louisiana Department of Education (LDE), and a statewide review committee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and R.S. 17:7.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1257 (June 2005), amended LR 39:2195 (August 2013).

§103. Revisions

A. *Bulletin 741—Louisiana Handbook for School Administrators* will be updated monthly as new rules are adopted by BESE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S. 17:7.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1257 (June 2005), amended LR 39:2195 (August 2013).

Chapter 3. Operation and Administration

§301. General Authority

A. The public school system established under the Louisiana Constitution shall operate in accordance with the standards set by BESE. Measurable standards of operation have been established for the approval of schools, stating the responsibility of the local educational governing authority.

B. Educational programs shall be in accordance with the Constitution of the United States, the Constitution of Louisiana, the Louisiana Revised Statutes, applicable state and federal regulations, and policies of BESE.

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

D. Any allowable deviations in the implementation of a policy or standard shall be authorized by BESE.

E. Each LEA shall have a signed statement of assurance that the preschool, elementary, and secondary programs operated by the system are currently in compliance with the applicable state and federal regulations when such statements are required for the purpose of funding.

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).

§303. General Powers of Local Educational Governing Authorities

A. Each local school board shall determine the number and location of schools to be opened, and the number of teachers and other school personnel to be employed from recommendations made by the local superintendent.

B. Each local school board is authorized to adopt rules and regulations for its own governance that are consistent with law and with the regulations of BESE.

1. Each member of a city and parish school board shall receive a minimum of six hours of training and instruction annually in the school laws of this state, in the laws governing the school boards, and in educational trends, research, and policy. Such training shall also include education policy issues, including but not limited to the Minimum Foundation Program (MFP) and formula, literacy and numeracy, leadership development, dropout prevention, career and technical education, redesigning high schools, early childhood education, school discipline, and harassment, intimidation, and bullying. Training shall also include instruction in Louisiana Open Meeting Law and the Louisiana Public Bid Law. In an LEA that has one or more schools identified as an academically unacceptable school or a school in need of academic assistance as defined by BESE, at least two of the required hours shall focus on the improvement of schools identified as failing schools as defined by BESE.

2. The training may be received from a postsecondary education institution, the LDE, the local school board central office staff, or the Louisiana School Board Association (LSBA) provided that the instruction and the method for demonstrating attendance are pre-approved by the LSBA or at any conference presented by the National School Boards Association or by the Council of the Great City Schools, provided that verification of attendance by the school board member at the training is obtained.

3. Each school board member's attendance shall be reported by the instructor to the LSBA. Each school board member who completes required instruction shall receive a certificate of completion and a copy of such certificate shall

be entered into the minutes of the school board on which the member serves.

4. The superintendent of the school system on which the school board member serves shall be responsible for verifying that any training or instruction received by the school board member as set forth in this Section meets the necessary requirements.

5. Distinguished School Board Member

a. A school board member who has received a certificate of completion for the initial 16 hours of training and instruction and has also received an annual certificate of completion of the required training for three subsequent consecutive years shall receive the designation of "distinguished school board member."

b. LDE shall issue each such member an appropriate certificate attesting to such designation.

c. A member in office on January 1, 2011, who has prior service on the board may receive the designation if he completes 16 hours of training during 2011 and completes the required training for the subsequent three consecutive years.

d. At least annually, the school system superintendent shall transmit to the newspaper which is the official journal of the school board a press release detailing the information for his school board that is posted on the LSBA website relative to training hours and subject matter completed by each school board member and to include in such press release information concerning each member who has been designated a distinguished school board member.

C. Each city and parish school board shall apply for, receive and expend all funds destined for the support of the schools according to the provisions of R.S. 17:81.

D. Each city and parish school board shall have full and final authority and responsibility for the assignment, transfer and continuance of all students among and within the public schools within its jurisdiction, and shall prescribe rules and regulations pertaining to those functions.

E. Any city or parish school board member shall have the right to examine any or all records of the school system except employee records relative to evaluations, observations, formal complaints, and grievances.

F. A public trust having a city or parish school board as its beneficiary may be created to be funded by surplus revenues of the beneficiary school board and with the use of income produced by the trust restricted to meeting the capital outlay needs of the school system.

G. Individual school board members shall not use the authority of their office to coerce or compel any personnel decisions or any school employee decisions concerning benefits, work assignment, or membership in any organization.

H. Each local school board shall develop and adopt rules and policies regarding the dismissal and discipline of school employees including but not limited to the following issues:

1. dismissing teachers at any time a reduction in force is instituted by the school board;

2. dismissing school employees who have not attained tenure;

3. the investigation of employees accused of impermissible corporal punishment or moral offenses involving students;

4. the investigation of any employee in any case in which there is a public announcement by the board that the employee may be disciplined, whether or not there is an accompanying reduction in employee pay; and

5. grievance procedures for teachers and school employees.

I. No city or parish school board shall adopt any policy which forbids or discourages any teacher or other school board employee from reporting directly to any appropriate law enforcement authority any apparent criminal activity by any person involving, or appearing to involve, controlled dangerous substances, or any other apparent illegal activity.

1. No parish or city school board shall adopt any policy that would have the effect of preventing or hindering the response of law enforcement officials on school board property, to reports of illegal activity.

J. Each city and parish school board may enter into voluntary compacts with other LEAs for the purpose of providing multi-parish education programs of all kinds in accordance with R.S. 17:100.2.

K. Each city, parish, or other local public school board shall conduct exit interviews for teachers who leave their employ and annually report this information to BESE. The local school board shall use the forms and reporting system developed by BESE for this purpose.

L. No board member shall act in an individual capacity to use the authority of his office or position as a member of the school board in a manner intended to interfere with, compel, or coerce any personnel decision including the hiring, promotion, discipline, demotion, transfer, discharge, or assignment of work to any school employee.

M. No board member shall use the authority of his office or position as a member of the school board in a manner intended to interfere with, compel, or coerce any school employee to make any decision concerning benefits, work assignment, or membership in any organization.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:53, R.S. 17:54, R.S. 17:81, 17:81.2, and 17:81.4-8, R.S. 17:100.2, and R.S. 17:151.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1257 (June 2005), amended LR 35:1474 (August 2009), LR 35:1876 (September 2009), LR 37:1136 (April 2011), LR 39:2195 (August 2013).

§305. Administration

A. The organization and administration of education in each LEA and school shall be that which best meets the needs of the students, the community, and the society, and

shall fulfill the purpose for which the school system and school were organized.

B. Coordination of school instructional programs shall be planned and arranged to ensure effective program operation. All activities shall conform to policies adopted by the local education governing authority, or of the school system, or of other applicable educational governing authorities.

C. Each LEA and school shall develop effective administrative procedures with respect to opening and closing the school year, office management, and daily administration and LEA activities.

D. The superintendent of each LEA shall faithfully carry out the requirements of the state school laws and the rules and regulations made for the schools by BESE.

E. The principal shall be responsible for coordinating and directing all activities of the school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:81, R.S. 17:91, R.S. 17:105, and R.S. 17:414.1.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1258 (June 2005).

§307. Philosophy and Purposes

A. It shall be the responsibility of each LEA and school to formulate a written statement of its philosophy and purposes and/or mission statement. This statement shall give direction to the education program. The philosophy and purposes shall be on a system-wide basis and shall be adapted to meet the needs of each school within the system.

AUTHORITY NOTE: Promulgated in accordance with La. Const. Art. VIII Preamble and R.S. 17:6 and R.S. 17:7.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1258 (June 2005), amended LR 39:2196 (August 2013).

§309. Learning Environment

A. The learning environment shall be conducive to the educational and overall well being of students.

AUTHORITY NOTE: Promulgated in accordance with Louisiana Constitution Art. VIII Preamble.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1258 (June 2005).

§313. Special Education Compliance Monitoring

A. Each LEA shall participate in a system of special education program monitoring. The LEA shall receive a formal monitoring report. If areas of noncompliance are identified, the LEA shall be required to propose corrective actions that will be undertaken and identify timelines for correction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1259 (June 2005), amended LR 39:2196 (August 2013).

§317. School and District Accountability

A. Every school shall participate in a school accountability program based on student achievement as approved by BESE (refer to *Bulletin 111—Louisiana School, District, and State Accountability*).

B. Every school district shall participate in a district accountability program based on school performance as approved by BESE (refer to *Bulletin 111—Louisiana School, District, and State Accountability*).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1259 (June 2005).

§323. Louisiana Educational Assessment Program

A. Each LEA shall participate in the Louisiana Educational Assessment Program (LEAP).

B. Performance standards for LEAP and Graduation Exit Examination (GEE) and end-of-course tests should be comparable to the rigor of national achievement tests including but not limited to the national assessment of educational progress (NAEP) performance standards.

C. LEAP alternate assessment participation criteria shall be used by IEP teams to document that a student meets the criteria to participate in LEAP alternate assessment.

D. Schools shall ensure that student participation is documented on the LEAP alternate assessment participation criteria form as approved by BESE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1260 (June 2005), amended LR 39:2196 (August 2013).

§325. Kindergarten and Prekindergarten

A. All LEAs shall provide kindergarten programs for all eligible students of appropriate age. The placement of students shall be clearly communicated to parents by the school.

B. Each LEA shall provide for and offer in every school having a first grade, or in a kindergarten center, a full-day kindergarten program in accordance with standards set in this bulletin.

1. School systems may establish a registration deadline for student entry into the kindergarten program. This date shall not apply to those students previously enrolled in a kindergarten program.

C. Each LEA shall require that every child entering kindergarten for the first time be given a nationally recognized readiness screening. The results of this screening shall be used in placement and for planning instruction. The pupil progression plan for each LEA shall include criterion for placement.

1. The parent or guardian of each child shall be advised of the nature of the child's level of readiness.

2. Each LEA shall report to the LDE screening results by school on an annual basis by December 1 of each year.

D. Each LEA may develop and offer prekindergarten instruction.

1. The goal of prekindergarten instruction shall be to improve academic readiness, individual development skills and social skills.

2. Prior to implementing prekindergarten instruction, an LEA shall set forth a statement of the needs the program is intended to address, the anticipated results, the basis upon which the results are expected, an outline of the implementation steps, a detailed plan for staff usage, a detailed budget, and a plan for the evaluation of the program results.

E. Beginning with the 2023-2024 school year, each LEA shall work to develop a mixed-provider delivery model for full-day, year-round, high-quality prekindergarten instruction to each child residing within the boundaries of the school district and obtaining four years of age by September 30 of the year in which the child enrolls for prekindergarten, in accordance with the guidelines set forth in R.S. 17:24.8.

1. As used in this Section, the following words shall have the following meanings.

a. *Full-Day* means at least eight hours.

b. *Mixed Provider Delivery Model* means a program between the school board and one or both of the following:

i. Child care providers rated proficient and above on the most recent performance rating in accordance with LAC 28:CLXVII.509, operating and overseeing programs on school property, pursuant to an agreement with a city, parish, or other local public school board.

ii. Child care providers rated proficient and above on the most recent performance rating in accordance with LAC 28:CLXVII.509, operating and overseeing private child care within the boundaries of the school district with at least one infant and one toddler classroom and offering prekindergarten seats in the private program, pursuant to an agreement with a city, parish, or other local public school board.

c. *Year-Round* means for a full calendar year, excluding weekends and holidays, or 260 days a year.

2. Each LEA shall submit student data in the same manner as described in LAC 28:I.1107 for all students served through prekindergarten and early childhood programs offered by the school board, including the seats provided through the mixed provider delivery model.

3. No later than March 1, 2024, and annually thereafter by March 1, each LEA shall report to the LDOE the following information.

a. The distribution of seats among each school and quality rated child care provider.

b. Input from at least the majority of providers in the community network, including how the distribution of seats has impacted the stability of infant and toddler care.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.8, R.S. 17:151.3, and R.S. 17:391.11.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1260 (June 2005), amended LR 39:2196 (August 2013), LR 49:249 (February 2023).

§327. Pupil Progression

A. Each LEA shall develop a pupil progression plan consisting of all policies and procedures for the placement of students grades K-12.

NOTE: Refer to Bulletin 1566—Guidelines for Pupil Progression, and the addendum to Bulletin 1566—Regulations for the Implementation of Remedial Education Programs Related to the LEAP/CRT Program, Regular School Year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.8, R.S. 17:151.3, and R.S. 17:391.11.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1260 (June 2005).

§329. Remedial Education Programs

A. A program of remedial education shall be put into place by LEAs following regulations adopted by the DOE and approved by BESE. All eligible students shall be provided with appropriate remedial instruction.

B. Each LEA shall describe in writing its proposed remedial education program in its pupil progression plan according to regulations adopted by BESE.

C. Each LEA shall participate in the LDE‘s remedial education program evaluation.

Note: Refer to *Bulletin 1566—Pupil Progression Policies and Procedures* and the addendum and Bulletin 1566, regulations for the implementation of remedial education programs related to the LEAP/CRT Program, regular school year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:394 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1261 (June 2005), amended LR 39:2197 (August 2013).

§331. Special Education Programs

A. Each LEA shall provide special education programs for all exceptional students.

B. Education for exceptional students shall be maintained in the least restrictive environment appropriate to the students' needs.

C. Each LEA shall ensure that the placement of exceptional students in special education services and settings is determined by the student's IEP placement committee and occurs only with the written consent of the parent(s) or legal guardian for the initial IEP.

D. Children who have been receiving special education in another state or in another school system within Louisiana, and have an IEP in effect from the previous system shall be provided FAPE until the following conditions occur:

1. if the student is transferring from another state, eligibility is determined, and a new IEP is developed, if appropriate;

2. if the student is transferring from within Louisiana, the current IEP is adopted or a new IEP is developed.

NOTE: Refer to *Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act*.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1261 (June 2005), amended LR 39:2197 (August 2013).

§332. Installation and Operation of Cameras in Certain Special Education Settings

A. Each LEA shall adopt policies relative to the installation and operation of cameras that record both video and audio in a classroom.

1. The policies shall be adopted not later than December 31, 2022, or within sixty days of the receipt of funding for the installation of cameras, whichever occurs first.

2. Not later than January 15, 2023, each governing authority shall submit a copy of the policies adopted pursuant to this Section to the state Department of Education.

3. Within 10 days of any revisions of the policies, each governing authority shall submit a copy of the policies to the department.

B. For the purposes of this section, "classroom" shall mean a self-contained classroom or other special education setting in which a majority of students in regular attendance are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least fifty percent of the instructional day and for which a parent or legal guardian has requested a camera to be installed. "Classroom" shall not mean special education classrooms and other special education settings where the only students with exceptionalities receiving special education and related services are those who have been deemed to be gifted or talented and have not been identified as also having a disability.

C. The policies developed pursuant to this section shall include provisions for the following:

1. the location and placement of cameras, including a prohibition against recording of the interior of a restroom or any area designated for students to change or remove clothing;

2. written notice of the placement of the cameras to be provided to persons who enter a classroom where a camera is installed, including teachers and other school employees, students in the classroom, the students' parents and legal guardians, and authorized visitors;

3. training concerning the provisions of this Section for any teacher or other school employee who provides services in a classroom where cameras are installed;

4. the retention, storage, and disposal of the video and audio data recorded, including a requirement that the recordings be retained for at least one month from the recording date;

5. protecting student privacy and for determining to whom and under what circumstances the recordings may be disclosed including:

a. limiting the viewing of the recordings to the superintendent or his designee and the parent or legal guardian of a recorded student upon request, and

b. requiring any person who views a recording and suspects the recordings show a violation of state or federal law to report the suspected violation to the appropriate law enforcement agency;

6. requiring each camera installed to be incompliance with the National Fire Protection Association's Life Safety Code;

7. procedures for the approval or disapproval of a request for the installation and operation of cameras in a classroom;

8. procedures regarding how a parent or legal guardian may request the installation and operation of cameras in his child's classroom; and

9. procedures regarding how a parent or legal guardian may request to review a recording, under what circumstances a request may be made, and any limitations to a request.

D. Recordings made pursuant to this Section shall be confidential and shall not be public record. However, a recording may be viewed by the superintendent or his designee, the parent or legal guardian of a recorded student, or by law enforcement officials as provided in the policies required by this Section. The recordings shall not be considered "personally identifiable information" as defined in R.S. 17:3914.

E. The governing authority of each public elementary and secondary school is authorized to accept, administer, and make use of federal, state, and local funds, any public and private grants and donations, and, when considered appropriate and feasible, to accept nonmonetary resources in the form of services or equipment for use in connection with the installation and operation of cameras pursuant to this Section.

1. The Department shall assist public school governing authorities in identifying state and federal funds that may be used for the installation and operation of cameras pursuant to this Section.

2. Upon receipt of such funds, grants, donations, or nonmonetary resources, the governing authority shall install and operate the cameras according to the policies adopted pursuant to this section.

3. Funds granted by Act 199 of the 2022 Legislative Session shall be solely used for costs associated with the installation of cameras pursuant to this section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1948.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 49:34 (January 2023).

§333. Instructional Time

A. Each LEA shall adopt a calendar that includes a school year that is in accordance with applicable state regulations and includes a minimum of 63,720 minutes of instructional time.

1. Effective for the 2016-2017 school year and thereafter, the provisions of Subsection A of this Section shall not apply to any city, parish, or other public school that cannot meet minimum instructional time requirements because the school temporarily shared facilities with another school due to damages caused by a natural disaster or emergency that was declared by the governor pursuant to *Revised Statute* 29:724, certified by the state superintendent of education, and approved by BESE.

a. BESE may require that the school provide a minimum number of daily instructional minutes that is less than the requirements set forth in Subsection A of this Section and provide other requirements deemed necessary to support student learning.

b. The governing authority of any such school shall submit to the state superintendent for certification, no later than 60 days prior to the end of the school year or within 30 days of the gubernatorial declaration, whichever occurs first, and using a template provided by the LDE, documented information explaining why the school is not able to meet the required instructional minutes, any efforts made by the school toward meeting the requirements, and a revised school calendar for the affected school year. The state superintendent shall certify any such requests received, present the request to the board, and provide a recommendation as to whether the request should be approved, approved with conditions, or denied.

2. Instructional time shall include the scheduled time within the regular school day devoted to teaching courses outlined in the program of studies. Instructional time does not include such things as:

a. recess;

b. lunch;

c. change of class time; and

d. parent-teacher conferences.

B. Each LEA may include in its calendar a provision for dismissal of senior students prior to the end of the school year. This provision is not to exceed 10 days of instructional time or the equivalent number of minutes.

C. General election day shall be designated by each LEA as a holiday every four years for the presidential election.

D. The first Tuesday after the first Monday in November in even-numbered years shall be a legal holiday for public schools in any parish for which a polling place is established at a public school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:154.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1261 (June 2005), amended LR 39:2197 (August 2013), LR 44:263 (February 2018), LR 49:32 (January 2023).

§337. Written Policies and Procedures

A. Each LEA shall have written policies governing all school activities as they relate to students, the instructional program, staff, buildings, services, and the curriculum.

B. Each LEA shall have policies and procedures that address, but are not limited to, the following:

1. the establishment of the number of school days, length of the school day, and other necessary guidelines for the operation of the schools;

2. provision of special educational and related services to exceptional students in accordance with the IEP for the entirety of the school year;

3. the operation of special departments and special programs in each school;

4. the admittance of students to and the dismissal of students from special educational programs;

5. the exclusion of students with communicable diseases and their readmittance following their recovery (refer to *Bulletin 135—Health and Safety,* §309);

6. the control of communicable problems such as lice and scabies (refer to *Bulletin 135—Health and Safety,* §309);

7. the care of sick or injured students, including notification of parents, in cases of emergencies that occur while students are under the jurisdiction of the school;

8. the administration of medication in schools (refer to *Bulletin 135—Health and Safety,* §309);

9. the operation of summer schools and extended school year programs for eligible exceptional students (refer to Chapter 25);

10. the disciplining of students with disabilities (refer to §131);

11. the use of standard universal precaution by personnel when individuals have direct contact with blood or other body fluids and the provision of sanctions, including discipline if warranted, for failure to use standard universal precautions;

12. the use of school buildings outside of regular school hours;

13. student access to the Internet (refer to §1709);

14. the prohibition against use of tobacco in schools, on school grounds, and on school busses (refer to §1143);

15. the prohibition of teachers from recommending that a student be administered a psychotropic drug and from specifying or identifying any specific mental health diagnosis for a student, in accordance with R.S. 17:436.2;

16. the prohibition of teachers from using a parents refusal to consent to administration of a psychotropic drug or psychiatric evaluation, screening or evaluation as grounds for prohibiting a student from attending class or participating in school related activities or as the sole basis of accusations of child abuse or neglect against the parent or guardian;

17. the notification of the parent or legal guardian of every student, in writing, of the proper process and procedures to follow in order to make a complaint or request information from the school or the school's governing authority:

a. such information shall include, at a minimum, the name, address, phone number, and email address of the appropriate person to contact at each step of the prescribed process or procedure, and shall be updated, at least, on an annual basis;

b. such information shall be incorporated into any existing policy or policies, code of conduct, or student handbook of the LEA or of each school under its jurisdiction;

18. the implementation of §2304, Science Education;

19. the school assignment of students in foster care (refer to §1109);

20. the electronic communications by an employee at a school to a student enrolled at that school (refer to §1141);

21. the inspection by qualified persons of all fire safety and prevention equipment, including fire alarm and smoke detection devices (refer to §1501);

22. the physical abuse of public school teachers and other school employees by students (refer to §521);

23. the collection of student biometric information (refer to §1149);

24. grade appropriate classroom management training for teachers, principals, and other appropriated school personnel regarding positive behavioral supports and reinforcement, conflict resolution, mediation, cultural competence, restorative practices, guidance and discipline, and adolescent development;

25. a schedule for the retention and disposition of records. The schedule shall be approved by State Archives as required by R.S. 44:411;

26. appropriate responses to the behavior of students with exceptionalities that may require immediate intervention (see for reference guidelines for the use of seclusion rooms and restraint of students with exceptionalities);

27. an employee arrested for any of the crimes listed in R.S. 15:587.1, any other sexual offense affecting minors, or any justified complaint of child abuse or neglect;

28. the reporting of school bus operator arrests for violations of R.S. 14:98, 98.1, or any other law or ordinance that prohibits operating a vehicle while under the influence of alcohol or any abused substance or controlled dangerous substance set forth in the schedules provided in R.S. 40:964;

29. in the student code of conduct, the prohibition against bullying as defined in §1303;

30. instruction regarding cardiopulmonary resuscitation and automated external defibrillators in Health Education (refer to §2347); and

31. instruction regarding child abuse and assault awareness and prevention (refer to §2305.K.).

32. at least one hour of annual in-service training on recognizing adverse childhood experiences and the utilization of adverse childhood experience educational practices, provided on a day that other types of in-service training will be provided and including research-based information regarding the following:

a. the impact of adverse childhood experiences on student educational experiences and on the school and classroom culture;

b. how to identify the signs and symptoms of adverse childhood experiences;

c. best practices for schools and classrooms regarding adverse childhood experience considerations in education; and

d. recognition of the impact of secondary trauma on school employees.

33. check-in and check-out procedures for student attendance which shall be reviewed at least every three years;

34. annual completion by any school nurse, coach, athletic trainer, and athletic director, whether employed or serving as a volunteer, of sudden cardiac arrest education program;

35. provision for each high school senior who is at least seventeen years old to register to vote via electronic voter registration or mail-in form;

36. attendance policy for pregnant and parenting students regarding excused absences of a minimum of 10 days after the birth of a child, reasonable amount of time for completing missed assignments, accommodations for breastfeeding, and access to child care providers;

37. submission of a seizure management and treatment plan, duly documented and signed, for use when a student is at school or while participating in a school activity;

38. release of a minor into protective custody requiring the official to whom the minor is being released provides information about the minor to include first and last name, address, and date of birth, unless custody is an arrest for which there is probable cause;

39. maintaining a supply of auto-injectable epinephrine in a secure location in each classroom assigned to a student deemed by a physician to be at high risk for anaphylactic reaction and incapable of self-administration of auto-injectable epinephrine, in accordance with R.S. 17:436.1.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(29), R.S. 17:81, R.S. 17:240, R.S. 17:100.8, 17:184, and R.S.17:437.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1261 (June 2005), amended LR 33:429 (March 2007), LR 35:1101 (June 2009), LR 36:1224 (June 2010), LR 37:1141 (April 2011), LR 37:1380, 1380 (May 2011), LR 37:2134 (July 2011), LR 38:40, 41 (January 2012), LR 39:2197 (August 2013), LR 40:2530 (December 2014), LR 48:1273 (May 2022), LR 49:33 (January 2023), LR 49:250 (February 2023).

§339. Emergency Planning and Procedures

A. Each public school principal or school leader shall have written policies and procedures developed jointly with local law enforcement, fire, public safety, and emergency preparedness officials, that address the immediate response to emergency situations that may develop in the schools and comply with the requirements in R.S. 17:416.16. The principal or school leader shall:

1. submit the crisis management and response plan to the local superintendent for approval;

2. annually review and possibly revise the crisis management and response plan:

a. when conducting the annual review of the crisis management and response plan for a high school, the school principal shall seek and consider input from the students enrolled in the school who shall be represented by either the president of the senior class or the president of the student council and at least one other responsible student selected by the principal; and

3. within 30 days of each school year, conduct a safety drill to rehearse the plan.

B. The school shall maintain and use contingency plans for immediate responses to emergency situations.

C. The school shall establish and use procedures for reporting accidents to parents and/or the central office.

D. In the absence of a principal or school leader, another individual(s) at the school shall be delegated the necessary authority to use emergency procedures.

E. Procedures for the cancellation of school shall be established, communicated to students, teachers, and parents, and followed when necessary.

F. The school shall establish procedures for special calls to police, fire departments, and hospitals, and practice drills shall be used to ensure the effectiveness of the procedure.

G. The school shall establish procedures for the evacuation of the building in the event of fire, severe weather conditions, or bomb threats. Practice drills shall be used to ensure the effectiveness of the procedure.

H. The school will establish procedures that detail the roles and responsibilities of each school employee and the relevant coordination agreements, services, and security measures of a school and provide for parent for parental notification in the event of a shooting or other violent incident or emergency situation.

I. The governing authority of each public school will, as part of its school crisis management plan, develop resources, policies, procedures, and guidelines to address the potential of violence and terrorism in the schools under its jurisdiction.

J. The local superintendent or chief charter school officer may dismiss any or all schools due to emergency situations, including any actual or imminent threat to public health or safety which may result in loss of life, disease, or injury; an actual or imminent threat of natural disaster, force majeure, or catastrophe which may result in loss of life, injury or damage to property; and, when an emergency situation has been declared by the governor, the state health officer, or the governing authority of the school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:154.1, 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).

§341. Homeless Children and Youth

A. Each LEA shall establish a written policy to provide for the placement in school and for the education of any child temporarily residing within the jurisdiction of the board who has no permanent address, who has been abandoned by his parents, or who is in foster care pursuant to placement through the Department of Children and Family Services. However, this does not require the enrollment of any child not permitted by another school system to attend school, either permanently or temporarily, as a result of disciplinary action(s).

B. The term *homeless child and youth* means the following:

1. children and youth who lack a fixed, regular, and adequate nighttime residence, and includes children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

2. children and youth who have a primary nighttime residence that is a private or public place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

3. children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;

4. migratory children who qualify as homeless because they are living in circumstances described above.

C. According to a child or youth's best interest, each district must either continue the child/youth's education in the school of origin, or enroll the child in school in any public school that nonhomeless students who live in the attendance area where the child/youth is actually living are eligible to attend.

1. *School of origin* is defined as the school the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled.

2. In determining best interest, the district must, to the extent feasible, keep children/youth in the school of origin unless it is against the wishes of the parent/guardian.

3. A homeless child or youth's right to attend his/her school of origin extends for the duration of homelessness.

4. If a child or youth becomes permanently housed during the academic year, he or she is entitled to stay in the school of origin for the remainder of the academic year.

5. Children and youth who become homeless in between academic years are entitled to attend their school of origin for the following academic year.

6. If the district sends the child/youth to a school other than the school of origin or the school requested by the parent or guardian, the district must provide written explanation to the parent or guardian, including the right to appeal under the enrollment disputes provision.

D. In the case of an unaccompanied youth (i.e., a youth not in the physical custody of a parent or guardian), the district's homeless liaison must assist in placement/enrollment decisions, consider the youth's wishes, and provide notice to the youth of the right to appeal under the enrollment disputes provisions. The choice regarding placement must be made regardless of whether the child or youth resides with the homeless parent or has been temporarily placed elsewhere.

E. The school selected shall immediately enroll the child/youth in school, even if the child or youth lacks records normally required for enrollment, such as previous academic records, medical records, proof of residency or other documentation.

1. The terms *enroll* and *enrollment* are defined to include attending classes and participating fully in school activities. The enrolling school must immediately contact the last school attended to obtain relevant academic and other records.

2. If a child or youth lacks immunizations or immunization or medical records, the enrolling school must refer the parent/guardian to the liaison, who shall help obtain necessary immunizations or immunization or medical records.

3. Districts may require parents or guardians to submit contact information.

F. If a dispute arises over school selection or enrollment, the child/youth must be immediately admitted to the school in which he/she is seeking enrollment, pending resolution of the dispute (five days).

1. The parent or guardian must be provided with a written explanation of the school's decision on the dispute, including the right to appeal.

2. The parent/guardian/youth must be referred to the homeless liaison, who will carry out the state's grievance procedure as expeditiously as possible after receiving notice of the dispute.

3. In the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

G. Each LEA shall keep and have immediately available any records ordinarily kept by the school, including immunization records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, of each homeless child or youth.

H. Each LEA shall provide services comparable to services offered to other students in the school selected, including transportation services, educational services for which the child or youth meets the eligibility criteria (title I, special education, limited English proficiency), programs in career and technical education, programs for the gifted and talented, and school nutrition programs.

1. School districts are required to adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin.

2. If the homeless child or youth continues to live in the area served by the LEA in which the school of origin is located, that LEA must provide or arrange for the child's or youth's transportation to or from the school of origin.

3. If the homeless child or youth continues his or her education in the school of origin but begins living in an area served by another LEA, the LEA of origin and the LEA in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child with the transportation to and from the school of origin. If the LEAs cannot agree upon such a method, the responsibility and costs must be shared equally.

I. Each LEA shall designate an appropriate staff person, who may also be a coordinator for other federal programs, to serve as a homeless advocate to coordinate services and ensure that there are no barriers to the enrollment, transportation, attendance, and success in school for homeless children and youth. Additionally, the homeless advocate will promptly solve disputes regarding educational placement.

J. Each LEA shall ensure the prompt resolution (within five school days) of disputes regarding the educational placement of homeless children and youth following the procedures in the Louisiana state plan for educating homeless children and youth.

K. Each LEA that receives a homeless direct grant award from the SEA Office of Education for Homeless Children and Youth (EHCY) must coordinate the services provided and designate a homeless liaison to carry out certain mandates.

L. Each LEA shall review and revise any policies that may act as barriers to the enrollment of homeless children and youth. Further, LEAs must adopt policies and practices to ensure that homeless children and youth are not isolated or stigmatized.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:238 and 20 USCS 6311, 6312, 6313, and 6315.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1262 (June 2005), amended LR 39:2198 (August 2013).

§343. Unsafe Schools

A. Students who are the victims of violent crime shall be afforded the opportunity to transfer to a different school.

1. A student at a public elementary school, middle school or high school who becomes a victim of a crime of violence as defined by R.S. 14:2, while on school property, on a school bus or at a school-sponsored event, shall be given the option to transfer to a public school within the school district in which the student's current school is located, which offers instruction at the student's grade level and which is not persistently dangerous, if there is such a school within that school district.

2. A student who is enrolled in an alternative school or a special school and who becomes a victim of a crime of violence, as defined by R.S. 14:2, while on school property, on a school bus or at a school-sponsored event, shall be given the option to transfer to another such public school within the school district in which the student's current school is located, which offers instruction at the student's grade-level for which the student meets the admission requirements, and which is not persistently dangerous, if there is such a school within that school district.

3. A student who has been assigned to a particular school, such as an alternative school or a special school, by court order shall not have the option to transfer.

4. A student who has been the victim of a crime of violence and who must be given the option to transfer should generally be given the option to transfer within 10 calendar days from the date on which the crime of violence occurred.

B. Students attending a school that has been identified as a persistently dangerous school shall be afforded the opportunity to transfer to different school.

1. Students attending an elementary, middle, or high school that has been identified as persistently dangerous shall be given the option to transfer to a public school within the school district in which the student's current school is located, which offers instruction at the students' grade level and which is not persistently dangerous, if there is such a school within that school district.

2. A student who is enrolled in an alternative school or a special school which has been identified as persistently dangerous shall be given the option to transfer to another such public school within the school district in which the student's school is located, which offers instruction at the student's grade-level, for which the student meets the admission requirements and which is not persistently dangerous, if there is such a school within that school district.

3. A student who has been assigned to a particular school, such as an alternative school or a special school, by court order shall not have the option to transfer.

4. The LEA in which the persistently dangerous school is located shall, in a timely manner, notify parents of each student attending the school that the school has been identified as persistently dangerous, offer the students the opportunity to transfer and complete the transfer. Although timely implementation of these steps depends on the specific circumstances within the school district, students should generally be offered the option to transfer within 20 school days from the time the school district is notified that the school has been identified as persistently dangerous. Although the transfer may be temporary or permanent, the transfer must remain in effect for at least as long as the school is identified as persistently dangerous.

5. Schools must meet two of the following criteria for two consecutive school years to be identified as persistently dangerous. For purposes of these criteria, enrolled student body means the year-end cumulative student enrollment count, and firearm means a firearm as defined by the federal Gun-Free Schools Act.

a. One percent or more of the enrolled student body is expelled for possession of a firearm on school property, on a school bus, or for actual possession of a firearm at a school-sponsored event.

b. Four percent or more of the enrolled student body has been expelled for a crime of violence as defined by R.S. 14:2 occurring on school property, on a school bus or at a school-sponsored event.

c. Six percent or more of the enrolled student body has been expelled pursuant to R.S. 17:416 for the following types of misconduct in the aggregate occurring on school property, on a school bus or at a school-sponsored event:

i. immoral or vicious practices;

ii. conduct or habits injurious to associates;

iii. possession of or use of any controlled dangerous substance, in any form, governed by the Uniform Controlled Dangerous Substances Law;

iv. possession of or use of any alcoholic beverage;

v. cutting, defacing or injuring any part of a school building, any property belonging to the buildings or any school buses owned by, contracted to or jointly owned by any city or parish school board;

vi. possession of knives or other implements which can be used as weapons, the careless use of which might inflict harm or injury;

vii. throwing missiles liable to injure others; or

viii. instigating or participating in fights.

6. The LDE shall annually reassess persistently dangerous schools. If a school no longer meets the criteria for a persistently dangerous school, taking into account the most recent completed school year and the school year immediately preceding the most recent completed school year, the school will not be deemed persistently dangerous.

C. Nothing herein shall prohibit LEAs from entering into agreements with one another allowing students who become the victims of crimes of violence while on school property, on a school bus, or at a school-sponsored event or who are attending persistently dangerous schools in one school district the option to transfer to a school, which is not persistently dangerous, in another school district. A student who has been assigned to a particular school, such as an alternative school or a special school, by court order shall not have the option to transfer.

AUTHORITY NOTE: Promulgated in accordance with 20 USCS 7912.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1263 (June 2005), amended LR 36:1498 (July 2010), LR 39:2198 (August 2013).

§344. Red Tape Reduction Waiver and Local Empowerment Program

A. General Provisions

1. Purpose

a. The purpose of this policy is to provide schools and school districts with the ability to seek waivers from rules and regulations that may hinder academic progress and replace those policies with protocols designed to improve teaching effectiveness and student academic achievement.

2. Waivers

a. A waiver allows a public school to be exempt from one or more provisions of title 17 of the Louisiana Revised Statutes of 1950, or any rules, regulations or policies of the Louisiana Board of Elementary and Secondary Education (BESE) that are applicable to public schools, school officers or school employees. A waiver may be granted to exempt a school from laws, rules, and/or policies that affect such activities as, but are not limited to, instructional time, curriculum, funding, personnel, student-to-personnel ratios, and student support.

b. Waivers from the following shall not be granted pursuant to this Chapter:

i. provisions governing school nutrition programs (R.S. 17:191 et seq.);

ii. providing free transportation to any student attending a public school (R.S. 17:158);

iii. providing alternative educational programs for any student suspended or expelled from school (R.S. 17:416.2);

iv evaluation of teachers or administrators pursuant to R.S. 17:3902;

v. the exemptions authorized for Charter Schools pursuant to R.S. 17:3996; or

vi. any limitations or restrictions on outsourcing food, clerical, custodial or paraprofessional services.

B. Request for Waivers

1. Governing Authority

a. For purposes of this Chapter, *governing authority* means the governing authority of any public elementary or secondary school, including any local or parish school board or a charter school board.

b. The governing authority may request a waiver from any statute, rule, regulation or BESE policy, as permitted by law, for any school, or any combination of schools, or all schools under its jurisdiction provided that the such waiver shall be designed to improve the quality of instruction and student academic achievement.

C. Waiver Procedure

1. The governing authority shall submit a written request for a waiver to BESE. The governing authority may use a waiver request form designed by the department. Alternatively, a written request from the governing authority shall be considered valid provided it contains all the requisite information. The waiver request shall contain the following information:

a. identification of the specific laws, rules, regulations and/or policies from which a waiver is being sought;

b. identification of the school or schools for which the waiver will cover;

c. description of the policies and procedures that will be instituted as a substitute for the waived provisions;

d. description of how the proposed waiver will:

i. increase the quality of instruction for students;

ii. improve the academic achievement of students; and

iii. improve teaching effectiveness within the school for which the waiver is sought;

e. description of the specific, measurable educational goals, growth targets, performance targets and the methods to be used to measure progress in meeting the goals for each year. The educational goals should be, at a minimum, measured using state-administered, standardized assessment data. For purposes of this Chapter, *growth targets* shall mean the number of school performance score (SPS) points, as established by the statewide school and district accountability system, required and determined annually for the school to make sufficient progress toward the statewide school performance goal:

i. all schools receiving a waiver must meet their growth targets annually. Failure to meet its growth target may result in a termination of the waiver upon review by BESE;

ii. a school is deemed to have met its growth target if the school achieves its yearly growth target for each year for which the school received a waiver (e.g., if a school receives a waiver for four years, that school is deemed to have met its growth targets if it meets its yearly growth target in each year of the four year waiver period);

2. the governing authority shall certify that a majority of classroom teachers employed at the school or schools affected by the waiver voted in favor of the requested waiver.

D. Teacher Voting Procedure

1. A majority of the classroom teachers employed in the school or schools seeking the waiver must vote in favor of the proposed waiver request.

2. Voting by the classroom teachers shall be by secret ballot and shall be conducted as follows.

a. Teachers shall be given no less than five business days notice of the waiver request prior to the date of the vote. Notice shall include a copy of the waiver request and the date(s) of the vote. Notice shall be considered sufficient when it is distributed in a manner reasonably designed to provide each teacher a copy of the proposed waiver. Acceptable means of notice include, but are not limited to, placing a copy of such notice in each teacher's mail box, by posting it on the wall of a common area such as a teacher's resource room or in the school office, or sending the notice via email.

b. Voting may be conducted through on-line voting, provided that such on-line voting takes place only on the designated date(s) for said vote.

c. The vote shall be tallied by the school principal or his designee and a teacher representative employed at the school seeking the waiver. A majority of votes shall determine the outcome of the waiver request.

3. The Department of Education may provide an optional sample ballot that may be used in the voting process.

E. Low-Performing Schools

1. For purposes of this Chapter, a low-performing school shall be a school that is defined as in academically unacceptable school (AUS) status as determined by BESE.

2. A low-performing school may be granted a waiver provided it meets the terms and conditions, as determined by BESE that are aimed at improving:

a. teacher effectiveness pursuant to R.S. 17:3881 et seq.;

b. the quality of instruction; and

c. student academic achievement.

3. The governing authority of a low-performing school that is granted a waiver shall:

a. ensure the improvement of the school's teachers in accordance with R.S. 17:3881 et seq.;

b. ensure the improvement of quality of instruction and student achievement by implementing one of the following intervention options:

i. turnaround—put in place new leadership and a majority of new staff, new governance, and improved instructional programs, and provide the school with sufficient operational flexibility such as the ability to select staff, control its budget as approved by the school's governing authority, and increase learning time;

ii. restart—convert the school to a charter school. However, every teacher employed in such school prior to its conversation to a charter school, who has been determined to be effective in accordance with the provisions of part II of chapter 39 of title 17 of the Louisiana Revised Statutes of 1950, shall be given the option to remain at the school or to be reassigned by the governing authority to another school under its jurisdiction;

iii. school closure—close the school and place its students in a high- performing school within the district;

iv. transformation—hire new school leadership and implement a suite of best practices including comprehensive instructional management reform and measures of effective teaching. A waiver shall not be granted to a district that proposes to utilize this option for more than 50 percent of its low-performing schools covered by the waiver;

c. a district that has implemented one or more of the interventions described above for its low-performing schools in the two academic years immediately preceding the waiver application is not eligible to receive a waiver unless both of the following apply:

i. the school has met its statewide accountability growth target or surpassed the statewide growth average, calculated by examining whether the school's growth exceeded the average statewide growth for that year, for each year during such period of implementation; and

ii. the district agrees to implement any remaining conditions of school intervention by the beginning of the following school year;

d. a school implementing any of the intervention options described in Subparagraph 3.b, above, shall not be subject to transfer to the recovery school district for the duration of the waiver period;

e. upon expiration of the waiver, a school's status shall be determined by identifying the school's previous AUS status and identifying whether the school's current school performance score (SPS) surpasses the AUS bar as determined by BESE. If the school's score is not above AUS, the school shall advance one year in AUS (e.g., if a school enters into a waiver as an AUS 2 school and upon

expiration of the waiver the school does not earn a SPS above AUS status, then the school shall be labeled as AUS 3);

f. in the event the school has neither met its growth targets, as described in Subparagraph C.1.e above, nor surpassed an acceptable level of academic performance as determined by BESE, and BESE terminates its waiver in accordance with Subsection G below, the school shall be either:

i. governed under a memorandum of understanding (MOU) between the governing authority of the school and the RSD, which shall govern the operation of the school; or

ii. based on the recommendation of the state superintendent, transferred directly to the jurisdiction of the recovery school district;

g. a school that entered into an MOU with the RSD prior to the receipt of a waiver, and which upon the expiration of the MOU or termination of the waiver, has not met its growth targets, shall be transferred to the jurisdiction of the RSD.

4. RSD Accountability

a. A school that has been under the jurisdiction of the RSD that has not met its growth targets at the expiration of the waiver period shall:

i. if the school is a direct-run RSD school, be converted to a charter school; or

ii. if the school is a charter school, the RSD will recommend to BESE that the charter school's charter authority be terminated. The RSD may enter into a contract with another chartering organization for the operation of the school; or

iii. the school shall be closed and its students will be transferred to a higher-performing school within the jurisdiction of the RSD.

F. Grant, Denial or Extension of Waiver

1. Only BESE has the authority to grant waivers. A waiver may be approved as requested or may be subject to modifications as determined by BESE. The department shall make a recommendation to BESE on each waiver request, and such recommendation shall identify any special modifications that may be required. A waiver shall be effective for a period of up to four years unless terminated earlier upon a determination by BESE. A school may seek termination of a waiver upon application to BESE; however, in the case of a low-performing school, nothing shall preclude BESE from taking any action permitted by law to impose conditions upon said school to ensure that performance expectations are met.

2. Upon approval by BESE, the terms and conditions shall be in writing and shall be signed by the superintendent and the governing authority. BESE will authorize an electronic signature of the waiver agreement.

3. Upon a request by the governing authority, and a recommendation by the department, BESE may extend the waiver period upon a determination that the waiver has been effective in enabling the school to carry out the activities for which the waiver was granted and upon a demonstration that the waiver has contributed to the improved quality of instruction and student academic achievement.

4. A waiver extension shall not prevent a school otherwise eligible from being subject to transfer to the recovery school district.

G. Termination of Waivers

1. If BESE determines that the performance of the school has been insufficient to justify a continuation of a waiver, or if the waiver is no longer necessary to achieve its original intent, BESE may terminate a waiver, either in full or with respect to individual schools.

2. BESE shall terminate a waiver granted to a low-performing school if the school fails to implement the requirements of R.S. 17:4044 within two school years from the issuance of the waiver.

3. BESE may terminate a waiver granted to a low-performing school if the school has not met its statewide accountability growth targets within two years of the granting of the waiver or has not met other requirements or benchmarks.

H. Reporting Requirements

1. The governing authority of a school that receives a waiver shall provide reports on an annual basis to BESE which shall provide information on the effectiveness of the waiver or waivers granted. Such annual report shall be submitted to the Department of Education, Superintendent's Office, no later than December 1 of each year and shall include, but not be limited to, a description of whether or not policies implemented to replace the procedures waived are:

a. increasing the quality of instruction to students;

b. improving the academic achievement of the students; and

c. improving teacher effectiveness.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7, R.S. 17:4031-4039.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:3206 (November 2011).

§345. Requesting Waivers of BESE Policy

A. The superintendent of the LEA requesting deviation of any standard in this bulletin shall submit documentation to the LDE, justifying the request.

B. Technical assistance for meeting the policy as stated in this bulletin shall be provided to the LEA by the LDE.

C. When a deviation cannot be corrected by technical assistance, the LDE may consider a waiver of policy using the following guidelines.

1. Waivers for Class Size

a. The LDE may waive class size requirements up to two students over the maximum allowable upon receipt of the following:

i. a letter from the local superintendent detailing each class that exceeds the class size;

ii. documentation from the principal and the superintendent showing how efforts have been made to comply with standards; and

iii. class sizes above the limit of two will go directly to the appropriate board committee with an executive recommendation from the LDE.

2. Course requirement waivers:

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

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

ii. waivers due to administrative errors;

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

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

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

c. in each situation, the district must provide:

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

ii. a copy of the student's transcript.

D. Requests that do not meet BESE-approved guidelines for an administrative action shall be submitted by the state superintendent of education to the appropriate BESE committee with an executive recommendation for action.

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), 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).

§347. School Size

A. No school with an average attendance below 10 pupils shall be opened or maintained in any locality, except upon recommendation of the local educational governing authority, giving its reason for such recommendation, and upon approval by BESE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:152.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1265 (June 2005).

§349. Complaint Procedures

A. These complaint procedures are established for resolving complaints which may be filed against the LDE or an agency pursuant to provisions of the Elementary and Secondary Education Act of 1965, 20 U.S.C. §6301 et seq., (ESEA).

B. The following definitions apply to this Section.

Agency—a local educational *agency*, educational service agency, consortium of those *agencies*, or entity.

Applicable Program—any of the following ESEA programs for which the LDE has submitted a consolidated state plan or consolidated state application under the ESEA, which may include:

a. title I, part A (improving basic programs operated by local educational agencies);

b. title I, part B, subpart 3 (even start family literacy programs);

c. title I, part C (education of migratory children);

d. title I, part D (prevention and intervention programs for children and youth who are neglected, delinquent, or economically disadvantaged);

e. title I, part F (comprehensive school reform);

f. title II, part A (teaching and principal training and recruitment fund);

g. title II, part D (enhancing education through technology);

h. title III, part A (english language acquisition, language enhancement, and academic achievement);

i. title IV, part A, subpart 1 (safe and drug-free schools and communities);

j. title IV, part A, subpart 2 (community service grants);

k. title IV, part B (twenty-first century community learning centers);

l. title V, part A (innovative programs);

m. title VI, part A, subpart 1, sections 6111 and 6112 (improving academic achievement programs); and

n. title VI, part B, subpart 2 (rural and low-income schools program).

Covered Program—a federal program not defined as an applicable program for which the LDE is required to provide a complaint procedure and for which a complaint procedure is not otherwise provided by rule of the LDE.

C. This Subsection sets forth the specific procedures for resolving complaints that are filed pursuant to the ESEA.

1. LDE will receive complaints from individuals or organizations alleging:

a. a violation of law in the administration of an applicable program; or

b. a violation of a federal statute or regulation that applies to a covered program for which federal law permits the filing of a complaint with the LDE.

2. The complaint must be in writing and must include:

a. a statement that LDE or an agency has violated a requirement of a federal statute or regulation that applies to an applicable program or a covered program;

b. the facts on which the statement is based, including the name of the agency or agencies, and the specific requirement alleged to have been violated;

c. a proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed;

d. the signature and contact information for the complainant or his or her designated representative; and

e. the complaint must allege a violation that occurred not more than one year prior to the date that the complaint is received by the LDE.

3. Upon receipt of a complaint against an agency that meets the requirements of §349.C.2, the LDE will acknowledge receipt of the complaint in writing and provide written notice to the agency against which the violation has been alleged. The LDE will provide the agency with the opportunity to resolve the complaint without a finding, with the participation and agreement of the complainant.

4. If the complaint concerns a violation by the LDE and meets the applicable requirements of §349.C.2, the state superintendent of education will appoint an impartial person(s) to conduct an investigation and resolve the complaint. The person(s) so appointed will acknowledge receipt of the complaint in writing.

5. All complaints must be resolved within 60 days of the date the LDE receives the complaint. Within that 60-day timeline, the LDE, or the impartial investigator when a complaint is filed against the LDE, will:

a. carry out an independent on-site investigation, if the LDE or impartial investigator determines that an investigation is necessary;

b. give the complainant the opportunity to submit additional information, either orally or in writing, about the allegations in the complaint;

c. provide the LDE or agency with the opportunity to respond to the complaint, including, at the discretion of the agency, a proposal to resolve the complaint;

d. review all relevant information and make an independent determination as to whether the LDE or agency is violating a requirement of the ESEA; and

e. issue a written decision to the complainant that addresses each allegation in the complaint and contains:

i. findings of fact and conclusions;

ii. the reasons for the final decision; and

iii. a statement of the complainant's right to request the secretary of the U.S. Department of Education (secretary) to review the final decision, at the secretary's discretion.

6. Complaints regarding participation by private school children must be appealed to the secretary no later than 30 days after the decision is issued. An appeal regarding participation by private school children must be accompanied by a copy of the decision and a complete statement of reasons supporting the appeal.

7. Written decisions on complaints alleging violations by LDE will be provided to BESE.

8. Timelines for LDE's final decision may be extended if exceptional circumstances exist with respect to a particular complaint.

9. The LDE's final decision must be implemented and include, if needed:

a. technical assistance activities;

b. negotiations; and

c. corrective actions to achieve compliance.

10. Nothing herein shall preclude the availability of an informal resolution between the complainant and the LDE or agency, nor shall anything herein preclude or abrogate the availability of any administrative hearing opportunities as provided for by federal statute or regulation.

11. LDE will implement a process for tracking complaints received by LDE to facilitate timely investigation and resolution.

12. LDE will maintain a complaint log which includes the following components:

a. date of receipt of complaint;

b. name of complainant;

c. name of agency, or LDE if complaint is against LDE;

d. resolution, including technical assistance activities and corrective action plan, if needed;

e. date of resolution;

f. date of follow-up on technical assistance activities and corrective action plan, if assigned, and the results of that activity.

D. An agency will disseminate, free of charge, adequate information about the complaint procedures to parents of students, and appropriate private school offices or representatives.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 20 USC 6320, 7883(a), and 7844(a)(3)(C), and 34 CFR 106.8(b) and 299.11-299.12.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:1613 (August 2007), amended LR 39:2198 (August 2013), LR 45:36 (January 2019).

§351. English Learners

A. LEAs must establish a written policy to provide for the placement in school and for the education of any child who is English learner.

B. English Learners (EL) definition. A student identified as an English learner must:

1. be between the age of 3 through 21;

2. be enrolled in an English-speaking elementary school or secondary school;

3. not have been born in the United States or has a native language other than English; and

4. have difficulties in speaking, reading, writing, or understanding the English language such that such challenges may be sufficient to deny them:

a. the ability to meet the state's proficient level of achievement on state assessments;

b. the ability to successfully achieve in classrooms where the language of instruction is English; or

c. the opportunity to participate fully in society.

C. A student identified as an English learner may be:

1. Native American, Alaska Native, or a native resident of the outlying areas and comes from an environment where a language other than English has had significant impact on his or her level of English language proficiency; or

2. migratory, having a native language other than English, and come from an environment where a language other than English is dominant;

D. LEAs must identify within thirty (30) days of school enrollment students in need of specialized language assistance programs. The state approved standardized entrance and exit procedures must be followed, as referenced in LAC 28:CXI.

E. Each LEA must include in its policy a plan to serve English Learners (EL), regardless of whether they have students who meet this classification enrolled. In the policy, the LEA must outline how it will:

1. implement the state-approved standardized entrance and exit procedures which include the statewide approved screener;

2. design an effective program reflective of their needs;

3. staff EL specialized language programs with certified English Learner teachers, bilingual personnel, or both;

4. align instruction of ELs to state academic content standards;

5. ensure participation in the English Language Proficiency Test (ELPT); and

6. adhere to state-approved procedures to reclassify and exit from EL status once students have met the state approved exit criteria.

F. LEAs must ensure the same standards that the U.S. Department of Education Office of Civil Rights and the U.S. Department of Justice apply when evaluating whether their chosen EL program meets the civil rights requirements.

G. In addition to offering equal access to the core curriculum, LEAs must provide ELs with equal opportunities to participate meaningfully in all programs and activities, whether curricular, co-curricular, or extracurricular.

H. The Individuals with Disabilities Education Act (IDEA) and section 504 of the Rehabilitation Act of 1973 address the rights of students with disabilities in school and other educational settings. If an EL is suspected of having one or more disabilities, the LEA must evaluate the student promptly to determine if the EL has a disability or disabilities and whether the student needs special education and related services. Evaluations for special education and related services may not be delayed because of a student's language proficiency or the student's participation in a specialized language program. A student's classification as EL cannot be the basis for determining if the student has a disability.

I. LEAs have the obligation to communicate meaningfully with parents who have limited English proficiency skills and to adequately notify them of information about any program, service, or activity called to the attention of non-EL parents. LEAs must have a process to identify parents with limited English skills and provide them with free and effective language assistance, such as translated materials or an appropriate and trained interpreter.

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 46:16 (January 2020).

Chapter 4. Reopening School Facilities for the 2020-2021 School Year

§401. Purpose and Background

A. This Chapter provides minimum health and safety standards regarding the reopening of school facilities for the 2020-2021 school year in response to the coronavirus disease (COVID-19) pandemic in order to ensure that students, faculty, staff, and others on school property are protected to the maximum extent possible and practical. These minimum standards regarding the reopening of schools for the 2021-2021 school year expire on June 30, 2021. Any future requirements for schools related to a statewide pandemic will be communicated as needed.

B. The requirements contained within this Chapter were developed by the LDE in coordination with the LDH using guidance provided by the Centers for Disease Control (CDC) regarding school settings, defined as a setting in

which educational services are provided to children. As research and information about COVID-19 is updated or if the LDH or CDC revise guidance regarding school settings, LDE will review the standards contained within this Chapter and, as appropriate and necessary, propose revisions of this Chapter to BESE.

C. While the requirements outlined in this Chapter are designed to mitigate the spread of COVID-19 and to create a safe and healthy environment for students, faculty, staff, and others on school property, no requirement or plan guarantees that individuals will not contract COVID-19.

D. By executive proclamation, the governor establishes the statewide phase(s) of reopening (phase 1, phase 2, or phase 3). If the local governing authority of a parish or other municipality has established a more restrictive phase of reopening, the LEA located within that parish or municipality must conform to the more restrictive requirements.

1. Subsequent to the reopening of school facilities for the 2020-2021 school year and in coordination with requirements outlined in 168 JBE 2020, LEAs may continue to follow the Phase 3 minimum requirements for reopening school facilities as set forth in this Chapter.

E. In the event the governor orders, via executive proclamation, a reversion or progression from one phase of the state reopening plan to another, BESE shall immediately communicate the substance of such executive proclamation to each LEA, including the impact of the executive proclamation on the roles, responsibilities, and requirements of each LEA in the state.

1. If necessary, as a result of such executive proclamation, BESE may:

a. consider revisions to regulations pertaining to the phased reopening of school facilities for the 2020-2021 school year; or

b. authorize the LDE to issue detailed guidance to each LEA in the state to include the roles, responsibilities, and requirements of each LEA in the state in response to the executive proclamation.

F. Medical or disability impact exceptions to any standard in this Chapter should be addressed on an individual basis by the LEA in accordance with local policies.

G. For the purposes of this Chapter, the following definition will apply.

Physical Distance—the act of an individual maintaining a space of at least three feet from another individual.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:439.1, and 17:3391.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:1672 (December 2020), amended LR 47:454 (April 2021), amended LR 47:1291 (September 2021).

§403. Minimum Requirements for Reopening and Operating School Facilities

A. Group Sizes

1. The maximum group size that may convene indoors in a single room, irrespective of room size, or outdoors at any given time are as follows:

a. phase 1—10 individuals;

b. phase 2—25 individuals; and

c. phase 3—50 individuals.

2. Group Composition

a. Younger students who are unable to wear face coverings or maintain a physical distance from other students or adults should be assigned static groups. This must include, at a minimum, students in Grade 2 or lower. The static group composition should be maintained for as long as possible over the course of the 2020-2021 school year.

b. The group composition may change if students are able to maintain physical distance from other students and adults. In this case, students must maintain physical distance, in accordance with current Louisiana Department of Health Guidelines as informed by the Centers for Disease Control and Prevention (CDC), from other students and adults in any classroom or indoor setting to the maximum extent possible.

B. Physical Standards for the use of School Facilities

1. If a group convenes indoors, it must convene in a room enclosed by a wall or partition. This includes large rooms, such as a gymnasium or auditorium, which may include more than one group if each group is separated by a wall or partition.

2. If groups convene outdoors, a physical barrier is not required, but each group must remain separated.

3. To the greatest extent possible, schools must limit crowding at entry and exit points and maintain maximum group sizes and physical distance recommendations.

4. If a room is used by more than one group in a single day, high-touch surfaces contained in that room must be cleaned before and after use by each group.

C. Monitoring Students and Adults for Symptoms of COVID-19

1. Each school must establish an area used to isolate anyone showing signs of being sick. The isolation area must be cleaned after it is occupied by any sick student or adult.

2. Upon arriving at the school facility, each adult and student must be assessed for symptoms of COVID-19, as defined by the CDC. This includes an initial temperature check.

D. Environmental Cleaning and Personal Hygiene

1. High-touch surfaces must be cleaned multiple times per day, including bathrooms.

2. Students must wash or sanitize hands upon arrival at the school, at least every two hours, before and after eating, before and after using outdoor play equipment, and before exiting the school facility.

E. Face Coverings

1. BESE minimum reopening standards, pertaining to face coverings, are superseded by any statewide or district specific mandate issued by the governor. If there is a statewide or district specific mandate in place, the lifting of the mask requirement will be determined by an executive order or proclamation of the governor. If there is no statewide or district mandate in place, the lifting of this requirement will be determined by the Local Education Agency (LEA) at the appropriate time, based on the recommendation issued of the LDH.

a. While inside the school facility, all adults and students in grades 3 through 12 must wear a face covering to the greatest extent possible and practical within the local community context.

b. While inside the school facility, students in grades prekindergarten through 2 may wear a face covering.

c. While inside the school facility, children under two years old and individuals with breathing difficulties.

F. Hygienic Supplies

1. School employees must be provided adequate access to hygienic supplies, including soap, hand sanitizer with at least 60 percent alcohol, disinfectant wipes or spray, paper towels, and tissues. Face coverings should also be provided when needed.

2. The quantity of hygienic supplies must be appropriately provided to the school employee, according to the role and the number and age of students or adults served by that employee.

G. Transportation

1. School buses used to transport students must not exceed the following maximum capacity requirements:

a. phase 1—25 percent, including adults, of the school bus manufacturer capacity;

b. phase 2—50 percent, including adults, of the school bus manufacturer capacity; and

c. phase 3—75 percent, including adults, of the school bus manufacturer capacity.

2. Passengers on a school bus must be spaced to the greatest extent possible as follows:

a. phase 1—passengers must ride one per seat. Every other seat must remain empty. Members of the same household may sit in the same seat or adjacent seats; and

b. phase 2 and 3—passengers must be dispersed throughout the bus to the greatest extent possible.

H. Student Programming Determinations

1. Student placement determinations in a distance or in-person education program should be made in consultation with the parent or custodian.

2. Student placement determinations should take into consideration a student's unique academic, social, emotional, familial, and medical needs of a student, as identified by the student's parent or custodian.

I. Essential Visitors to School Facilities

1. Essential visitors are individuals who must enter schools or early learning centers in order to conduct visits in accordance with Louisiana law or policy. Essential visitors include, but are not limited to, individuals who:

a. conduct *CLASS*® observations;

b. observe teacher candidates as part of the teacher preparation quality rating system; or

c. provide essential supports and services including, but not limited to, early intervention services, special education services, or mental health consultation.

J. Medical or disability impact exceptions to any standard in this Chapter should be addressed on an individual basis by the LEA in accordance with local policies.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:439.1, and 17:3391.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:1672 (December 2020), amended LR 47:1292 (September 2021).

§405. Local Education Agency (LEA) Reopening Policies and Plans

A. Prior to the beginning of the 2020-2021 school year, each local school board must adopt policies in accordance with the standards outlined in this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:439.1, and 17:3391.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:1673 (December 2020).

Chapter 5. Personnel

§501. Criminal Background Checks

A. Each LEA shall establish by regulation, requirements and procedures consistent with R.S. 17:15 and R.S. 15:587.1, through which it may request information from the Louisiana Bureau of Criminal Identification and Information necessary to ascertain whether an employee, or applicant for employment as a teacher, substitute teacher, bus driver, substitute bus driver, or janitor, or as a temporary, part-time, or permanent employee of any kind, including any person employed to provide cafeteria, transportation, or janitorial or maintenance services by any person or entity that contracts with a school or school system to pervade such services, has been arrested for, convicted of, or pled nolo contendere to, any criminal offense.

1. The regulation shall include the requirement and the procedure for the submission of a person's fingerprints on a form acceptable to the bureau.

2. The request for information necessary to determine whether a person has been arrested for, convicted of, or pled nolo contendere to, any criminal offense must be on a form prepared by the bureau and must be signed by a responsible officer or official of the LEA making the request.

3. It must include a statement signed by the person about whom the request is made which gives permission for such information to be released and must include the person's fingerprints in a form acceptable to the bureau.

B. No person who has been convicted of or has pled nolo contendere to a crime listed in R.S. 15:587.1(C) shall be hired by a public elementary or secondary school as a teacher, substitute teacher, bus driver, substitute bus driver, janitor, or as a temporary, part-time, or permanent employee of any kind, including any person employed to provide cafeteria, transportation, or janitorial or maintenance services by any person or entity that contracts with a school or school system to provide such services unless approved in writing by a district judge of the parish and the district attorney or, if employed on an emergency basis, unless approved in writing by the superintendent of the school system.

1. This statement of approval shall be kept on file at all times by the school and shall be produced upon request to any law enforcement officer.

2. Not later than 30 days after its being placed on file by the school, the school principal shall submit a copy of the statement of approval to the state superintendent of education.

C. The LEA shall dismiss any teacher or any other school employee having supervisory or disciplinary authority over school children, if such teacher or school employee is convicted of, or pleads nolo contendere to, any crime listed in R.S. 15:587.1(C), except R.S. 14:74.

D. An LEA may reemploy a teacher or other school employee who has been convicted of, or pled nolo contendere to, a crime listed in R.S. 15:587.1(C), only upon written approval of the district judge of the parish and the district attorney or upon written documentation from the court in which the conviction occurred stating that the conviction has been reversed, set aside, or vacated.

1. Any such statement of approval of the judge and the district attorney and any such written documentation from the court shall be kept on file at all times by the school and shall be produced upon request to any law enforcement officer.

2. Not later than 30 days after its being placed on file by the school, the school principal shall submit a copy of any such statement of approval or written documentation from the court to the state superintendent of education.

E. 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 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).

§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 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. The statement shall provide procedures for the disclosure of information by the applicant's current or previous employer, if such employer is the Louisiana School for the Deaf, the Louisiana School for the Visually Impaired, or the Louisiana Special Education Center, relative to all instances of abuse or neglect of students, as such terms are defined in Children's Code Article 603, as committed by the applicant, if any.

2. Prior to hiring any applicant, each LEA must request, in writing, that the applicant's current or previous employer, if such employer is an LEA, provide the above-described information, if such information exists, and make available to the hiring school board copies of any documents as contained in the applicant's personnel file maintained by such employer relative to such instances of sexual misconduct, if any. Such request for information must include a copy of the aforementioned statement signed by the applicant.

3. If such information exists, it must be provided and copies of all documents as contained in the applicant's personnel file relating to all instances of sexual misconduct, if any, must be made available to the requesting school board no later than 20 business days from the receipt of the request.

4. Any LEA or any school employee who discloses such information in good faith shall be immune from civil liability for having disclosed such information.

5. An applicant who does not sign the disclosure and release statement cannot be hired. An applicant can be hired on a conditional basis pending the hiring board's review of any information obtained.

6. The statement shall provide procedures for the disclosure of information by the applicant of all instances of sexual misconduct with and abuse or neglect of any student

committed by the applicant, if any, and such procedures shall include written notification by the school board, on any application forms provided to the applicant, of the disclosure requirements.

7. Any information obtained can only be used by the hiring board for the purpose of evaluating an applicant's qualifications for employment for the position for which he or she has applied. Such information is not subject to the Public Records Act and is not to be disclosed to any person, other than the applicant, who is not directly involved in the process of evaluating the applicant's qualifications for employment. Unauthorized disclosure is a misdemeanor offense with exposure to a fine of up to $500 or imprisonment for up to six months, or both.

8. Adult sexual misconduct in schools, for the purposes of disclosing information to LEAs as required by R.S. 17:81.9, includes sexually inappropriate behavior by the adult that is directed at a student, including but not limited to sexually-related conversations, jokes, or questions directed at students. More specifically, sexual misconduct and abuse or neglect is:

a. any conduct that would amount to sexual harassment under Title IX of the (U.S.) Education Amendments of 1972, as amended;

b. any conduct that would amount to a sexual offense affecting a minor under state criminal codes;

c. any sexual relationship by a school employee with a student, regardless of the student's age; with a former student under 18; with a former student (regardless of age) who suffers from a disability that would prevent consent in a relationship. All students enrolled in the school and in any organization in which the school employee holds a position of trust and responsibility are included;

d. any activity directed toward establishing a sexual relationship such as sending intimate letters; engaging in sexualized dialogue in person, via the Internet, in writing or by phone; making suggestive comments; dating a student.

9. The statement shall include:

a. all actual cases of sexual misconduct with a minor or student by the applicant;

b. all investigations of sexual misconduct by the applicant with a minor or student that occurred within thirty-six months prior to the applicant's resignation, dismissal, or retirement from school employment;

c. all actual or investigated cases of abuse or neglect of a minor or student by the applicant.

10. Any applicant who knowingly and willfully violates the provisions of this Section shall be guilty of a misdemeanor offense and shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both.

B. Sexual conduct (including sexual intercourse and any lewd or lascivious behavior) between an educator (including any administrator, coach, instructor, paraprofessional, student aide, teacher, or teacher aide) and a student, who is under the age of 19 and who is a student at the school where the educator is assigned, employed, or working at the time of the offense, is prohibited.

1. Consent of the student or lack of knowledge of the student's age is not a defense.

2. Notwithstanding any claim of privileged communication, any educator having cause to believe that prohibited sexual contact between an educator and a student has occurred or is occurring shall immediately report such conduct to a local or state law enforcement agency.

3. No cause of action shall exist against any person who in good faith makes a report, cooperates in any investigation arising as a result of such report, or participates in judicial proceedings arising out of such report, and such person shall have immunity from civil or criminal liability that otherwise might be incurred or imposed.

4. No immunity shall extend to any person who makes a report known to be false or with reckless disregard for the truth of the report, but in any action to establish damages against a defendant who made a false report, the plaintiff shall bear the burden of proving that the defendant who filed the false report knew that the report was false or that the report was filed with reckless disregard for the truth of the report.

C. Interaction between a student and a school employee in any classroom, office, meeting room, or other similarly enclosed area on school property is prohibited unless, during the full time of such interaction, another school employee, the student's parent, or other authorized adult is present, or the student and the employee are clearly viewable by persons outside the area through an open door or entrance or window or other means that provide an unobstructed view. The following exceptions apply:

1. interaction between a student and a school counselor as defined in R.S. 17:3002, or between a student and a social worker, a psychologist or other duly certified/licensed mental health or counseling professional.

2. interaction between a student and a school employee when the school employee is appraising, evaluating, or testing the student in accordance with the provisions of BESE Bulletin 1508;

3. interaction between a student and a school employee when the employee is providing services as required by the student's IEP;

4. interaction between a student and a school employee engaged in the performance of a noncomplex health procedure as defined in R.S. 17:436(A);

5. interaction between a student and a school nurse or other duly certified/licensed health care professional; and

6. interaction between a student and a teacher or administrator concerning a matter of confidentiality and/or safety.

D. A school employee shall report his or her arrest for a violation of any of the crimes provided in R.S. 15:587.1, any other sexual offense affecting minors, or any justified complaint of child abuse or neglect on file in the central registry pursuant to article 615 of the *Children's Code* within 24 hours of the arrest. However, if the school employee is arrested on a Saturday, Sunday, or a legally declared school holiday such report shall be made prior to the school employee next reporting for his work assignment at a school.

1. School employee means any employee of, an LEA including a teacher, substitute teacher, bus driver, substitute bus driver, or janitor, and shall include all temporary, part-time, and permanent school employees.

2. All school governing bodies shall promulgate reporting policies and/or procedures to be followed by any employee arrested for the aforementioned offenses.

3. The report shall be made by the school employee to a person or persons as specified by the LEA.

4. The report shall be made by the school employee regardless of whether he or she was performing an official duty or responsibility as a school employee at the time of the offense.

5. In addition, the school employee shall report the disposition of any legal proceedings related to any such arrest within twenty four hours, which shall also be made a part of any related files or records.

6. Failure to comply with these provisions shall result in the following:

a. suspension, with or without pay, of said employee by the employee's LEA if such employee is serving a probationary term of employment or if the provisions of law relative to probation and tenure are not applicable to the employee;

b. removal proceedings under R.S. 17:45, 443, 462, 493, 523, or 533, as applicable, for tenured employees;

i. written and signed charges alleging such failure shall be brought against any such tenured employee.

7. Unless criminal charges are instituted pursuant to an arrest which is required to be reported, all information, records, hearing materials, and final recommendations of the school pertaining to such reported arrest shall remain confidential and shall not be subject to a public records request.

E. A school bus operator shall report his arrest for a violation of R.S. 14:98, 98.1, or any other law or ordinance that prohibits operating a vehicle while under the influence of alcohol or any abused substance or controlled dangerous substance set forth in the schedules provided in R.S. 40:964.

1. School bus operator means any employee of an LEA whose duty it is to transport students in any school bus or activity bus to and from a school approved by BESE or to and from any school-related activity.

2. The report shall be made by the operator to a person or persons as specified by the LEA in rules and regulations.

3. Such report shall be made within twenty four hours of the arrest or prior to the operator next reporting for his work assignment as a school bus operator, whichever time period is shorter.

4. Such report shall be made by the school bus operator regardless of who owns or leases the vehicle being driven by the operator at the time of the offense for which he was arrested and regardless of whether the operator was performing an official duty or responsibility as a school bus operator at the time of the offense.

5. A school bus operator who fails to comply with the provisions of this Section shall be terminated by the LEA employing the operator if such operator is serving a probationary term of employment as provided by R.S. 17:492 or if the provisions of law relative to probation and tenure of bus operators are not applicable to the operator.

6. A school bus operator employed by an LEA who is a regular and permanent employee of the board as provided by R.S. 17:492 shall be subject to removal as provided by R.S. 17:493 for failure to comply with the provisions of this Section.

a. Written and signed charges alleging such failure shall be brought against the bus operator.

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).

§503. Staff Organization

A. The professional staff of the local LEA's central office shall be organized with assigned roles, responsibilities and authority to provide a structure for implementing local school policies.

B. Each LEA shall be required to employ certified personnel as required by state/federal law:

1. superintendent;

2. special education supervisor;

3. title IX coordinator;

4. child welfare and attendance supervisor;

5. school nurse;

6. school food services supervisor;

7. business manager.

NOTE: See *Bulletin 1929—Louisiana Accounting and Uniform Governmental Handbook*, §1301.

C. The LEAs shall assign principals to schools as appropriate.

D. For LEAs in any parish having a population of at least 300,000 persons, a full-time social worker shall be employed in each school which has been identified as a failing school.

E. There shall be alcohol, drug, and substance abuse counselors who regularly visit every secondary school and elementary school at a maximum ratio of four schools to one counselor, for the purpose of counseling students who have been identified as having an alcohol, drug, or substance abuse problem.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:15, R.S. 17:28, R.S. 17:29, R.S. 17:54, R.S. 17:81, R.S. 17:84.2, R.S. 17:228, R.S. 17:403, R.S. 17:1947(F), and 7 CFR 210.3(a).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1265 (June 2005), amended LR 33:2352 (November 2007), LR 39:2200 (August 2013).

§504. Teaching Authorization

A. This Section provides for the rules and regulations in accordance with the Administrative Procedure Act to establish a process for issuing a teaching authorization to a person seeking employment as an administrator, teacher, or substitute teacher in any school, including a public or nonpublic school that does not require a Louisiana teaching certificate for the employment of a teacher.

B. Teaching authorizations shall be issued in accordance with LAC 28:CLXXII, Bulletin 745.

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 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:2132 (December 2018), repromulgated LR 45:38 (January 2019).

§505. Certification of Personnel

A. To be eligible legally for teaching, administrative, supervisory, or other professional services in the public schools of Louisiana, personnel shall hold a valid Louisiana certificate appropriate to the services rendered or shall receive annual approval in accordance with provisions allowed by BESE.

NOTE: Refer to *Bulletin 746—Louisiana Standards for State Certification of School Personnel*.

B. In the event that an LEA in Louisiana, through its locally authorized governing board, chooses to select a superintendent who does not meet the eligibility requirements necessary to obtain certification as a superintendent, such LEA may appoint the candidate, provided that:

1. the district appoints a chief academic officer whose primary and substantial job description shall govern the academics of the district including curriculum and instruction;

2. the chief academic officer possesses a valid state-issued teaching certificate;

3. the chief academic officer also meets all criteria required of a superintendent set forth in existing BESE policy; and

4. the chief academic officer is appointed no later than 120 days after the appointment of the superintendent candidate.

C. Teachers in core academic subject areas (English, reading/language arts, mathematics, science, foreign languages, arts, and social studies) must meet the highly qualified requirements in order to teach in any core academic subject.

1. For the non-core academic subject areas, full-time secondary certified teachers in schools including grades 6-12 (or any combination thereof) may be allowed to teach a maximum of two periods in one subject out of their field of certification if they have earned 12 hours in that subject. Secondary certified teachers shall not teach below the sixth grade level.

D. Each LEA shall ensure that supervision is provided for school psychologists, school social workers, speech therapists, and any other personnel not certified or licensed to practice their respective discipline without supervision and who are provisionally employed contingent upon such specific documented supervision in accordance with policy in Bulletin 746.

E. Any employee of any LEA whose duty is to transport students in any city or parish activity in a school bus shall meet LDE requirements.

NOTE: Refer to *Bulletin 1191—Louisiana School Transportation Specifications and Procedures*.

F. Each LEA shall establish standards for certification of special education paraprofessionals and shall issue permits based on these standards.

G. Teachers certified at the secondary level shall be allowed to teach at the sixth grade level in their respective areas of certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7, R.S. 17:7.1, R.S. 17:24.10, R.S. 17:81, R.S. 17:491, 17:497.2, and R.S. 17:1974.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1265 (June 2005), amended LR 33:2353 (November 2007), LR 38:1224 (May 2012), LR 39:2201 (August 2013).

§507. Mentoring Requirements for Teacher Candidates Enrolled in Alternate Teacher Preparation Programs

A. Beginning with the 2020-2021 academic year, an alternate teacher preparation program candidate participating in a residency as a teacher of record must receive mentorship from a school-based mentor teacher who may collaborate with other personnel providing mentoring support.

1. The school-based mentor teacher must be credentialed in accordance with LAC 28:CXXXI.350 (Bulletin 746).

2. The mentorship must be at least 15 percent, or 5 hours per week, of instructional time of the school.

3. The mentorship must include intensive individual supports, including:

a. co-teaching;

b. collaborative planning; and

c. observation and feedback sessions.

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 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:325 (March 2020).

§509. Completion of Approved Foundational Literacy Skills Course

A. The LDE shall develop a list of approved professional development courses designed for educators that provide foundational literacy skills instruction based on the science of reading and include information on instructing students regarding phonemic awareness, phonics, fluency, vocabulary, and comprehension.

1. Not later than the beginning of the 2023-2024 school year, each teacher and administrator 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 or administrator who provides documentation of completion of an approved professional development program within the five years prior to 2023 shall be considered in compliance with the provisions of this Paragraph.

a. For the purposes of this Section, *teacher* means kindergarten through third grade teacher who teaches reading, math, science, or social studies.

b. For the purposes of this Section, *administrator* means a principal or assistant principal of a school that includes kindergarten through third grade.

2. Any teacher or administrator hired after August 1, 2023, must provide documentation to the employing school of successful completion of an approved professional development course within two years of the date of employment.

3. Beginning May 1, 2022, and annually thereafter, each LEA shall report to the department the number and percentage of teachers and administrators who have successfully completed an approved professional development course. Reported data shall be included in LDE school progress profiles.

4. Waivers to use professional development courses that have not been included in the department list of approved professional development courses must be submitted in writing to the LDE and are subject to approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S.17:24.10; and R.S. 17:24.12.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR: 48:1747 (July 2022).

§515. Teachers' Retirement System—Part-Time, Seasonal, or Temporary Classroom Teacher

A. R.S. 11:162(C) provides that membership in the Teachers' Retirement System of Louisiana (TRSL) shall be required of part-time, seasonal, or temporary employees, as defined in 26 CFR 31.3121(b)(7)-2, who are classroom teachers and who have or earn five or more years of creditable service in the TRSL.

B. Classroom Teacher

1. For the purposes of R.S. 11:162(C):

Classroom Teacher—

i. an employee of an LEA under the control of BESE or any educational institution supported by and under the control of BESE, or any LEA:

(a). whose job description and assigned duties include the instruction of pupils in courses in traditional or nontraditional classroom situations for which daily pupil attendance figures for the school system are kept; and

(b). who is classified under object code 112, as provided in Bulletin 1929, *Louisiana Administrative Code* Title 28, Part XLI §901.B.1.b, or is performing the functions, on a substitute basis, of an individual classified under object code 112;

ii. instruction of pupils, as used in Subclause i.(a) of this definition, shall include activities dealing directly with the interaction between teachers and pupils. Instruction may be provided for students in a school classroom, in another location such as a home or hospital, and in other learning situations such as those involving co-curricular activities. Instruction may also be provided through some other approved medium such as television, radio, telephone, and correspondence;

iii. classroom teachers shall include, but not be limited to:

(a). traditional subject area;

(b). special education;

(c). library media;

(d). resource;

(e). itinerant;

(f). music;

(g). band;

(h). chorus;

(i). physical education;

(j). home economics;

(k). agriculture;

(l). industrial arts;

(m). computer science; and

(n). business teachers.

iv. a teacher's status as an "employee," as used in Clause i of this definition, shall be consistent with the employment classification made by his or her employing agency, pursuant to applicable law.

C. Rehired Retirees

1. Any retired member of TRSL, other than a retired teacher as defined in R.S. 11:710, who returns to active service covered by TRSL, shall have retirement benefits suspended for the duration of reemployment.

2. In order for a person who qualifies as a retired teacher because he teaches in a shortage area to receive benefits during the period of her or his reemployment, the superintendent and the personnel director of the employing school must certify to BESE and the TRSL board of trustees that a shortage of teachers exists in the area in which the retired teacher was hired to teach. For speech therapists, speech pathologists, and audiologists in a shortage area, the employer is required to certify that a shortage of such persons exists.

3. Prior to certification, for any full-time teaching position, the employer shall advertise the position twice in the official journal of the school's governing authority and non-retirees shall be given hiring preference over retirees, unless fewer than three applicants have applied for the position.

4. LEAs shall adhere to all applicable state regulations regarding membership in TRSL.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:162(C) and R.S. 11:710.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1267 (June 2005), amended LR 37:1140 (April 2011), LR 39:2201 (August 2013).

§517. Acceptable Work Experience for Teacher Pay

A. Conditions of Employment. For purposes of determining salary, Louisiana public schools shall grant credit for work experience in compliance with the following criteria.

1. Louisiana Public Schools

a. Full-time/half-time satisfactory teaching experience at an LEA. Experience in a position that requires a valid Louisiana teaching/ancillary certificate. Proper certification for the position held; this is to include a temporary certificate, temporary teaching assignment, temporary employment permit, emergency permit, provisional certificate, and/or Circular 665 experience after regular certificate/licensure is secured.

b. Full-time college/university satisfactory teaching experience, not to include graduate assistantship.

c. Technical college teaching/instructional, full-time satisfactory experience when certified as a teacher for public elementary or secondary schools or technical colleges; proper temporary certification will count.

d. Full-time satisfactory work experience acquired by ancillary personnel while employed by an organization or institution if such personnel held the credentials required for ancillary certification at the time work was performed. This is not to include private practice.

2. Louisiana Nonpublic Approved Schools

a. The crediting of elementary and secondary teaching/instructional experience for Louisiana nonpublic teachers/ instructional employees, shall be in accordance with R.S. 17:424.2. Full-time college/university, career/technical, and ancillary experience shall be credited according to the standards stated in Subparagraphs A.1.b-d above. Experience must have been in a position requiring teaching/ancillary certificate or licensure. Proper temporary certification will count after regular certificate/licensure is secured.

3. Out-of-State Public Schools

a. The crediting of public elementary and secondary teaching/instructional experience for out-of-state teachers/instructional employees shall be in accordance with R.S. 17:424.3. Full-time college/university, career/technical and ancillary experience shall be credited according to the standards stated in Subparagraphs A.1.b-d above. Experience must have been in a position requiring teaching/ancillary certificate or licensure; this does not include experience under temporary certification/licensure.

4. Out-of-State Nonpublic Approved Schools

a. The crediting of elementary and secondary teaching/instructional experience for out-of-state nonpublic teachers/instructional employees is optional and shall be determined by each local school board.

5. Military

a. Credit for military service shall be in accordance with R.S. 17:423, and salary schedule placement shall be in accordance with R.S. 17:423.1.

B. Length of Employment. An LEA may credit a full year of teaching/instructional service if the employee has provided teaching/instructional service for a minimum of 90 school days or one semester in one school year, in compliance with the above requirements. This credit will be given in the following year of employment except for individuals hired at mid-term who may be given credit for the fall semester of experience. The maximum credit for a school year is one year of experience.

C. This policy will not affect years of credit granted to individuals prior to its adoption by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:423; R.S. 17:424; R.S. 17:424.1; R.S. 17:424.2; R.S. 17:424.3, R.S. 17:423.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1267 (June 2005), LR 49:250 (February 2023).

§519. Teacher Bill of Rights

A. Respecting the authority of teachers is essential to creating an 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 teachers, administrators, parents, and students are fully informed of the various rights conferred upon teachers pursuant to this policy, which are:

1. a teacher has the right to teach free from the fear of frivolous lawsuits, including the right to qualified immunity and to legal defense, and to indemnification by the employing school board, pursuant to R.S. 17:416.1(C), 416.4, 416.5, and 416.11, for actions taken in the performance of duties of the teacher's employment;

2. a teacher has the right to appropriately discipline students in accordance with R.S. 17:223 and 416 through 416.16 and any city, parish, or other local public school board regulation;

3. a teacher has the right to remove any persistently disruptive student from his classroom when the student's behavior prevents the orderly instruction of other students or when the student displays impudent or defiant behavior and to place the student in the custody of the principal or his designee pursuant to R.S. 17:416(A)(1)(c);

4. a teacher 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 teacher in accordance with school and district policy and with R.S.17:416(A)(1)(c);

5. a teacher has the right to teach 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 in accordance with R.S. 17:416.9 and 416.16;

6. a teacher has the right to be treated with civility and respect as provided in R.S. 17:416.12;

7. a teacher has the right to communicate with and to request the participation of parents in appropriate student disciplinary decisions pursuant to R.S. 17:235.1 and 416(A);

8. a teacher has the right to complete only paperwork that is not excessively burdensome 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;

9. a beginning teacher has the right to receive leadership and support in accordance with R.S. 17:3881, including the assignment of a qualified, experienced mentor who commits to helping him become a competent, confident professional in the classroom and offers support and assistance as needed to meet performance standards and professional expectation;

10. a teacher has the right to be afforded time during the school day or week to collaborate with other teachers.

B. No LEA shall establish policies that prevent teachers from exercising the rights listed above or in any other provisions included in R.S. 17:416-416.16.

C. The provisions of this policy 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 teachers at the beginning of each school year. Each such LEA also shall post a copy of the rights provided in this policy in a prominent place in every school and administrative building it operates and provide such 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 Teacher Bill of Rights required by this policy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.18.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1268 (June 2005), amended LR 35:1100 (June 2009), LR 39:3259 (December 2013).

§521. Physical Abuse of Teachers and School Employees by Students

A. LEAs shall adopt rules and regulations to implement the following requirements regarding the physical abuse of public school teachers and other school employees by students.

1. LEAs shall keep an accurate record of incidents of such abuse.

2. LEAs shall provide appropriate equipment to protect teachers and other school employees from such abuse.

3. Support services shall be provided to teachers and other school employees which afford them the opportunity to discuss the stress caused by such abuse.

4. Any teacher or other school employee who has been the victim of such abuse shall be provided the opportunity to seek another position for which the teacher is certified within the same parish in which the teacher will not have contact with the student(s) involved, provided that there is another position available.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:1138 (April 2011), amended LR 39:2202 (August 2013).

§523. Foreign Associate Program

A. The Foreign Associate Program supported through the Minimum Foundation Program requires visas be obtained for all teachers.

1. Foreign associate teachers shall not be employed unless a visa is obtained.

2. The Minimum Foundation Program formula may provide funding to pay for the expense of the visa.

B. In order to ensure the proper processing of the visa on behalf of each foreign associate teacher, the Louisiana Department of Education may enter into an agreement with school systems and schools employing the teacher to secure the cost of the visa through a one-time reduction of their Minimum Foundation Program annually and remit the funds to the Louisiana Department of Culture, Recreation, and Tourism for processing.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 40:2241 (November 2014).

Chapter 7. Records and Reports

§701. Maintenance and Use of System Records and Reports

A. The LEA and school shall maintain accurate and current information on students, personnel, instructional programs, facilities, and finances.

B. The maintenance, use, and dissemination of information included in system and school records and reports shall be governed by written policies adopted by the local educational governing authority and/or other applicable educational governing authorities. The policies shall conform to the requirements of all applicable state and federal laws, including, but not limited to, the Louisiana Public Records Act, R.S. 44:1 et seq., the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232q and 45 CFR 99.1 et seq., the Individual with Disabilities Education Act, 20 U.S.C. 1400 et seq., 17:1941 et seq., and R.S. 17:1237.

1. Any agreements entered into between an LEA and a data storage company or organization shall provide for adherence to all applicable state and federal laws regarding the maintenance, use, and dissemination of personally identifiable student data.

2. In maintaining, using, and disseminating student data received from or reported by LEAs, the LDE shall adhere to and require any contracted data storage providers to adhere to all applicable state and federal laws, including, but not limited to, the Louisiana Public Records Act, R.S. 44:1 et seq., the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232q and 45 CFR 99.1 et seq., the Individual with Disabilities Education Act, 20 U.S.C. 1400 et seq., 17:1941 et seq., and R.S. 17:1237.

3. By not later than May 1, 2015, the LDE shall develop a system of unique student identification numbers. By not later than August 1, 2015, each local public school board shall assign such a number to every student enrolled in a public elementary or secondary school. Student identification numbers shall not include or be based on Social Security numbers, and a student shall retain his student identification number for his tenure in Louisiana public elementary and secondary schools.

4. Information files and reports shall be stored with limited accessibility and shall be kept reasonably safe from damage and theft.

C. Each parish superintendent shall keep a record of all business transacted by him or her as parish superintendent; the names, numbers, and description of school districts; the tabulation of reports made monthly to him or her by the principals of his or her schools; and all other papers, books, and documents of value connected with said office, which shall be at all times subject to inspection and examination by the state superintendent of education, or by any officer, or citizen. In addition to the annual report to the state superintendent of education, s/he shall furnish such narrative, and such information as the state superintendent of education or BESE may from time to time require of him or her.

1. Parish superintendents and teachers of the public schools of the state shall make and keep such school records as required by the state superintendent of education, prior to receiving their monthly salaries.

2. Each principal of a school shall make reports to the parish superintendent of schools as required. If any principal willfully neglects or fails to do this, the parish superintendent of schools may withhold the salary due until the report is satisfactorily made.

D. Each LEA/school shall maintain necessary records for the effective operation of the LEA/school. The LEA shall comply with the requirements of R.S. 44:411 regarding schedules for the retention of official records. Those records for which a formal retention schedule has not been executed shall be retained by the LEA for not less than three years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:93, R.S. 17:411, R.S. 17:415, and R.S. 17: 3913.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1268 (June 2005), amended LR 37:1380 (May 2011), LR 40:764 (April 2014), LR 41:41 (January 2015), LR 41:2594 (December 2015).

§703. Student Records

A. Each school shall keep records for the registration and attendance of students and shall maintain an up-to-date permanent cumulative record of individual students showing personal data and progress through school.

1. Student cumulative records shall continually be updated and, when applicable, contain the following:

a. name, gender, social security number or a state-assigned identification number, date of admission, and date of birth;

b. name and address of parents, legal guardian, and/or next of kin;

c. language or means of communication, spoken or understood;

d. a cumulative record of the student's progress through the curriculum;

e. health history;

f. student grades;

g. attendance records;

h. results of vision and hearing screening;

i. all immunizations given in accordance with the requirements of the Office of Public Health (OPH), Louisiana Department of Health and Hospitals (DHH) recorded on a cumulative health record;

j. scores on statewide assessments and scores on local testing programs and screening instruments necessary to document the local criteria for promotion;

k. information (or reasons) for student placement, including promotion, retention, and/or remediation and acceleration;

l. information on the outcome of student participation in remedial and alternative programs; and

m. a copy of the letter informing the parent of either the placement of the student in or the removal of the student from a remedial education program.

2. The following are applicable to students eligible under IDEA or section 504:

a. records of parent/teacher conferences prior to referral to pupil appraisal;

b. results of all educational screening information;

c. educational interventions and their results;

d. multi-disciplinary evaluation reports;

e. a copy of the IEP, including least restrictive environment justification;

f. a copy of the individualized accommodation program (IAP);

g. a copy of the parent's written consent for the student to be moved from an alternative to a regular placement program;

h. documentation of contact with school building level committee prior to referral to pupil appraisal;

i. access sheet for special education confidentiality.

B. Each teacher shall be provided with a recording system in which the roster of each class taught shall be maintained and on which all data used to determine student progress shall be recorded.

C. Student records shall be reviewed regularly, and results shall be used for instructional planning, student counseling, and placement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:170, R.S. 17:182, R.S. 17:232, R.S. 17:391.3, R.S. 17:391.4, R.S. 17:400, R.S. 17:1944, and R.S. 17:2112.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1268 (June 2005), amended LR 39:2202 (August 2013).

§705. Student Academic Records and Reports

A. A report of each student's progress in school shall be provided to parents or guardians at intervals designated by the LEA and shall contain a report of progress made by the student in each subject or area.

B. Schools shall prepare a progress report related to the short-term objectives in the IEP/placement document for each exceptional child and must provide the report to the parent at the same time as report cards are provided to all regular students.

C. Parents shall be informed of the results of statewide assessment tests.

D. No education record of any student may be withheld as a result of lack of payment of any fine, debt or other outstanding obligation.

E. An education record of a student may be inspected by the student or his or her parents in accordance with the federal Family Education Rights and Privacy Act.

AUTHORITY NOTE: Promulgated in accordance with USCS 1232g, R.S. 17:112, R.S. 17:177, and R.S. 17:391.7(D).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1269 (June 2005), amended LR 39:2203 (August 2013), amended LR 39:3259 (December 2013).

§707. Evaluation of Transfer Students' Records

A. A student transferred from an approved school, in- or out-of-state or foreign school, shall be allowed credit for work completed in the previous school. When a student transfers from one school to another, a properly certified transcript, showing the student's record of attendance, achievement, immunization, and the units of credit earned, shall be required.

1. Records, including evaluation information for exceptional students transferring from another system, shall be reviewed by pupil appraisal and approved by the supervisor of special education before the student is enrolled in a special education program.

2. Students in grades five and nine transferring to the public school system from any in-state nonpublic school (state-approved and -unapproved), or home schooling program, or Louisiana resident transferring from any out-of-state school, shall be required to pass the English language arts and mathematics components portions of the state-developed LEAP placement test.

B. Local school officials from any state-approved school receiving a student from an unapproved school, in- or out-of-state, or approved home study programs, shall determine the placement and/or credits for the student through screening, evaluations, and/or examinations.

1. The principal and/or superintendent may require the student to take an examination on any subject matter for which credit is claimed.

2. The school issuing the high school diploma shall account for all credits required for graduation, and its records will show when and where the credit was earned.

3. Students in grades five and nine transferring to the public school system from any in-state nonpublic school (state-approved and -unapproved), or home schooling program, or Louisiana resident transferring from any out-of-state school, shall be required to pass the English language arts and mathematics components of the state-developed LEAP 21 placement test.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:236.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1269 (June 2005), amended LR 39: 2203 (August 2013).

§709. Transfer of Student Records

A. The principal shall provide for the transfer of the education records, including special education records if applicable, of any current or former student at the school upon the written request of any authorized person on behalf of a public or nonpublic elementary or secondary school within or outside of the state of Louisiana, where the student has become enrolled or is seeking enrollment.

1. The transfer of such records, whether by mail or otherwise, shall occur not later than 10 business days from the date of receipt of the written request.

2. If a student has been expelled, the transferred records shall include the dates of the expulsion and the reasons for which the student was 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).

§713. Attendance Records

A. The attendance of all school students shall be checked each school day and at the beginning of each class period and shall be verified by the teacher keeping such records which shall be open to inspection by the supervisor of child welfare and attendance, or duly authorized representative, at all reasonable times. All schools shall immediately report to the visiting teacher, or the supervisor of child welfare and attendance, any unexplained, unexcused, or illegal absence, or habitual tardiness.

B. No public elementary or secondary school student who has not been emancipated by judicial decree or by marriage shall be permitted for any reason to leave school during the school day on his or her own authority.

1. The school principal or the principal's designee shall make all reasonable efforts to notify the parent or other person responsible for the student's school attendance of any such prohibited absence by a student.

2. For the purposes of notification as required by this section, a parent or other person responsible for a student's school attendance may designate in writing with the school principal one or more alternative contact persons.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:232 and R.S. 17:235.

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

§715. System and School Reports

A. Reports required by the LDE and BESE shall be made on appropriate forms, shall contain accurate information, and shall be returned by the specified date.

1. The certification form shall be signed by the superintendent verifying that all data submitted are accurate.

B. Each local superintendent shall keep a record of all business transacted by him as superintendent.

C. On dates specified by the LDE, the local superintendent shall forward the information required for the completion of the annual financial and statistical report to the LDE.

1. Schools shall furnish information required for the completion of the annual financial and statistical report on report forms supplied by the lea.

D. Each LEA shall provide reports as required by the LDE for the review of the status and needs for additional construction and/or renovation of the physical facilities of the physical facilities of the LEA.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.5, R.S. 17:92, and R.S. 17:93.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1270 (June 2005), amended LR 39:2204 (August 2013).

§717. Reports of High School Credit

A. A finalized list of graduates shall be submitted by the state-approved high school accompanied by the assurance statement signed by both the principal and the superintendent of the LEA in order to receive diplomas.

1. Prior to February 15 for mid-term graduates and prior to June 15 for spring graduates, a certificate of high school credits for each graduate shall be submitted by each state-approved high school as required.

2. A certificate of high school credits (transcript) shall be submitted by the state-approved high school in order for a diploma to be issued to those students graduating or exiting at times other than mid-term and spring.

3. Upon receipt of the finalized list of graduates, the LDE will issue the diplomas.

B. Prior to the date of graduation or options program completion, the LDE shall have the authority to determine the issuance of a diploma or an options program skill certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(11).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1270 (June 2005), amended LR 39:2204 (August 2013).

§719. Reports to the Supervisors of Child Welfare and Attendance

A. The principals, or administrators, and the teachers of all schools shall report the names, birth dates, race, parents, and residence of all students in attendance at their schools or classes in writing to the central office within 30 days after the beginning of the school term or session, and at such other times as may be required by BESE or the LDE.

B. No later than December 1, 2023, the website of each public school shall contain a link to the school attendance data page designated by the LDE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:232.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1271 (June 2005), amended LR 39:2204 (August 2013), LR 49:244 (February 2023).

§721. School and School System Financial Records

A. Each local educational governing authority shall submit to the State Superintendent of Education a copy of its adopted budget no later than September 30 of each year, which shall include the same line items as prescribed by BESE for inclusion in the financial and statistical report as well as a general summary of the adopted budget.

B. Each school shall have an accounting system and an annual audit of all activity funds.

1. All expenditures from activity funds shall be approved by the principal or a designated staff member.

2. The principal of the school shall be bonded.

C. Funds shall be budgeted and expended and facilities assigned to ensure advantageous educational opportunities at all grade levels throughout the community.

1. All funds shall be used in accordance with provisions of the agency providing such funds.

2. LEAs shall maintain an accurate audit trail of allocated state and federal funds.

3. Each LEA shall allocate annually to each secondary school in the school system, in addition to any other funding, not less than $50 per student enrolled at the school in a vocational agriculture, agribusiness, or agriscience program for use in providing adequate instructional materials and supplies for such students.

D. Each public school principal shall maintain a school fund as provided in R.S. 17:414.3 for the management of any money that accrues to the benefit of the school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:88; R.S. 17:181; R.S. 17:414.3.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1271 (June 2005).

§723. Other Reports

A. Any other records and reports applicable to the LEA and to schools as required by BESE or the DOE shall be submitted.

B. No school employee shall be required by the LEA, BESE, or the DOE to complete paperwork if the information provided for in such paperwork is reasonably and readily available from another source.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S. 17:7.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1271 (June 2005), amended LR 35:1098 (June 2009).

Chapter 9. Scheduling

§901. Scheduling

A. The purpose of scheduling within available time frames and staff resources shall be to meet the educational needs of students.

B. Prior to student scheduling each year, each middle, junior, or high school shall provide the parent/legal custodian with a listing of course offerings including the course choice catalog, the content of each course, and high school graduation requirements where appropriate.

1. By the end of the eighth grade, each student shall begin to develop, with the input of his parent(s) or other legal custodians and school counselor, an individual graduation plan. Such a plan shall guide the next academic year's course work. For a student with an exceptionality, except a student identified as gifted or talented and who has no other exceptionality, the student's IEP team, if applicable, shall assist in developing the individual graduation plan.

2. The individual graduation plan will assist the student in exploring educational and career opportunities and in making appropriate secondary and postsecondary education decisions as part of an overall postsecondary plan.

3. By the end of the eighth grade each student's individual graduation plan or the student's IEP, if applicable, shall list the required core courses to be taken through the tenth grade and shall identify the courses taken in the first year of high school.

4. Students who fail to meet the standard for promotion to the ninth grade shall have any necessary remedial courses included in their individual graduation plan.

5. By the end of the tenth grade, each student's individual graduation plan or the student's IEP, if applicable, shall outline the school graduation requirements relevant to the student's chosen postsecondary goals based on the student's academic record, talents, and interests.

a. Using information provided by the LDE and the Office of Student Financial Assistance, LEAs shall provide the student and the student's parent or legal custodian information regarding state and federal need-based and

merit-based financial aid programs to support postsecondary education and training. The LEA shall ensure that each student receives adequate support in completing and submitting an application for financial aid.

b. Using information developed by the Louisiana Workforce Commission, LEAs shall provide students with information about the top twenty high-demand jobs, in the state and in the student's region, with the highest typical annual salary. The student shall be shown how to access information on Louisiana Workforce Commission's website for the listed jobs and other high-demand, high-wage jobs and shown how to find educational programs offered in Louisiana that qualify the student for such jobs.

6. Each student, with the assistance of his parent or other legal custodian and school counselor shall choose the high school curriculum framework and related graduation requirements that best meet his postsecondary goals. Prior to revising a student's individual graduation plan, the school counselor shall meet with the student's parent or legal custodian, either in person or virtually, to explain the possible impacts the revisions to the plan might have on the student's graduation requirements and postsecondary education goals. Any revisions to a student's plan shall be approved in writing by the student's parent or legal custodian.

7. The individual graduation plan or the IEP, if applicable, shall be reviewed annually and updated as necessary to identify the courses to be taken each year until all required courses are completed. Each student, his parent or legal custodian, and his school counselor shall annually sign the student's individual graduation plan.

8. The school counselor shall inform and assist students and their parents in the selection and scheduling of advanced courses and early college opportunities, such as dual enrollment, advanced placement, Cambridge, or international baccalaureate courses, as educational options.

C. Student scheduling shall be individually appropriate and flexible to allow entry into and exit from courses and course sequences that are available for meeting curricular requirements.

D. Beginning with the 2017-2018 school year, each graduating senior shall, as part of his individual graduation plan and as a requirement for graduation, complete at least one of the following steps to support a successful transition to postsecondary education or training:

1. complete and submit to the Office of Student Financial Assistance an application for a Taylor Opportunity Program for Students (TOPS) award;

2. complete and submit to the U.S. Department of Education a free application for federal student aid; or

3. a parent or legal custodian, or a student legally emancipated or of the legal age of majority, may certify a waiver in writing to the LEA if he refuses to complete such an application;

4. if a graduating senior is not able to fulfill the requirements of Subsection D of this Section due to extenuating circumstances, the LEA may apply for a waiver to be approved by the state superintendent of education to waive the student of this requirement for graduation.

E. In order to support students applying for financial aid, beginning with the 2017-2018 school year, each high school shall, upon written request of the parent/legal custodian of a graduating senior, provide the student's parent/legal custodian with the student class rank, weighted grade point average, and unweighted grade point average.

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

1. finalize the individual graduation plan for each graduating senior;

2. upload all academic records into the state student transcript system (STS); and

3. post the student's graduation date prior to the awarding of a diploma.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:175 ; R.S. 17:183.2; and R.S. 17:2926.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1271 (June 2005), amended LR 36:1498 (July 2010), LR 39:2204 (August 2013), LR 40:2522 (December 2014), LR 42:557 (April 2016), LR 43:2483 (December 2017), LR 46:1083 (August 2020), amended LR 48:31 (January 2022), LR 49:250 (February 2023).

§903. Exceptional Students

A. Exceptional students shall not be placed in educational settings that exceed the maximum pupil/teacher ratio or the three-year chronological age span. The age span requirement does not apply to programs for secondary-aged students (students aged 14-21).

B. Special class, separate schooling, or other removal of students with disabilities from the regular educational environment shall occur only when the nature or severity of the individual's needs is such that education in regular class with the use of supplementary aids and services cannot be achieved satisfactorily.

NOTE: Refer to *Bulletin 1706—Regulations for Implementation of the Children with Exceptional Act*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:151 and R.S. 17:1946.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1271 (June 2005), amended LR 39:2204 (August 2013).

§905. Elementary—Grades Per Class

A. Elementary teachers shall teach no more than two grades in a combined group except in band, music, and art.

1. This policy shall not apply to teachers of exceptional students whose IEP committees have determined their placement to be the regular education classroom.

2. Waivers may be granted to allow for multi-age, multi-ability groupings when appropriate justification and documentation have been provided.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S. 17:7; R.S. 17:151; R.S. 17:174.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1271 (June 2005).

§911. Planning Time

A. LEAs shall provide a minimum of 45 minutes daily and uninterrupted planning time, or its weekly equivalent, for every teacher actively engaged in the instruction and supervision of students in the public schools. Implementation of planning time for teachers as required in this Section shall not result in a lengthened school day or a reduction in student daily instructional time.

B. This Section shall not apply to a local educational governing authority operating under the terms of a collective bargaining agreement applicable to teachers employed by the local educational governing authority.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:434.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1272 (June 2005), amended LR 48:32 (January 2022).

§913. Class Size and Ratios

A. The maximum enrollment in a class or section in grades K-3 shall be 26 students and in grades 4-12, 33 students, except in certain activity types of classes in which the teaching approach and the materials and equipment are appropriate for large groups.

B. No teachers at the secondary level shall instruct more than 750 student hours per week, except those who teach the activity classes.

1. When a number of staff members are involved in a cooperative teaching project, the amount of each person's involved time may be counted in computing the individual teacher's load.

C. The maximum class size for health and physical education in grades K-8 and in physical education I and II shall be 40. No class may be combined with physical education I or II if the total number of students taught is more than 40.

D. The system-wide, student classroom teacher ratio in grades K-3 shall be a maximum of 20 students to one classroom teacher.

1. An LEA may request a waiver of this requirement from the state superintendent of education provided that the teacher has demonstrated effectiveness as defined by BESE in *Bulletin 130—Regulations for the Evaluation and Assessment of School Personnel.*

NOTE: Refer to *Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act* for pupil/teacher ratios for special education.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17: 151 and R.S. 17:174.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1272 (June 2005), amended LR 39:2205 (August 2013).

§915. Student Activities

A. Each school shall have a well-balanced and effectively-administered student activity program.

B. Extracurricular activities shall not be scheduled during instructional time.

C. Extracurricular services and activities shall be offered to all exceptional students in a manner that allows them equal opportunity to participate in services and activities.

D. No school shall permit the existence or functioning of any fraternity, sorority, or secret society.

E. The scholastic rule of the Louisiana High School Athletic Association (LHSAA) shall be adhered to by all high schools under its jurisdiction.

NOTE: See for reference the LHSAA website at www.lhsaa.org.

F. All athletic contests shall be scheduled after school hours.

1. When possible, no instructional time should be missed by student athletes when traveling to athletic events.

2. If teams are allowed to be released from school early to attend these events, released time should be kept to a minimum and the LHSAA's regular season released-time plan must be followed when determining the released time to be used.

3. All class work missed by student athletes while attending athletic events must be made up as soon as possible in the same manner that would be required of other students.

G. A patriotic organization listed as a patriotic society in Title 36 of the United States Code may use any public school building or property for student participation in its activities at times other than instructional time during the school day.

1. The organization shall provide verbal or written notice to the school principal of its intent to speak to the students and shall submit proof of liability insurance for the organization.

2. The school principal shall provide verbal or written approval of the specific day and time for the organization to address the students.

3. The organization may speak with and recruit students during school hours for the purpose of informing students about the scholastic and civic benefits of participation in the organization.

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 31:1272 (June 2005), amended LR 39:2205 (August 2013), LR 49:250 (February 2023).

Chapter 11. Student Services

§1101. Student Services Design

A. Each LEA shall maintain a balanced, comprehensive, interdisciplinary, and coordinated program of student services. The student services program shall be identified with appropriate functions to assure leadership in accordance with an organizational plan.

B. The goals of student services shall be similar

and related to those of the instructional program.

1. These services shall be designed to provide a cooperative approach to problems that require a specialized, individualized service not generally provided within the regular classroom setting and to provide resources to other school personnel, parents, and others concerned with the student and his or her development.

2. Student advocacy shall be the ultimate and foremost goal of all student services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:251; R.S. 17:252; R.S. 17:416.17.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1273 (June 2005).

§1103. Compulsory Attendance

A. Through the 2020-2021 school year, students who have attained the age of seven years shall attend a public or nonpublic day school or participate in an approved home study program until they reach the age of 18 years. Any child below the age of seven who legally enrolls in school shall also be subject to compulsory attendance. Refer to Chapter 33 for information on home study programs.

1. Beginning with the 2022-2023, students who have attained the age of five years by September thirtieth of the calendar year in which the school year begins shall attend a public or nonpublic day school or participate in an approved home study program until they reach the age of 18 years. Any child below the age of seven who legally enrolls in school shall also be subject to compulsory attendance. Refer to Chapter 33 for information on home study programs.

B. A parent, tutor, or legal guardian who has a student who is under the age of 18 and meets one of the requirements below shall be in compliance with the compulsory attendance law.

1. A student, under 18 years of age, who withdraws from school prior to graduating from high school, who has not enrolled in a dropout recovery program as provided in R.S. 17:221.6, and who has been ruled to be a truant, pursuant to the provisions of chapter 15 of title VII of the *Louisiana Children's Code*, by a court of competent jurisdiction can be ordered by the court to exercise one of the following options within 120 days of leaving school:

a. reenroll in school and make continual progress toward completing the requirements for high school graduation;

b. enroll in a high school equivalency diploma program and make continual progress toward completing the requirements for earning such diploma;

c. enlist in the Louisiana National Guard or a branch of the United States Armed Forces, with a commitment for at least two years of service, and earn a high school equivalency diploma during such service period.

2. If a student is under the age of 18, the parent or guardian may withdraw the student from high school if that student is accepted into a National Guard Youth Challenge Program in this state.

3. For a student who is under the age of 18 and enrolled in school beyond his/her sixteenth birthday, the parent or guardian may request a waiver from the local superintendent for that student to exit school to enroll in an adult education program approved by the Louisiana Community and Technical College System (LCTCS).

a. In the case of a student with no parent or guardian, the local school superintendent may act on behalf of the student in requesting a waiver if appropriate documentation is on file at the local school board office and one or more of the following hardships exist:

i. pregnant or actively parenting;

ii. incarcerated or adjudicated;

iii. institutionalized or living in a residential facility;

iv. chronic physical or mental illness;

v. family and/or economic hardships.

(a). Family and/or economic hardship is defined as a student who acts as a caregiver or must work to support the family due to a parent's death or illness, or needs to be removed from an existing home environment.

b. The local school superintendent or his/her designee may approve the request for exiting public or home school without requesting action from BESE. If the request to exit school to enroll in a LCTCS approved adult education program is denied at the local level, a student may request the waiver from the DOE for approval by BESE with documentation of reason for denial at the local level. Students seeking to exit school to enroll in adult education, who are enrolled in a formal education setting other than a public K-12 institution, may request a waiver from the institutional agency head or his/her designee. Mandatory attendance components shall be met in all of the above circumstances.

4. A student who is at least seventeen years of age may exit high school without violating compulsory attendance statute (R.S. 17:221), if that student has met the following criteria:

a. completed a program established by BESE;

b. achieved a passing score on *HiSET*® exam; and

c. received a Louisiana High School Equivalency Diploma issued by the Board of Supervisors of Louisiana Community and Technical College System.

C. Students shall be expected to be in attendance every student-activity day scheduled by the LEA.

D. A student is considered to be in attendance when he or she is physically present at a school site or is participating in an authorized school activity and is under the supervision of authorized personnel. Attendance shall be checked and recorded for each student on each school day and at the beginning of each class period in accordance with R.S. 17:232.B.(1).

1. This definition for attendance would extend to students who are homebound, assigned to and participating in drug rehabilitation programs that contain a state-approved education component, participating in school-authorized field trips, or taking a state-approved virtual course.

a. Half-Day Attendance. Students are considered to be in attendance for one-half day when they:

i. are physically present at a school site or participating in authorized school activity; and

ii. are under the supervision of authorized personnel for more than 25 percent but not more than half (26-50 percent) of the students' instructional day.

b. Whole-Day Attendance. Students are considered to be in attendance for a whole day when they:

i. are physically present at a school site or are participating in an authorized school activity; and

ii. are under the supervision of authorized personnel for more than 50 percent (51-100 percent) of the students' instructional day.

E. A student who is enrolled in regular or special education and who, as a result of healthcare treatment, physical illness, accident, or the treatment thereof, is temporarily unable to attend school, shall be provided instructional services in the home or hospital environment.

1. Homebound instruction shall be provided by a properly certified teacher on the eleventh school day following an absence of more than 10 consecutive school days for a qualifying illness.

a. After a student has been absent for 10 days for one of the above identified reasons, the student shall be referred for review by the SBLC, to determine need for referral for section 504 services if the student has not previously been identified as a student with a disability.

2. Homebound instruction, at a minimum, shall be provided in the core academic subjects:

a. English;

b. mathematics;

c. science; and

d. social studies.

3. A minimum of four hours of homebound instruction shall be provided per week, unless the student's health as determined by a physician requires less.

a. Consideration shall be given to the individual need for services beyond the core academic subjects for students with disabilities.

4. Homebound services may be provided via a consultative model (properly certified regular or special education teacher when appropriate, consults with the homebound teacher delivering instruction) for students needing such services less than 20 days during a school year.

F. A student who has been quarantined by order of state or local health officers following prolonged exposure to or direct contact with a person diagnosed with a contagious, deadly disease, and is temporarily unable to attend school, shall be provided any missed assignments, homework, or other instructional services in core academic subjects in the home, hospital environment, or temporary shelter to which he has been assigned. The principal, with assistance from the local superintendent or chief charter school officer and the LDE, shall collaborate with state and local health officers and emergency response personnel to ensure the timely delivery or transmission of such materials to the student.

G. Elementary students shall be in attendance a minimum of 60,120 minutes (equivalent to 167 six-hour days) a school year. In order to be eligible to receive grades, high school students shall be in attendance a minimum of 30,060 minutes (equivalent to 83.5 six-hour school days), per semester or 60,120 minutes (equivalent to 167 six-hour school days) a school year for schools not operating on a semester basis.

1. Students in danger of failing due to excessive absences may be allowed to make up missed time in class sessions held outside the regular class time. The make-up sessions must be completed before the end of the current semester and all other policies must be met.

H. Each LEA shall develop and implement a system whereby the principal of a school, or his designee, shall notify the parent or legal guardian in writing upon on or before a student's third unexcused absence or unexcused occurrence of being tardy, and shall hold a conference with such student's parent or legal guardian. This notification shall include information relative to the parent or legal guardian’s legal responsibility to enforce the student’s attendance at school and the civil penalties that may be incurred if the student is determined to be habitually absent or habitually tardy. The student's parent or legal guardian shall sign a receipt for such notification.

I. Tardy shall include but not be limited to leaving or checking out of school unexcused prior to the regularly scheduled dismissal time at the end of the school day but shall not include reporting late to class when transferring from one class to another during the school day.

J. Exceptions to the attendance regulation shall be the enumerated extenuating circumstances below that are verified by the supervisor of child welfare and attendance or

the school principal/designee where indicated. These exempted absences do not apply in determining whether a student meets the minimum minutes of instruction required to receive credit:

1. extended personal physical or emotional illness as verified by a physician or nurse practitioner licensed in the state;

2. extended hospital stay in which a student is absent as verified by a physician or dentist;

3. extended recuperation from an accident in which a student is absent as verified by a physician, dentist, or nurse practitioner licensed in the state;

4. extended contagious disease within a family in which a student is absent as verified by a physician or dentist licensed in the state; or

5. quarantine due to prolonged exposure to or direct contact with a person diagnosed with a contagious, deadly disease, as ordered by state or local health officials; or

6. observance of special and recognized holidays of the student's own faith;

7. visitation with a parent who is a member of the United States Armed Forces or the National Guard of a state and such parent has been called to duty for or is on leave from overseas deployment to a combat zone or combat support posting. Excused absences in this situation shall not exceed five school days per school year;

8. absences verified and approved by the school principal or designee as stated below:

a. prior school system-approved travel for education;

b. death in the immediate family (not to exceed one week); or

c. natural catastrophe and/or disaster.

K. For any other extenuating circumstances, the student's parents or legal guardian must make a formal appeal in accordance with the due process procedures established by the LEA.

L. Students who are verified as meeting extenuating circumstances, and therefore eligible to receive grades, shall not receive those grades if they are unable to complete makeup work or pass the course.

M. Students participating in school-approved field trips or other instructional activities that necessitate their being away from school shall be considered to be present and shall be given the opportunity to make up work.

N. If a student is absent from school for 2 or more days within a 30-day period under a contract or employment arrangement to render artistic or creative services for compensation as set forth in the Child Performer Trust Act (R.S. 51:2131 et seq.) the employer shall employ a certified teacher, beginning on the second day of employment, to provide a minimum of three education instruction hours per day to the student pursuant to the lesson plans for the particular student as provided by the principal and teachers at the student's school. There must be a teacher to student ratio of one teacher for every 10 students.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:112, R.S. 17:221.3-4, R.S. 17:226.1, and R.S. 17:233.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1273 (June 2005), amended LR 32:546 (April 2006), LR 32:1030 (June 2006), LR 33:2351 (November 2007), LR 35:641 (April 2009), LR 35:1097 (June 2009), LR 35:1475 (August 2009), LR 36:482 (March 2010), LR 36:1224 (June 2010), LR 37:1126 (April 2011), LR 37:2132 (July 2011), LR 38:1000 (April 2012), LR 38:1225 (May 2012), LR 38:1399 (June, 2012), LR 39:2205 (August 2013), LR 41:372 (February 2015), LR 41:2594 (December 2015), LR 42:1877 (November 2016), amended LR 48:32 (January 2022), LR 49:33 (January 2023).

§1104. Remote Instruction

A. Remote instruction. An educational model in which the student and educator are not physically present in a traditional classroom environment where instruction may be facilitated by the use of computers, technology, and the internet.

B. Hybrid Instruction. Instruction provided via a combination of face-to-face and remote models.

C. Attendance. Students are considered to be in attendance during remote or hybrid instruction when attendance is checked and recorded on each school day and at the beginning of each class period in accordance with R.S. 17:232.B.(1) and when at least one of the following requirements is met:

1. The student logs into synchronous online instruction at the designated time for the course in which the student is enrolled. Specific login requirements and instructional expectations according to grade level are determined by the LEA.

2. Evidence exists that the student accessed a planned asynchronous instructional activity. Acceptable evidence of student participation in asynchronous activities is to be outlined by the LEA.

D. Remote attendance policy extends to students enrolled in a course for which instruction usually occurs in person at a school site, but for which instruction has been temporarily transferred to a remote delivery method due to initiation of continuous learning, a situation that renders the school site inaccessible for daily instructional activities, or for students temporarily unable to physically attend at the school site.

E. Remote learning attendance and related requirements shall be outlined in LEA policy and communicated to students and parents or legal guardians at the beginning of the school year and upon initiation of remote instructional delivery.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(5) and R.S. 17:232.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 49:33 (January 2023).

§1105. Types of Absences

A. The days absent for elementary and secondary school students shall include non-exempted, excused; exempted, excused, unexcused absences and suspensions.

B. *Non-exempted, excused absences* are absences incurred due to personal illness or serious illness in the family (documented by acceptable excuses, including a parental note) which are not considered for purposes of truancy, but which are considered when determining whether or not a student is eligible to make up work and tests, receive credit for work completed, and receive credit for a course and/or school year completed.

C. *Exempted, Excused Absences*—absences which are not considered for purposes of truancy and which are not considered when determining whether or not a student is eligible to make up work and tests, receive credit for work completed, and receive credit for a course and/or school year completed.

D. *Unexcused Absence*—any absence not meeting the requirements set forth in the excused absence and extenuating circumstances definitions, including but not limited to absences due to any job (including agriculture and domestic services, even in their own homes or for their own parents or tutors) unless it is part of an approved instructional program. Students shall be given failing grades in those days missed and shall not be given an opportunity to make up work.

E. *Suspension*—a non-exempted absence in which a student is allowed to make up his work and is eligible for consideration for credit provided it is completed satisfactorily and in a timely manner. The absence is considered when determining whether or not a student may or may not be promoted, but is not considered for purposes of truancy. Students absent from school as a result of any suspension shall be counted as absent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:226, R.S. 17:235.2, and R.S. 17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1274 (June 2005), amended LR 36:482 (March 2010), LR 37:1127 (April 2011), LR 39:2206 (August 2013).

§1107. Entrance Requirements

A.1. All students, upon entering school for the first time, shall present:

a. an official birth certificate (Children born in Louisiana will be given a 15-day grace period to secure a copy of their birth record. Children born out of this state will be given 30-days' grace in which to produce a copy of their birth record.);

b. a record of immunization; and

c. an official Social Security card. If no Social Security number is available, the student shall be assigned a state identification number.

2. In cases where birth certificates and/or birth verification forms cannot be obtained, the school principal may accept other positive proof of age, race, and parentage available. It shall be left to the discretion of the local superintendent of schools, subject to the authority of the school board, as to whether or not a child shall continue in school upon failure to comply herewith.

B. Every child, as a prerequisite to enrollment in any first grade of a public school, shall meet one of the following criteria:

1. have attended a full-day public or private kindergarten for a full academic year; or

2. have satisfactorily passed academic readiness screening administered by the LEA at the time of enrollment for first grade.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:151.3, 17:170, and 17:222.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1274 (June 2005), amended LR 33:2353 (November 2007), LR 39:2206 (August 2013).

§1109. Assignment and Transfer of Students

A. LEAs may, by mutual agreement, provide for the admission to any school of students residing in adjoining parishes and for transfer of school funds or other payments by one board to another for, or on account of, such attendance.

B. If not specifically contrary to the provisions of an order of a court of competent jurisdiction providing for the assignment of students within the LEA, a city or parish school board shall assign a student to attend any public school requested by a parent or other person responsible for the student's school attendance when the requested school has space available and is of a suitable grade level, and the child resides not more than one mile from such school measured by the distance to be traveled on public streets or highways, or by the boundary of a subdivision. Exceptions are as follows.

1. This provision does not apply in Orleans Parish.

2. If not specifically contrary to the provisions of an order of a court of competent jurisdiction providing for the assignment of students within the LEA, a city or parish school board in Caddo or St. Tammany Parish, shall assign a student to attend any public high school requested by a parent or other person responsible for the student's school attendance when the requested school has space available and is of a suitable grade level, and the student resides not more than 2 miles from such school. A school board shall not be required to provide transportation to any student enrolled in high school pursuant to the provisions of this Paragraph.

NOTE: Refer to §303.D.

C. LEAs shall ensure that a student who is in foster care pursuant to placement through the Department of Social Services shall be allowed to remain enrolled in the public

school in which the student was enrolled at the time he or she entered foster care if the Department of Social Services determines that remaining in such school is in the best interest of the student.

1. If the foster care placement is outside the jurisdictional boundaries of the public school in which the student is enrolled, the LEA shall be responsible for providing free transportation for the student to and from a designated location which is within that school district and is located nearest to the student's residence and is determined to be appropriate by the LEA and the Department of Social Services.

2. The Department of Social Services shall be responsible for providing the child's transportation between that location and the child's residence.

D. No city, parish, or other local public school board shall deny admission or readmission to school of any student of suitable age who resides within the geographic boundaries of the school system unless such student is legally excluded from attending school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:105, R.S. 17:221.2, and R.S. 17:221.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1274 (June 2005), amended LR 33:2353 (November 2007), LR 36:1225 (June 2010), LR 37:1126 (April 2011), LR 39:2206 (August 2013).

§1110. Placement of Children Born at the Same Birth Event

A. A parent of more than one child born at the same birth event may request that such children initially be placed in the same classroom or in separate classrooms if the children are enrolled in the same grade level at the same public elementary school. The request by the parent shall be granted subject to the stipulations listed below.

1. The students must be enrolling in a public elementary school in pre-kindergarten through the second grade.

2. Appropriate school or school system employees may provide advice and information to the parent relative to such request and make recommendations to the parent regarding such placement.

3. The request for such placement shall be made to the superintendent of the LEA or his designee no later than 14 days after the first day of the school year or no later than 14 days after the first day of attendance if the child enrolls during a school year.

B. The initial placement shall be reviewed by the superintendent or his/her designee after the first grading period in consultation with the principal, teachers, and parents. If it is determined that the initial placement is disruptive to the school or not in the best interest of the child, the child shall be placed in accordance with LEA policy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:221.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:1099 (June 2009).

§1111. Age Requirements

A. Special education shall be provided for exceptional students aged 3-21, unless they have received a diploma. The LEA shall have the option to provide preschool special education to students with disabilities aged 0-2 years.

B. Each LEA shall provide for and offer full-day kindergarten instruction to each eligible child in every school having a first grade or in a parish kindergarten center.

C. The minimum age for kindergarten shall be one year younger than the age required for that child to enter first grade.

1. Each local educational governing authority, by rule, may provide, for a child of younger age, to enter kindergarten provided that such child has been evaluated and identified as gifted in accordance with the regulations of the DOE for such evaluation. Any child admitted to kindergarten pursuant to this Paragraph shall be eligible to enter first grade upon successful completion of kindergarten, provided all other applicable entrance requirements have been fulfilled.

2. Any child transferring into the first grade of a public school from out-of-state and not meeting the requirements herein for kindergarten attendance, shall be required to satisfactorily pass an academic readiness screening administered by the LEA prior to the time of enrollment for the first grade.

3. Any child not able to meet the kindergarten attendance requirements of this Section due to illness or extraordinary, extenuating circumstances as determined by the local educational governing authority, shall be required to satisfactorily pass an academic readiness screening administered by the LEA prior to the time of enrollment for the first grade.

4. For the 2021-2022 school year, every parent, tutor, or other person having control or charge of a child who is eligible to attend full-day kindergarten, as a prerequisite to enrollment in any first grade of a public school, shall:

a. send such child to attend public or nonpublic full-day kindergarten for a full school year; or

b. ensure that such child has been administered and has satisfactorily passed an academic readiness screening prior to the time established for the child to enter first grade;

c. each city, parish, or other local public school board shall establish the academic readiness level for entry into the first grade.

5. Beginning with 2022-2023 school year, every parent, tutor, or other person having control or charge of a child who is eligible to attend full-day kindergarten, as a prerequisite to enrollment in the first grade of a public school, shall:

a. send such child to attend a public or nonpublic full-day kindergarten for a full school year; and

b. ensure that such child has been administered and has satisfactorily passed an academic readiness screening administered by the LEA prior to the time of enrollment in the first grade;

c. each city, parish, or other local public school board shall establish the academic readiness level for entry into the first grade.

D. The age at which a child may enter the first grade of any public school at the beginning of the public school session shall be six years on or before September 30 of the calendar year in which the school year begins.

1. Any local educational governing authority in a parish having a population of at least 450,000 may adopt, by rule, and enforce ages for entrance into first grade in the schools in its system which vary from the provisions of this Section. All children admitted into school as a result of a rule adopted pursuant to such a rule shall be counted in reports submitted for funding under the MFP and money allocated pursuant to such program shall be based on the report which includes such children.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:151.3 and R.S. 17:222.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1275 (June 2005), amended LR 39:2206 (August 2013), amended LR 48:32 (January 2022).

§1113. Orientation for Parents of First-Time Students

A. Each student entering public school within the state for the first time, including kindergarten, shall present at the time of registering or entering satisfactory evidence that at least one of his parents or guardians has completed the orientation course required by this Section. The certificate of completion required by this Section shall constitute satisfactory evidence.

B. Each local educational governing authority shall conduct a parent orientation course according to the following guidelines.

1. The program shall be scheduled to accommodate the attendance of the parents or guardians without the loss of work.

2. All parents or guardians shall be encouraged to attend as many times as they wish.

3. The local educational governing authority shall provide every parent or guardian who attends the program a certificate verifying completion of the course.

4. At the parent orientation meeting, the local educational governing authority or its representative shall provide each parent or guardian a copy of and shall explain school board policies which:

a. govern the discipline of students, including but not limited to corporal punishment, detention, suspension, and expulsion of students;

b. govern the attendance of students and truancy sanctions;

c. govern the behavior and decorum expected of students at all times;

d. govern dress codes for students for all school functions, including but not limited to in-school and out-of-school functions, including but not limited to dances; and

e. address any other such matters as the local educational governing authority may deem appropriate.

5. At the parent orientation meeting, the local educational governing authority or its representative shall explain:

a. existing grading systems for the LEA;

b. standardized test procedures in effect, including but not limited to preparation for tests, procedures to be followed on the testing days, and an explanation of the assessment of the test results;

c. policies governing promotion of students from grade to grade and procedures implemented when a student fails to attain sufficient standards for promotion; and

d. other such matters as the local educational governing authority may deem appropriate.

C. Completion of one orientation course shall be satisfactory for the enrollment or registration of all children of a parent or guardian.

D. A local educational governing authority shall schedule not less than three orientation meetings during a school year, and at various times during the day, in order to facilitate attendance with as little inconvenience to the parents or guardians as possible. In order to carry out the intent and purpose of this Section, a local educational governing authority shall schedule not less than three orientation meetings between March and September of each year, and shall publish notice and otherwise seek to notify parents or guardians whose children may enter a school in the system of the attendance requirements.

E. If teachers of any LEA are required to attend an orientation meeting for first time parents as part of their job responsibilities on a day or at a time when the teachers would not otherwise have been required to work, then the teachers shall be compensated at their usual rate of pay on a pro rata basis.

F. Under no circumstances shall a student be denied entry into school because of noncompliance by a parent or guardian with the provisions of this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:235.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1275 (June 2005), amended LR 39:3259 (December 2013).

§1115. Statements of Compliance

A. Each LEA shall require each student in grades 4-12 in each school under the control of the LEA annually to sign a statement of compliance committing to do at least all of the following:

1. attend school daily, except when absent for reasons due to illness or other excused absence;

2. arrive at school on time each day;

3. demonstrate significant effort toward completing all required homework assignments; and

4. follow school and classroom rules.

B. Each parent or guardian of each student in grades 4-12 in any public school in the state annually shall sign a statement of compliance committing to do at least all of the following:

1. ensure that his/her child attends school daily except for excused absences;

2. ensure that his/her child arrives at school on time each day;

3. ensure that his/her child completes all required homework assignments; and

4. attend all required parent and teacher or principal conferences.

C. Prior to the signing by any student of the statement of compliance as required in this Section, each homeroom teacher or teacher designated by the principal shall, on the first day of school each school year, provide information to and answer any questions from students in grades 4-12 relative to the statement of compliance.

D. Each LEA shall adopt rules and regulations necessary for the implementation of this Section. Such rules and regulations shall include the following:

1. appropriate action to be taken against any student or parent or guardian who fails to comply with the signed statement as required in this Section; and

2. guidelines for homeroom teachers to provide information and answer questions about the compliance statements, including a specified amount of time necessary for teachers to accomplish such requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:235.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1276 (June 2005), amended LR 39:2207 (August 2013),

§1117. Child Welfare and Attendance

A. Supervisors of child welfare and attendance and home-school coordinators shall give written notice, either in person or by registered mail, to the parent or guardian of a student within the compulsory school attendance age, when no valid reason is found for a student's nonenrollment or unexcused absence from school, requiring enrollment or attendance within three days from the date of notice.

B. Supervisors of child welfare and attendance shall receive the cooperation of all teachers and principals in the parish or city in which they are appointed to serve.

C. Each school shall, upon the request of the LEA where the school is located, state whether any individual student is enrolled in such school and whether such pupil is fulfilling the compulsory attendance requirements.

D. Any student who is a juvenile and who is habitually absent from school or is habitually tardy shall be reported by supervisors of child welfare and attendance to the family or juvenile court of the parish or city as a truant child, pursuant to the provisions of chapter 2 of title VII of the *Louisiana Children's Code* relative to families in need of services, there to be dealt with in such manner as the court may determine, either by placing the truant in a home or in a public or private institution where school may be provided for the child, or otherwise.

E. A student shall be considered habitually absent or habitually tardy when either condition continues to exist after all reasonable efforts by any school personnel, truancy officer, or other law enforcement personnel have failed to correct the condition after the fifth unexcused absence or fifth unexcused occurrence of being tardy within any school semester. The parent or legal guardian of a student shall enforce the attendance of the student at the school to which the student is assigned.

F. In those districts participating in an interagency agreement to operate a truancy and assessment service center and to the extent specified in said agreement, school boards and their systems in general will assist child welfare and attendance officers in creating student background data, including attendance records, unexcused absences, conduct violations, discipline records, report cards, and transcripts as permitted by law and families in need of services personnel will work in partnership with the child welfare and attendance officers to monitor client progress, file all petitions in the cases of noncompliance of the plan for court appearance, and coordinate other services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:232, R.S. 17:233, and R.S. 17:235.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1276 (June 2005), amended LR 34:608 (April 2008), LR 35:1475 (August 2009), LR 39:2207 (August 2013).

§1118. Dropout Prevention and Recovery

A. LEAs with a cohort graduation rate of less than 80 percent as determined by BESE shall identify specific methods of targeted interventions for dropout prevention and recovery that may include:

1. early intervention for students who are at risk of failing any ninth grade English or math class;

2. alternative programs designed to reengage dropouts;

3. increased availability of advanced placement courses;

4. comprehensive coaching for middle school students who are below grade level in reading and math;

5. teacher advisories such as the use of graduation coaches and other supports that are designed to specifically

address the needs of youth most at risk of dropping out of school;

6. strategies specifically designed to improve the high school graduation rate of students at highest risk for dropping out, including but not limited to students who are two or more years below grade level, students with excessive absences, youth in the foster care system, pregnant and parenting youth, Limited English proficient students, and students with special education needs;

7. communicating with students and their parents or legal guardians about the availability of local after-school programs and the academic enrichment and other activities the programs offered;

8. opportunities for credit recovery;

9. opportunities to participate in the Jobs for America's Graduates program.

B. LEAs that fail to show a decline in their annual dropout rates shall prepare and submit each year to BESE a written report that documents:

1. the outcomes of the dropout prevention strategies to date at the school system level;

2. how the school system dropout prevention strategies and activities will be modified, based on the data.

C. Each LEA shall:

1. post the four-year cohort graduation rate for each high school in the system and for the system as a whole on its internet website;

2. send a written notice to the parent or other legal guardian of each high school student that contains the following information:

a. the four-year cohort dropout rate of the school in which the student is enrolled;

b. the retention rate by grade level for students enrolled in the school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:221.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:642 (April 2009), amended LR 37:879 (March 2011).

§1119. Remote School Registration and Enrollment of Children of Military Personnel Transferring to Louisiana

A. A local educational governing authority shall allow a dependent child of an active duty member of the United States Armed Forces, the military reserve forces, or the National Guard or a Department of Defense civilian to register and preliminarily enroll in a public school under its jurisdiction by remote means, including electronic means, prior to becoming a resident of Louisiana, if:

1. The parent or legal guardian of the student is transferred or pending transfer to a military installation or comparable duty location in Louisiana pursuant to an official military order;

2. The parent or legal guardian of the student provides a copy of the official military order transferring the parent or legal guardian to a military installation or comparable duty location in Louisiana to the local educational governing authority; and

3. The parent or legal guardian of the student completes and submits to the local educational governing authority all required registration and enrollment forms and documentation, except that proof of residency, which shall be required within ten days after the arrival date specified on the parent or legal guardian transfer orders.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:101.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1011 (April 2022).

§1123. Educational Screening and Evaluation

A. All LEAs shall ensure that appropriate educational screening and evaluation services are provided to students.

B. Every student in public school in grades kindergarten-third shall be screened, at least once, for the existence of impediments to a successful school experience. No student shall be screened if his parent or guardian objects to such screening.

1. Such impediments shall include:

a. dyslexia and related disorders;

b. attention deficit disorder; and

c. social and environmental factors that put a student at risk.

2. Students in need of services and/or assistance shall have it provided to them in accordance with R.S. 17:7(11).

3. The screenings shall be done directly by elementary school counselors, pupil appraisal personnel, teachers, or any other professional employees of the LEA who have been appropriately trained, all of whom shall operate as advocates for the students identified as needing services or assistance. No screenings shall be done by persons who have not been trained to do such screenings.

C. Each LEA shall ensure that educational screening activities, conducted by a committee at the school level, shall be completed before a student is referred for an individual evaluation through pupil appraisal services.

D. Students who are experiencing learning or adjustment difficulties in a regular program, but are not thought to be exceptional, may receive support services from pupil appraisal by a referral from a committee at the school level. They should also be considered for such issues as dyslexia, attention deficit concerns, and any other area that might be contributing to their difficulties in the school setting.

E. Students thought to be exceptional shall be provided an individual evaluation by qualified personnel.

F. The LEA shall ensure that no student shall be placed in special education without a valid and current individual evaluation and an IEP signed by the student's parent(s).

G. Re-evaluation of exceptional students shall occur at least every three years unless the parent and the public agency agree that a re-evaluation is not necessary.

NOTE: Refer to Bulletin 135—Health and Safety, §301.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(11) and R.S. 17:392.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1277 (June 2005), amended LR 39:2208 (August 2013).

§1124. Parental Involvement for Exceptional Students [Formerly §1903]

A. Each LEA shall take whatever action is necessary to ensure parental participation as required by federal, state, and local guidelines in the development of the IEP for exceptional students.

B. Communication from the school to the parent shall be as follows:

1. written;

2. in language understandable to the general public;

3. in the native language of the parent or other mode of communication used by the parent when possible; and/or

4. communicated orally (when necessary) in the native language or other mode of communication so that the parent understands the content of such communication.

C. Full and effective notice communicated from the LEA to the parent of an exceptional student or a student thought to be exceptional shall also include the following:

1. a full explanation of all the procedural safeguards available to the parents, including confidentiality requirements;

2. a description of the proposed (or refused) action, an explanation of the reasons for such actions, and a description of any options that were considered and rejected;

3. a description of each evaluation procedure, type of test, record or report used as a basis for the action, and any other relevant factors; and

4. identification of the employee or employees of the school system who may be contacted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1944.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1287 (June 2005), amended LR 39:2208 (August 2013).

§1125. Comprehensive Counseling

A. School counselors shall spend the majority of their time on providing direct counseling related to students. Responsibilities of the school counselor shall not include the administration of discipline, substitute teaching or administrative clerical duties. Refer to the Louisiana State Comprehensive Guidance and Counseling Model.

B. Each secondary school shall provide school counselors at a ratio of 1:450 or a major fraction thereof. Each elementary school and middle school shall provide school counselors when enrichment formula funds are provided.

C. A planned, comprehensive counseling program that is preventive and developmental in nature shall be provided in the school through an interdisciplinary approach.

1. These services shall include, but not be limited to providing counseling, educational information, career/occupational information, personal/social information services, referral services, consultation, orientation, testing, placement, and follow-up.

2. Individual and group counseling services shall be provided to students at all levels, as well as to teachers, administrators and parents.

3. Individualized counseling shall be provided to students to ensure appropriate placement into and exit from the courses and course sequences that are available for curricular requirements.

4. Immediate assistance shall be provided for students who experience problems, and long-range services shall be made available when necessary.

5. Each school shall have in the student counseling area or library center, guidance materials to aid students in their educational, vocational, personal, social, health, and civic development.

NOTE: Refer to the Louisiana State Comprehensive Guidance and Counseling Model.

AUTHORITY NOTE: Promulgated in accordance with R. S. 17:3002 et seq.; R.S. 17:3005.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1277 (June 2005).

§1127. Preventive Programs

A. Preventive programs are those programs aimed at identifying and eliminating problems that impede student learning.

B. Each LEA shall have a program on the prevention of crime and disruptive behavior.

C. Each LEA may develop and implement, after submission to BESE for approval, a plan for the modification of approved course content and structure to produce interdisciplinary courses for purposes of enhancing dropout prevention programs.

D. Teachers, school counselors, principals and certain other school administrators in public elementary and secondary schools shall receive two hours of annual in-service training in suicide prevention. The training shall address the following:

1. increasing awareness of risk factors, including, but not limited to the following:

a. mental health and substance abuse conditions;

b. childhood abuse, neglect, and trauma;

c. potential causes of stress, such as bullying, harassment, and relationship problems;

d. secondary trauma from a suicide or sensationalized or graphic accounts of suicide in media; and

e. history of suicide attempts and related family history;

2. responding to suspicious behavior or warning signs exhibited by students;

3. responding to crisis situations in which a student is an imminent danger to himself;

4. policies and protocol for communication with parents, including specifications for circumstances in which parental notification is not in the best interest of the student;

5. counseling services available within the school for students and their families related to suicide prevention;

6. information concerning crisis intervention, suicide prevention, and mental health services in the community for students and their families and school employees;

7. community organizations and agencies for referral of students to health, mental health, substance abuse, and social support services, including development of at least one memorandum of understanding between the school system and such an entity in the community or region.

E. By no later than the 2020-2021 school year, the governing authority of each public secondary school that issues student identification cards shall have printed on the cards the following information:

1. the National Suicide Prevention Lifeline hotline number; and

2. a local suicide prevention hotline number, if available.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:13.1, R.S. 17:283, and R.S. 17:403.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1278 (June 2005), amended LR 39:2208 (August 2013), LR 45:1746 (December 2019).

§1129. Dating Violence

A. At the beginning of each school year, each LEA shall provide all school employees having contact with students in grades 7 through 12 instruction relative to:

1. the definition of dating violence;

2. dating violence warning signs; and

3. how to properly address suspected or reported dating violence involving students including but not limited to counseling and notification of law enforcement.

B. Each LEA shall also provide information relative to dating violence to the parents of students in grades 7 through 12.

C. In the spring of each school year, each local superintendent or CEO shall make an oral report at a meeting of the local governing authority that shall include

1. the compliance of each school with the requirements of this section;

2. aggregate data relative to dating violence; and

3. any recommendations for reducing data violence among students.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:81.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 40:2529 (December 2014).

§1133. Substance Abuse

A. Any school employee having reasonable cause to believe that a student possesses a controlled dangerous substance or an alcoholic beverage on a school campus shall report such fact to the principal of the school.

1. If a Substance Abuse Prevention Education (SAPE) team exists within the school, the principal shall forward the report to the chairperson of the team.

2. If the report has been given to the team directly or if the report has been forwarded to the team by the principal, the team shall discuss the circumstances of the report with the student reported without disclosing the name of the reporting person and shall meet with the parents of the student reported.

3. The team shall report to the principal of the school and make recommendations for treatment, counseling, or other appropriate action.

B. Any school employee having factual knowledge that a student has manufactured, distributed, or possessed with intent to distribute a controlled dangerous substance shall report such fact to the principal of the school who, upon finding that there is reasonable cause to believe that the student has manufactured, distributed, or possessed with intent to distribute a controlled dangerous substance, shall report such information to the appropriate law enforcement agency.

C. Any person who makes a report in good faith, pursuant to substance abuse, shall have immunity from civil liability that otherwise might be incurred. Such immunity shall extend to testimony in any judicial proceeding resulting from such report.

NOTE: See §1127.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:402 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1282 (June 2005).

§1135. Child Abuse

A. Any school employee having reasonable cause to believe that a student has been mentally, physically, or

sexually abused shall report these facts to the appropriate authorities.

B. Any person making a report in good faith regarding child abuse shall have immunity from civil liability that may be otherwise incurred.

AUTHORITY NOTE: Promulgated in accordance with R.S. 14:403.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1282 (June 2005).

§1139. School Dress Codes

A. Each LEA may adopt such rules and regulations as it deems necessary to require a school dress code that includes the use of uniforms.

B. Each school may select a uniform for its students and display such uniform prior to the beginning of each school year.

C. If an LEA chooses to require a school dress code, it shall notify, in writing, the parent or guardian of each school student of the dress code specifications and their effective date.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.7.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1282 (June 2005).

§1141. Electronic Telecommunication Devices

A. No student, unless authorized by the school principal or his/her designee, shall use or operate any electronic telecommunication device, including any facsimile system, radio paging service, mobile telephone service, intercom, or electro-mechanical paging system, in any public school building or school grounds or in any school bus.

B. Nothing in this Section shall prohibit the use and operation by any person, including students, of any electronic telecommunication device in the event of an emergency in which there is actual or imminent threat to public safety.

C. Each LEA shall develop, adopt, and implement policies, procedures and practices applicable to school employees relative to electronic communications by an employee at a school to a student enrolled at that school.

1. The policies, procedures, and practices shall:

a. define electronic communication and recognize the multiple means available for making such a communication, including specified forms of both direct communication and indirect communication;

b. require that all electronic communication by an employee to a student relative to the educational services provided use a means of communication provided by the LEA;

c. prohibit the use of the means of provided by the LEA to electronically communicate with a student that is not related to the education services provided, except communication with an immediate family member if such communication is specifically authorized by the LEA;

d. specify that the occurrence of any electronic communication made by an employee to a student, or vice versa, using a means other than one provided by the LEA shall be reported by the employee:

i. provides that records of any such reported communication be maintained by the LEA for one year;

e. specify that it is a duty of LEA employees to comply with the policies and provide that a failure to comply may result in disciplinary action and may constitute willful neglect of duty;

f. establish and provide for the imposition of consequences for a violation of the policies, including but not limited to termination of employment;

g. provide a means for the timely reporting and investigation of an alleged failure to comply with policies and for concluding such an investigation and resolving the allegation;

h. provide a means whereby any alleged failure to comply with the policies that also may be a violation of state or federal law is reported to the proper authorities;

i. provide a means to assure that all LEA employees are informed fully of the policies, procedures, and practices, and the possible consequences for a failure to comply;

j. provide a means to assure that a parent or guardian is fully informed of the policies, procedures, and practices;

k. provide a means for a parent or guardian to request that the child not be contacted through electronic communication by any school employee unless the purpose of such communication is directly related to the child's educational services and is sent and received by more than one student at the school; and

l. authorize a school principal or designee to permit an employee to contact one or more specifically identified students and be contacted by such students using a means other than one provided by the school provided the employee has requested and received permission from the principal or designee to do so and has provided documentation in writing to the principal or designee the purpose for such contact.

i. Such purposes may include, but need not be limited to:

(a). necessary communications relative to extracurricular activities;

(b). student athletic activities;

(c). community-based youth activities; and

(d). faith-based activities.

2. No school board or board member shall be civilly liable for any electronic communication that is prohibited by law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:81 and R.S. 17:239.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1282 (June 2005), amended LR 37:1134 (April 2011), LR 39:2209 (August 2013).

§1143. Prohibition against the Use of Tobacco

A. No person shall smoke, chew, or otherwise consume any tobacco or tobacco product in any elementary or secondary school building.

B. No person shall smoke or carry a lighted cigar, cigarette, pipe, or any other form of smoking object or device on the grounds of any public or private elementary or secondary school property, except in an area specifically designated as a smoking area.

C. Smoking shall be prohibited on any school bus transporting students attending any public elementary or secondary school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:240.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1282 (June 2005).

§1149. Student Biometric Information

A. *Biometric Information*—any noninvasive electronic measurement and evaluation of any physical characteristics that are attributable to a single person, including:

1. fingerprint characteristics;

2. eye characteristics;

3. hand characteristics;

4. vocal characteristics;

5. facial characteristics; and

6. any other physical characteristics used to electronically identify that person with a high degree of certainty.

B. Any LEA that collects such information shall develop, adopt, and implement policies that govern the collection and use of such information that, at a minimum shall:

1. require written permission from the student's parent or other legal guardian, or the student if he or she is age 18 or older, prior to the collection of any biometric information. It requires a form created for the express purpose of obtaining the required permission and requires that the granting of permission shall not be included as a part of any form used for enrollment purposes or other form required by the school's governing authority for any other purpose;

2. provide that any biometric information collected from a student shall be used only for identification or fraud prevention purposes;

3. ensure that a student's biometric information shall not be disclosed to a third party without the written permission of the student's parent or other legal guardian, or the student if he or she is age 18 or older, unless the disclosure is required by court order;

4. provide for the secure storage, transmission, and protection of all biometric information from unauthorized disclosure;

5. encrypt student biometric information using an algorithmic process which transforms data into a form in which there is a low probability of assigning meaning to such information without use of a confidential process or key;

6. ensure that the use of a student's biometric information is discontinued upon:

a. the student's graduation or withdrawal from school; or

b. receipt of a written request to discontinue use of such information from the student's parent or other legal guardian, or the student if he or she is age 18 or older;

7. provide that all biometric information collected from a student be destroyed within 30 days after use of such information is discontinued;

8. provide that a student shall not be refused or denied any services due to the failure to provide written consent and that the collection of student biometric information must comply with all applicable state and federal law and requirements, including the federal Family Educational Rights Privacy Act of 1974 (FERPA).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:100.8.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:1139 (April 2011), amended LR 39:2209 (August 2013).

§1151. Purple Star School Award Program

A. A school shall be labeled a “purple star school” if it has exhibited a major commitment to military-connected students and families, as demonstrated by meeting the following requirements:

1. The school has designated a staff member as a military liaison to serve as the primary point of contact for military-connected students. The designated staff member shall:

a. identify special considerations needed by military-connected students and families; and

b. develop training to inform teachers and other school personnel of such special considerations.

B. Schools labeled as “purple star schools” shall;

1. maintain a dedicated page on the school website featuring resources for military-connected students and families; and

2. maintain a student-led transition program to provide peer support for military-connected students

C. The local educational governing authority of each purple star school shall:

1. adopt a resolution stating the commitment of the support for military-connected students and families; and

2. assign a central office staff member to be the contact for the school-based liaison and military-connected students and families.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:101.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1011 (April 2022).

§1153. Reward Eligibility

A. A school shall be labeled a "reward school" if it earns the equivalent to an "A" letter grade on the progress index.

B. Schools labeled as "reward schools" shall be eligible for financial rewards, as funds are available and as determined by the department.

C. Schools will not be eligible for reward status if they are labeled "urgent intervention required" for any subgroup.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:101.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1011 (April 2022).

Chapter 13. Discipline

§1301. Disciplinary Regulations

A. Each LEA shall adopt such rules and regulations as it deems necessary to implement and control any disorderly conduct in the school or on the playground of the school, on any school bus, on the street or road while going to and from school, or during intermission and recess, or at any school sponsored activity or function.

1. The plan shall not prohibit a teacher from removing a pupil from the classroom for disciplinary reasons.

2. The plan shall address student behavior with a focus on evidence-based interventions and supports, prioritizing classroom- and school-based interventions in lieu of out-of-school disciplinary removals to address student misconduct in order to minimize the loss of academic instructional time.

3. Each LEA shall adopt rules regarding the reporting and review of disciplinary actions.

B. Teachers, principals, and administrators may, subject to any rules as may be adopted by the LEA, apply reasonable disciplinary and corrective measures to maintain order in the schools (refer to R.S. 17:416 and R.S. 17:223).

C. The disciplinary rules (regulations) shall be made known to teachers, parents, and students and shall be reasonably and consistently enforced.

D. Any principal who fails to act on a report of student violations of disciplinary regulations shall explain his/her reasons for such an action to the superintendent of the LEA by the administrator is employed, or to the superintendent designee.

1. Any public school administrator and any administrator designee who is required to make a recommendation, resolve an issue, or apply a disciplinary action in a matter involving the discipline of a student shall recuse themselves from doing so whenever a member of the immediate family of the school administrator or of the administrator designee is involved in any manner in the recommendation to be made, the issue to be resolved, or the action to be applied.

a. Immediate family means the individual's children, brothers, sisters, parents, and spouse and the children, brothers, sisters, and parents of the spouse.

b. In case of such recusal, the recommendation shall be made by, the issue determined by, or the disciplinary action taken by the superintendent or an impartial designee of the superintendent.

E. Students, who, through no fault of their parents or guardians or other persons having charge of them, regularly disrupt the orderly processes of the school to which they have been assigned, shall be considered as delinquents and may be reported by the visiting teacher or supervisor of child welfare and attendance, to the district or family court of the parish having jurisdiction in juvenile matters, there to be dealt with in the manner prescribed by law.

F. Schools shall provide due process prior to suspensions and expulsions.

G. Students who are removed from the classroom for disruptive, dangerous, or unruly behavior or who are suspended for 10 days or less shall be assigned school work missed and shall receive either full or partial credit for such work upon satisfactory and timely completion as determined by the principal or designee and upon the recommendation of the student's teacher. A student who is suspended for more than 10 days or is expelled shall receive educational services in an alternative school site, shall be assigned school work by a certified teacher, and shall receive credit for school work upon satisfactory and timely completion as determined by the teacher. Such work shall be aligned with the curriculum used at the school from which the student was suspended or expelled.

1. Upon removal from the classroom for disruptive, dangerous, or unruly behavior, the principal or designee shall advise the student of the misconduct and basis for accusation, and the student shall be given an opportunity at that time to offer rebuttal of the accusation. The principal or designee then shall conduct a counseling session with the student as may be appropriate to establish a course of action consistent with school board policy to identify and correct the behavior for which the student is being disciplined. The principal or designee shall provide oral or written feedback to the parent or guardian of the student and may also provide oral or written feedback to the teacher initiating the removal. Feedback to teachers may include guidance and support on practicing effective classroom management including but not limited to positive behavior supports.

2. Students who are removed from the classroom for disruptive, dangerous, or unruly behavior shall be permitted to return to the class after:

a. no fewer than thirty minutes for students in kindergarten through fifth grade unless consent is given by the teacher initiating the disciplinary action;

b. the end of the class period for students in sixth through twelfth grade unless consent is given by the teacher initiating the disciplinary action;

c. the principal or designee has implemented at least one or more of the following disciplinary actions:

i. conferencing with the principal or the principal designee.

ii. referral to counseling.

iii. peer mediation.

iv. referral to the school building level committee.

v. restorative justice practices.

vi. loss of privileges.

vii. detention.

viii. in-school suspension.

ix. out-of-school suspension.

x. initiation of expulsion hearings.

xi. referral for assignment to an alternative setting.

xii. any other disciplinary measure authorized by the principal with the concurrence of the teacher of the school building level committee pursuant to law and LEA policy.

3. When a student is removed from the classroom for disruptive, dangerous, or unruly behavior, the teacher or the principal or designee may require that the parent or legal guardian of the student have a conference with the teacher or the principal or designee. Such conference may be in person, by telephone, or by other virtual means.

4. Upon the third disciplinary removal from the same classroom, the teacher and principal shall discuss the disruptive behavior patterns of the student and the appropriate disciplinary action prior application of a disciplinary measure. A conference between the teacher or other appropriate school employee and the student's parent or legal custodian may be required prior to student readmission to the same classroom. Such conference may be in person, by telephone, or by other virtual means. If required by the school or LEA policy, the school shall give written notice to the parent.

5. For students who experience multiple behavioral incidents or disciplinary referrals, a principal or designee shall consider a referral of the matter to an appropriate school building level committee. If the disruptive behavior persists, the teacher may request that the principal transfer the student into another setting.

H. Each local educational governing authority LEA shall adopt rules regarding the implementation of in-school suspension and detention.

I. Each LEA shall establish a discipline policy review committee comprised of sixteen members in accordance with the mandates of R.S. 17:416.8. The LEA shall establish procedures for appointing the two parent members.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:223-224, R.S. 17:416, and R.S. 17:416.13.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1282 (June 2005), amended LR 36:1225 (June 2010), LR 37:1132, 1133 (April 2011), LR 39:476 (March 2013), LR 39:2210 (August 2013), LR 39:3069 (November 2013), LR 48:1011 (April 2022).

§1302. Student Code of Conduct

A. Each LEA shall adopt a student code of conduct for the students in the schools under its jurisdiction.

1. Such student code of conduct shall be in compliance with all existing rules, regulations, and LEA and BESE policies and all state laws regarding student discipline and shall include necessary disciplinary action to be taken against any student who violates the code of conduct.

2. Each LEA shall adopt and incorporate into its student code of conduct a policy prohibiting the bullying of a student by another student, which includes the definition of bullying and all other requirements listed in §1303 of this Part.

3. Each LEA shall include in its student code of conduct the definition of dating violence, data violence warning signs and instructions for reporting or seeking assistance for acts of dating violence.

4. Each LEA shall include in its student code of conduct progressive levels of minor through major infractions and identify corresponding minor through major interventions and consequences.

a. Before an initial referral for student expulsion, codes of conduct shall require the prior administration of interventions in accordance with the minor tiers in the code of conduct, except in instances where the expulsion referral is the result of accumulated minor infractions in accordance with the code of conduct, or the underlying incident threatens the safety and health of students or staff.

b. Expulsions shall be reserved for the major tier of behavioral infractions involving weapons or drugs, or when the safety of students and staff is at risk.

5. Each LEA shall include in its code of conduct information detailing the appeal process for expulsions as described in §1311 of this Part.

6. Each LEA shall include in its code of conduct clearly defined rules of conduct and expectations of students engaged in virtual instruction as well as clearly defined consequences of conduct, that respects the student and family rights to privacy and other constitutional rights while at home or in a location that is not school property.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:81, R.S. 17:223-224, R.S. 17:416, and R.S. 17:416.13.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:477 (March 2013), amended LR 40:2530 (December 2014), LR 48:1012 (April 2022).

§1303. Bullying

A. Policy. Each LEA shall develop and adopt a policy that prohibits the bullying of a student by another student.

1. The bullying policy shall be implemented in a manner that is ongoing throughout the year and integrated with a school's curriculum, a school's discipline policies, and other violence prevention efforts.

2. The policy shall contain the definition of bullying found in this Section and shall address the following:

a. behavior constituting bullying;

b. the effect the behavior has on others, including bystanders; and

c. the disciplinary and criminal consequences of bullying another student.

B. Training for School Personnel. Each LEA shall create a program to provide a minimum of four hours of training each year for new school employees who have contact with students, including bus drivers, with respect to bullying. The training shall be two hours each following year for all school employees who have contact with students and have received the four-hour training. The training shall specifically include the following:

1. how to recognize the behaviors defined as bullying;

2. how to identify students at each grade level who are most likely to become victims of bullying, while not excluding any student from protection from bullying;

3. how to use appropriate intervention and remediation techniques and procedures;

4. the procedures by which incidents of bullying are to be reported to school officials; and

5. information on suicide prevention, including the relationship between suicide risk factors and bullying.

C. Definition of Bullying

1. *Bullying* is defined as a pattern of one or more of the following behaviors:

a. gestures, including but not limited to obscene gestures and making faces;

b. written, electronic, or verbal communications, including but not limited to calling names, threatening harm, taunting, malicious teasing, or spreading untrue rumors;

c. physical acts, including but not limited to hitting, kicking, pushing, tripping, choking, damaging personal property, or unauthorized use of personal property; and

d. repeatedly and purposefully shunning or excluding from activities.

2. Behavior defined as bullying is exhibited toward a student, more than once, by another student or group of students and occurs, or is received by, a student while on school property, at a school-sponsored or school-related function or activity, in any school bus or van, at any designated school bus stop, in any other school or private vehicle used to transport students to and from schools, or any school-sponsored activity or event.

3. Bullying must have the effect of physically harming a student, placing the student in reasonable fear of physical harm, damaging a student's property, placing the student in reasonable fear of damage to the student's property, or must be sufficiently severe, persistent, and pervasive enough to either create an intimidating or threatening educational environment, have the effect of substantially interfering with a student's performance in school, or have the effect of substantially disrupting the orderly operation of the school.

D. Notice of Bullying Policy to students and parents. The LEA shall inform each student orally and in writing of the prohibition against the bullying of a student by another student, the nature and consequences of such actions, including the potential criminal consequences and loss of driver's license, and the proper process and procedure for reporting any incidents of bullying. A copy of the written notice shall also be delivered to each student's parent or legal guardian.

E. Reporting Incidents of Bullying. The LEA shall develop a procedure for the reporting of incidents of bullying using the bullying report form approved by BESE and available on the DOE website and the website of each elementary and secondary school. The procedure shall include the following.

1. Students and Parents

a. Any student who believes that he or she is or has been the victim of bullying, or any student or parent or legal guardian, who witnesses bullying or has good reason to believe bullying is taking place, may report the bullying to a school official.

b. A student, or parent or guardian, may also report concerns regarding bullying to a teacher, counselor, other school employee, or to any parent chaperoning or supervising a school function or activity.

c. Any report of bullying shall remain confidential.

2. School Personnel and Chaperones. Any teacher, counselor, bus driver, or other school employee, whether full or part time, and any parent chaperoning or supervising a school function or activity, who witnesses or who learns of bullying of a student, shall report the incident to a school official. A verbal report shall be submitted by the school employee or parent on the same day as the school employee or parent witnessed or otherwise learned of the bullying incident, and a written report must be filed no later than two days thereafter.

3. Retaliation. Retaliation against any person who reports bullying in good faith, who is thought to have reported bullying, who files a complaint, or who otherwise participates in an investigation or inquiry concerning

allegations of bullying is prohibited conduct and subject to disciplinary action.

4. False Reports. Making false reports about bullying to school officials is prohibited conduct and will result in disciplinary action.

F. Investigation Procedure. When a report of the bullying of a student by another student is received, the school shall conduct an investigation using the following procedure.

1. Timing. The investigation shall begin the next school day following the day on which the written report was received and shall be completed no later than 10 school days after receipt of the report. If additional information is received after the end of the 10-day period, the school official shall amend all documents and reports to reflect such information.

2. Parental Notification of Allegation of Bullying

a. Upon receiving a report of bullying, the school shall notify the parents or legal guardians of the alleged offender and the alleged victim no later than the following school day.

b. Under no circumstances shall the delivery of this notice to the parent or legal guardian, be the responsibility of an involved student. Delivery of notice by an involved student shall not constitute notice as is required by this Section.

c. Before any student under the age of 18 is interviewed, his parents or legal guardians shall be notified of the allegations made and shall have the opportunity to attend any interviews conducted with their child as part of the investigation. If, after three attempts in a 48-hour period, the parents or legal guardians of a student cannot be reached or do not respond, the student may be interviewed.

d. All meetings with the parents or legal guardians of an alleged victim or an alleged offender shall be in compliance with the following:

i. separate meetings with the parents or legal guardians of the alleged victim and the alleged offender;

ii. parents or legal guardians of the alleged victim and alleged offender must be notified of the potential consequences, penalties and counseling options.

e. In any case where a school official is authorized to require a parent or legal guardian of a student under the age of 18 to attend a conference or meeting regarding the student's behavior, and after notice willfully refuses to attend, the principal or designee shall file a complaint with a court of competent juvenile jurisdiction, pursuant to *Children's Code* article 730(8) and 731.

f. A principal or designee may file a complaint pursuant to *Children's Code* article 730(1) or any other applicable ground when, in his judgment, doing so is in the best interests of the student.

3. Scope

a. The investigation shall include documented interviews by the designated school official of the reporter, the alleged victim, the alleged offender, and any witnesses.

b. The school official shall collect and evaluate all facts using the bullying investigation form approved by BESE and available on the DOE website.

c. The school official shall obtain copies or photographs of any audio-visual evidence.

4. Documentation. At the conclusion of a bullying investigation, and after meeting with the parents or legal guardians, the school official or school board shall:

a. prepare a written report containing the findings of the investigation, including input from students' parents or legal guardians, and the decision by the school official or school system official. The document shall be placed in the school records of both students. If completed entirely, the bullying investigation form may serve as the report;

b. promptly notify the reporter/complainant of the findings of the investigation and whether remedial action has been taken, if such release of information does not violate the law;

c. keep reports/complaints and investigative reports confidential, except where disclosure is required by law;

d. maintain reports/complaints and investigative reports for three years;

e. provide a copy of any reports and investigative documents to the LEA, as necessary; and

f. provide a copy of any reports and investigative documents to the appropriate law enforcement officials, as applicable.

5. Disciplinary Action. If the school official has determined bullying has occurred, and after meeting with the parents or legal guardians of the students involved, the school official shall take prompt and appropriate disciplinary action against the offender and report criminal conduct to law enforcement, if appropriate.

6. LEA Reporting

a. The LEA shall electronically report all such documented incidences of bullying to the DOE using the DOE behavior report and incidence checklist to document the details of each reported incident of bullying.

7. Appeal

a. If the school official does not take timely and effective action, the student, parent, or school employee may report the bullying incident to the school board. The school board shall begin an investigation of any properly reported complaint of bullying no later than the next school day after the board receives the report.

b. If the school board does not take timely and effective action, the student, parent, or other school employee may report the bullying incident to the DOE. The DOE shall track the number of reports, shall notify the

superintendent and the president of the LEA, and shall publish the number of reports by school district on its website.

8. Parental Relief. If four or more reports of separate incidents of bullying have been made, and no investigation has occurred, the parent or legal guardian of the alleged victim shall have the option to request that the student be transferred to another school operated by the LEA.

a. In order to exercise this option, the parent or legal guardian shall file a request with the superintendent of the LEA for the transfer of the student to another school under the LEA's jurisdiction.

b. The LEA shall make a seat available at another of its schools within 10 school days of receipt of the request for a transfer. If the LEA has no other school serving the grade level of the student, then within 15 school days of receipt of the request, the superintendent of the LEA shall:

i. inform the student and the student's parents or legal guardians and facilitate the student's enrollment in a statewide virtual school;

ii. offer the student placement in a full-time virtual program or virtual school under the jurisdiction of the LEA;

iii. enter into a memorandum of understanding with the superintendent of another LEA to secure a placement and provide for the transfer of the student to a school serving the grade level of the student, pursuant to R.S. 17:105 and 105.1.

c. If no seat or other placement is made available within 30 calendar days of the receipt of the request by the superintendent, the parent or legal guardian may request a hearing with the school board, which shall be public or private at the option of the parent or legal guardian. The school board shall grant the hearing at its next scheduled meeting or within 60 calendar days, whichever is sooner.

d. At the end of any school year, the parent or legal guardian may request that the LEA transfer the student back to the original school. The LEA shall make a seat available at the school.

G. Failure to Act.

1. Any teacher, counselor, bus operator, administrator, or other school employee, whether full-or part-time, who witnesses bullying or who receives a report of bullying from an alleged victim, and who fails to report the incident to a school official, shall be investigated by the school governing authority.

2. Any school administrator or official who fails do any of the following shall be investigated by the school governing authority:

a. notify a parent or legal guardian of a report of bullying;

b. investigate a report of bullying in a timely manner;

c. take prompt and appropriate disciplinary action against a student that was determined to have engaged in bullying; or

d. report criminal conduct to the appropriate law enforcement official.

3. Upon finding a reasonable expectation that the individual failed to act, the school governing authority shall suspend the individual without pay.

a. The length of the suspension shall be determined by the school governing authority based on the severity of the bullying inflicted on the victim.

b. The school governing authority shall report each finding of a failure to report bullying or to act on such a report to the LDE no later than August first annually, beginning with August 1, 2023.

c. The report shall include the length of suspension issued to each employee who failed to report or to act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:415, R.S. 17:416, R.S. 17:416.13, and R.S. 17:416.14.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:477 (March 2013), amended LR 39:3259 (December 2013), LR 49:250 (February 2023).

§1304. Classroom Management Training for School Staff [Formerly §1302]

A. The school master plans for improving behavior and discipline required of LEAs shall make provision for pre-service and ongoing grade-appropriate classroom management training for teachers, principals, and other appropriate school personnel regarding positive behavioral supports and reinforcement, conflict resolution, mediation, cultural competence, restorative practices, guidance and discipline, and adolescent development.

B. LEAs shall provide ongoing classroom management courses and regularly review discipline data from each school to determine what additional classroom management training is needed, if any, and what additional classroom support activities should be provided by the principal and school administration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:252.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:1380 (May 2011), repromulgated LR 39:479 (March 2013), amended LR 39:2210 (August 2013).

§1305. Reasons for Suspension [Formerly §1303]

A. The school principal or designee may suspend from school any student, including a student with exceptionalities, for good cause in accordance with state law and local policy.

B. Students determined to be guilty of the following offenses may be suspended for the following reasons:

1. willful disobedience;

2. disrespect to a teacher, principal, superintendent, and/or member or employee of the local school board;

3. making an unfounded charge against a teacher, principal, superintendent, and/or member or employee of the local school board;

4. using unchaste or profane language;

5. immoral or vicious practices;

6. conduct or habits injurious to his/her associates, unless it can be reasonably concluded that the student is not the aggressor or responsible for instigating the confrontation and that use of such force was committed solely for the purpose of preventing a forcible offense, and that the force used must be reasonable and apparently necessary to prevent such offense;

7. using tobacco and/or using and possessing alcoholic beverages or any controlled dangerous substances governed by the Uniformed Controlled Dangerous Substance Law in any form in school buildings or on school grounds;

8. disturbing the school and habitually violating the rules;

9. cutting, defacing, or injuring any part of public school buildings;

10. writing profane or obscene language or drawing obscene pictures in or on any public school premises, or on any fence, sidewalk, or building on the way to or from school;

11. possessing firearms, knives, or other implements that can be used as weapons;

12. throwing missiles on the school grounds;

13. instigating or participating in fights while under school supervision;

14. violating traffic and safety regulations;

15. leaving the school premises without permission or his/her classroom or detention room without permission;

16. habitual tardiness or absenteeism; and

17. committing any other serious offense.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1283 (June 2005), repromulgated LR 39:479 (March 2013), amended LR 39:2210 (August 2013), LR 48:1013 (April 2022).

§1306. Due Process for Suspensions [Formerly §1305]

A. Prior to any suspension, the school principal or the principal's designee shall advise the student in question of the particular misconduct of which he or she is accused as well as the basis for such accusation, and the student shall be given an opportunity at that time to explain his or her version of the facts to the school principal or his or her designee.

B. The principal, or the principal's designee, shall contact by telephone at the telephone number shown on the pupil's registration card or send a certified letter at the address shown on the pupil's registration card to the parent or guardian of the student, giving notice of the suspension, the reasons therefore and establishing a date and time for a conference with the principal or his designee as a requirement for readmitting the student.

1. If the parent or guardian fails to attend the required conference within five school days of mailing the certified letter or other contact with the parent, the truancy laws shall become effective.

2. On not more than one occasion each school year when the parent or guardian refuses to respond, the principal may determine whether readmitting the student is in the best interest of the student.

3. On any subsequent occasions in the same year, the student shall not be readmitted unless the parent, guardian, or other appointed representative responds.

C. A student whose presence in or about a school poses a continued danger to any person or property or an ongoing threat of disruption to the academic process shall be immediately removed from the school premises without the benefit of the procedure described above; however, the necessary procedure shall follow as soon as is practicable.

D. Notice in writing of the suspension and the reasons thereof shall be given to the parent or parents of the suspended student.

E. Any parent, tutor, or legal guardian of a suspended student shall have the right to appeal to the superintendent or to a designee of the superintendent, who shall conduct a hearing on the merits of the case.

F. In all cases of suspensions, the parent, the superintendent of schools, and/or supervisor of child welfare and attendance or designee shall be notified in writing of the facts concerning each suspension, including the reasons therefore and terms thereof.

G. The decision of the superintendent on the merit of the case, as well as the term of suspension, shall be final, reserving the right to the superintendent to remit any portion of the time of suspension.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1283 (June 2005), repromulgated LR 39:479 (March 2013), amended LR 39:2211 (August 2013).

§1307. Reasons for Expulsions

A. Students may be expelled for any of the following reasons:

1. any student, after being suspended for committing any of the offenses listed in §1305, may be expelled upon

recommendation by the principal of the public school in which the student is enrolled;

2. any student, after being suspended on three occasions for committing drugs or weapons offenses during the same school session, shall, on committing the fourth offense, be expelled from all the public schools of the parish or city school system wherein he or she resides until the beginning of the next regular school year, subject to the review and approval of the local educational governing authority;

3. the conviction of any student of a felony or the incarceration of any student in a juvenile institution for an act which, had it been committed by an adult, would have constituted a felony, may be cause for expulsion of the student for a period of time as determined by the board;

a. such expulsions shall require the vote of two thirds of the elected members of the local educational governing authority.

b. such expulsions shall not be for a period of time longer than the student's period of adjudication as determined by the applicable court presiding over the student's criminal matter, shall run concurrent to the student's period of disposition, and may require the student to serve the time left in the expulsion period as required by the superintendent or designee if the student was serving an expulsion period when the student was incarcerated for a separate offense and the student completes the period of incarceration with time left in the expulsion period;

c. such conviction or incarceration may be sufficient cause for a superintendent to refuse admission of the student to a school except upon review and approval of a majority of the elected members of the local school board;

4. any student found guilty of being in possession of a firearm on school property or on a school bus or at a school sponsored event shall be expelled from school according to the requirements of R.S. 17:416(C)(2);

5. a student in grades six and above who is found guilty of being in possession of 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 according to the requirements of R.S. 17:416(C)(2). 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. any student older than eleven and in grades six and above, carrying or possessing a knife the blade of which equals or exceeds two and one-half inches in length.

B. School officials shall have total discretion and shall exercise such discretion to impose disciplinary actions authorized by this Section for possession by a student of a firearm or knife on school property when such firearm or knife is stored in a motor vehicle and there is no evidence of student intent to use the firearm or knife in a criminal manner.

C. Expulsion is not mandatory for a student carrying or possessing a firearm or knife for purposes of involvement in a school class or course or school-approved co-curricular or extracurricular activity or any other activity approved by the appropriate school officials or for a student possessing any controlled dangerous substance governed by the uniform controlled dangerous substances law that has been obtained directly or pursuant to a valid prescription or order from a licensed medical provider. However, the student shall carry evidence of the prescription or medical provider order on his person at all times when in possession of any controlled dangerous substance which shall be subject to verification. Evidence of the prescription or medical provider's order includes possession of the controlled dangerous substance in the original packaging as received from the pharmacy.

D. Mandatory recommendation for expulsion shall not be applied to virtual instruction received by a student in the student home.

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).

§1309. Guidelines for Expulsions

A. No student who has been expelled from any public or nonpublic school outside the state of Louisiana or any nonpublic school within Louisiana for committing any offenses enumerated in R.S. 17:416 shall be admitted to:

1. a public school in the state except upon the review and approval by the governing body of the admitting school; or

2. to a regular public school in the LEA from which the student was expelled prior to the completion of the specified period of expulsion at the school system's alternative education setting.

B. Any student who has been expelled from any public or nonpublic school within or outside the state of Louisiana for one of the reasons listed below shall produce documentation that he or she and his/her parent or legal guardian have enrolled in and participated in an appropriate rehabilitation or counseling program related to the reason(s) for the expulsion prior to being admitted or readmitted on a probationary basis to any public school in the state, unless such requirement is waived by the LEA:

1. possessing on school property or on a school bus a firearm, knife, or other dangerous weapon, or instrumentality customarily used or intended for probable use as a dangerous weapon; or

2. possessing with intent to distribute, or distributing, selling, giving, or loaning while on school property or on a school bus any controlled dangerous substance governed by the Uniform Controlled Dangerous Substances Law.

C. Any student who has been expelled from any public or nonpublic school within or outside the state of Louisiana shall provide to any public school or school system in the state to which the student is seeking admission, information on the dates of any expulsion and the reason(s) for which the student was expelled. Additionally, the transfer of a student's records by any public school or school system in the state to any other public or nonpublic school or school system shall include information on the dates of any suspensions or expulsions and the reason or reason(s) for which the student was suspended or expelled. Refer to R.S. 17:416(B)(3).

D. A student expelled from school pursuant to the provisions of R.S. 17:416 may be readmitted on a probationary basis to school at any time during the specified period of expulsion on such terms and conditions as may be stipulated by the city, parish, or other local school board and agreed to in writing by the student and by the student's parent or other person responsible for the student's school attendance. However, any such written agreement shall include a provision that upon the school principal or superintendent of schools determination that the student has violated any term or condition of the agreement, the student shall be immediately removed from the school premises without the benefit of any hearing or other procedure applicable to student out-of-school suspensions and expulsions and returned to the school system alternative school setting. As soon thereafter as possible, the principal or designee shall provide verbal notice to the superintendent of schools of any such determination and also shall attempt to provide such verbal notice to the student's parent or other person responsible for the student's school attendance. The principal or his designee also shall provide written notice of the determination and the reasons therefore to the superintendent and to the student's parent or other responsible person.

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 35:1098 (June 2009), LR 48:1013 (April 2022).

§1311. Due Process for Expulsions

A. A recommendation for expulsion is made by the principal or, in the case of a student found carrying or possessing a firearm or another dangerous instrumentality other than a knife, or who possesses, distributes, sells, gives, or loans any controlled dangerous substance governed by the Uniform Controlled Dangerous Substances Law, in any form, by the principal's designee.

B. A hearing is conducted by the superintendent of the LEA or someone designated by the superintendent within fifteen school days. The school board must provide written notice of the hearing to the student and the parent or legal custodian, and such notice shall advise the student and parent or legal custodian of due process rights.

C. A determination of whether to expel the student is made by the superintendent or his designee.

D. The principal and teacher as well as the student may be represented by someone of their choice at this hearing.

E. Until the hearing takes place, the student shall remain on suspension with access to classwork and the opportunity to earn academic credit.

F. The parent or guardian of the student may, within five days after the decision to expel the student has been rendered, request the local educational governing authority to review the findings of the superintendent or his designee. Otherwise, the decision of the superintendent shall be final. A student's agreement to cooperate in recommended treatment determined as necessary by a medical professional may be certified in writing by the medical professional and used to initiate reopening the student case. The school board shall take into consideration the student agreement to receive treatment as a positive factor in the final decision applicable to any final disciplinary action.

G. The board, in reviewing the case, may affirm, modify, or reverse the action previously taken.

H. If the board upholds the decision of the superintendent, the parent or guardian of the student may, within 10 days, appeal to the district court for the parish in which the student's school is located. The court may reverse the ruling of the board.

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), LR 48:1014 (April 2022).

§1313. Discipline for Students with Disabilities

A. If a school district removes a student with a disability from the student's current educational placement for 10 school days in a school year, consecutively or cumulatively, regardless of the circumstances, beginning on the eleventh day, students must continue to receive educational services to enable the student to continue participating in the general education curriculum, to progress toward meeting the goals set out in the IEP, and to receive behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

NOTE: Refer to *Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act*.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1284 (June 2005), amended LR 39:2212 (August 2013).

§1315. Corporal Punishment

A. Each LEA shall have discretion in the use of corporal punishment. In those cases in which an LEA decides to use corporal punishment, the LEA shall adopt such rules and regulations as it deems necessary to implement and control any form of corporal punishment in the schools under its jurisdiction.

B. No form of corporal punishment shall be administered to a student with an exceptionality, excluding students

identified as gifted and talented, as defined in R.S. 17:1942, or to a student who has been determined to be eligible for services under section 504 of the Rehabilitation Act of 1973 and has an individual accommodation plan.

C. *Corporal Punishment*—using physical force to discipline a student, with or without an object, and includes hitting, paddling, striking, spanking, slapping, or any other physical force that causes pain or physical discomfort.

D. Corporal punishment does not include:

1. the use of reasonable and necessary physical restraint of a student to protect the student or others, from bodily harm or to obtain possession of a weapon or other dangerous object from a student; nor

2. the use of seclusion and restraint as provided in R.S. 17:416.21.

E. Each LEA shall adopt a policy establishing procedures for the investigation of employees accused of impermissible corporal punishment.

F. Each LEA shall collect and report corporal punishment data according to procedures established by the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:81.6, R.S. 17:223, and R.S. 17:416.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1284 (June 2005), amended LR 39:2212 (August 2013), LR 43:2483 (December 2017).

§1317. Search and Seizure

A. Any teacher, principal, school security guard, or administrator may search any building, desk, locker, area, or school grounds for evidence that the law, a school rule, or parish or city school board policy has been violated.

B. The teacher, principal, school security guard, or administrator may search the person of a student or his personal effects when, based on the attendant circumstances at the time of the search, there are reasonable grounds to suspect that the search will reveal evidence that the student has violated the law, a school rule, or a school board policy. Such a search shall be conducted in a manner that is reasonably related to the purpose of the search and not excessively intrusive in light of the age or sex of the student and the nature of the suspected offense.

C. Each LEA shall adopt a policy to provide for reasonable search and seizure by teachers, by principals, and by other school administrators of a student's person, desk, locker, or other school areas for evidence that the law, a school rule, or an LEA policy has been violated.

D. Any such policy shall be in accordance with applicable law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1285 (June 2005), amended LR 39:2212 (August 2013).

§1319. Advisory Council on Student Behavior and Discipline

A. Functions. The function of an advisory council is to advise the board, directly or through its committees, in the discharge of policymaking, supervisory control, and budgetary duties and responsibilities. Specific functions of an advisory council are determined by the establishing statute or policy. Advisory councils deal exclusively with matters referred by the board or the LDE. Matters referred to advisory councils include external input regarding funding decisions, policy matters reviewed for local impact, bulletin revisions containing policies or supervisory controls, and matters particular to a council for which it was created. The LDE staff provides the board with a statewide and nationwide perspective on certain issues, while advisory councils respond from a local or community perspective.

B. Composition. Unless otherwise provided by state or federal law, each advisory council of the board is created by board policy. The policy determines the size of the council membership; the appointing authority; the persons, organizations, affiliations, or interest groups to be represented on a council; and the length of term.

C. Advisory Council on Student Behavior and Discipline (ACSBD) Established

1. Authority per R.S. 17:253 and BESE policy.

2. Function and responsibilities:

a. Provide guidance and recommendations to BESE and LDE regarding best practices in providing support to public school local governing agencies (LEA) in the adoption and implementation of the school master plan for student behavior and discipline in accordance with R.S. 17:252.

b. Members of the council shall annually elect a new chair and vice-chair from among the membership by the first convening meeting of the fiscal year.

c. Staff to support the ACSBD shall be provided by the LDE.

d. The council shall meet at least three times annually, and meetings shall be called and agendas set by the chair.

3. The membership of the ACSBD shall consist of 29 members.

a. Ex-officio representatives or a designee:

i. state superintendent of education;

ii. Secretary of Louisiana Department of Health;

iii. Families and Friends of Louisiana's Incarcerated Children, executive director;

iv. Urban League of Louisiana, president;

v. MetroMorphosis, president;

vi. Louisiana Psychological Association, president;

vii. Louisiana School Counselors Association, president.

b. Appointed representatives:

i. Louisiana Association of Principals, principal or assistant principal, one each from:

(a). elementary level;

(b). middle school level;

(c). high school level.

ii. Louisiana Association of School Superintendents, one each from:

(a). LEA superintendent;

(b). child welfare and attendance officer;

(c). safe and drug-free schools coordinator;

(d). pupil appraisal coordinator.

iii. Louisiana Developmental Disabilities Council,

(a). Three members, parent of a child who presents challenging behavior, two of whom shall be a parent of a child with exceptionalities, other than gifted and talented; and

(b). One additional member.

iv. Louisiana Advocacy Center;

v. Louisiana School Boards Association;

vi. Louisiana Council of Juvenile and Family Court Judges;

vii. Louisiana Federation of Teachers, classroom teacher;

viii. Louisiana Association of Educators, classroom teacher;

ix. Associated Professional Educators of Louisiana, classroom teacher;

x. Southern Poverty Law Center;

xi. Louisiana Association of Public Charter Schools;

xii. Louisiana Center for Children's Rights;

xiii. Louisiana Parent Teacher Association;

xiv. Louisiana Association of Special Education Administrators, director of special education.

4. The advisory council shall annually submit a report to the Senate Committee on Education, the House Committee on Education, and BESE regarding the results and recommendations with respect to the implementation of school master plans for improving student behavior and discipline as provided in R.S. 17:252.

D. General Council Membership Information

1. Terms. Unless otherwise provided by state or federal law, persons appointed to the council shall serve at the pleasure of the recommending authority. A council member may be removed without cause by the appointing authority at any time. Appointees must maintain employment and qualifications appropriate to the organizational category represented. Upon retirement, employment in a different capacity, or otherwise failure to maintain eligibility requirements, the member shall become ineligible to continue to serve and shall be replaced.

2. Vacancies. A vacancy in an appointed position shall occur if an appointee, for any reason, is unable to serve the full extent the appointed term. Appointments to fill temporary vacancies shall be considered interim appointments. Interim appointments may be made by the superintendent of education or the BESE president.

3. Expenses. Members shall not be entitled to reimbursement for travel expenses.

4. Proxy. Any person serving on an advisory council who cannot attend a scheduled meeting may designate a person to attend as the proxy, contingent upon the consent of the appointing authority, and the council chair shall be notified.

5. Quorum. Unless otherwise provided, a quorum is a simple majority of the total membership. In the absence of a quorum, the advisory council may take unofficial action, but minutes shall indicate that the recommendations are being presented without the required quorum. When known prior to an agenda being posted that a quorum is unlikely, the council chair shall be so notified and the meeting may be canceled.

6. Action/Quorum. Official council action requires that matters submitted by motion are duly seconded. The chair states the motion and calls for discussion and public comment. All official actions of the group shall require the favorable vote of a simple majority of the members present. Proxies are not included for the purpose of establishing a quorum.

7. Voting. All voting shall be by voice vote, except when taken by roll call vote or when a member requests that his/her vote be recorded in the official record. A roll call vote shall be taken on any motion if requested by the chair. Roll call votes shall be taken alphabetically, except that the presiding officer or chair shall have the option of voting last or may exercise the right to refrain from voting. Proxies do not retain voting privileges.

8. Attendance Policy

a. Appointed members are expected to attend all scheduled meetings of an advisory body. Unless otherwise provided, if a member is unable to attend a meeting, a request for an excused absence should be submitted to the council chair or the LDE staff liaison one week prior to the meeting. A proxy may be named by the appointed member to serve for a total of three meetings. A council member shall be removed and the seat declared vacant if the member is no longer a legal resident of Louisiana, fails to remain active in or is no longer employed by the appointing organization or

agency represented, or misses more than two meetings, unless excused prior to the meeting by the council chair.

b. The appointing authority for each member shall be notified immediately following each scheduled meeting indicating the unexcused absence of the appointee. The notification should include:

i. name of council member and council on which serving;

ii. date of the meeting; and

iii. board policy on attendance.

E. Meetings

1. Advisory councils shall meet as scheduled in order to consider referrals from the board or the LDE. Special meetings shall be by direction of the board, and emergency meetings may be called at the discretion of the BESE executive director and LDE.

2. Regular meeting dates shall be scheduled to convene one year in advance and shall be determined by the executive director, LDE, or a designee of either. The council shall schedule meetings upon the call of the chairperson, but not less than once quarterly.

3. Agendas of regularly scheduled council meetings shall be distributed to the members by the LDE staff at least 7 calendar days in advance of a meeting. All meetings shall be conducted in accordance with Louisiana open meetings law R.S. 42:11 et seq. In the event that no items have been referred to an advisory council for consideration, there are no items pending on an advisory council agenda, and the LDE has no items to bring forward to the advisory council at least 10 days prior to a scheduled meeting, the meeting shall be cancelled and the members shall be notified of the cancellation.

4. In accordance with R.S. 42:19, the agenda may be amended upon unanimous approval of the members present and subject to other provisions of the statute.

5. Except where listed herein, the business in advisory councils shall be conducted in accordance with *Robert's Rules of Order*.

6. Motions passed by an advisory council shall be made as a main motion and must be duly seconded. All motions must be voted upon and roll call votes may be requested by any of the membership in attendance at a meeting.

7. Requests from advisory councils for data or reports must be made in the form of a motion, requesting that the board direct the LDE or BESE staff to provide such information to the council making the request.

8. All meetings of advisory councils shall be considered official functions of the board to assist in the execution of board responsibilities and duties.

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).

Chapter 15. Plant Operations and Maintenance

§1501. Building and Maintenance

A. The school site and building shall include adequate physical facilities and custodial services to meet the needs of the educational program and to safeguard the health and safety of the pupils in each LEA.

B. Sufficient classroom, laboratory, shop, office, storage, and meeting room space shall be provided for the number of students served and the activities conducted in assigned places.

C. Adequate facilities shall be provided for specialized services such as food services, counseling, library, and physical education.

D. School facilities and grounds shall be kept attractive, functional, and clean through regular preventive and corrective maintenance.

E. A site safety officer charged with the supervision of safe practice in storage, use, and distribution of all chemicals shall be designated in each LEA.

F. The LEA must assess the safety of the facilities and equipment in all schools, including the location, quantities, and states of all regulated hazardous substances.

1. A plan to redistribute the unwanted substances must be prepared and kept on file in the central office.

2. Remaining chemicals must be listed on an inventory system.

3. A copy of the inventory must be kept on site in each school, in the central office of each LEA, and at the local fire chief's office.

G. Each LEA shall adopt and implement policies providing for inspections by qualified persons of all fire safety and prevention equipment, including fire alarm and smoke detection devices, at least twice during each school year and to require that all necessary actions be taken in a timely manner to assure that all such equipment is in good working order and meets the need for which it is intended.

1. The policy, at a minimum, shall provide that:

a. any employee who performs an inspection shall have received appropriate training;

b. documentation of the employee's training shall be included in his/her personnel file.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17: 24.5; R.S. 17:81; R.S. 17:151.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1285 (June 2005), amended LR 37:1128 (April 2011).

§1503. Facility Accessibility

A. Facilities used by LEAs, directly or through contractual arrangement, shall be accessible to and usable by persons with disabilities. Architectural barriers shall not prevent a student with a disability from being educated in the least restrictive educational environment.

B. New facilities or new parts of facilities shall be approved, designed, and constructed under prescribed conditions.

1. They shall not be approved for construction unless and until the DOE and BESE give expressed written approval on the basis of a satisfactory showing by the LEA that adequate provision has been made for the necessary access of the students with disabilities.

2. They shall be designed and constructed in a manner that results in their being readily accessible to and usable by persons with disabilities.

3. They shall be constructed to at least meet the current level of accessibility provided by the *Americans with Disabilities Act (ADA) Accessibility Guidelines for Building and Facilities*.

C. Facilities that are altered for the use of school districts shall be altered to the maximum extent feasible in a manner that results in the altered portion of the facility being readily accessible to and usable by persons with disabilities.

D. Facilities identifiable as being for students with disabilities and the services and activities provided therein shall meet the same standards and level of quality as do facilities, services, and activities provided to other students.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1731; 20 USCS 1404; 42 USCS 12101 et seq.; 12131et seq.; 12203.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1285 (June 2005).

§1505. Program Accessibility

A. Program accessibility for exceptional students shall be ensured within existing facilities and shall be accomplished through either the alteration of existing facilities or nonstructural changes. Such changes shall include:

1. redesign of equipment;

2. assignment of communicative aids;

3. reassignment of classes and other services to accessible buildings;

4. assignment of aides to children;

5. home visits; and

6. delivery of health, welfare, or other social services at alternative accessible sites.

B. A school shall provide programs and activities to exceptional students in the most appropriate integrated setting.

C. Structural changes in facilities shall not need to be made in situations in which other methods effectively ensure accessibility of the program. When structural changes are necessary, they shall be made as expeditiously as possible.

AUTHORITY NOTE: Promulgated in accordance with 20 USCS 1404; 42 USCS 12101 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1285 (June 2005).

Chapter 17. Instructional Support

§1701. Instructional Materials and Equipment

A. Instruction shall be supported with adequate and appropriate instructional materials, equipment, and available community resources that support the stated philosophy and purposes of the school.

B. Instructional materials and equipment shall be in a good state of repair, and provisions shall be made to replace outdated instructional materials and worn-out equipment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S. 17:7; R.S. 17:351 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1286 (June 2005).

§1703. Textbooks

A. Each school shall provide instructional materials for each student and shall have proper procedures for selection, storage, and preservation of such materials.

B. The governing authority of each public elementary and secondary school shall adopt policies and regulations for the adoption and use of textbooks and other instructional materials that sufficiently support the needs of all students in meeting state content standards.

1. The LDE shall utilize a transparent process to review textbooks and other instructional materials in the core subjects of English language arts, mathematics, science, and social studies to determine the degree to which each aligns with state content standards.

a. The state review process shall be conducted entirely online and every aspect of the review process including the textbooks and instructional materials under review and any comments submitted by reviewers, parents and other members of the public, and publishers and other content providers, shall be posted online and made readily accessible to all interested parties.

b. All print textbooks and print instructional materials purchased shall be supplied in an electronic format that meets federal requirements consistent with the Individuals with Disabilities Education Act (IDEA), and can be converted in to specialized formats for children with disabilities.

c. The LDE shall provide each school governing authority with a list of all textbooks and other instructional materials reviewed by LDE which includes information indicating the degree to which each aligns with state content standards.

2. For the adoption of textbooks and other instructional materials that have not been reviewed by the LDE, the policy of the school governing authority shall provide for the establishment of review committees composed of classroom teachers and other educators, all of whom shall be employees of Louisiana public schools, parents of students enrolled in Louisiana public schools, and other educational stakeholders in Louisiana who have interest in or knowledge of curriculum and the subject matter under consideration.

3. Parents and other members of the public shall be afforded the opportunity to review and provide input relative to the textbooks and instructional materials under review prior to final adoption.

4. The purchase of electronic textbooks, instructional materials, and other media or content shall be maximized to the extent possible.

5. Each school governing authority may purchase textbooks and other instructional materials through a state contract or through the central depository or may contract directly with a publisher or other content provider.

C. Textbooks and instructional materials adopted for use in public schools shall accurately reflect the contributions and achievements of people of differing races and promote and understanding of the history and values of the people of the United States and Louisiana, including the free enterprise system, private property, constitutional liberties, democratic value and traditional standards of moral values.

D. Each school governing authority shall provide textbooks and other instructional materials, as available, to students enrolled in a state-approved home study program. The following procedures shall be used for loaning textbooks to be used in approved home study programs. Parents or guardians must proceed through the following steps in order to access textbooks for students in home study:

1. submit an application to the LDE and obtain approval for participation in the Home Study Program;

2. present a copy of the approved home-study application form to the LEA textbook supervisor or designee;

3. select the textbooks and/or materials needed from the listing as available, from the LEA; and

4. provide a deposit equal to 100 percent of the replacement cost. Such deposit will be returned when the books are returned. If books are not returned or paid for, the parent or legal guardian shall not be eligible to continue participation in the textbook rental program until all textbooks debts have been cleared.

E. Each LEA may establish the price and sell any textbook or library book no longer in use to any person or entity for private use.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(4), R.S. 17:8.3, R.S. 17:22, R.S. 17:351 et seq, R.S. 17:356, R.S. 1970.4, and R.S. 17:1970.24.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1286 (June 2005), amended LR 37:1141 (April 2011), LR 38:2365 (September 2012), LR 39:2212 (August 2013), LR 42:556 (April 2016).

§1705. School Libraries/Media Centers

A. The library/media center holdings shall reflect the philosophy and purposes of the school, relate directly to the educational program and the teaching techniques used by the teaching staff, and provide an opportunity to explore beyond the sphere of the regular instructional program.

B. The library/media center shall be the major instructional resource center of the school and shall offer varied services and activities for students.

C. Facilities, adequate in size, shall be provided to implement school-wide media services.

D. Available funds shall be expended to ensure a balanced and current library collection that includes the number of volumes and types of resources outlined in the *Guidelines for Library Media Programs in Louisiana Schools.*

E. Each school shall have in its library center a collection of print and nonprint media and equipment in sufficient number and quality to meet the instructional needs of teachers and students. Refer to *Guidelines for Library Media Programs in Louisiana Schools.*

F. Each school shall have library or media services appropriate to the instructional levels and exceptionalities of its students. Elementary schools that do not have a centralized library shall have classroom collections. Refer to *Guidelines for Library Media Programs in Louisiana Schools*.

G. The use of funds for library services for exceptional students shall be at least proportionate to that expended for regular students.

H. Each secondary school shall have a library and shall have librarian(s) as follows.

Student Enrollment	Required Librarians
299 or fewer	One half-time
300-999	One full-time
1000 or higher	Two full-time

NOTE: Refer to guidelines for library media programs in Louisiana schools for recommended staffing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:351 et seq.

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

§1709. Internet Use

A. Each LEA shall adopt policies, in accordance with all applicable state and federal laws, regarding access by students and employees to Internet and online sites that contain or make reference to harmful material, the character of which is such that it is reasonably believed to be obscene,

child pornography, conducive to the creation of a hostile or dangerous school environment, pervasively vulgar, excessively violent, or sexually harassing in the school environment.

1. Such policies shall include, but not be limited to prohibitions against accessing sites containing information on the manufacturing or production of bombs or other incendiary devices.

B. Any policies adopted by the LEA shall include the use of computer-related technology or the use of Internet service provider technology designed to block access or exposure to any harmful material as specified in this Section, or both.

C. The provisions of this Section shall not prohibit any authorized employee or student from having unfiltered or unrestricted access to the Internet or an online service for legitimate scientific or educational purposes as determined and approved by the LEA, or from having unfiltered or unrestricted access to the Internet or online services of a newspaper with a daily circulation of at least 1000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:100.7.

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

Chapter 21. Support Services

§2101. Transportation

A. The transportation program shall be safe, adequate, and suitable to the needs of the students and the community served while complying with the standards of the LDE. Refer to *Bulletin 119—Louisiana School Transportation Specifications and Procedures*, and applicable laws.

B. Transportation to and from school shall be provided to eligible students under the following conditions:

1. when the student resides more than 1 mile from the school of attendance;

2. with the approval of BESE, when the student resides within 1 mile of the school of attendance if there are exceptional (hazardous) walking situations; and

3. as provided in R.S. 17:158 (A).

C. If transportation is not provided by the LEA, parents of students attending public and nonpublic schools shall be reimbursed for transportation costs according to state guidelines, provided funds are appropriated by the legislature.

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).

§2103. School Food Service

A. "Nutrition program" means a program under which meals or snacks are served by any governing authority of a nutrition program provider in this state on a nonprofit basis to individuals in attendance, including any such program under which a nutrition program provider receives assistance out of the funds appropriated by the Congress of the United States. The USDA Child Nutrition Programs include the National School Lunch Program, the School Breakfast Program, the Summer Food Service Program, the Child and Adult Care Food Program, and any other nutrition program that may be included in the agreement between the governing authority of a nutrition program provider and the state Department of Education.

B. "Governing authority of a nutrition program provider" means any authority which has executed an agreement or contract with the state Department of Education to participate in a nutrition program. This includes schools, government entities, religious organizations, for profit and non-profit organizations, and any other organization approved under agreement with the LDE to participate in any nutrition program.

C. A recognized governing authority of a nutrition program provider shall be eligible to participate in the nutrition programs administered by the LDE, provided that all requirements set forth in the agreement with the state Department of Education are met and maintained. Approvals for participation, any adverse actions, and terminations, shall be in accordance with the signed agreement between the LDE and the governing authority of a nutrition program provider and in accordance with the federal regulations for the nutrition programs.

D. Reimbursement payment shall be made only for approved sites operating under an agreement between the governing authority of a nutrition program provider and the LDE.

1. Agreements shall be signed by the designated representative of each governing authority of a nutrition program provider.

E. Participating schools or other approved facilities shall adhere to the conditions of the agreement, all applicable federal and state laws, and all United States Department of Agriculture (USDA) regulations and policies governing the USDA Child Nutrition Programs under the LDE.

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

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).

Chapter 23. Curriculum and Instruction

Subchapter A. Standards and Curricula

§2301. Content Standards

A. Each LEA shall provide instruction aligned to BESE-approved standards and shall have the autonomy and flexibility to develop, adopt, and utilize instructional materials that best support their students' achievement of the

standards. LEAs may provide instruction that supplements or exceeds BESE-approved standards.

B. LEAs shall not be required to adopt or utilize any instructional materials not of their own choosing, including any that may be recommended, endorsed, or supported by any federal or state program or agency.

C. The Louisiana content standards shall be subject to review and revision to maintain rigor and high expectations for teaching and learning. Such review of each content area shall occur at least once every seven years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1288 (June 2005), amended LR 31:3070 (December 2005), LR 33:429 (March 2007), LR 39:2213 (August 2013), LR 40:764 (April 2014).

§2302. Uniform Grading Policy

A. LEAs shall use the following uniform grading system for students enrolled in all grades K-12 for which letter grades are used.

Grading Scale for Regular Courses	
Grade	**Percentage**
A	100-93
B	92-85
C	84-75
D	74-67
F	66-0

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).

§2303. Planning and Instruction

A. Course content shall be age-appropriate and unbiased with regard to the treatment of race, sex, roles, religions, ethnic origins, and political beliefs.

1. Each LEA shall permit parents to examine texts to be used in their child's class.

2. Each LEA shall provide parents and legal custodians of students enrolled in high school English courses a list of reading materials to be used in that school year. Parents and legal custodians may request that the LEA exempt their child from reading such content.

3. The LDE shall not issue any state-required list of texts that LEAs or educators must include in course content. This shall not relieve LEAs of any obligations to provide instruction of United States historical documents specifically required by state statute.

B. Each school's instructional program shall be characterized by well-defined instructional objectives and systematic planning by teachers.

C. Planning by teachers for content, classroom instruction, and local assessment shall reflect the state's content standards.

D. The instructional program shall reflect the selection and use of varied types of learning materials and experiences, and the adaptation of organizational and instructional procedures to provide for individual student needs.

E. The instructional program shall reflect the use of varied evaluative instruments and procedures.

F. Teaching strategies and techniques shall be adjusted to accommodate the types of learners served and their individual learning styles.

G. Each school's educational program shall provide for individual differences of students.

H. Assessment of student performance shall be conducted in each course or instructional level, and mastery of concepts and skills shall be verified.

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).

§2304. Science Education

A. BESE shall, upon request of an LEA, allow and assist teachers and school administrators to create and foster an environment that promotes critical thinking skills, logical analysis, and open and objective discussion of concepts, laws, principles, and scientific theories.

1. Such assistance shall include support and guidance for teachers regarding effective ways to understand, analyze, critique, and objectively review concepts, laws, principles, and scientific theories.

2. Any LEA may request such assistance by contacting the LDE.

B. Teachers shall teach the state-approved science standards, and the standard textbook supplied by the LEA.

1. The teacher may then use supplemental textbooks and other instructional materials as permitted by the LEA unless otherwise prohibited by BESE.

C. Classroom instruction and materials shall not promote any religious doctrine, promote discrimination for or against a particular set of religious beliefs, or promote discrimination for or against religion or non-religion.

D. BESE shall determine which supplemental materials shall be prohibited from use in science classes in public schools according the procedure below.

1. Any Louisiana citizen may challenge materials used by an LEA by submitting a complaint to the LDE for consideration by BESE. The complaint should contain the reasons for the challenge and cite evidence to substantiate the challenge.

2. The LDE will notify the LEA using the supplementary material that the complaint has been filed.

3. The LDE will conduct a meeting allowing the complainant, the LEA, and any interested parties adequate time to present their arguments and information and to offer rebuttals.

4. The LDE will make a recommendation to BESE based on the following criteria.

a. The supplemental materials must be grade-level appropriate.

b. The information contained in the supplemental materials must be scientifically sound and supported by empirical evidence.

c. The materials shall not promote any religious doctrine, promote discrimination for or against a particular set of religious beliefs, or promote discrimination for or against religion or non-religion.

E. The following procedure shall be followed for complaints filed about supplemental materials used in a science classroom.

1. Any Louisiana citizen may challenge materials used by an LEA by submitting a complaint to the LDE for consideration by BESE. The complaint should contain the reasons for the challenge and cite evidence to substantiate the challenge. The complaint should be sent to the director of curriculum standards.

2. The LDE will notify the LEA using the supplementary material that the complaint has been filed and will provide the LEA with a copy of the complaint. The LDE will request from the LEA a copy of the supplementary materials in question.

3. The LDE shall have the opportunity to appoint two reviewers of the materials. The challenger, the LEA, and the publisher (if any) shall each have the opportunity to appoint one reviewer of the materials. The LDE will provide the reviewers with copies of the supplementary materials and the complaint. The reviewers should be experts who are capable of determining if the materials are grade-level appropriate, if the materials are scientifically sound and supported by empirical evidence, and if the materials do not promote any religious doctrine, promote discrimination for or against a particular set of religious beliefs, or promote discrimination for or against religion or non-religion.

4. The LDE will determine a time and location for a meeting. The LDE will notify the LEA, the complainant, and the reviewers of the date, time, and location. The LEA and the complainant may bring others with them to the meeting.

5. At the meeting, the LEA and the complainant and/or the representatives of each side will explain their positions. The reviewers may ask questions. All reviewers will complete a form indicating that the materials do or do not violate each of the following provisions and include explanations for their recommendations.

a. The supplementary materials are grade-level appropriate.

b. The information contained in the supplementary materials are scientifically sound and supported by empirical evidence.

c. The materials shall not promote any religious doctrine, promote discrimination for or against a particular set of religious beliefs, or promote discrimination for or against religion or non-religion.

6. The LDE will forward the reports of the reviewers to BESE. The LDE may elect to make its own recommendation. The LDE will notify the challenger, the LEA, and the publisher of the date and time when the recommendations will be presented to BESE for consideration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:285.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:1476 (August 2009), amended LR 36:483 (March 2010), LR 39:2213 (August 2013).

§2305. Ancillary Areas of Instruction

A. Each LEA may develop a character education philosophy and implementation plan consistent with its locally developed curriculum.

B. Each public school student shall receive age- and grade-appropriate instruction in personal financial management based on the concept of achieving financial literacy through the teaching of personal management skills and the basic principles involved with income, money management, spending and credit, saving and investing, and the process and responsibilities, including repayment and default, of borrowing money to fund postsecondary education opportunities. Such instruction may be integrated into an existing course of study.

C. A public high school shall offer an elective course in American sign language, provided that at least 15 students in a school request the course and a certified teacher is available.

D. Any public school in Louisiana may offer instruction in sex education, provided such instruction and subject matter is integrated into an existing course of study such as biology, science, physical hygiene, or physical education.

1. Such instruction should encourage sexual abstinence outside of marriage, and such instruction shall not include religious beliefs, practices in human sexuality, nor the subjective moral and ethical judgments of the instructor or other persons.

2. No such instruction shall be offered in kindergarten or in grades one through six, except that the Orleans Parish School Board may offer instruction in sex education at the third grade level or higher.

3. When offered, such instruction shall be available also to special education students at age-appropriate levels.

4. Any student may be excused from receiving instruction in sex education at the option and discretion of his or her parent or guardian according to procedures provided by the LEA. Such instruction may be offered at

times other than during the regular school day, as determined by the LEA.

5. An LEA that chooses to offer instruction in sex education shall provide the following information to the parents and/or guardians of the students:

a. a description of the course contents;

b. a listing of course materials to be used; and

c. the qualifications of the instructor(s).

E. All books, films, and other materials to be used in instruction in sex education shall be submitted to and approved by the local educational governing authority and by a parental review committee, whose membership shall be determined by such board.

F. Each LEA shall include in the curriculum a program of substance abuse prevention, to include informational, effective, and counseling strategies, and information designed to reduce the likelihood that students shall injure themselves or others through the misuse and abuse of chemical substances.

1. The substance abuse prevention education programs and curricula shall also include procedures for identifying students who exhibit signs of misuse or abuse of such substances and procedures for referral for counseling or treatment.

2. Elementary schools shall provide a minimum of 16 contact hours of substance abuse prevention education each school year. Instruction shall be provided within a comprehensive school health program.

3. Secondary schools shall provide a minimum of 8 contact hours of substance abuse prevention education each school year for grades 10-12 and 16 hours for grade 9. Instruction shall be provided within a comprehensive school health program.

4. Such programs will integrate an evidence-based, age-appropriate instructional component on opioid substance abuse prevention.

a. Any instruction relative to alcohol, tobacco, drug, and substance abuse prevention and education provided pursuant to this Subsection will include the information that mixing opioids and alcohol can cause accidental death and information on the health risks associated with vapor products as defined in R.S. 26:901.

G. Historical Programs. Each school shall hold an educational program pertaining to the United States Constitution on Constitution Day, September 17, of each year. The purpose of the program is to commemorate the September 17, 1787 signing of the Constitution. When September 17 falls on a Saturday, Sunday, or holiday, the Constitution Day program shall be held during the preceding or following week.

1. In conjunction with Constitution Day and Constitution Week, each public school governing authority shall observe Celebrate Freedom Week.

2. Students shall receive age and grade appropriate instruction on topics related to freedom, the nation's founding, and the intent, meaning, and importance of the Declaration of Independence, the U.S. Constitution, and the Bill of Rights.

H. Each LEA shall provide age- and grade-appropriate classroom instruction regarding internet and cell phone safety.

1. The LDE will identify and list appropriate resources on the LDE website.

2. The instruction shall be integrated into an existing course and shall include but not be limited to the following topics:

a. the safe and responsible use of social networking websites, chat rooms, electronic mail, bulletin boards, instant messaging, and other means of electronic communication;

b. risks of transmitting personal information;

c. recognizing, avoiding, and reporting solicitations by sexual predators;

d. recognizing and reporting illegal activities and communications;

e. recognizing and reporting harassment and cyberbulling;

f. recognizing and avoiding unsolicited or deceptive communications; and

g. copyright laws on written materials, photographs, music, and video.

I. Each LEA shall provide to high school students age and grade appropriate classroom instruction relative to the state's safe haven relinquishments law, *Children's Code*, articles 1149-1160.

J. Adoption Awareness. Each LEA shall provide instruction on adoption awareness to all high school students that shall include:

1. the benefits to society;

2. types of adoption;

3. differences between foster care and infant adoption;

4. resources and agencies available for pregnant mothers, for parents, and to assist in the adoption process; and

5. statistical data on abortion, adoption, and childbirth.

K. Child Abuse and Assault Awareness and Prevention. Each LEA shall provide age- and grade-appropriate classroom instruction to all students relative to child assault awareness and prevention. Such instruction shall be limited to:

1. education on what constitutes abuse or an assault;

2. how students may safely and confidentially report to a school official the circumstances surrounding any such abuse or assault; and

3. how students may report abuse or assault to the child protection toll-free hotline operated by DCFS and where the number is found on the school website.

4. Each LEA shall annually report to the LDE a grade-level listing of each course that includes instruction on child abuse and assault awareness and prevention, and shall include verification of DCFS child protection toll-free hotline notification on LEA and school websites.

L. Each public high school will provide instruction in the recognition and prevention of shaken baby syndrome. Such instruction shall be integrated into an existing course of study.

1. For purposes of this Subsection:

Shaken Baby Syndrome—the condition known also as "abusive head trauma" that is characterized by injuries resulting from violent shaking or shaking and impacting of the head of an infant or small child.

M. Each LEA will adopt policies regarding access by students to internet and online sites that contain or make reference to harmful, violent, pervasively vulgar material, obscene material, child pornography, or sexually harassing material conducive to the creation of a hostile or dangerous school environment.

N. Eating Disorder Awareness. Each public school LEA shall provide age and grade appropriate instruction regarding eating disorder awareness and prevention integrated into the curriculum of an existing required course.

O. Suicide, Safety, and Violence Education. An LEA offering a youth suicide prevention program shall include student safety, violence prevention, and social isolation prevention training via in-person, video, or a hybrid of both methods. Instruction shall include how to identify signs and signals of depression, suicide, and self-injury in themselves and peers, as well as the importance of seeking help and the process for reporting harmful or potentially harmful activity.

1. Each public school LEA shall provide a minimum of one hour or one class period of age and grade appropriate instruction to students in grades 6 through 12.

2. Instruction shall be evidence-based through high-quality research findings that show a statistically significant effect on relevant outcomes.

3. Strategies for social inclusion in the classroom and community shall be utilized and may include instruction in self-esteem and peer mediation.

4. A student shall be excused from any of the training upon written request of the parent or legal guardian.

5. For each school enrolling students in grades 6 through 12, the LEA shall allow the creation of a student-led and employee-advised club open to any member of the student population to develop and maintain awareness activities of this Subsection.

P. Water Safety. Each public school LEA shall provide age and grade appropriate instruction regarding water safety integrated into the curriculum of an existing required course, and shall include:

1. proper use of flotation devices;

2. awareness of water conditions and safe behaviors in and around water;

3. supervision and barriers/fencing in pool areas;

4. importance of formal swim lessons;

5. avoidance of alcohol and substance use during water activities; and

6. administering CPR to a drowning victim.

Q. Mental Health. Each public school LEA shall provide age and grade appropriate instruction to students in kindergarten through twelfth grade regarding preventative mental health measures including but not limited to:

1. proper diet, exercise, risk avoidance, and stress reduction;

2. the relationship between mental health and physical health as well as brain health and emotional health;

3. identifying trauma and stress and the impact on mental and physical health; and

4. resources and services available to assist people with mental health issues.

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, and17:405 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).

§2307. Literacy Assessment and Screener

A. Each LEA shall require that every child enrolled in kindergarten-third grade be given the BESE-approved literacy screener three times per school year: within the first 30 days of the school year, in December, and in April. The results of this screener shall be used to plan instruction and provide appropriate and timely intervention. The results of the screener will also provide information required by R.S. 17:24.9, student reading skills; requirements; reports.

1. Each student administered a literacy screener will be identified as reading below, at, or above grade level. Students scoring above grade level may be considered for evaluation into a gifted program.

2. For students with significant hearing or visual impairment, nonverbal students, or students with significant

cognitive impairment, the LEA will provide an alternate assessment recommended by the LDE.

3. Each LEA will report to the LDE screener results by child within the timeframes and according to the guidance established by the LDE.

4. For grades 1-3, the school should use the prior year's latest screener level to begin appropriate intervention until the new screener level is determined.

5. Any student scoring below grade level in reading based upon assessment and/or progress monitoring must be provided scientific, research-based reading intervention upon identification. The reading intervention shall do all of the following:

a. provide explicit, direct instruction that is systematic, sequential, and cumulative in language development, phonological awareness, phonics, fluency, vocabulary, and comprehension, as applicable;

b. provide targeted small group reading interventions based on student need in phonological awareness, phonics including decoding and encoding, vocabulary, or comprehension; and

c. be implemented during regular school hours.

B. Each LEA shall administer the literacy screener provided by the LDE for each grade level to meet kindergarten-third grade literacy assessment requirements.

C. Beginning June 1, 2023, and triennially thereafter, each school shall use data from the literacy screener in order to develop and submit to LDE the school foundational literacy plan for students in kindergarten through third grade pursuant to R.S. 17:24.9.

1. Each foundational literacy skills plan shall include:

a. the amount of time to be devoted daily to foundational literacy skills and a description of how the instructional time will be utilized;

b. a list of English language arts textbooks and instructional materials adopted by the school;

c. a description of the interventions and supports available to students identified as having literacy skills below grade level; and

d. a description of the professional development in foundational literacy skills instruction provided to teachers who teach kindergarten through third grade.

D. Each LEA shall provide for literacy coaches for reading teachers in kindergarten through third grade for the purposes of providing on-site teacher training on evidence-based reading instruction, demonstrating lessons, co-teaching or observation, and providing feedback for improving instruction subject to the appropriation of funds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S.17:24.4; R.S. 17:24.9; and R.S.17:24.10.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1289 (June 2005), amended LR 38:1224 (May 2012), LR 39:2214 (August 2013), LR 42:1878 (November 2016), LR 45:36 (January 2019), LR 48:1747 (July 2022), LR 49:252 (February 2023).

§2309. Curriculum for Exceptional Students

A. Schools and LEAs shall require the development of an IEP including educational placement for each student determined to be exceptional and in need of special education and related services.

B. Each school and LEA shall include on each IEP all special education and related services necessary to accomplish comparability of educational opportunity between exceptional students and students who are not exceptional.

C. Special education students shall be allowed to earn Carnegie units when possible.

1. The Carnegie units shall be granted by regular or special education teachers certified in the subject matter areas which they are teaching.

NOTE: Refer to *Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act* and *Bulletin 1530—Louisiana's IEP Handbook for Students with Exceptionalities*.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1289 (June 2005), amended LR 39:2215 (August 2013).

§2311. Curriculum for Gifted

A. Differentiated curricula shall be developed to meet the needs of the gifted student. Differentiated curricula shall contain the following:

1. content that is compact and accelerated in such a way that the amount of time usually involved in mastery is significantly reduced;

2. content that reflects a higher degree of complexity, emphasizes abstract concepts, and develops higher-level thinking processes than is found in regular course work;

3. content that goes beyond the prescribed curriculum to involve the application of learning to areas of greater challenge; and

4. multi-disciplinary content that increases student's abilities to formulate and test new generalizations and/or products.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1289 (June 2005).

§2313. Elementary Program of Studies

A. Elementary schools shall adhere to the curricular and time requirements established by the LDE and approved by BESE.

B. Schools and LEAs providing prekindergarten programs shall offer a curriculum that is developmentally appropriate and informal in nature with a balance of both teacher-directed and student-initiated activities.

NOTE: Refer to *Bulletin* 136—*The Louisiana Standards for Early Childhood Care and Education Programs Serving Children Birth-Five Years.*

1. Prekindergarten programs for exceptional students shall offer a curriculum:

a. that is developmentally sequenced based on reliable research;

b. that offers a plan for continuous evaluation; and

c. that offers balanced experiences in pre-academic/academic skills, communication skills, social-emotional skills, self-help skills and motor skills, in accordance with an IEP.

C. The kindergarten shall be informal in nature with teacher-directed and student-initiated activities; it shall be planned to meet the developmental needs of young students.

D. Elementary Minimum Time Requirements

1. The elementary grades shall provide a foundation in fundamentals of the language arts, mathematics, social studies, science, health, physical education, and cultural arts.

2. Each grade level, grades one through eight, shall provide instruction aligned to state-approved standards.

3. Elementary schools shall offer an articulated foreign language program for 30 minutes daily in grades four-six, and 150 minutes per week in grades seven and eight.

NOTE: Refer to a guide for administrators of elementary level second language and immersion programs in Louisiana schools on the LDE website.

a. If an LEA does not have a program for foreign language instruction in grades 1-12, a program shall be required upon presentation of a petition requesting the instruction of a particular foreign language. The superintendent of the LEA shall determine the required number of signatures needed.

b. For identified special education students, the IEP committee shall determine the student's eligibility to receive foreign language instruction.

E. Each public elementary school that includes any of the grades kindergarten-eight shall provide at least 30 minutes of quality, moderate to vigorous, organized physical activity each day for all students.

F. Each public elementary school shall provide 60 minutes of instruction in the performing arts and 60 minutes of instruction in the visual arts each school week for students in kindergarten-grade eight.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(26), R.S. 17:17.1, R.S. 17:24.8, R.S. 17:81, R.S. 17:154-154.1, and R.S. 17:261 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1289 (June 2005), amended LR 33:2353 (November 2007), LR 36:1225 (June 2010), LR 37:1135 (April 2011), LR 39:2215 (August 2013), LR 39:3259 (December 2013), LR 41:643 (April 2015).

§2314. Carnegie Credit and Credit Flexibility

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

B. Students may earn Carnegie credit in two ways:

1. by passing a course in which the student is enrolled and meeting instructional time requirements, as set forth below; or

2. by demonstrating proficiency, as set forth below.

C. When awarding credit based on instructional time, LEAs shall provide a minimum of 7,965 instructional minutes for one Carnegie credit, and students shall be in attendance for a minimum of 7,515 minutes. In order to grant one-half Carnegie credit, LEAs shall provide a minimum of 3,983 instructional minutes, and students shall be in attendance for a minimum of 3,758 minutes.

D. When awarding Carnegie credit based on demonstrated proficiency, LEAs must inform the LDE of the following on behalf of any student or group of students:

1. the name of the examination used to measure proficiency, if nationally recognized; or

2. a copy of the examination used to measure proficiency, if locally developed or not nationally recognized and the score required to demonstrate proficiency; or

3. a listing of requirements to demonstrate proficiency through portfolio submissions.

E. Students enrolled in a course for the first time, which is not a credit recovery course or part of an accelerated program, shall only earn credit according to the pathway in Paragraph B.1 of this Section once the school year has begun.

1. If a student fails a course, but meets the standard of proficiency on the end-of-course exam, the student may retain that score to be factored into their final grade in either a credit recovery course or a repeat of the traditional course.

F. Proficiency in a course with a state-administered end-of-course exam must be demonstrated using the end-of-course exam.

G. The LDE may require revisions of assessments in order to ensure that they adequately measure proficiency.

H. Students meeting the requirements for Carnegie credit based on proficiency shall have the course title, the year proficiency was demonstrated, P (pass), and the unit of credit earned entered on their transcript.

1. LEAs shall determine whether to award the letter grade earned on the proficiency assessment(s) or a P (pass) when a student demonstrates proficiency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:154.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:2215 (August 2013),

amended LR 39:3260 (December 2013), LR 40:275 (February 2014), LR 41:1484 (August 2015).

§2315. Adding Electives to the Program of Studies-Middle and Secondary

A. An LEA shall develop a process for approving elective courses. This process shall ensure alignment with the standards-based initiatives, compliance with current BESE policy, and all laws and regulations pertaining to students with disabilities.

1. Electives shall enhance, expand, and/or refine the core curriculum. Elective courses shall not replace, duplicate, or significantly overlap the content of core curriculum or other approved electives.

2. Electives shall meet specific curricular goals of the districts.

3. Electives shall include challenging content that require students to extend the knowledge and skills acquired through the core curriculum.

4. Electives shall provide a variety of activities and hands-on learning experiences that accommodate different learning styles.

5. Electives shall include appropriate accommodations for addressing specific instructional and assessment needs of students with disabilities, students who are linguistically and/or culturally diverse, and students who are gifted and talented.

6. Electives shall incorporate assessment strategies that support statewide assessments.

B. Each LEA shall maintain records of all approved electives.

C. LDE reserves the authority to require LEAs to submit documentation regarding the course content, approval process and/or course evaluation of any approved elective.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7 and R.S. 17:281 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 39:2216 (August 2013).

§2317. High Schools

A. High schools shall adhere to the curricular and time requirements established by the DOE and approved by BESE.

B. Exceptional students shall be afforded meaningful opportunities to participate in all areas of study as determined by the IEP team during the development of the IEP.

C. The basic unit of credit shall be the Carnegie unit.

D. The certificate of achievement is an exit document issued to a student with a disability after he or she has achieved certain competencies and has met certain conditions. Refer to *Bulletin 1706—Regulations for the Implementation of the Children with Exceptionalities Act.*

E. A Louisiana state high school diploma cannot be denied to a student who meets the state minimum high school graduation requirements.

F. Each LEA shall develop an early graduation program allowing students to accelerate their academic progress, complete all state graduation requirements, and receive a high school diploma in less than four years.

1. The early graduation program may include distance education (§2326), dual enrollment (§2327), and Carnegie credit earned in middle school.

2. LEAs shall not have any policies or requirements that would prevent students from graduating in less than four years.

G. Each school shall follow established procedures for special requirements for high school graduation to allow each to address individual differences of all students.

H. Prior to the beginning of the school year, students may switch diploma pathways provided they have the consent of their parent or guardian and have been advised by a school counselor. The student's parent or legal custodian will approve in writing any changes to the student's individual graduation plan.

I. Community Service Diploma Endorsement

1. LEAs may allow students to earn a community service diploma endorsement.

2. Entering freshmen in 2013-2014 and beyond may earn the community service diploma endorsement by completing, at a minimum, 80 hours of documented community service prior to graduation.

3. The LEAs shall collect documentation of community service hours on forms provided on the LDE website.

4. Students transferring into a participating LEA after the ninth grade or students graduating early may receive an endorsement provided a total of 80 community service hours are completed prior to graduation.

J. State Seal of Biliteracy

1. LEAs are encouraged but not required to participate in the state seal of biliteracy program.

a. A participating school governing authority shall maintain appropriate records in order to identify students who have earned the seal and affix the seal to the transcript and diploma of each student who earns the seal.

2. The state seal of biliteracy certifies that a student meets all of the following criteria:

a. has completed of all English language arts requirements for graduation;

b. has passed the Reading and English parts of the ACT series with a score of nineteen or above; and

c. has demonstrated proficiency at the intermediate-high level or above in one or more languages other than English through one of the following methods:

i. passing a world language advanced placement examination or a world language International baccalaureate examination with a score determined by the department, in consultation with the examination provider, to be indicative of language proficiency;

ii. completion of a four-year high school course of study in a world language or completion of at least four Carnegie units content courses in a world language immersion setting;

iii. passing a foreign government's approved language examination and receiving a certificate of competency from the authorizing government agency at:

(a). the corresponding European B2 level;

iv. passing a nationally-recognized world language proficiency examination with a score determined by the department, in consultation with the examination provider, to be indicative of language proficiency.

3. If the primary language of a student in grades 9 through 12 is other than English, he shall do both of the following to qualify for the state seal of biliteracy:

a. a composite score of proficient on an English language development assessment that addresses all modes of communication; and

b. meet the requirements of Paragraph 2 of this Subsection.

K. Science, Technology, Engineering, and Mathematics (STEM) Diploma Endorsement

1. Beginning with the 2018-2019 school year, high school students completing specified courses in STEM discipline subjects that comprise Jump Start STEM pathways will be eligible to receive the STEM diploma endorsement.

a. The STEM diploma endorsement is indicated with a silver diploma seal and is awarded to students who successfully complete a subset of required courses within a BESE-approved Jump Start STEM pathway, set forth by the LDE. The LDE will annually publish on its website a list of courses required for the STEM endorsement for each graduating class prior to the beginning of each school year and shall notify each LEA of any additions or revisions.

b. The advanced STEM diploma endorsement is indicated with a gold seal and is awarded to students who successfully complete all courses that make up a BESE-approved Jump Start STEM pathway.

2. Each LEA must:

a. provide information regarding the requirements to attain a STEM diploma endorsement to students and their parents or legal custodians as part of the individual graduation plan developed beginning in the eighth grade and updated annually; and

b. maintain records needed to verify the eligibility of students who have attained a STEM diploma endorsement, denote such attainment on the student transcript, and affix the applicable diploma seal to the high school diploma.

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).

§2318. The TOPS University Diploma

A. Curriculum Requirements

1. For incoming freshmen in 2008-2009 through 2013-2014, the 24 units required for the college diploma shall include 16 required units and 8 elective units for the Louisiana Basic Core curriculum, or 21 required units and 3 elective units for the Louisiana Core 4 curriculum; the elective units can be earned at technical colleges as provided in §2389. For incoming freshmen in 2010-2011 through 2013-2014, students completing the basic core curriculum must complete a career area of concentration or a Jump Start program to earn a high school diploma.

2. For incoming freshmen in 2008-2009 through 2013-2014, all ninth graders in the college and career diploma pathway will be enrolled in the Louisiana Core 4 Curriculum.

B. Assessment Requirements

1. For incoming freshmen prior to 2010-2011, students must pass the English language arts and mathematics components of the GEE or LEAP Alternate Assessment, Level 2 (LAA 2) and either the science or social studies portions of GEE or LAA 2.

a. Only students with disabilities eligible under IDEA who meet the LAA 2 participation criteria and entered high school during or prior to the 2013-2014 school year may take the LAA 2.

b. The English language arts and mathematics components of GEE or LAA 2 shall first be administered to students in the tenth grade.

c. The science and social studies components of the GEE or LAA 2 shall first be administered to students in the eleventh grade.

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

a. Incoming freshmen in 2010-2011 through 2016-2017 must pass three end-of-course tests in the following categories:

i. English II or English III;

ii. algebra I or geometry;

iii. biology or American history.

b. Incoming freshmen in 2017-2018 and beyond must pass three LEAP 2025 assessments in the following categories:

i. English I or English II;

ii. algebra I or geometry;

iii. biology or U.S. History.

c. Beginning with incoming freshmen in 2023-2024 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 2025-2026 for those students requiring a retest to fulfill graduation requirements.

d. Students with disabilities identified under IDEA who meet the LAA 2 participation criteria and entered high school during or prior to the 2013-2014 school year may meet the assessment requirements by passing the English language arts and mathematics components of the LAA 2 and either the science or social studies component of LAA 2.

3. Students who enter traditional grade 9 during or after 2017-2018 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.

a. 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:

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

ii. 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

iii. 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.

4. Remediation and retake opportunities will be provided for students who do not pass the GEE or the end-of-course tests. Students shall be offered 50 hours of remediation each year in each content area they do not pass on the GEE. Students shall be offered 30 hours of remediation each year in each EOC test they do not pass. Refer to Bulletin 1566, guidelines for pupil progression and the addendum to Bulletin 1566, regulations for the implementation of remedial education programs related to the LEAP/CRT program, regular school year.

5. Students may apply a maximum of two Carnegie units of elective credit toward high school graduation by successfully completing specially designed courses for remediation.

a. 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:

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

ii. 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.

6. 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 GEE, LAA 2, or the end-of-course tests.

a. Upon their entering a school system, students transferring to any high school of an LEA shall be notified by that system of the requirement of passing GEE or the end-of-course tests.

7. Students enrolled in a course for which there is an EOC or LEAP 2025 test must take the EOC or LEAP 2025 test.

a. The EOC or LEAP 2025 test score shall count a percentage of the student's final grade for the course. 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:

i. 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.

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

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

b. The percentage shall be between 15 percent and 30 percent inclusive, and shall be determined by the LEA.

i. 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 EOC test score shall count for 5 percent of the students' final grade for the course.

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

EOC Achievement Level	Grade
Excellent	A
Good	B
Fair	C
Needs Improvement	D or F

d. The DOE will provide conversion charts for various grading scales used by LEAs.

C. Minimum Course Requirements

1. For incoming freshmen in 2008-2009 through 2013-2014 who are completing the Louisiana basic core curriculum, the minimum course requirements for graduation shall be the following.

NOTE: For courses indicated with *, an Advanced Placement (AP) or International Baccalaureate (IB) course designated in Course Requirements table found at http://www.louisianabelieves.com/docs/default-source/jumpstart/course-substitutions.pdf.

a. English—4 units:

i. English I;

ii. English II;

iii. English III*;

iv. English IV* or Senior Applications in English.

b. Mathematics—4 units:

i. all students must complete one of the following:

(a). algebra I (1 unit);

(b). applied algebra I (1 unit); or

(c). algebra I-Pt. 1 and algebra I-Pt. 2 (2 units);

ii. geometry or applied geometry;

iii. the remaining unit(s) shall come from the following:

(a). algebra II;

(b). financial mathematics;

(c). math essentials;

(d). advanced math—pre-calculus;

(e). advanced math—functions and statistics;

(f). pre-calculus*;

(g). calculus*;

(h). probability and statistics*;

(i). discrete mathematics;

(j). AP computer science A; or

(k). a locally initiated elective approved by BESE as a math substitute.

c. Science—3 units:

i. 1 unit of Biology*;

ii. 1 unit from the following physical science cluster:

(a). Physical Science;

(b). Integrated Science;

(c). Chemistry I*;

(d). Physics I*;

(e). Physics of Technology I;

iii. 1 unit from the following courses:

(a). Aerospace Science;

(b). Biology II*;

(c). Chemistry II*;

(d). Earth Science;

(e). Environmental Science*;

(f). Physics II*;

(g). Physics of Technology II;

(h). Agriscience II;

(i). Anatomy and Physiology;

(j). ChemCom;

(k). an additional course from the physical science cluster; or

(l). a locally initiated elective approved by BESE as a science substitute;

iv. students may not take both Integrated Science and Physical Science;

v. Agriscience I is a prerequisite for Agriscience II and is an elective course.

d. Social Studies—3 units:

i. U.S. History*;

ii. Civics* (1 unit) or 1/2 unit of Civics* and 1/2 unit of Free Enterprise;

NOTE: Students entering the ninth grade in 2011-2012 and beyond must have one unit of civics with a section on free enterprise.

iii. 1 of the following:

(a). world history*;

(b). world geography*;

(c). western civilization*; or

(d). AP European history.

e. Health Education—1/2 unit:

i. JROTC I and II may be used to meet the health education requirement. Refer to §2347.

f. Physical education—1 1/2 units:

i. shall be physical education I; and

ii. 1/2 unit from among the following:

(a). physical education II;

(b). marching band;

(c). extracurricular sports;

(d). cheerleading; or

(e). dance team;

iii. ROTC may be substituted;

iv. adaptive physical education for eligible special education students may be substituted.

g. Electives—8 units:

i. shall include the minimum courses required to complete a career area of concentration for incoming freshmen 2010-2011 and beyond.

(a). The area of concentration shall include one unit of education for careers, journey to careers, or JAG.

h. Total—24 units.

2. For incoming freshmen in 2008-2009 through 2013-2014 who are completing the Louisiana Core 4 curriculum, the minimum course requirements shall be the following.

NOTE: For courses indicated with *, an Advanced Placement (AP) or International Baccalaureate (IB) course designated in Course Requirements table found at http://www.louisianabelieves.com/docs/default-source/jumpstart/course-substitutions.pdf.

a. English—4 units:

i. English I;

ii. English II;

iii. English III*;

iv. English IV*.

b. Mathematics—4 units:

i. algebra I, applied algebra I, or algebra I-Pt. 2;

ii. geometry or applied geometry;

iii. algebra II;

iv. the remaining unit shall come from the following:

(a). financial mathematics;

(b). math essentials;

(c). advanced math—pre-calculus;

(d). advanced math—functions and statistics;

(e). pre-calculus*;

(f). calculus*;

(g). probability and statistics*;

(h). discrete mathematics;

(i). AP calculus BC;

(j). AP computer science A; or

(k). a locally initiated elective approved by BESE as a math substitute.

c. Science—4 units:

i. 1 unit of Biology*;

ii. 1 unit of Chemistry*;

iii. 2 units from the following courses:

(a). Physical Science;

(b). Integrated Science;

(c). Physics I*;

(d). Physics of Technology I;

(e). Aerospace Science;

(f). Biology II*;

(g). Chemistry II*;

(h). Earth Science;

(i). Environmental Science*;

(j). Physics II*;

(k). Physics of Technology II;

(l). Agriscience II;

(m). Anatomy and Physiology;

(n). AP Physics C: Electricity and Magnetism;

(o). AP Physics C: Mechanics;

(p). a locally initiated elective approved by BESE as a science substitute.

iv. Students may not take both Integrated Science and Physical Science;

v. Agriscience I is a prerequisite for Agriscience II and is an elective course;

vi. a student completing a career area of concentration may substitute one of the following BESE/Board of Regents approved IBC course from amongthe primary courses in the student's area of concentration for the fourth required science unit:

(a). Nutrition and Foods and Advanced Nutrition and Foods;

(b). Food Services II;

(c). Allied Health Services II;

(d). Dental Assistant II;

(e). Emergency Medical Technician-Basic (EMT-B);

(f). Health Science II;

(g). Medical Assistant II;

(h). Sports Medicine III;

(i). Advanced Electricity/Electronics;

(j). Process Technician II;

(k). NCCR Electrical II;

(l). Computer Service Technology II;

(m). Horticulture II;

(n). Networking Basics;

(o). Routers and Routing Basics;

(p). Switching Basics and Intermediate Routing;

(q). WAN Technologies;

(r). Animal Science;

(s). Biotechnology in Agriscience;

(t). Environmental Studies in Agriscience;

(u). Equine Science;

(v). Forestry;

(w). Horticulture;

(x). Small Animal Care/Management;

(y). Veterinary Assistant;

(z). Oracle Academy Course: DB Programming with PL/SQL;

(aa). NCCR Electrical II TE; and

(bb). NCCR Electricity in Agriscience.

d. Social Studies—4 units:

i. Civics* (1 unit) or 1/2 unit of Civics* and 1/2 unit of Free Enterprise;

NOTE: Students entering the ninth grade in 2011-2012 and beyond must have one unit of Civics with a section on Free Enterprise.

ii. U.S. History*;

iii. 1 unit from the following:

(a). World History*;

(b). World Geography*;

(c). Western Civilization*; or

(d). AP European History;

iv. 1 unit from the following:

(a). World History*;

(b). World Geography*;

(c). Western Civilization*; or

(d). AP European History;

(e). Law Studies;

(f). Psychology*;

(g). Sociology;

(h). Civics (second semester—1/2 credit);

(i). African American Studies; or

(j). Economics;

(k). AP Economics: Micro;

(l). AP Government and Politics: Comparative;

(m). AP Government and Politics: U.S.;

(n). AP Human Geography;

NOTE: Students may take two half credit courses for the fourth required social studies unit.

v. a student completing a career area of concentration may substitute one of the following BESE/Board of Regents approved IBC course from among the primary courses in the student's area of concentration for the fourth required social studies unit:

(a). Advanced Child Development;

(b). Early Childhood Education II;

(c). Family and Consumer Sciences II;

(d). ProStart II;

(e). T and I Cooperative Education (TICE);

(f). Cooperative Agriculture Education;

(g). Administrative Support Occupations;

(h). Business Communication;

(i). Cooperative Office Education;

(j). Entrepreneurship—Business;

(k). Lodging Management II;

(l). Advertising and Sales Promotion;

(m).Cooperative Marketing Education I;

(n). Entrepreneurship—Marketing;

(o). Marketing Management;

(p). Marketing Research;

(q). Principles of Marketing II;

(r). Retail Marketing;

(s). Tourism Marketing;

(t). CTE Internship;

(u). General Cooperative Education II;

(v). STAR II.

e. Health Education—1/2 unit:

i. JROTC I and II may be used to meet the health education requirement. Refer to §2347.

f. Physical Education—1 1/2 units:

i. shall be Physical Education I and Physical Education II, or Adapted Physical Education for eligible special education students;

ii. a maximum of 4 units of Physical Education may be used toward graduation.

NOTE: The substitution of JROTC is permissible.

g. Foreign language—2 units:

i. shall be 2 units in the same foreign language or 2 speech courses.

h. arts—1 unit:

i. 1 unit art (§2333), dance (§2337), media arts (§2354), music (§2355), theatre arts, (§2369), fine arts survey, photography I/II, or digital photography;

NOTE: Students may satisfy this requirement by earning half credits in two different arts courses.

ii. a student completing a career area of concentration may substitute one of the following BESE/Board of Regents approved IBC course from among the primary courses in the student's area of concentration for the fourth required applied art unit:

(a). clothing and textiles and advanced clothing and textiles;

(b). NCCR Carpentry II TE;

(c). NCCR Welding Technology II;

(d). Advanced Metal Technology;

(e). Advanced Technical Drafting;

(f). Architectural Drafting;

(g). NCCR Carpentry II—T and I;

(h). NCCR Welding Technology II—T and I;

(i). Cabinetmaking II;

(j). Commercial Art II;

(k). Cosmetology II;

(l). Culinary Occupations II;

(m). Custom Sewing II;

(n). Graphic Arts II;

(o). Photography II;

(p). Television Production II;

(q). Upholstery II;

(r). Welding II;

(s). NCCR Carpentry In Agriscience;

(t). NCCR Welding Technology Agriscience;

(u). Agriscience Construction Technology;

(v). Agriscience Power Equipment;

(w). Floristry;

(x). Landscape Design and Construction;

(y). Introduction to Business Computer Applications;

(z). Accounting II;

(aa). Business Computer Applications;

(bb). Computer Multimedia Presentations;

(cc). Desktop Publishing;

(dd). Keyboarding Applications;

(ee). Telecommunications;

(ff). Web Design I or II;

(gg). Word Processing; and

(hh). Digital Media II.

i. Electives—3 units.

j. Total—24 units.

3. For incoming freshmen in 2014-2015 and beyond who are completing the TOPS university diploma, the minimum course requirements will be the following:

a. English—four units:

i. one of the following:

(a). English I;

(b). English language (part 1): Cambridge IGCSE; or

(c). English literature (part 1): Cambridge IGCSE;

ii. one of the following:

(a). English II;

(b). English language (part 2): Cambridge IGCSE; or

(c). English literature (part 2): Cambridge IGCSE;

iii. one of the following:

(a). English III;

(b). AP English language arts and composition;

(c). IB literature;

(d). IB language and literature;

(e). IB literature and performance;

(f). English language (part 1): Cambridge AICE—AS (honors); or

(g). literature in English (part 1): Cambridge AICE—AS (honors);

NOTE: If a student chooses to take the A level Cambridge course, the second unit will count as an elective credit.

iv. one of the following:

(a). English IV;

(b). AP English literature and composition;

(c). IB literature;

(d). IB language and literature;

(e). IB literature and performance;

(f). English language (part 2): Cambridge AICE—AS (honors); or

(g). literature in English (part 2): Cambridge AICE—AS (honors);

NOTE: If a student chooses to take the A level Cambridge course, the second unit will count as an elective credit.

b. mathematics—four units:

i. algebra I;

ii. geometry;

iii. algebra II;

NOTE: Integrated mathematics I, II, and III, including the Cambridge IGCSE integrated mathematics sequence, may be substituted for the algebra I, geometry, and algebra II sequence.

iv. one of the following:

(a). algebra III;

(b). advanced math—functions and statistics;

(c). advanced math—pre-calculus;

(d). pre-calculus;

(e). IB math studies (math methods);

(f). calculus;

(g). AP calculus AB;

(h). IB mathematics SL;

(i). AP calculus BC;

(j). AP statistics;

(k). IB further mathematics HL;

(l). IB mathematics HL;

(m). probability and statistics;

(n). AP computer science A; or

(o). statistical reasoning; or

(p). additional math—Cambridge IGCSE;

(q). math 1 (probability and statistics): Cambridge AICE (honors);

(r). math 1 (pure math): Cambridge AICE—AS (honors);

(s). math 2 (part 1): Cambridge AICE—A level (honors); or

(t). math 2 (part 2): Cambridge AICE—A level (honors);

c. science—four units:

i. biology I;

ii. chemistry I;

iii. two units chosen from the following:

(a). Earth science;

(b). one of:

(i). environmental science;

(ii). environmental awareness;

(c). one of:

(i). physical science;

(ii). principles of engineering;

(iii). PLTW principles of engineering;

(iv). principles of engineering (LSU partnership);

(d). agriscience II—the elective course agriscience I is a pre-requisite;

(e). one of:

(i). chemistry II;

(ii). AP chemistry;

(iii). IB chemistry I;

(iv). IB chemistry II; or

(v). chemistry II: Cambridge AICE—AS (honors);

(f). one of:

(i). AP environmental science;

(ii). IB environmental systems;

(g). one of:

(i). physics I;

(ii). IB physics I;

(iii). AP physics I;

(iv). physics I: Cambridge IGCSE; or

(h). one of:

(i). AP physics C: electricity and magnetism;

(ii). AP physics C: mechanics;

(iii). IB physics II;

(iv). AP physics II;

(v). physics II: Cambridge AICE—AS (honors);

(i). one of:

(i). biology II;

(ii). AP biology;

(iii). IB biology I;

(iv). IB biology II;

(v). biology II: Cambridge AICE—AS (honors); or

(vi). human anatomy and physiology;

d. social studies—four units:

i. one unit chosen from:

(a). U.S. history;

(b). AP U.S. history;

(c). IB history of the americas I;

ii. one unit chosen from:

(a). civics with a section on free enterprise;

(b). government; or

(c). AP U.S. government and politics: comparative; or

(d). AP U.S. government and politics: United States;

iii. two units chosen from:

(a). one of:

(i). European history;

(ii). AP European history;

(iii). western civilization; or

(iv.). history (European): Cambridge AICE—AS (honors);

(b). one of:

(i). world geography;

(ii). AP human geography;

(iii). IB geography;

(iv). physical geography; or

(v). geography: Cambridge AICE—AS (honors);

(c). one of:

(i). world history;

(ii). AP world history;

(iii). IB history of the Americas II; or

(iv). history (international): Cambridge AICE—AS (honors);

(d). one of:

(i). IB economics;

(ii). economics;

(iii). AP macroeconomics;

(iv). AP microeconomics; or

(v). economics: Cambridge AICE—AS (honors);

(e). AP psychology;

(f). history of religion;

(g). African American history;

(h). Dual Enrollment Psychology.

e. foreign language—two units:

i. two units from the same language (§2345);

f. art—one unit chosen from the following:

i. art (§2333);

ii. music (§2355);

iii. dance (§2337);

iv. theatre (§2369);

v. speech III and IV—one unit combined;

vi. fine arts survey;

vii. drafting;

viii. media arts (§2354);

ix. photography I/II;

x. digital photography;

xi. digital design (§2338);

g. physical education—1 1/2 units. They shall include:

i. physical education I and II;

ii. adapted physical education I and II for eligible special education students;

ii. JROTC I, II, III, or IV; or

iv. physical education I (1 unit) and 1/2 unit of marching band, extracurricular sports, cheering, or dance team;

h. health education—1/2 unit;

NOTE: JROTC I and II may be used to meet the health education requirement. Refer to §2347.

i. electives—three units;

j. total—24 units.

4. High School Area of Concentration

a. All high schools shall provide students the opportunity to complete an area of concentration with an academic focus and/or a career focus.

i. Incoming freshmen prior to 2008-2009 can complete an academic area of concentration by completing the current course requirements for the Taylor Opportunity Program for Students (TOPS) Opportunity Award.

ii. Incoming freshmen in 2008-2009 through 2013-2014 can complete an academic area of concentration by completing the course requirements for the LA Core 4 curriculum.

iii. To complete a career area of concentration, students shall meet the minimum requirements for graduation including four elective primary credits in the area of concentration and two related elective credits, including one computer/technology course. Areas of concentration are identified in the career options reporting system with each LEA designating the career and technical education areas of concentration offered in their school system each year. The following computer/technology courses can be used to meet this requirement.

Course	Credit
Computer/Technology Literacy	1
Computer Applications or Business Computer Applications	1
Computer Architecture	1
Computer Science I, II	1 each
Computer Systems and Networking I, II	1 each
Desktop Publishing	1
Digital Graphics and Animation	1
Multimedia Presentations	1/2 or 1
Web Mastering or Web Design	1/2
Independent Study in Technology Applications	1
Word Processing	1
Telecommunications	1/2
Introduction to Business Computer Applications	1
Technology Education Computer Applications	1
Advanced Technical Drafting	1
Computer Electronics I, II	1 each
Database Programming with PL/SQL	1
Java Programming	1
Database Design and Programming	1/2
Digital Media I, II	1 each

5. Academic Endorsement

a. Graduating seniors who entered the 9th grade prior to 2014-2015 and satisfy the following performance indicators shall be eligible for an academic endorsement to the college and career diploma.

i. Students graduating in 2011-2012 through 2016-2017 shall complete the following curriculum requirements or the TOPS core curriculum.

NOTE: For courses indicated with *, an Advanced Placement (AP) or International Baccalaureate (IB) course designated in §2325 may be substituted.

(a). English—4 units:

(i). English I;

(ii). English II;

(iii). English III*;

(iv). English IV*.

(b). Mathematics—4 units:

(i). Algebra I or Algebra I-Pt. 2;

(ii). Geometry;

(iii). Algebra II;

(iv). The remaining unit shall come from the following:

[a]. Advanced Math—Pre-Calculus;

[b]. Advanced Math—Functions and Statistics;

[c]. Pre-Calculus*;

[d]. Calculus*;

[e]. Probability and Statistics*;

[f].Discrete Mathematics; or

[g]. AP Calculus BC.

(c). Science—4 units:

(i). Biology*;

(ii). Chemistry*;

(iii). 1 units of advanced science from the following courses: Biology II*, Chemistry II*, Physics*, or Physics II*;

(iv). 1 additional science course.

(d). Social Studies—4 units:

(i). Civics* (1 unit) or 1/2 unit of Civics* and 1/2 unit of Free Enterprise;

NOTE: Students entering the ninth grade in 2011-2012 and beyond must have one unit of Civics with a section on Free Enterprise.

(ii). U.S. History*;

(iii). 1 unit from the following:

[a]. World History*;

[b]. World Geography*;

[c]. Western Civilization*;

[d]. AP European History;

(iv). 1 unit from the following:

[a]. World History*;

[b]. World Geography*;

[c]. Western Civilization;

[d]. AP European History;

[e]. Law Studies;

[f].Psychology*;

[g]. Sociology;

[h]. African American Studies;

[i]. Economics;

[j]. AP Economics: Micro;

[k]. AP Government and Politics: Comparative;

[l]. P Government and Politics: US; or

[m]. AP Human Geography.

(e). Health Education—1/2 unit:

(i). JROTC I and II may be used to meet the Health Education requirement. Refer to §2347.

(f). Physical Education—1 1/2 units:

(i). shall be Physical Education I and Physical Education II, or Adapted Physical Education for eligible special education students.

NOTE: The substitution of JROTC is permissible

(g). Foreign Language—2 units:

(i). shall be 2 units in the same foreign language.

(h). Arts—1 unit:

(i). shall be 1 unit from (§2333), Dance (§2337), Media Arts (§2354), Music (§2355), Theatre Arts, (§2369), or Fine Arts Survey;

(i). Electives—3 units.

ii. Assessment Performance Indicator

(a). Students graduating prior to 2013-2014 shall pass all four components of GEE with a score of *Basic* or above, or one of the following combinations of scores with the English language arts score at *Basic* or above:

(i). one *Approaching Basic*, one *Mastery* or *Advanced*, *Basic* or above in the remaining two; or

(ii). two *Approaching Basic*, two *Mastery* or above.

(b). Students graduating in 2013-2014 through 2016-2017 shall achieve a score of *good* or *excellent* on each of the following EOC tests:

(i). English II and English III;

(ii). algebra I and geometry;

(iii).biology and U.S. history.

NOTE: Transfer students need only meet this requirement for the EOC tests they are required to take according to the transfer rules found in §1829 of Bulletin 118.

iii. Students shall complete one of the following requirements:

(a). senior project;

(b). one Carnegie unit in an AP course and attempt the AP exam;

(c). one Carnegie unit in an IB course and attempt the IB exam; or

(d). three college hours of non-remedial credit in:

(i). mathematics;

(ii). social studies;

(iii). science;

(iv). foreign language; or

(v). English language arts.

iv. Students shall meet the current minimum grade-point average requirement for the TOPS Opportunity Award.

v. Students shall achieve an ACT composite score of at least 23 or the SAT equivalent.

6. Career/Technical Endorsement

a. Students who entered the 9th grade prior to 2014-2015 and satisfy the following performance indicators shall be eligible for a career/technical endorsement to the college and career diploma.

i. Students graduating prior to 2011-2012 shall meet the current course requirements for the TOPS Opportunity Award or the TOPS Tech Award. Students graduating in 2011-2012 through 2016-2017 shall meet the course requirements for the Louisiana Core 4 Curriculum.

ii. Students shall complete the career area of concentration.

iii. Assessment Performance Indicator

(a). Students graduating prior to 2009-2010 shall pass the English language arts, mathematics, science, and social studies components of the GEE at the *Approaching Basic* level or above. Students graduating in 2009-2010 and beyond prior to 2013-2014 shall pass all four components of the GEE with a score of basic or above or one of the following combinations with the English language arts score at basic or above:

(i). one *Approaching Basic*, one *Mastery* or *Advanced*, and *Basic* or above in the remaining two;

(ii). two *Approaching Basic*, two *Mastery* or above.

(b). Students graduating in 2013-2014 through 2016-2017 shall achieve a score of *good* or *excellent* on each of the following EOC tests:

(i). English II and English III;

(ii). algebra I and geometry;

(iii). biology and U.S. history.

NOTE: Transfer students need only meet this requirement for the EOC tests they are required to take according to the transfer rules found in §1829 of Bulletin 118.

iv. Students shall complete a minimum of 90 work hours of work-based learning experience related to the student's area of concentration or senior project related to student's area of concentration with 20 hours of related work-based learning and mentoring and complete one of the following requirements:

(a). industry-based certification in student's area of concentration from the list of industry-based certifications approved by BESE; or

(b). three college hours in a career/technical area that articulate to a postsecondary institution, either by actually obtaining the credits and/or being waived from having to take such hours in student's area of concentration.

v. Students shall achieve a minimum GPA of 2.5.

vi. Students graduating prior to 2008-2009 shall achieve the current minimum ACT composite score (or SAT equivalent) for the TOPS Opportunity Award or the TOPS Tech Award. Students graduating in 2008-2009 and beyond shall achieve a minimum ACT composite score (or SAT equivalent) of 20 or the state ACT average (whichever is higher) or the silver level on the WorkKeys Assessment.

D. Exceptions for Certain Students with Exceptionalities

1. A person who is no longer enrolled in a public school but was identified as a student with an exceptionality as defined in R.S. 17:1942(B), except a gifted or talented student, and who previously failed to receive a high school diploma or was denied graduation solely for failing to meet the exit examination requirements pursuant to state Board of Elementary and Secondary Education rules, regulations, or policy may petition the applicable city, parish, or other local public school board to determine eligibility to receive a high school diploma pursuant to this Subsection.

2. Petitions made pursuant to this Subsection shall be submitted to the local school board by no later than December 31, 2017.

3. A person receiving a diploma pursuant to this Section shall not be counted as a graduate in any graduation rate calculations for affected schools and districts, including calculations for any prior year. A petition shall be submitted to the local school board by December 31, 2017.

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), LR 48:2098 (August 2022), LR 48:2560 (October 2022).

§2319. The Career Diploma

A. 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 2014-2015 or participation in approved training programs that lead to an approved industry-based credential for incoming freshmen in 2014-15 and beyond.

a. For high school seniors enrolled during spring 2021 and graduating with a Career Diploma by August 31, 2021, a score of Silver or higher on ACT WorkKeys may substitute as the culminating IBC.

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.

B. Assessment Requirements

1. For incoming freshmen prior to 2010-2011, students must pass the English language arts and mathematics components of the GEE or LEAP alternate assessment, level 2 (LAA 2) and either the science or social studies portions of GEE or LAA 2.

a. Only students with disabilities eligible under IDEA who meet the LAA 2 participation criteria and entered high school during or prior to the 2013-2014 school year may take the LAA 2.

b. The English language arts and mathematics components of GEE or LAA 2 shall first be administered to students in the tenth grade.

c. The science and social studies components of the GEE or LAA 2 shall first be administered to students in the eleventh grade.

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

a. Incoming freshmen in 2010-2011 through 2016-2017 must pass three end-of-course tests in the following categories:

i. English II or English III;

ii. algebra I or geometry;

iii. biology or American History.

b. Incoming freshmen in 2017-2018 and beyond must pass three LEAP 2025 assessments in the following categories:

i. English I or English II;

ii. algebra I or geometry;

iii. biology or U.S. History.

c. Beginning with incoming freshmen in 2023-2024 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 2025-2026 for those students requiring a retest to fulfill graduation requirements.

d. Students with disabilities identified under IDEA that entered high school during or prior to the 2013-2014 school year and meet the LAA 2 participation criteria may meet the assessment requirements by passing the English language arts and mathematics components of the LAA 2 and either the science or social studies component of LAA 2.

3. Students who enter traditional grade 9 during or after 2017-2018 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.

a. For high school seniors graduating during the 2020-2021 and 2021-2022 academic years, the following may be substituted for the LEAP 2025 high school assessment requirement, provided the student has initially participated in all required assessments:

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

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

iii. 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

iv. 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.

(b). 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.

4. Remediation and retake opportunities will be provided for students who do not pass the GEE or, or the end-of-course tests. Students shall be offered 50 hours of remediation each year in each content area they do not pass on the GEE. Students shall be offered 30 hours of remediation each year in each EOC test they do not pass. Refer to *Bulletin 1566*, guidelines for pupil progression, and the addendum to *Bulletin 1566*, regulations for the implementation of remedial education programs related to the LEAP/CRT Program, regular school year.

5. Students may apply a maximum of two Carnegie units of elective credit toward high school graduation by successfully completing specially designed courses for remediation.

a. 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:

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

ii. scored at or above the *Basic* achievement level on those component(s) of the eighth grade LEAP for which the student previously scored at the *Unsatisfactory* achievement level.

6. 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 GEE or the end-of-course tests.

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

7. Students enrolled in a course for which there is an EOC or LEAP 2025 test must take the EOC or LEAP 2025 test.

a. The EOC or LEAP 2025 test score shall count a percentage of the student's final grade for the course. 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:

i. 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.

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

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

b. The percentage shall be between 15 percent and 30 percent inclusive, and shall be determined by the LEA.

i. 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 EOC test score shall count for 5 percent of the students' final grade for the course.

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

EOC Achievement Level	Grade
Excellent	A
Good	B
Fair	C
Needs Improvement	D or F

d. The DOE will provide conversion charts for various grading scales used by LEAs.

C. Minimum Course Requirements

1. The minimum course requirements for a career diploma for incoming freshmen in 2014-2015 through 2022-2023 shall be the following:

a. English—4 units:

i. one of the following:

(a). English I;

(b). English language part 1: Cambridge IGCSE;

(c). English literature part 1: Cambridge IGCSE.

ii. one of the following:

(a). English II;

(b). English language part 2: Cambridge IGCSE; or

(c). English literature part 2: Cambridge IGCSE.

iii. the remaining units shall come from the following:

(a). technical writing;

(b). business English;

(c). English III;

(d). English language part 1: Cambridge AICE—AS (honors);

(e). literature in English part 1: Cambridge AICE—AS (honors);

(f). English IV;

(g). any AP or IB English course;

(h). English language part 2: Cambridge AICE—AS (honors);

(i). literature in English part 2: Cambridge AICE—AS (honors); or

(j). comparable Louisiana technical college courses offered by Jump Start regional teams as approved by BESE;

b. Mathematics—4 units:

i. Algebra I (1 unit), Applied Algebra I (1 unit), or Algebra I-Pt. 2 (the elective course Algebra I-Pt. 1 is a pre-requisite);

ii. The remaining units shall come from the following:

(a). geometry;

(b). financial literacy (formerly financial math);

(c). math essentials;

(d). Algebra II;

(e). advanced math-functions and statistics;

(f). advanced math - pre-calculus;

(g). Algebra III;

(h). pre-calculus;

(i). business math;

(j). probability and statistics;

(k). statistical reasoning;

(l). transition to college mathematics; or

(m). comparable Louisiana technical college courses offered by Jump Start regional teams as approved by BESE;

(n). Integrated Mathematics I, II, and III may be substituted for Algebra I, geometry, and Algebra II and shall count as three math credits;

(o). additional math—Cambridge IGCSE; or

(p). math 1 (pure math): Cambridge AICE—AS (honors);

c. Science 2 units:

i. 1 unit of biology;

ii. 1 unit from the following:

(a). Chemistry I;

(b). physical science

(c). earth science;

(d). Agriscience II;

NOTE: Agriscience I is a prerequisite for Agriscience II and is an elective course.

(e). environmental science;

(f). principles of engineering;

(g). any AP or IB science course PLTW principles of engineering;

(h). principles of engineering (LSU partnership);

(i). any AP or IB science course;

(j). physics I: Cambridge IGCSE;

(k). biology II: Cambridge AICE—AS (honors);

(l). chemistry II: AICE—AS (honors); or

(m). physics II: Cambridge AICE—AS (honors);

d. social studies 2 units:

i. 1 of the following:

(a). U.S. history;

(b). AP U.S. history;

(c). IB history of the Americas I;

ii. 1 unit of the following:

(a). civics;

(b). government;

(c). AP U.S. government and politics: comparative; or

(d). AP U.S. government and politics: United States;

e. Health Education—1/2 unit:

i. JROTC I and II may be used to meet the Health Education requirement. Refer to §2347.

f. Physical Education—1 1/2 units:

i. shall be Physical Education I and

ii. 1/2 unit from among the following:

(a). physical education II;

(b). marching band;

(c). extracurricular sports;

(d). cheering; or

(e). dance team;

iii. ROTC may be substituted;

iv. adaptive PE for eligible special education students may be substituted;

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

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

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

h. Total—23 units.

2. The minimum course requirements for a career diploma for incoming freshmen in 2023-2024 and beyond shall be the following:

a. English—4 units:

i. one of the following:

(a). English I;

(b). English language part 1: Cambridge IGCSE; or

(c). English literature part 1: Cambridge IGCSE.

ii. one of the following:

(a). English II;

(b). English language part 2: Cambridge IGCSE; or

(c). English literature part 2: Cambridge IGCSE.

iii. the remaining units shall come from the following:

(a). technical writing;

(b). business English;

(c). English III;

(d). English language part 1: Cambridge AICE—AS (honors);

(e). literature in English part 1: Cambridge AICE—AS (honors);

(f). English IV;

(g).any AP or IB English course;

(h). English language part 2: Cambridge AICE—AS (honors);

(i). literature in English part 2: Cambridge AICE—AS (honors); or

(j). comparable Louisiana technical college courses offered by Jump Start regional teams as approved by BESE;

b. mathematics—4 units:

i. algebra I, applied algebra I, or algebra I-Pt. 2 (the elective course algebra I-Pt. 1 is a pre-requisite);

ii. geometry or applied geometry;

iii. The remaining units shall come from the following:

(a). financial literacy (formerly financial math);

(b). math essentials;

(c). algebra II;

(d). advanced math-functions and statistics;

(e). advanced math pre-calculus;

(f). algebra III;

(g). pre-calculus;

(h). business math;

(i). probability and statistics;

(j). statistical reasoning;

(k). transition to college mathematics; or

(l) comparable Louisiana technical college courses offered by Jump Start regional teams as approved by BESE;

(m). integrated mathematics I, II, and III may be substituted for algebra I, geometry, and algebra II and shall count as three math credits;

(n). additional math—Cambridge IGCSE; or

(o). math 1 (pure math): Cambridge AICE—AS (honors);

c. science—2 units:

i. 1 unit of biology;

ii. 1 unit from the following:

(a). chemistry I;

(b). physical science;

(c). earth science;

(d). agriscience II;

NOTE: Agriscience I is a prerequisite for Agriscience II and is an elective course.

(e). environmental science;

(f). principles of engineering;

(g). any AP or IB science course PLTW principles of engineering;

(h). principles of engineering (LSU partnership);

(i). any AP or IB science course;

(j). physics I: Cambridge IGCSE;

(k). biology II: Cambridge AICE—AS (honors);

(l). chemistry II: AICE—AS (honors); or

(m). physics II: Cambridge AICE—AS (honors);

d. social studies—2 units:

i. 1 of the following:

(a). U.S. history;

(b). AP U.S. history;

(c). IB history of the Americas I;

ii. 1 unit of the following:

(a). civics;

(b). government;

(c). AP U.S. government and politics: comparative; or

(d). AP U.S. government and politics: United States;

e. health education—1/2 unit:

i. JROTC I and II may be used to meet the health education requirement. Refer to §2347;

f. physical education—1 1/2 units:

i. shall be physical education I; and

ii. 1/2 unit from among the following:

(a). physical education II;

(b). marching band;

(c). extracurricular sports;

(d). cheering; or

(e). dance team;

iii. ROTC may be substituted;

iv. adaptive PE for eligible special education students may be substituted;

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

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

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

h. total—23 units.

3. To complete a career area of concentration for the career diploma, students shall meet the minimum requirements for graduation including four elective primary credits in the career major and two related elective credits, including one computer/technology course. Areas of concentration are identified in the career options reporting system with each LEA designating the career and technical education areas of concentration offered in their school system each year. The following computer/technology applications courses can be used to meet this requirement.

Course	Credit
Computer/Technology Literacy	1
Computer Applications or Business Computer Applications	1
Computer Architecture	1
Computer Science I, II	1 each

Course	Credit
Computer Systems and Networking I, II	1 each
Desktop Publishing	1
Digital Graphics and Animation	1
Multimedia Presentations	1/2 or 1
Web Mastering or Web Design	1/2
Independent Study in Technology Applications	1
Word Processing	1
Telecommunications	1/2
Introduction to Business Computer Applications	1
Technology Education Computer Applications	1
Advanced Technical Drafting	1
Computer Electronics I, II	1 each
Database Programming with PL/SQL	1
Java Programming	1
Database Design and Programming	1/2
Digital Media I, II	1 each

4. Courses developed by the LEAs and submitted to BESE for approval as substitutes for core course requirements must meet state content standards for the subject area at the ninth grade level or higher.

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.

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§2320. Career Diploma Pathway for Students Assessed on the Louisiana Alternate Assessment

A. Introduction

1. Students who meet the participation criteria for the alternate assessment in LAC 28:XCVII, *Bulletin 1530—Louisiana's IEP Handbook for Students with Exceptionalities*, will be eligible for a career diploma by satisfying the pathway requirements detailed in this Section.

2. This diploma pathway does not meet the federal definition of a regular high school diploma. Students who receive the career diploma based on the pathway in this Section will remain eligible for special education and related services until the end of the school year in which they turn 22.

B. Course Requirement

1. The 23 course credits required for this diploma pathway shall include core academic courses, elective courses, and workforce-readiness or career courses as follows:

a. English—4 courses;

b. mathematics—4 courses;

c. science—2 courses;

d. social studies—2 courses;

e. workforce-readiness and career—7-9 courses;

f. electives (may include health and physical education)—2-4 courses;

g. total—minimum of 23 courses.

2. Enrollment in Carnegie credit bearing courses and applied courses shall count toward the course credit requirement. The student's educational placement shall be determined by the IEP team and meet the least restrictive environment regulations found in *Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act*.

C. Assessment Requirement

1. All students must participate in the high school assessment sequence.

2. Students must meet one of the two assessment requirements in Subparagraphs a and b of this Paragraph in English language arts and mathematics to earn a career diploma:

a. students must earn a score of level 2 or higher; or

b. students shall demonstrate growth on the alternate standards through a portfolio of student achievement developed by the IEP team.

i. Portfolios shall include student data illustrating academic achievement and attainment of IEP goals throughout the student's high school experience.

ii. Portfolios shall be evaluated for completion by the district special education director or his designee.

iii. The end of the student's fourth year of high school is the earliest a portfolio may be evaluated to meet this requirement and must include data from all four years.

D. Workforce-Readiness and Career Education Requirement

1. Career diploma workforce-readiness and career education programs for students who participate in the alternate assessment will include:

a. a survey to determine the student's career interests;

b. hands-on workplace experiences that are, to the extent practicable, tied to the student's interests and based in the community; and

c. career-focused courses including, but not limited to, foundational workplace skills.

2. Students shall meet the following requirements:

a. a minimum of seven courses focused on workforce-readiness and career preparation;

b. a score, determined by the IEP team, on a workforce-readiness skills assessment; and

c. attainment of at least one workforce-related IEP goal.

E. Transition Requirement

1. By the end of the eighth grade, the special education teacher serving on the student's IEP team shall develop, in consultation with a school counselor, an individual graduation plan for the student to be approved by IEP team prior to the student's start of ninth grade.

2. The individual graduation plan shall include a post-secondary career goal, a course sequence and workplace experience plan tied to the post-secondary goal, and the courses to be taken in the first year of high school,

3. The individual graduation plan shall be annually reviewed by the IEP team and any necessary adjustments shall be made. Each student, his parent or legal custodian, and his school counselor will annually sign the student's individual graduation plan. The student's parent or legal custodian will approve in writing any changes to the student's individual graduation plan.

4. Prior to the student exiting the school system, the IEP team shall create a detailed transition plan that meets one of the following:

a. employment in integrated, inclusive work environments, based on the student's abilities and local employment opportunities, in addition to sufficient self-help skills to enable the student to maintain employment without direct or continuous educational support from the school district;

b. demonstrated mastery of specific employability skills and self-help skills that indicate that he does not require direct and continuous educational support from the school district; or

c. access to services that are not within the legal responsibility of public education or employment or educational options for which the student has been prepared by the academic program.

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 41:1483 (August 2015), amended LR 45:1455 (October 2019), amended LR 48:33 (January 2022).

§2321. Senior Projects [Formerly §2320]

A. A senior project is a focused rigorous independent learning experience completed during the student's year of projected graduation from high school.

B. Each LEA allowing students to complete a senior project in partial fulfillment of the requirements for an academic endorsement shall develop local policy for senior projects that includes these requirements.

1. Each student must choose a challenging topic of interest approved by their parents or guardians and the school-level senior project committee.

2. Each student must have a senior project mentor.

3. Students must successfully complete the four components listed below with a score of satisfactory or higher on each component. The components will be evaluated locally using rubrics provided by the DOE:

a. research paper of 8 to 10 pages on an approved topic of the student's choice;

b. product or service related to the research requiring at least 20 hours of work;

c. portfolio that documents and reflects the senior project process;

d. presentation to a panel of three to five adults from the community and school.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:240 (February 2006), repromulgated LR 41:1483 (August 2015).

§2323. TOPS Honors Course Standards

A. TOPS honors courses meeting the standards listed in this Section shall qualify for the TOPS five-point GPA calculation beginning with students graduating in 2017-2018.

1. English

a. English III. Students shall complete an additional unit of instruction beyond the regular course. The unit of instruction shall include additional grade-level, complex texts and related writing and research tasks.

b. English IV. Students shall complete an additional unit of instruction beyond the regular course. The unit of instruction shall include additional grade-level, complex texts and related writing and research tasks.

2. Mathematics

a. Probability and Statistics. Students shall complete an additional unit of instruction beyond the regular course.

i. The unit of instruction shall exemplify the following shifts identified in the math standards:

(a). focus;

(b). coherence;

(c). rigor–conceptual understanding, procedural skill and fluency, and application.

ii. All standards marked with a "+" from the statistics and probability domain of the high school standards must be included in the course.

iii. Students must design and implement a research project requiring mathematical modeling.

b. Pre-Calculus. Students shall complete an additional unit of instruction beyond the regular course.

i. The unit of instruction shall exemplify the following shifts identified in the math standards:

(a). focus;

(b). coherence;

(c). rigor–conceptual understanding, procedural skill and fluency, and application.

ii. All standards marked with a "+" from the number and quantity, algebra, functions, and geometry domains of the high school standards must be included in the course.

iii. Students must design and implement a research project requiring mathematical modeling.

c. Calculus. Students shall complete an additional unit of instruction beyond the regular course. The unit of instruction shall reflect the shifts identified in the math standards.

i. The unit of instruction shall exemplify the following shifts identified in the math standards:

(a). focus;

(b). coherence;

(c). rigor–conceptual understanding, procedural skill and fluency, and application.

3. Science

a. Biology II. Students shall complete two additional labs beyond the regular course.

b. Chemistry I. Students shall complete two additional labs beyond the regular course.

c. Chemistry II. Students shall complete two additional labs beyond the regular course.

d. Physics. Students shall complete two additional labs beyond the regular course.

e. Environmental science students shall complete two additional labs beyond the regular course.

4. Social Studies

a. U.S. History. Students shall complete two additional research projects beyond the regular course resulting in a written or performance-based product (e.g. formal debate, delivery of a speech, etc.).

b. Government. Students shall complete two additional research projects beyond the regular course resulting in a written or performance-based product (e.g. formal debate, delivery of a speech, etc.).

c. World History. Students shall complete two additional research projects beyond the regular course resulting in a written or performance-based product (e.g. formal debate, delivery of a speech, etc.).

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:643 (April 2015).

§2324. Credit Recovery

A. *Credit recovery* refers to instructional programs for students who have failed courses taken previously.

B. LEAs may implement credit recovery programs.

1. Beginning in 2020-2021, LEA credit recovery program and policy will be included in the local pupil progression plan submitted to LDE.

2. Students may earn a maximum of seven credit recovery units that may be applied towards diploma graduation requirements and no more than two Carnegie units annually. The school system must annually report to LDE the rationale for any student:

a. receiving more than two credit recovery credits annually; and/or

b. applying more than seven total credit recovery Carnegie units towards graduation requirements.

3. Students earning Carnegie credit in a credit recovery course must have previously taken and failed the course. Previously-attempted coursework is considered an academic record and must be recorded on the official transcript.

4. Completed credit recovery courses must be recorded and clearly labeled on the official transcript.

5. Students enrolled in credit recovery courses are not required to meet the instructional minute requirements found in §333.A of this Part.

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

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

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

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2352 (November 2007), amended LR 38:3134 (December 2012), amended LR 39:2216 (August 2013), LR 39:3260 (December 2013), LR 46:1084 (August 2020).

§2325. Advanced Placement and International Baccalaureate

A. Each high school shall provide students access to at least one advanced placement (AP) or international baccalaureate (IB) courses in each of four content areas and one additional AP or IB course.

B. High school credit shall be granted to a student successfully completing an AP course or an IB course, regardless of his test score on the examination provided by the college board or on the IB exam. Students must complete the entire course to receive any credit for a course designated as AP or IB.

1. Procedures established by the college board must be followed.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1294 (June 2005), amended LR 34:2032 (October 2008), LR 37:3198 (November 2011), LR 38:759 (March 2012), LR 38:1584 (July 2012), LR 38:2363 (September 2012), LR 39:2216 (August 2013), LR 42:233 (February 2016).

§2326. Distance Education [Formerly §2395]

A. An LEA choosing to implement a distance education program shall establish policy and procedures for reviewing and approving programs that meet the following standards for distance education as established by BESE.

1. Local distance education programs shall support the state content standards initiatives.

a. Distance education programs shall support the mission of the standards-based initiatives, i.e., to develop rigorous and challenging standards that will enable all Louisiana students to become lifelong learners and productive citizens for the 21st century.

b. Distance education courses shall incorporate the foundation skills of the state content standards (communication, problem solving, resource access and utilization, linking and generating knowledge, and citizenship).

2. Distance education shall comply with all policies set forth by BESE as stated in current *Bulletin 741—Louisiana Handbook for School Administrators* with the exception of §907, Secondary—Class Times and Carnegie Credit.

a. Students can earn Carnegie credit by successfully completing all course requirements for distance education courses authorized by the LEA according to the policies in this Section.

3. The receiving LEA or school and the provider shall meet the following requirements related to the development of a standards-based distance education program. A *receiving LEA* or *school* is defined as any LEA or school that has students enrolled in courses via distance education. A provider could be an LEA, school, agency or educational organization.

a. The receiving LEA shall authorize each distance education course and ensure that the rigor and breadth meets state curriculum content standards.

b. The receiving LEA shall ensure that instruction is provided by teachers certified in the course/subject in which they are teaching with training in the delivery method, including appropriate media and pedagogy.

c. The receiving LEA shall verify that college and university advanced placement and/or college dual enrollment course instructional staff not holding Louisiana state teacher credentials are validated as subject matter experts by the providing institution.

d. The receiving LEA or school shall ensure that all students enrolled in a distance learning course are provided with the necessary course materials and technical support.

e. The receiving LEA shall evaluate the effectiveness of each authorized distance education course based on course completion rates and student achievement.

f. The provider shall define minimum prerequisite technology competencies for student participation in distance education courses if such competencies are required for course access.

g. The provider shall also make available to the student an orientation to the course delivery method prior to or at the start of the course.

h. The provider shall ensure that teachers delivering instruction in distance education courses use a variety of methods to assess the mastery of the content as reflected in the Louisiana content standards and aligned with common core state standards where applicable.

i. The provider shall provide to the receiving LEA a complete syllabus and a list of required materials prior to course implementation.

j. The provider shall ensure that all course content complies with copyright fair use laws, including The Technology, Education, and Copyright Harmonization Act (TEACH Act).

k. Online course providers shall ensure access to the courses' web content by using non-proprietary technologies (HTML).

l. LEAs and course providers shall make courses available to all students by complying with web accessibility guidelines and standards (W3C, section 508, and Louisiana and institutional guidelines) to the maximum extent reasonably possible.

m. The provider shall supply course content that is designed to meet the following criteria:

i. based on current perspectives of learning theories and curriculum standards;

ii. systematic in design, clearly written and revised based on student performance and feedback;

iii. uses appropriate presentation methods, media and pedagogy;

iv. engages students in a variety of learning activities based on various learning styles;

v. accommodates individual differences, including student disabilities; and

vi. encourages student-to-teacher and student-to-student interaction.

4. The receiving LEA or school and the provider shall meet the following requirements for management and administration.

a. The receiving LEA shall award credit and grades for distanced education courses assigned by the distance education provider and instructor with no deviations.

b. The receiving LEA or school shall ensure that a facilitator who is a Louisiana licensed teacher or LEA employed paraprofessional is assigned to and is actively engaged with each student participating in distance education courses.

c. The receiving LEA or school shall ensure that the facilitator adheres to guidelines determined by the provider and the policies in this Section.

d. The receiving LEA or school shall provide adequate, timely, and appropriate technical support to students, teachers, and facilitators.

e. The receiving LEA shall ensure that the facilitators are provided ongoing staff development appropriate to the delivery method used, supporting distance education courses technically and instructionally.

f. The receiving LEA shall ensure that students have appropriate, equitable, and adequate access for course participation.

g. In the event of short- and long-term interruptions, the LEA shall establish an alternative method of instruction in cooperation with the provider.

h. The provider shall judiciously address issues relative to course load and student-teacher ratio as appropriate for the particular method of delivery, course content, and teacher competency to ensure effective student interaction and course management.

i. Students will be enrolled, added, and dropped as outlined in the LEA's pupil progression plan.

j. The provider shall ensure that the teacher providing instruction is provided adequate technical support to ensure ease of use for faculty and students.

k. The provider shall furnish training and/or support in designing course content to fit the delivery methods proposed for distance education courses.

l. The teacher delivering instruction and the facilitator, through ongoing communication, shall be responsible for verifying student participation and performance.

m. The teacher delivering instruction shall provide alternate course procedures and activities for use in case of technical and other course delivery problems arise that prevent normal course delivery.

n. The teacher delivering instruction shall provide an atmosphere conducive to optimal learning including but not limited to monitoring online discussions and other instructional activities.

o. The teacher delivering instruction shall practice ethical and legal use of equipment and instructional resources.

p. The facilitator shall practice ethical and legal use of equipment and instructional resources.

q. The teacher delivering instruction and the facilitator through ongoing communication shall be responsible for verifying student participation and performance.

r. The facilitator shall implement alternate course procedures when technical and other course delivery problems prevent normal course delivery.

s. The facilitator shall maintain an atmosphere conducive to optimal learning, including but not limited to monitoring online discussions and other instructional activities as they occur in the classroom as directed by the teacher delivering instruction.

5. The following technical specifications are required.

a. The receiving LEA shall provide students enrolled in distance education courses technical access which meets specifications furnished by the course provider.

b. The receiving LEA shall provide instructional and communication hardware which meets specifications furnished by the course provider.

c. The receiving LEA shall fund and provide timely and appropriate technical support.

d. The provider will furnish course technical requirements sufficiently in advance so districts may make informed decisions about participation.

e. Course providers will ensure they have the appropriate technical infrastructure to support their course offerings for effective course delivery.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7, R.S. 17:24.4, and R.S. 17:183.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1302 (June 2005), amended LR 33:2051 (October 2007), LR 38:3134 (December 2012), LR 39:2217 (August 2013).

§2327. Dual Enrollment

A. The following policies apply to students attending colleges or other post secondary institution on a part-time basis.

1. The principal of the high school shall approve in advance the course to be pursued by the student in college.

2. The student shall meet the entrance requirements established by the college.

3. The principal of the high school shall verify that the contents of the college course meet the standards of the high school course for which the student is receiving credit.

4. The student shall earn at least two or three college hours of credit per semester. A course consisting of at least two college hours shall be counted as no more than one unit of credit toward high school graduation.

5. The high school administrator shall establish a procedure with the college to receive reports of the student's class attendance and performance at six- or nine-week intervals.

6. College courses shall be counted as high school subjects for students to meet eligibility requirements to participate in extra-curricular activities governed by voluntary state organizations.

7. Students may participate in college courses and special programs during regular or summer sessions.

8. For gifted students, entry into a college course for credit shall be stated in the student's IEP.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1294 (June 2005), amended LR 39:2219 (August 2013).

§2328. Military Service Credit [Formerly §2326]

A. Two units of elective credit toward high school graduation shall be awarded to any member of the United States Armed Forces, their reserve components, the National Guard, or any honorably discharged veteran who has completed his/her basic training, upon presentation of a military record attesting to such completion.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1294 (June 2005), amended LR 34:2032 (October 2008), LR 37:3199 (November 2011), LR 39:2219 (August 2013).

§2329. Early College Admissions Policy

A. High school students of high ability may be admitted to a college on a full-time basis.

B. A student shall have maintained a "B" or better average on all work pursued during three years (six semesters) of high school.

C. The student shall have earned a minimum composite score of 25 on the ACT or an equivalent SAT score; this score must be submitted to the college.

D. A student shall be recommended by his high school principal.

E. Upon earning a minimum of 24 semester hours at the college level, the student shall be eligible to receive a high school diploma.

1. The high school principal shall submit to the LDE the following:

a. forms provided by the LDE and completed by the college registrar certifying that the student has earned 24 semester hours of college credit; and

b. a certificate of high school credits.

F. A student not regularly enrolled in the current school year in the high school shall be automatically eliminated from participation in all high school activities, with the exception of high school graduation ceremonies.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:183.5.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1294 (June 2005), amended LR 39:2219 (August 2013).

§2330. Approval for Experimental Programs [Formerly §2393]

A. Experimental programs are programs that deviate from established standards. Such programs shall be approved by the LDE and carried out under controlled conditions.

B. Approval of experimental programs shall be granted on a yearly basis not to exceed three years, after which time permanent approval shall be considered using the procedures listed below.

1. A letter of intent containing the following information shall be submitted to the LDE, at least 90 days prior to the anticipated date of implementation:

a. proposed title of program;

b. name and address of school;

c. name and signature of superintendent;

d. name, title, address, and telephone number of person submitting proposal;

e. units of credit to be granted; and

f. source of funding.

2. In addition, a brief narrative report stating the intent of the program and the procedures by which the program will be conducted and evaluated, and the following shall be submitted:

a. a statement documenting support for the intended program;

b. a statement outlining the exact guideline deviations necessary to implement the program;

c. a statement outlining specific timelines for the planning and implementing phases of the program, including intended procedures;

d. a statement of the evaluation procedures to be used in determining the program's effectiveness (these procedures should spell out specific objectives to be accomplished);

e. a statement indicating approximate number of students to be involved in the project;

f. a statement of qualifications or certification of instructional personnel; and

g. a statement stipulating that applicable local, state, and federal regulations will be followed.

3. An evaluation by the local governing authority shall be submitted annually at the close of the school year to the LDE until permanent status is granted.

4. Southern Association of Colleges and Schools member schools should comply with appropriate Southern Association standards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7 and R.S. 17:24.4.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1302 (June 2005), amended LR 39:2219 (August 2013).

§2331. High School Program of Studies

A. The high school shall provide a comprehensive, college preparatory, and/or career and technical education curriculum.

B. Each LEA shall adopt a written policy pertaining to the awarding of 1/2 unit of Carnegie credit for all one unit courses listed in the academic and career/technical education course offerings. This policy shall be included in the Pupil Progression Plan of the LEA.

C. One-half unit of credit may be awarded by the school for all one-unit courses, in accordance with the LEA policy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7; R.S. 17:24.4; R.S. 17:81; R.S. 17:183.5.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1294 (June 2005).

§2333. Art

A. Art course offerings shall be as follows.

Course Title(s)	Units
Art I, II, III, IV	1 each
AP Art History	1
Talented Art I, II, III, IV	1 each
AP Studio Art: 2-D Design	1
AP Studio Art: 3-D Design	1
AP Studio Art: Drawing	1
IB Visual Arts	1

B. Art I is a prerequisite to art II and art III.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7 and R.S. 17:24.4.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1295 (June 2005), amended LR 31:3069 (December 2005), LR 37:2132 (July 2011), LR 40:998 (May 2014), LR 40:2526 (December 2014).

Subchapter B. Academic Programs of Study

§2335. Computer/Technology Education

A. Computer/technology course offerings shall be as follows.

Course Title(s)	Units
Computer Applications	1
Computer Architecture	1
Computer Science I	1
Computer Science II	1
Computer Systems and Networking I	1
Computer Systems and Networking II	1
Computer/Technology Literacy	1
Desktop Publishing	1
Digital Graphics and Animation	1
Multimedia Productions	1/2 or 1
Web Mastering	1/2
Independent Study in Technology Application	1

B. Computer science certification is required to teach computer science I and II. Teachers who are identified to teach one of the other computer education course offerings at the high school level must hold a valid Louisiana secondary certificate or CTTIE certificate in any area and demonstrate sufficient technology proficiencies to teach the course. The district and school shall ensure that teachers have appropriated and demonstrated technology knowledge and skills to teach the courses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7 and R.S. 17:24.4.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1295 (June 2005), amended LR 39:2220 (August 2013), LR 43:2133 (November 2017).

§2337. Dance

A. Dance course offerings shall be as follows.

Course Title(s)	Units
Dance I, II, III, IV	1 each
IB Dance	1

B. Dance II, III, and IV are performance classes with new literature each year; they may be repeated more than once.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7 and R.S. 17:24.4.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1295 (June 2005), amended LR 37:2133 (July 2011), LR 40:2526 (December 2014).

§2338. Digital Design

A. Digital design course offerings shall be as follows.

Digital Design Courses	
Course Title(s)	**Units**
Engineering Design and Development	1
Digital Story Telling	1
Sound Design	1
Digital Image and Motion Graphics	1

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:1868 (October 2018).

§2339. Driver Education

A. Driver education course offerings shall be as follows.

Course Title(s)	Units
Driver Education and Traffic Safety	1/2

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1295 (June 2005), repromulgated LR 39:2220 (August 2013).

§2341. English

A. The English course offerings for the college diploma shall be as follows.

Course Title(s)	Units
English I, II, III, and IV	1 each
Business English (for incoming freshmen prior to 2008-2009)	1
Senior Applications in English	1
Reading I (elective credit)	1
Reading II (elective credit)	1
English as a Second Language (ESL) I, II, III, and IV (elective credit)	1 each
AP English Language Arts and Composition	1
AP English Literature and Composition	1
IB Literature	1
IB Language and Literature	1
IB Literature and Performance	1

B. The English course offerings for the career diploma shall be as follows.

Course Title(s)	Units
English I, II, III, and IV	1 each
Senior Applications in English	1
Technical Writing	1
Business English	1
Business Communications	1
Using Research in Careers	1/2 unit
American Literature	1/2 unit
Film in America	1/2 unit
AP English Language Arts and Composition	1
AP English Literature and Composition	1
IB Literature	1
IB Language and Literature	1
IB Literature and Performance	1
Reading I (elective credit)	1
Reading II (elective credit)	1
English as a Second Language (ESL) I, II, III, and IV (elective credit)	1 each
Course(s) developed by the LEA and approved by BESE	1

C. Only students who have limited English proficiency are permitted to enroll in English as a second language (ESL) courses.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1295 (June 2005), amended LR 33:2605 (December 2007), LR 36:1492 (July 2010), LR 40:998 (May 2014), LR 40:2527 (December 2014), LR 43:1288 (July 2017).

§2343. Fine Arts

A. The Fine Arts course offerings shall be as follows.

Course Title(s)	Units
Fine Arts Survey	1

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1295 (June 2005).

§2345. Foreign Languages

A. The foreign language course offerings shall be as follows.

Course Title(s)	Units
French I, II, III, IV, V	1 each
German I, II, III, IV, V	1 each
Italian I, II, III, IV, V	1 each
Latin I, II, III, IV, V	1 each
Russian I, II, III, IV, V	1 each
Spanish I, II, III, IV, V	1 each
American Sign Language I, II, III, IV	1 each
Greek I, II, III, IV	1 each
Chinese I, II, III, IV	1 each
Japanese I, II, III, IV	1 each
Hebrew I, II, III, IV	1 each
Arabic I, II, III, IV	1 each
Korean I, II, III, IV	1 each
IB Language ab initio: Arabic	1
IB Language B: Arabic	1
AP Chinese Language and Culture	1
AP French Language and Culture	1
AP German Language and Culture	1
AP Italian Language and Culture	1
AP Japanese Language and Culture	1
AP Latin	1
AP Spanish Language and Culture	1
IB Language ab initio: French	1
IB Language B: French	1
IB Language ab initio: Spanish	1
IB Language B: Spanish	1
IB Language ab initio: German	1
IB Language B: German	1
IB Language ab initio: Chinese	1
IB Language B: Chinese	1
IB Language ab initio: Italian	1
IB Language B: Italian	1
IB Language ab initio: Japanese	1
IB Language B: Japanese	1
IB Classical Language	1
Cambridge AICE—AS (Honors): Arabic	1
Cambridge AICE—AS (Honors): French	1
Cambridge AICE—AS (Honors): German	1
Cambridge AICE—AS (Honors): Spanish	1
Cambridge AICE—AS (Honors): Spanish Literature	1

Course Title(s)	Units
Cambridge AICE—AS (Honors): Chinese	1
Cambridge AICE—AS (Honors): Japanese	1

B. Teachers of American sign language shall have a valid Louisiana teaching certificate and documentation of the following:

1. provisional level certification from the American Sign Language Teachers Association (ASLTA); or

2. certificate of interpretation (CI) from the Registry of Interpreters of the Deaf (RID); or

3. certificate of transliteration (CT) from the RID; or

4. certified deaf interpreter certification (CDI) from the RID; or

5. level IV or V certificate of competence from the National Association of the Deaf (NAD); or

6. level IV or V official documentation of the videotaped version of the educational interpreter performance assessment (EIPA).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7, R.S. 17:24.4, R.S. 273, and R.S. 17:284.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1295 (June 2005), amended LR 36:1996 (September 2010), LR 38:759 (March 2012), LR 38:2364 (September 2012), LR 39:2220 (August 2013), LR 40:998 (May 2014), LR 40:2527 (December 2014), LR 43:2133 (November 2017), LR 43:2484 (December 2017), LR 45:1455 (October 2019).

§2347. Health Education

A. The health education course offerings shall be as follows.

Course Title(s)	Units
Health Education	1/2

B. Cardiopulmonary resuscitation (CPR) shall be taught.

1. Instruction shall be provided relative to cardiopulmonary resuscitation and the use of an automated external defibrillator.

2. The instructional program shall be one that is nationally recognized and based on the most current national evidence-based emergency cardiovascular care guidelines.

3. The CPR training for students shall be required to perform hands-on practice to support cognitive learning.

4. The teacher shall not be required to be CPR certified.

5. The training shall not result in certification of students in CPR.

6. The physical presence of an automated external defibrillator is not required.

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

1. A minimum of 2000 minutes of instructional time shall be devoted health education in JROTC I and in JROTC II. Students must take both JROTC I and JROTC II to meet the health education requirement.

2. All of the standards and GLEs for health shall be covered in JROTC I and JROTC II.

3. JROTC I and JROTC II shall include instruction in CPR, automated external defibrillators, and content relative to dating violence as required by state law.

D. Health education shall include instruction relative to dating violence. Such instruction shall include, but need not be limited to, providing students with the following information:

1. the definition of “dating violence;”

2. dating violence warning signs; and

3. characteristics of healthy relationships.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1296 (June 2005), amended LR 33:817 (May 2007), LR 36:1493 (July 2010), LR 37:1135 (April 2011), LR 39:2220 (August 2013), LR 39:3260 (December 2013), LR 40:2531 (December 2014).

§2349. Jobs for Louisiana's Graduates

A. Jobs for Louisiana's graduates elective course credit toward high school graduation shall be awarded to any student who successfully masters the jobs for Louisiana's graduates core competencies and other additional competencies in the model curriculum.

B. The jobs for Louisiana's graduates course offerings shall be as follows.

Course Title(s)	Units
Job's for Louisiana's Graduates I, II, III, IV	1 unit each

C. Teachers shall be certified in any secondary certification or jobs for Louisiana's graduates VTIE certification.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1296 (June 2005), amended LR 39:2220 (August 2013).

§2351. Journalism

A. The journalism course offerings shall be as follows.

Course Title(s)	Units
Journalism I, II	1 each
Publications I, II (Yearbook)	1 each
Publications I, II (Newspaper)	1 each

B. Teachers must be certified in journalism to teach Journalism.

C. Teachers certified in the area of journalism, English, and/or business education are qualified to teach Publications I and II (Yearbook).

D. Teachers certified in the areas of journalism, and/or English are qualified to teach Publications I and II (Newspaper).

E. Publications I is a prerequisite to Publications II.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7; R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1296 (June 2005), amended LR 38:760 (March 2012).

§2353. Mathematics

A. The mathematics course offerings for the college diploma shall be as follows.

Mathematics Courses—College Diploma	
Course Title(s)	**Units**
Advanced Math—Pre-Calculus	1
Advanced Math—Functions and Statistics	1
Algebra I, II	1 each
Applied Algebra I	1
Algebra I—Part 1	1
Algebra I—Part 2	1
AP Computer Science A	1
Calculus	1
Discrete Mathematics	1
Financial Mathematics (Literacy)	1
Geometry	1
Applied Geometry	1
Integrated Mathematics I, II, III	1 each
Pre-Calculus	1
Probability and Statistics	1
Math Essentials	1
Statistical Reasoning	1
AP Calculus BC	1
AP Calculus AB	1
AP Statistics	1
IB Math Studies (Math Methods)	1
IB Mathematics SL	1
IB Further Mathematics HL	1
IB Mathematics HL	1

B. The mathematics course offerings for the career diploma shall be as follows.

Mathematics Courses—Career Diploma	
Course Title(s)	**Units**
Algebra I	1
Algebra I—Part 1	1
Algebra I—Part 2	1
Applied Algebra I	1
Geometry	1
Applied Geometry	1
Financial Mathematics (Literacy)	1
Technical Math	1
Medical Math	1
Applications in Statistics and Probability	1
Algebra II	1
Advanced Math—Pre-Calculus	1
Discrete Mathematics	1
Probability and Statistics	1
Math Essentials	1
Statistical Reasoning	1
Transition to College Mathematics	1
Course(s) developed by the LEA and approved by BESE	1

C. Financial mathematics may be taught by teachers certified in business education.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1296 (June 2005), amended LR 33:2605 (December 2007), LR 34:1609 (August 2008), LR 35:2322 (November 2009), LR 36:1493 (July 2010), LR 38:760 (March 2012), LR 40:999 (May 2014), LR 40:2527 (December 2014), LR 42:1063 (July 2016), LR 43:2134 (November 2017), LR 44:1868 (October 2018).

§2354. Media Arts

A. Media arts course offerings shall be as follows.

Course Title(s)	Units
Media Arts I, II, III, IV	1 each
Photography I, II	1 each
Digital Photography	1

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2133 (July 2011), amended LR 41:2127 (October 2015).

§2355. Music

A. The music course offerings shall be as follows.

Course Title(s)	Units
Applied Music	1
Beginning Band	1
Beginning Choir	1
Sectional Rehearsal	1
Studio Piano I, II, III	1 each
Studio Strings I, II, III	1 each
Intermediate Band	1
Intermediate Choir	1
Advanced Band	1
Advanced Choir	1
Beginning Orchestra	1
Intermediate Orchestra	1
Advanced Orchestra	1
Small Vocal Ensemble	1
Wind Ensemble	1
Jazz Ensemble	1
Guitar Class	1
Piano Class	1
Music Theory I, II	1 each
Music and Media	1
Music and Technology	1
Talented Music I, II, III, IV	1 each
AP Music Theory	1
IB Music	1
Marching Band	1/2

B. Advanced choir, advanced band, advanced orchestra, intermediate choir, intermediate band, intermediate orchestra, studio strings III, sectional rehearsal, small vocal ensemble, wind ensemble, applied music, jazz ensemble, and

studio piano III are performance classes with new literature each year; they may be repeated more than once.

C. Approval by the local school board is required before private piano and studio strings instruction can be given for credit.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1296 (June 2005), amended LR 31:3069 (December 2005), LR 33:2354 (November 2007), LR 37:2133 (July 2011), LR 39:2221 (August 2013), LR 40:999 (May 2014), LR 40:2528 (December 2014), LR 43:2134 (November 2017).

§2357. Physical Education

A. One and one-half units of physical education shall be required for graduation. They may include:

1. physical education I and II;

2. adapted physical education I and II for eligible special education students;

3. JROTC I, II, III, or IV; or

4. physical education I (1 unit) and one-half unit of marching band, extracurricular sports, cheering, or dance team.

B. The physical education course offerings shall be as follows.

Course Title(s)	Units
Adapted Physical Education I, II, III, IV	1 each
Physical Education I, II, III, IV	1 each
Marching Band	1/2
Cheering	1/2
Extracurricular Sports	1/2
Dance Team	1/2

C. The required 1 1/2 units of physical education may only be earned in transitional ninth grade through twelfth grade.

D. No more than four units of physical education shall be allowed for meeting high school graduation requirements.

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

F. Marching band, cheering, extracurricular sports, and dance team shall include weekly physical activity and encourage the benefits of a physically active lifestyle.

1. The LDE may request information to ensure the requirements above are met.

G. Students shall be exempted from the requirements in physical education for medical reasons only; however, the minimum number of credits required for graduation shall remain 23.

H. Each LEA shall offer, as part of the high school physical education program, sexually segregated contact sports and sexually integrated noncontact sports. Students shall have the option of enrolling in either or both.

I. Any high school student not enrolled in a physical education course is encouraged to participate in moderate to vigorous physical activity commensurate with the ability of the student for a minimum of 30 minutes per day to develop good health, physical fitness, and improve motor coordination and physical skills.

J. Off-campus athletic training programs may substitute for Physical Education I and Physical Education II if the following conditions are met:

1. permission of the principal;

2. the student participates in the off-campus athletic training program for an amount of time equal to or greater than the required instructional minutes necessary to obtain credit;

3. the off-campus athletic training programs are aligned to the state physical education content standards and GLEs, as verified by the school principal;

4. a reporting system for attendance and grading is established;

5. the off-campus athletic training program is under the direction of a qualified instructor or coach, as verified by the school principal and submitted to the DOE;

a. A qualified instructor or coach is one that has a bachelor's or master's degree in an area related to the activity, has regional or national accreditation or a license in an area related to the activity, or can present evidence of substantial accomplishment in the area (such as awards, newspaper articles, published research in the field, etc.);

6. approval by the LDE by submitting documentation verifying the following;

a. off-campus training program and its alignment with the state standards and GLEs;

b. record of student's attendance and participation;

c. qualifications of the instructor; and

d. verification that the school principal has reviewed the documentation;

7. a hold harmless agreement signed by the parent or guardian of the student who would be participating in the off-campus athletic program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7, R.S. 17:17.1, R.S. 17:24.4, and R.S. 17:276.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1297 (June 2005), amended LR 33:430 (March 2007), LR 38:40 (January 2012), LR 39:2221 (August 2013), LR 41:1484 (August 2015).

§2359. Reserve Officer Training

A. The reserve officer training course offerings shall be as follows.

Course Title(s)	Units
JROTC I, II, III, IV	1 each

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1297 (June 2005).

§2361. Science

A. The science course offerings for the college diploma shall be as follows.

Course Title(s)	Units
Aerospace Science	1
Agriscience II	1
Anatomy and Physiology	1
Biology I, II	1 each
Chemistry I, II	1 each
Earth Science	1
Environmental Science	1
Environmental Awareness	1
Integrated Science	1
Physical Science	1
Principles of Engineering	1
Physics I, II	1 each
Physics of Technology I, II	1 each
Approved IBC-related courses for those students who meet the requirement	1 each
AP Chemistry	1
IB Chemistry I	1
IB Chemistry II	1
AP Environmental Science	1
IB Environmental Systems	1
IB Physics I	1
AP Physics C: Electricity and Magnetism	1
AP Physics C: Mechanics	1
IB Physics II	1
AP Physics I	1
AP Physics II	1
AP Biology	1
IB Biology I	1
IB Biology II	1
Human Anatomy and Physiology	1

B. The science course offerings for the career diploma shall be as follows.

Course Title(s)	Units
Aerospace Science	1
Agriscience II	1
Anatomy and Physiology	1
Biology	1
Chemistry	1
Earth Science	1
Environmental Science	1
Integrated Science	1
Physical Science	1
Physics	1
Physics of Technology I, II	1 each
Food Science	1
Forensic Science	1
Allied Health Science	1
Basic Body Structure and Function	1
Basic Physics with Applications	1
Animal Science	1
Biotechnology in Agriculture	1
Environmental Studies in Agriculture	1
Health Science II	1
EMT—Basic	1
Any AP or IB science course	1
Course(s) developed by the LEA and approved by BESE	1 each

C. Students may not take both integrated science and physical science.

D. Agriscience I is a prerequisite for agriscience II and is an elective course.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1297 (June 2005), amended LR 33:2605 (December 2007), LR 36:1494 (July 2010), LR 40:1000 (May 2014), LR 40:2528 (December 2014), LR 43:1288 (July 2017), LR 44:1869 (October 2018), LR 45:37 (January 2019).

§2363. Social Studies

A. The social studies course offerings for the college diploma shall be as follows.

Course Title(s)	Units
American Government	1
U.S. History	1
Civics	1
Economics	1
Free Enterprise	1/2
Law Studies	1
Psychology	1
Sociology	1
World Geography	1
Physical Geography	1
AP European History	1
African American History	1
African American Studies	1
Approve IBC-related courses for those students who meet the requirement	1 each
AP U.S. History	1
IB History of the Americas I	1
AP US Government and Politics: Comparative	1
AP US Government and Politics: United States	1
AP Macroeconomics	1
AP Microeconomics	1
AP Human Geography	1
IB Geography	1
AP World History	1
IB History of the Americas II	1
IB Economics	1

B. The social studies course offerings for the career diploma shall be as follows.

Course Title(s)	Units
American Government	1
U.S. History	1
AP U.S. History	1
IB History of the Americas I	1
Civics	1
AP US Government and Politics: Comparative	1
AP US Government and Politics: United States	1
Economics	1
AP Macroeconomics	1
AP Microeconomics	1
Free Enterprise	1/2

Course Title(s)	Units
Law Studies	1
Psychology	1
Sociology	1
African American Studies	1
Child Psychology and Parenthood Education	1
Course(s) developed by the LEA and approved by BESE	1

C. Economics may be taught by a teacher certified in business education.

D. Free enterprise and the one credit civics course shall include instruction in personal finance. Such instruction shall include but shall not be limited to the following components:

1. income;
2. money management;
3. spending and credit;
4. savings and investing.

E. Beginning with the 2016-2017 school year, the civics course and all courses permitted to substitute for civics, shall contain a unit of study that includes the civics-related content of which naturalized citizens are required to demonstrate mastery.

1. Students shall be administered a test based on the content of the civics portion of the naturalization test used by the United Citizenship and Immigration Services.

2. Courses permitted to substitute for civics include the following:

a. American government;

b. AP U.S. government and politics: comparative;

c. AP U.S. government and politics: U.S.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1298 (June 2005), amended LR 31:3072 (December 2005), LR 33:431 (March 2007), LR 33:2606 (December 2007), LR 36:1495 (July 2010), LR 37:1131 (April 2011), LR 40:1000 (May 2014), LR 40:2529 (December 2014), LR 41:2595 (December 2015), LR 44:1869 (October 2018), amended LR 48:33 (January 2022).

§2364. Special Education

A. The special education course offerings shall be as follows.

Course Title(s)	Units
Study Skills I, II, III, IV	1 each
Transition: Employment Sampling	1
Transition: Employment	1
Transition: Education/Training	1
Transition: Independent Living	1
Local Gifted Elective I, II, III, IV	1 each
Gifted Independent Research I, II, III, IV	1 each
Gifted College and Career Choices	1 each

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:3070 (December 2005), amended LR 39:2221 (August 2013).

§2365. Speech

A. The speech course offerings shall be as follows.

Course Title(s)	Units
Speech I, II, III, IV	1 each

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7; R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1298 (June 2005).

§2367. Religious Studies

A. A maximum of four units in religious studies shall be granted to students transferring from state-approved private and sectarian high schools who have completed such coursework. Those credits shall be accepted in meeting the elective requirements for high school graduation.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1298 (June 2005), amended LR 37:2134 (July 2011), LR 39:2221 (August 2013).

§2369. Theatre Arts

A. The theatre arts course offerings shall be as follows.

Course Title(s)	Units
Theatre I, II, III, IV	1 each
Technical Theatre	1
Theatre Design and Technology	1
Talented Theatre I, II, III, IV	1 each
IB Film Study I	1
IB Theatre	1

B. Theatre II, III, and IV are performance classes with new literature each year; they may be repeated more than once.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1298 (June 2005), amended LR 31:3070 (December 2005), LR 37:2133 (July 2011), LR 40:2529 (December 2014).

Subchapter C. Career and Technical Education

§2371. Career and Technical Education Course Offerings

A. Administrative procedures for the operation of program areas in career and technical education are found in Chapter 31.

B. Safety must be taught in all courses. Refer to Bulletin 1674, Career and Technical Education Safety and Health Manual (1992), for safety information.

NOTE: Refer to career and technical education course descriptions and programs of study for the required prerequisites.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1298 (June 2005), amended LR 39:2221 (August 2013).

§2373. Agricultural Education

A. The Agricultural Education course offerings shall be as follows.

Course Title(s)	Recommended Grade Level	Units
Exploratory Agriscience	7-8	-
Agribusiness	10-12	1/2-1
Agricultural Education Elective I, II	9-12	1/2-3
Agriscience I	9-12	1
Agriscience II	10-12	1
Agriscience III	11-12	1
Agriscience Elective I, II	9-12	1/2-3
Agriscience-Construction Technology	11-12	1/2-1
Agriscience-Leadership	9-12	1/2-1
Agriscience Power Equipment	11-12	1/2-1
Animal Science	11-12	1/2-1
Biotechnology in Agriscience	11-12	1
CASE Animal Science	10-12	1
CASE Plant Science	10-12	1
Cooperative Agriscience Education I	11-12	3
Cooperative Agriscience Education II	12	3
Environmental Studies in Agriscience	11-12	1
Equine Science	11-12	1/2-1
Floristry	11-12	1
Forestry	11-12	1/2-1
Horticulture	11-12	1/2-1
Landscape Design, Construction and Maintenance	10-12	1
Meat Processing	11-12	1
Precision Instrumentation in Agriscience	10 12	1/2-1
Small Animal Care and Management	10-12	1/2-1
Veterinary Assistant	10-12	1
Veterinary Assistant II	11-12	1
Woodworks	10-12	1
NCCER Welding Technology I, II	11-12	1-3
NCCER Carpentry I, II	11-12	1-3
NCCER Electrical I , II	11-12	1-3
NCCER Pipefitter I, II	11-12	1-3

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1298 (June 2005), amended LR 33:277 (February 2007), LR 33:2050 (October 2007), LR 34:2386 (November 2008), LR 35:1875 (September 2009), LR 35:2747 (December 2009), LR 36:1995 (September 2010), LR 39:2221 (August 2013).

§2375. Business Education

A. The business education course offerings shall be as follows.

Course Title(s)	Recommended Grade Level	Units
Exploratory Keyboarding (Middle School)	6-8	-
Accounting I	10-12	1
Accounting II	11-12	1
Administrative Support Occupations	11-12	1
Business Communications	10-12	1
Business Computer Applications	10-12	1
Business Education Elective I, II	9-12	1/2-3
Business Law	10-12	1
Computer Technology Literacy	9-12	1
Computer Multimedia Presentations	11-12	1/2
Cooperative Office Education (COE)	12	3
Desktop Publishing	9-12	1
Economics	11-12	1
Entrepreneurship	11-12	1
Financial Mathematics	10-12	1
Introduction to Business Computer Applications	9-12	1
Keyboarding	9-12	1/2
Keyboarding Applications	9-12	1/2
Lodging Management I	10-12	1-3
Lodging Management II	11-12	1-3
Principles of Business	9-12	1
Telecommunications	10-12	1/2
Web Design	10-12	1
Web Design II	10-12	1
Word Processing	11-12	1

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1299 (June 2005), amended LR 33:277, 278 (February 2007), LR 33:1614 (August 2007), LR 34:2557 (December 2008), LR 39:2222 (August 2013), LR 39:3258 (December 2013).

§2377. General Career and Technical Education

A. General career and technical education course offerings shall be as follows.

Course Title(s)	Recommended Grade Level	Units
Assistive Technology for the Visually Impaired	9-12	1
Business Enterprises for the Visually Impaired	12	1
Braille I	9-12	1
Braille II	9-12	1
CTE Internship I	11-12	1
CTE Internship II	12	1
CTE Internship I	11-12	2
CTE Internship II	12	2
Consumer Finance and Banking	12	1
General Cooperative Education I	11-12	3
General Cooperative Education II	12	3
Education for Careers I, II	11-12	1/2
Advanced Television Broadcasting I	10-12	1-3
Advanced Television Broadcasting II	11-12	1-3
Digital Media I	10-12	1-3
Digital Media II	11-12	1-3
STAR I	11-12	1
STAR II	12	1
Journey to Careers I, II	9	1/2
Oracle Internet Academy		
Database Design and Programming	11-12	1
Database Programming with PL/SQL	11-12	1
Finance Academy		
Business Economics	11-12	1/2
Financial Services	9-12	1/2
Financial Planning	10-12	1/2
Ethics in Business	11-12	1/2
Insurance	10-12	1/2
Business in a Global Economy	11-12	1/2
Principles of Finance	9-12	1/2-1

Course Title(s)	Recommended Grade Level	Units
Principles of Accounting	9-12	1/2
Managerial Accounting	10-12	1/2
Applied Finance	11-12	1/2
Hospitality and Tourism Academy		
Principles of Hospitality and Tourism	9-12	1/2
Entrepreneurship	11-12	1/2
Delivering Great Customer Service	11-12	1/2
Sports Entertainment and Event Management	11-12	1/2
Geography for Tourism	9-12	1/2
Sustainable Tourism	11-12	1/2
Hospitality Marketing	11-12	1/2
Information Technology Academy		
Principles of Information Technology	9-12	1/2
Computer Networking	10-12	1/2
Web Design	10-12	1/2
Databases Design	11-12	1/2
Computer Systems	9-12	1/2
Introduction to Programming	10-12	1/2
Digital Video	9-12	1/2

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1299 (June 2005), amended LR 32:546 (April 2006), LR 32:1415 (August 2006) LR 33:278 (February 2007), LR 33:2050 (October 2007), LR 34:1386 (July 2008), LR 34:2558 (December 2008), LR 35:1229 (July 2009), LR 35:2319 (November 2009), LR 35:2748 (December 2009), LR 36:1496 (July 2010), LR 36:1997 (September 2010), LR 38:3135 (December 2012), LR 39:2222 (August 2013).

§2379. Family and Consumer Sciences Education

A. The family and consumer sciences (FACS) education course offerings shall be as follows.

Course Title(s)	Recommended Grade Level	Units
Exploratory FACS	7-8	
Family and Consumer Sciences I	9-12	1
Family and Consumer Sciences II	10-12	1
Food Science	10-12	1
Adult Responsibilities	11-12	1/2
Child Development	10-12	1/2
Personal and Family Finance	10-12	1/2
Family Life Education	10-12	1/2
Clothing and Textiles	10-12	1/2
Housing and Interior Design	10-12	1/2
Nutrition and Food	10-12	1/2
Parenthood Education	11-12	1/2
Advanced Child Development	10-12	1/2
Advanced Clothing and Textiles	10-12	1/2
Advanced Nutrition and Food	10-12	1/2
FACS Elective I, II	9-12	1/2-3
Occupational Courses		
Clothing and Textile Occupations I	11-12	1-3
Clothing and Textile Occupations II	12	1-3
Early Childhood Education I	11-12	1-3
Early Childhood Education II	12	1-3
Food Services I	11-12	1-3
Food Services II	11-12	1-3
Food Service Technician	11-12	1
Housing and Interior Design Occupations	11-12	1-3
ProStart I	11-12	1-3
ProStart II	12	1-3
Baking and Pastry Arts I	11-12	1-3
Baking and Pastry Arts II	12	1-3
Cooperative FACS Education	12	3

AUTHORITY NOTE: Promulgated in accordance R.S. 17:7, R.S. 17:24.4, and R.S. 17:279.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1299 (June 2005), amended LR 33:278 (February 2007), LR 37:880 (March 2011), LR 39:2223 (August 2013).

§2381. Health Science Education

A. Health occupations course offerings shall be as follows.

Course Title(s)	Recommended Grade Level	Units
AHEC of a Summer Career Exploration	9-12	1/2
Allied Health Services I	10-12	1-2
Allied Health Services II	10-12	1-2
Cooperative Health Occupations	11-12	3
Dental Assistant I	10-12	1-2
Dental Assistant II	11-12	2-3
Emergency Medical Technician—Basic	12	2-3
First Responder	10 -12	1/2-2
Health Occupations Elective I, II	9-12	1/2-3
Health Science I	11-12	1-2
Health Science II	12	1-2
Introduction to Health Occupations	9-12	1
Introduction to Pharmacy Assistant	10-12	1
Medical Assistant I	10-12	1-2
Medical Assistant II	11-12	1-2
Medical Assistant III	12	1-2
Medical Terminology	9-12	1
Nurse Assistant	10-12	2-3
Patient Care Technician	12	3
Pharmacy Technician	12	1-2
Sports Medicine I	10-12	1/2
Sports Medicine II	11-12	1/2
Sports Medicine III	11-12	1

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1300 (June 2005), amended LR 33:279 (February 2007), LR 33:1615 (August 2007), LR 33:2051 (October 2007), LR 35:1875 (September 2009), LR 35:2320 (November 2009), LR 35:2749 (December 2009), LR 36:2261 (October 2010), LR 39:2223 (August 2013).

§2382. Law, Public Safety, Corrections, and Security Education

A. The law and public safety education course offerings shall be as follows.

Course Title(s)	Recommended Grade Level	Units
Criminal Justice Elective I, II	9-12	1/2-3

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:1875 (September 2009), repromulgated LR 39:2223 (August 2013).

§2383. Marketing Education

A. Marketing education course offerings shall be as follows.

Course Title(s)	Recommended Grade Level	Units
Advertising and Sales Promotion	11-12	1
Cooperative Marketing Education I	11-12	3
Cooperative Marketing Education II	12	3
Customer Service	12	1
Entrepreneurship	11-12	1
Leadership	9-12	1/2
Marketing Education Elective I, II	9-12	1/2-3
Marketing Management	11-12	1
Marketing Research	11-12	1
Personal Finance	9-12	1/2
Principles of Marketing	9-12	1
Retail Marketing	10-12	1
Sports and Entertainment Marketing	11-12	1
Tourism Marketing	10-12	1

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1300 (June 2005), amended LR 33:279 (February 2007), LR 33:1615 (August 2007), LR 34:2558 (December 2008), LR 39:2223 (August 2013).

§2385. Technology Education

A. Technology education (formerly industrial arts) course offerings shall be as follows.

Course Title(s)	Recommended Grade Level	Units
Advanced Electricity/Electronics	10-12	1
Advanced Metal Technology	10-12	1
Advanced Wood Technology	10-12	1
Aerospace Engineering	11-12	1
Automation in Manufacturing	10-12	1
Basic Electricity/Electronics	9-12	1
Basic Metal Technology	9-12	1
Basic Wood Technology	9-12	1
Civil Engineering and Architecture	11-12	1
Communication/Middle School	6-8	
Communication Technology	9-12	1
Computer Integrated Manufacturing	11-12	1
Construction/Middle School	6-8	
Construction Technology	10-12	1
Cooperative Technology Education	10-12	3
Digital Electronics	9-10	1
Energy, Power, and Transportation Technology	9-12	1
Engineering Design I, II	11-12	1
Engineering Design and Development	11-12	1
General Technology Education	9-12	1
Introduction to Engineering Design	8-12	1
Manufacturing Process and Team Building	9-12	1
Manufacturing Technology	9-12	1
Manufacturing Technology/Middle School	6-8	
Manufacturing Tools and Equipment	10-12	1
Marine Engineering	11-12	0.5
Materials and Processes	10-12	1
Modular Technology/Middle School	6-8	
Oil and Gas Production Operations	11-12	1
Physics of Technology I	10-12	1
Physics of Technology II	11-12	1
Power Mechanics	9-12	1
Principles of Engineering	9-10	1
T2 Safety Systems for Oil and Gas Production	11-12	1
Technology Education Computer Applications	9-12	1
Technology Education Elective I, II	9-12	1/2-3
Transportation Technology/Middle School	6-8	
Welding Technology	10-12	1
Advanced Technical Drafting	10-12	1
Architectural Drafting	10-12	1
Basic Technical Drafting	9-12	1
Introduction to Fabrication P-Tech and Manufacturing	10-12	1
NCCER Carpentry I, II TE	11-12	1-3
NCCER Electrical I, II TE	11-12	1-3
NCCER Industrial Maintenance	11-12	1-3
NCCER Instrumentation Control Mechanic I, II	11-12	1-3
NCCER Insulating	11-12	1-3
NCCER Pipe Fitter I, II TE	11-12	1-3
NCCER Welding Technology I, II TE	11-12	1-3
Process Technician I, II	11-12	1
T2 Safety Systems for Oil and Gas Production	11-12	1

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1300 (June 2005), amended LR 33:279 (February 2007), LR 35:1229 (July 2009), LR 35:2323 (November 2009), LR 35:2747 (December 2009), LR 36:1997 (September 2010), LR 38:1400 (June, 2012), LR 38:2364 (September 2012), LR 39:2224 (August 2013).

§2387. Trade and Industrial Education

A. Trade and industrial education course offerings shall be as follows.

Course Title(s)	Recommended Grade Level	Units
Air Conditioning/ Refrigeration I, II	11-12	1-3
Air Conditioning/ Refrigeration III, IV	11-12	2-3
Auto Body Repair I, II	11-12	1-3
Auto Body Repair III, IV	11-12	2-3
Automotive Technician I, II	11-12	1-3
Automotive Technician III, IV, V, VI	11-12	1-3
General Automotive Maintenance	11-12	1-3
G.M. Technician I, II	11-12	1-3
NCCER Carpentry I, II	11-12	1-3
NCCER Electrical I, II	11-12	1-3
NCCER Instrumentation Control Mechanic I, II	11-12	1-3
NCCER Pipe Fitter I, II	11-12	1-3
NCCER Welding Technology I, II	11-12	1-3
Masonry I, II	11-12	1-3
Cabinetmaking I, II	11-12	1-3
Carpentry I, II	11-12	1-3
Carpentry III, IV	11-12	2-3
Culinary Occupations I, II	11-12	1-3
Culinary Occupations III, IV	11-12	2-3
Custom Sewing I, II	11-12	1-3
Computer Electronics I, II	11-12	1-3

Course Title(s)	Recommended Grade Level	Units
Computer Service Technology I, II	11-12	2-3
Commercial Art I, II	11-12	1-3
T and I Cooperative Education (TICE) I	11-12	1-3
T and I Cooperative Education (TICE) II	12	1-3
T and I Elective I	11-12	1-3
T and I Elective II	11-12	1-3
Cosmetology I, II	11-12	1-3
Cosmetology III, IV	11-12	2-3
Diesel Mechanics I, II	11-12	1-3
Diesel Mechanics III, IV	11-12	2-3
Drafting and Design Technology I, II	11-12	1-3
Drafting and Design Technology III, IV	11-12	2-3
Basic Electricity I, II	11-12	1-3
Electronics I, II	11-12	1-3
Industrial Electronics I, II	11-12	1-3
Electrician I, II	11-12	1-3
Electrician III, IV	11-12	2-3
Graphic Arts I, II	11-12	1-3
Graphic Arts III, IV	11-12	2-3
Horticulture I, II	11-12	1-3
Industrial Engines I, II	11-12	1-3
Laboratory Technology I, II	11-12	1-3
Industrial Machine Shop I, II	11-12	1-3
Industrial Machine Shop III, IV	11-12	2-3
Marine Operations I, II	11-12	1-3
Photography I, II	11-12	1-3
Networking Basics	10-12	2-3
Routers and Routing Basics	10-12	2-3
Switching Basics and Intermediate Routing	11-12	2-3
WAN Technologies	11-12	2-3
Plumbing I, II	11-12	1-3
Printing I, II	11-12	1-3
Sheet Metal I, II	11-12	1-3
Outdoor Power Equipment Technician I, II	11-12	1-3
Outdoor Power Equipment Technician III, IV	11-12	2-3
Television Production I, II	11-12	1-3
Upholstery I , II	11-12	1-3
Welding I, II	11-12	1-3
Welding III, IV	11-12	2-3
Hull Shipbuilding	11-12	1/2
Barber I-IV	9-12	2

B. An LEA may offer a one-hour trade and industrial education program for one unit of credit at the ninth or tenth grade level as a prerequisite to enrollment in a related trade and industrial education program at the tenth, eleventh, or twelfth grade level. The course shall be in the programmatic area in which the trade and industrial education instructor is certified to teach.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1300 (June 2005), amended LR 32:1415 (August 2006), LR 33:1615 (August 2007), LR 34:2558 (December 2008), LR 35:2324 (November 2009), LR 35:2748 (December 2009), LR 35:2751 (December 2009), LR 39:2224 (August 2013).

§2389. Credit for Career and Technical Education Courses

A. Requests for partial credit for two- or three-hour blocks of career and technical education courses because of unusual or extenuating circumstances shall be made by the school to the LEA. Documentation shall be kept in the student's cumulative folder.

B. A secondary student attending a postsecondary technical college during the regular school year or summer program may receive credit for instruction in any program area offered in the postsecondary technical college if requirements for Carnegie units are met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:183.1 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1301 (June 2005), amended LR 39:2225 (August 2013), LR 39:3258 (December 2013).

§2391. Secondary Students Attending a Private Cosmetology School

A. A secondary student attending an approved cosmetology school, licensed by the Louisiana State Board of Cosmetology, may receive trade and industrial education credit if requirements for Carnegie units are met.

B. A copy of the written agreement between the LEA and the private cosmetology school shall be on file in the central office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:183.1 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1301 (June 2005), amended LR 39:2225 (August 2013).

§2397. Career Options

A. Preparation for Choosing an Area of Concentration

1. To prepare students for choosing a career option at the high school level, at least six activities which expose students to career and technical and academic fields of study shall be conducted at each grade level in grades six through eight during each school year. Such activities shall include career interest inventories and information to assist students in the career decision-making process and may include job shadowing, job mentoring, and job internships. The activities may also include field trips, guest speakers, community service activities, and other activities designed to introduce students to occupations in demand in Louisiana.

2. School counselors or others designated by the school principal, or both, shall be responsible for the completion of the individual graduation plan. The school counselors and others shall counsel each student with regard to high school graduation requirements and shall assist the student in developing his plan. Each student, his parent or legal guardian, and his school counselor shall annually sign the student's individual graduation plan.

a. When developing and reviewing his individual graduation plan, the student shall be provided information developed by the Louisiana Workforce Commission regarding the top 20 high-demand jobs, in the state and in the student's region, with the highest typical annual salary.

b. The student shall be shown how to access information on Louisiana Workforce Commission's website

for the listed jobs and other high-demand, high-wage jobs and shown how to find educational programs offered in Louisiana that qualify the student for such jobs.

c. The counselor or designee shall provide the student a printed copy of the listing of the appropriate region's top 20 high-demand, high-wage jobs.

3. For a student with exceptionalities, except a student identified as gifted or talented and who has no other exceptionality, the student's IEP team, if applicable, will assist the student in developing the individual graduation plan.

4. Prior to revising a student's individual graduation plan, the school counselor shall meet with the student's parent or legal guardian, either in person or virtually, to explain the possible impacts the revisions to the plan might have on the student's graduation requirements and postsecondary education goals. The student's parent or legal guardian to approve in writing any changes to the student's individual graduation plan.

5. During the ninth and tenth grades, each student shall pursue the rigorous core curriculum required by his school for his chosen major. The core curriculum shall include required coursework as established by BESE and appropriate elective courses.

B. Career Major (Jump Start Pathway)

1. Students shall complete a regionally-designed, district-implemented series of career and technical education Jump Start coursework and workplace-based learning experiences leading to a statewide or regional Jump Start credential. Each student's Jump Start graduation pathway shall include courses and workplace experiences specific to the credential, courses related to foundational career skills requirements, and other courses (including career electives) that the Jump Start regional determines are appropriate for the career pathway.

2. Each Jump Start graduation pathway shall consist of at least nine CTE credits selected from courses approved for the graduation pathway that the student pursues to obtain a Jump Start career diploma.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:183.1 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1303 (June 2005), amended LR 36:1996 (September 2010), LR 40:2524 (December 2014), amended LR 48:33 (January 2022).

Chapter 25. Summer Schools, Special Ed Extended School Year Programs

§2501. Elementary Summer Schools

A. LEAs may offer a summer school program to enable students who have failed in subjects to remove deficiencies and be considered for promotion to the next grade or to provide additional learning opportunities.

B. Summer schools shall be organized and operated under the administration and supervisory control of the superintendent of the LEA.

C. LEAs shall provide summer school remediation and retest opportunities as outlined in *Bulletin 1566—Pupil Progression Policies and Procedures*.

D. Students attending summer school for promotional purposes shall have written consent by the principal of the last school they attended.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1304 (June 2005), amended LR 39:2225 (August 2013).

§2503. Secondary Summer Schools

A. Schools may offer summer school to enable students to schedule courses to enrich their experiences, to take new subjects, and to enable students who have failed in subjects to remove deficiencies.

B. Summer schools shall be organized and operated under the administrative and supervisory control of the superintendent of the LEA.

C. The summer school administration shall have written permission from the principal of the student's home school for the student to attend summer school if high school credit is to be awarded.

D. LEAs shall provide summer school remediation and retest opportunities as outlined in *Bulletin 1566—Pupil Progression Policies and Procedures*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1304 (June 2005), amended LR 39:2225 (August 2013).

§2504. Private Summer School Providers

A. All students shall have written permission from the principal of the student's home school to attend a private summer school provider for credit or promotional purposes.

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. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:3071 (December 2005), amended LR 39:2225 (August 2013).

§2505. Extended School Year Program (ESY) for Eligible Students with Disabilities

A. Each LEA shall provide eligible students with disabilities special educational and related services beyond the normal school cycle when stated in the IEP.

NOTE: Refer to *Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act* and *Bulletin 1530—Louisiana IEP Handbook for Students with Exceptionalities*.

AUTHORITY NOTE: Promulgated in accordance with 20 USCS 1412 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1305 (June 2005), amended LR 39:2226 (August 2013).

Chapter 29. Alternative Schools and Programs

§2907. Connections Process

A. All LEAs should be empowered to create a system of intervention appropriate for the student population and every LEA shall be held accountable for the academic growth of every student.

B.1. LEAs may choose to implement the Connections Process which replaces Louisiana's PreGED/Skills Option Program. Connections is a one-year process for overage students to receive targeted instruction and accelerated remediation aimed at attaining a high school diploma, high school equivalency diploma (by passage of tests *HiSET*® exams), or state-approved skills certificate. The process includes a connections profile to track the following elements:

a. academic and behavioral interventions;

b. mentoring;

c. job skills training;

d. TABE locator and battery assessments;

e. committee reviews;

f. parent meetings;

g. individual prescriptions for instruction;

h. individual graduation plans; and

i. exiting pathways.

2. While in the Connections Process, students are eighth graders and therefore shall take required eighth grade courses per Bulletin 741.

NOTE: Refer to high stakes testing policy in *Bulletin 1566—Pupil Progression Policies and Procedures*. Requirements differ for initial eighth grade students and students repeating the eighth grade.

3. Students in the Connections Process shall be 15 years of age during the school year and 2 years behind their peers academically to enter the Connections Process.

4. Schools opting to participate in the Connections Process must follow the Connection Process handbook found on the LDE website.

C. All LEAs participating in the Connections Process shall annually submit their intent to participate to the LDE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:100.5.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1308 (June 2005), amended LR 34:2032 (October 2008), LR 37:2131 (July 2011), LR 38:1000 (April 2012), LR 38:3133 (December 2012), LR 39:2226 (August 2013), LR 42:1878 (November 2016).

§2911. Alternative Education Providers

A. A school governing authority may enter into an agreement with an education service provider to provide an alternative education placement for students.

B. Required Interventions

1. The program or school run by the educational service provider must provide academic, behavioral, and mental health interventions including, but not limited to, those listed in R.S. 17:416.2(D)(3)(b) for any student who meets any of the following criteria:

a. has been adjudicated delinquent by a court having juvenile jurisdiction as defined in Article 302 of the *Louisiana Children's Code*;

b. has been adjudicated by a court as a member of a family in need of services and is assigned by the office of juvenile justice to a community-based program or facility;

c. is in the custody of the office of juvenile justice as a result of an adjudication and is assigned by the office of juvenile justice to a community-based program or facility; or

d. is a student who has been suspended or expelled pursuant to the provisions of R.S. 17:416(B) or (C)(2).

2. Such services shall be provided to the school governing authority at the actual costs incurred by the provider, not to exceed for each student the pro rata share of the combined state and local per pupil amount of the minimum foundation program for such governing authority.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:2227 (August 2013).

Chapter 31. Career and Technical Education (CTE)

§3101. Physical Environment and Equipment

A. The LEA shall provide appropriate physical environments for the instructional programs in Career and Technical Education (CTE) and maintain conditions that ensure the safety and health of students.

1. Heavy equipment laboratories, such as woodworking, metal working, multipurpose, automotive, and most machine laboratories, should have a minimum area of 75 square feet per student.

2. Light equipment laboratories, such as those used for teaching electricity, electronics, drafting, manufacturing, communications, etc., should have a minimum area of 50 square feet per student.

B. The LEA shall provide and maintain modern equipment for CTE programs.

1. An accurate inventory of equipment purchased with federal funds shall be maintained and shall include the funding source.

2. The use of this equipment shall be limited to the appropriate career and technical education program in

accordance with regulations and codes found in state and federal guidelines.

3. Machines and tools shall be labeled, identifying the funding source, organized, guarded, color-coded, and ventilated in accordance with regulations and codes found in state and federal guidelines.

NOTE: Refer to Bulletin 1674 for safety and health requirements and EDGAR guidelines relative to CTE.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1309 (June 2005).

§3103. Requirements for Teachers

A. The CTE teacher shall hold a valid Louisiana teaching certificate or valid career and technical trade and industrial education (CTTIE) certificate that entitles the holder to teach in the career area of the actual teaching assignment. Certification is required to teach in all CTE program areas.

NOTE: Refer to LAC 28:CXXXI, *Bulletin 746—Louisiana Standards for State Certification of School Personnel*, §§501-511.

B. CTE instruction shall integrate state-approved standards for students to achieve the desired CTE competencies and academic competencies that will enable the student to be successful on the job or at the postsecondary level.

C. All agriculture teachers employed by an LEA shall teach a 12-month program for a 12-month budget period and shall be paid a salary at the same monthly rate as provided in the minimum salary schedule contained in R.S. 17:421.3. The agriculture program shall include, but not be limited to recognized co-curricular activities, to be supervised by agriculture teachers during the summer months such as those offered by the National Future Farmers of America (FFA) Organization or other appropriate organizations that provide summer occupational experiences, leadership programs, statewide judging contests, and youth conventions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17: 422.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1309 (June 2005), amended LR 35:1877 (September 2009), LR 35:2323 (November 2009), LR 39:2227 (August 2013).

§3105. Scheduling Career and Technical Courses

A. Where safety hazards exist, only one course shall be scheduled during a single class period under one CTE teacher.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1309 (June 2005).

§3107. Instructional Programs

A. For each CTE course, the teacher shall follow the model course guidelines.

B. Instructional content of each course shall meet state and federal guidelines relative to unbiased treatment of race, sex roles, and religious and political beliefs.

C. Secondary students who are in the ninth through the twelfth grade shall be eligible for enrollment in CTE programs.

D. Middle school (grades seven through eight) career and technical education programs shall meet the generic standards for senior high CTE programs, as well as specific standards for middle school approval in the CTE program area(s). Middle school CTE programs shall be coordinated with the CTE program at the senior high school.

E. Both male and female students as well as students with disabilities shall be encouraged to participate in traditional and nontraditional CTE training to assist in eliminating bias and stereotyping CTE programs.

F. The local governing authority of each LEA shall allocate annually to each secondary school in the LEA, in addition to any other funding, not less than $50 per student enrolled at the school in an agricultural education program for use in providing adequate instructional materials and supplies for such students.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:181.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1309 (June 2005), amended LR 39:2227 (August 2013).

§3109. Carnegie Credit

A. Credit shall be awarded for successful completion of one-half to three Carnegie credits of career and technical education courses.

1. Credit for partial completion of two- or three-hour career and technical education courses may be granted for unusual or extenuating circumstances. Documentation shall be kept in the student's cumulative folder.

B. No career and technical education or contract course shall be offered for credit in any secondary setting if it requires a license to practice the job, until the course has been approved by the licensing board designated to regulate that vocation.

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 39:2227 (August 2013).

§3111. Career and Technical Education Student Organizations (CTSOs)

A. Activities of CTSOs should be offered as an integral part of the CTE instruction and be under the supervision of the instructional staff. The CTSOs for the respective CTE program areas are as follows:

1. agriscience—National FFA Organization (FFA);

2. business education—Future Business Leaders of America (FBLA);

3. health occupations—Health Occupations Students of America (HOSA);

4. family and consumer sciences—Family, Career, and Community Leaders of America (FCCLA);

5. marketing education—Association of Marketing Students (DECA);

6. technology education—Technology Student Association (TSA);

7. trade and industrial education—SkillsUSA.

B. Each local school governing authority shall develop procedures and policies for the approval of travel.

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 39:2227 (August 2013).

§3113. Work-Based Learning

A. Work-based learning programs shall provide opportunities for CTE students to receive on-the-job training and related classroom instruction in all CTE program areas. Work-based learning may include, but is not limited to, cooperative education and internships.

B. Cooperative education features an agreement between schools and employers to provide paid on-the-job training that relates to the areas of technical study in school and is based on objectives jointly developed by the school and the employers.

C. Internships are work-based activities where students work with an employer for a specified period of time to learn about a particular occupation or industry. The workplace activities involved with an internship could include special projects, a sample of tasks from different jobs, or tasks from a single occupation. An internship agreement is set up prior to the experience that outlines the expected objectives to be accomplished by the student. This may or may not include financial compensation.

D. Certification Requirements for Teachers

1. The cooperative education teacher-coordinator shall hold a valid teaching certificate entitling the holder to teach cooperative education in the CTE program or a valid CTTIE certificate to teach Trade and Industrial Cooperative Education. A General Cooperative Education educator shall hold a valid cooperative education certification.

2. The internship teacher-coordinator shall hold a valid teaching certificate in the CTE program that aligns with the student's internship worksite. A General CTE Internship educator shall hold a valid CTE or CTTIE certification.

E. Scheduling Work-Based Learning

1. Cooperative education programs shall incorporate classroom instruction and on-the-job training. The classroom phase shall include a total of five hours each week (one regular period per day) of CTE related classroom instruction. The on-the-job training phase shall include a minimum of 15 hours of job training per week for the entire year spanning from August through May. Teacher-coordinators shall be scheduled for classroom instruction and on-the-job supervision. Teacher-coordinators shall be scheduled for one cooperative education preparatory/supervision period for 10-45 students. Teachers with more than 45 students shall be scheduled for two cooperative education supervision periods.

2. Internships shall incorporate classroom instruction and on-the-job training. The classroom phase shall include a minimum 1 class period per week throughout the course of CTE related classroom instruction. The on-the-job training phase shall include a minimum of 155 hours for a 1 credit course or a minimum 335 hours for a 2 credit course throughout the course. Teacher-coordinators shall be scheduled for classroom instruction and on-the-job supervision.

F. Facilities for Work-Based Learning

1. The LEA shall provide use of a telephone for teacher-coordinators of work-based learning education programs to use for placement/coordination/follow-up activities.

G. Teacher-Coordinator for Work-Based Learning

1. The teacher-coordinator and the employer shall cooperatively complete a training memorandum for both the classroom phase and the on-the-job training phase. The training memorandum and a list of skill competencies shall be prepared for each student. The list of competencies shall include skills and knowledge to be learned in the classroom and skills to be learned through on-the-job training.

2. Copies of the training memorandum and skills competencies shall be maintained in each work-based education student's folder and provided to the training sponsor (employer). The training memorandum is the application for an employment certificate for work-based education students. The employment certificate must be applied for on-line through the LA Workforce Commission's website.

3. Each teacher-coordinator for work-based programs must maintain on file a class organization report.

4. The cooperative education teacher-coordinator shall visit each student on the job to observe the student at work, to confer with the employer, and to obtain a written evaluation of the student's progress at least four times during the school year.

5. The internship education teacher-coordinator shall visit each student on the job to observe the student at work, to confer with the employer, and to obtain a written evaluation of the student's progress at least two times during the school year.

6. The teacher-coordinator shall inform the employer of labor laws as they apply to minors engaged in work-based learning.

7. Orientation and pre-employment training, as well as safety training, shall be provided for each student prior to the student's placement with a program training sponsor (employer).

8. It is recommended that funding for extended employment beyond the school year be provided for each teacher-coordinator.

9. The program training sponsor (employer) shall complete a written evaluation of each student's on-the-job performance for each grading period.

10. The teacher-coordinator shall be responsible for determining the student's grade.

H. Work-Based Learning Students

1. Cooperative education students shall be placed in appropriate, paid training stations within three weeks of the opening of school. Students not placed shall be rescheduled into non-cooperative courses.

2. Cooperative education students shall receive minimum wage or above for the hours spent in job training.

3. Internship students shall be placed in appropriate, paid or non-paid training stations within three weeks of the opening of school. Students not placed shall be rescheduled into non-internship courses.

4. Students in cooperative office education, cooperative technology education, health occupations cooperative education, and family and consumer sciences cooperative education shall be seniors. Students in cooperative agriscience education, general cooperative education, cooperative marketing education, and trade and industrial cooperative education (TICE) shall be juniors or seniors.

a. Reference model course guidelines for course requirements and prerequisites.

5. Internship students shall be juniors or seniors.

6. Work-based education students must successfully complete both the classroom and the on-the-job training phase to receive any credit. Students enrolled in cooperative education course shall not begin a work-based program at midterm.

NOTE: Refer to career and technical education course offerings for prerequisites and requirements for specific work-based programs.

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).

§3115. Procedures for Program Approval

A. Any new instructional program in career and technical education, including regular, cooperative, pilot, or alternative, shall obtain approval from the LDE before initiation.

B. In order to qualify for funding as an approved program:

1. instruction shall be based on the CTE standards and benchmarks and model course guidelines;

2. the teacher shall maintain certification in the CTE program they are assigned to teach;

3. if a school offers an industry-based certification (IBC), the teacher of the IBC course(s) shall hold or work toward obtaining the industry certification. Teachers shall have a maximum of three years to obtain the certification;

4. each program area offered by a high school shall make available at least one career pathway approved by BESE;

5. each program area shall offer courses in that program area for at least 50 percent of the school day;

6. where national program certification exists, the program shall meet or work toward obtaining the program certification. Schools shall have a maximum of three years to obtain the certification;

7. CTE instruction shall integrate career and technical education and state-approved standards to strengthen basic academic skills in communication, mathematics, science and social studies and develop critical thinking skills through practical applications in real-life situations;

8. each local educational governing authority should establish and maintain a local advisory council for CTE.

a. The membership of the local advisory council should be composed of representatives of the general public, including at least a representative of business, industry, and labor with appropriate representation of both sexes and racial and ethnic minorities found in the program areas, schools, community, or region that the local advisory council serves.

b. The duties of the local advisory council include advising the local education governing authority on:

i. current job needs; and

ii. the relevancy of programs (courses) being offered to meet the current job needs.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1311 (June 2005), amended LR 39:2228 (August 2013).

§3117. Additional Program Approval Procedures

A. Agriscience/Agribusiness

1. The teacher shall assist each student in planning and developing a supervised agriculture experience (SAE) program of one or more of the following types:

a. ownership at the student's home, farm or business;

b. placement at a farm or agribusiness other than that owned by the student;

c. directed laboratory at a school facility such as school farm, greenhouse, garden, shop, forestry plot, food preservation center, etc.

2. The teacher shall supervise on a regular and periodic basis all SAE programs and shall assist the students in maintaining accurate records of their SAE programs.

3. The teacher shall participate in inservice activities by attending and taking part in the annual summer inservice held in conjunction with the area FFA leadership camp and any other LDE-sponsored inservice required of all agriculture teachers in the state.

4. The teacher shall organize and maintain an active chapter of the National FFA Organization, serving as its advisor, and will attend with two or more members the state convention and area leadership camp. Dues and special fees and reports will be submitted by the deadline set by the Louisiana Association of FFA. Each FFA chapter will participate in a minimum of four contests at the area or state level and will submit applications for at least three chapter or individual FFA awards. All FFA members will achieve the greenhand degree, and 80 percent or more of members enrolled in classes above the agriscience I level will achieve the chapter FFA degree.

5. The LEA shall determine required documentation regarding an agriscience teacher's summer work activities. The teacher shall be responsible for carrying out the summer work activities and submitting reports, as deemed necessary by the LEA, documenting the summer work activities.

6. Each LEA will be responsible for maintaining the above documentation of the additional program approval requirements for their agriscience/agribusiness programs.

B. Health Science Education

1. Health science education programs shall meet requirements of appropriate licensing or recognized accrediting agencies.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7 and R.S. 17:185.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1311 (June 2005), amended LR 39:2229 (August 2013).

Chapter 33. Home Study Programs

§3301. Definition

Home Study Program—a program that offers a sustained curriculum of quality, at least equal to that offered by public schools at the same grade level, and implemented under the direction and control of a parent, legal guardian, or tutor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:236.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1312 (June 2005), amended LR 45:226 (February 2019).

§3303. Eligibility

A. Any student eligible by Louisiana law to attend Louisiana elementary or secondary schools shall be eligible to participate in a home study plan.

B. The home study plan does not replace the state homebound law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:236.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1312 (June 2005).

§3305. Application Process

A. Initial Home Study Program Application

1. An initial application must be made within 15 days after the beginning of the program to the LDE, on behalf of BESE, for review and approval.

2. The initial application will be accompanied by a certified copy or a photocopy of the birth certificate of the student. The applicant must certify that the home study program will offer a sustained curriculum of quality at least equal to that offered by public schools at the same grade level.

3. For purposes of compulsory attendance, a child participating in an approved home study program will be considered in attendance in a day school.

B. Home Study Program Application Renewal

1. A renewal application must be made October 1 of the school year, or within 12 months of the approval of the initial application, whichever is later. Parents seeking continued approval are required to submit a renewal application each year.

2. A renewal application will be approved if the applicant submits to the LDE satisfactory evidence that the program offers a sustained curriculum of quality at least equal to that of public schools at the same grade level.

C. Initial and renewal applications will be approved if found to meet the requirements set forth in R.S. 17:236.1. Upon LDE approval, parents will receive an official approval verification letter. Because state law does not provide for any exceptions for the deadline for the approval of a home study program and does not allow for retroactive approval of a previous school year, it is the parent's responsibility to maintain a record of annual home study participation.

D. Within 30 days of initial approval of an application, denial of an application, or failure to receive an annual renewal application for a previously approved home study program, LDE shall provide notification of the child's legal name, date of birth, and physical residential address to the city, parish, or other local school system in which the child was most recently enrolled and, if different, the school system in which the child resides.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:236.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1312 (June 2005), amended LR 39:2229 (August 2013), LR 45:226 (February 2019), LR 49:254 (February 2023).

§3307. Instructor

A. A parent, legal guardian, or tutor will be permitted to provide instruction in a home study program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:236.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1312 (June 2005), amended LR 45:226 (February 2019).

§3309. Curriculum

A. The home study program shall have a sustained curriculum of a quality at least equal to that offered by public schools at the same grade level. The sustained curriculum must be substantiated in one of the following ways:

1. a packet of materials which shall be evaluated by the LDE for adequacy and which shall include such documents as:

a. a complete outline of each of the subjects taught during the previous year;

b. lists of books/materials used;

c. copies of the student's work;

d. copies of the student's standardized test results;

e. statements by third parties who have observed the child's progress; or

f. any other evidence of the quality of the program being offered;

2. verification that the child took the LEAP tests and scored at or above the state performance standards as established by BESE for his/her grade level; or

3. verification that the child has taken the California Achievement Test or such other standardized examinations as may be approved by BESE including, but not limited to, tests approved for the Nonpublic School Testing Program, and the child has scored at or above his/her grade level for each year in home study; or

4. a statement from a teacher certified to teach at the child's grade level stating that the teacher has examined the program being offered and that in his/her professional opinion this child is being taught in accordance with a sustained curriculum of quality at least equal to that offered by public schools at the grade level, or in the case of children with mental or physical disabilities, at least equal to that offered by public schools to children with similar disabilities. The teacher evaluation is subject to review and approval by BESE.

B. A high school diploma awarded by a home study program approved by LDE, on behalf of BESE, is deemed by all public postsecondary education institutions, state departments, agencies, boards, commissions, and other state and local governmental entities to have the same rights and privileges afforded to a high school diploma awarded by a state-approved nonpublic school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:236.1..

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1312 (June 2005), amended LR 37:1137 (April 2011), LR 39:2229 (August 2013), LR 42:1879 (November 2016), LR 45:226 (February 2019).

§3311. Testing

A. A parent or court-appointed custodian of a student in a home study program may request of the LEA superintendent or the state superintendent that the student be administered the LEAP tests in grades 3-8 under the following conditions:

1. date of the test shall be on such dates as determined by the LEA superintendents or state superintendent;

2. a fee of up to $35 may be charged to cover actual costs of administering, scoring, and reporting the results of the tests;

3. the examination shall be administered with the same instructions and under similar conditions as provided to students enrolled in public schools;

4. a certified teacher shall administer the test;

5. the parent shall be provided the student's score and whether the student passed the examination by meeting the state performance standard for LEAP.

B. Students enrolled in state-approved home study programs are not eligible to participate in LEAP connect, ELPT, or EOC tests.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:236.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1313 (June 2005), amended LR 37:1138 (April 2011), LR 45:226 (February 2019).

§3313. Admission or Readmission to the Public School System

A. The LEA shall have a written policy included in the local pupil progression plan for admission or readmission of home study students to public schools. Refer to *Bulletin 1566— Pupil Progression Policies and Procedures.*

1. The policy includes a placement exam to determine grade-level placement.

B. At the grade levels in which state level tests are not available, the LEA will determine the placement and/or credits for the student through screening, evaluations, and/or examinations. These instruments may include any one of the following:

1. locally developed system-wide criterion-referenced test;

2. locally adopted commercial criterion-referenced test; or

3. locally adopted commercial norm-referenced test.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:236.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1313 (June 2005), amended LR 39:2230 (August 2013), LR 45:226 (February 2019).

§3315. Due Process

A. No public school will deny admission or readmission of a home study program student if that student is otherwise eligible for enrollment in a public school pursuant to state law, the policies of the local school board, and the Board of Elementary and Secondary Education.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:236.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1313 (June 2005), amended LR 45:226 (February 2019).

§3317. Cost

A. All costs directly attributed to the home study program will be borne by the parent or court appointed custodian approved to offer such program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:236.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1313 (June 2005), amended LR 39:2230 (August 2013), LR 45:226 (February 2019).

Chapter 35. Public School Enrollment Choice

§3501. Student Transfer Requests

A. The parent or legal custodian of a student may enroll the child in a Louisiana public school, without regard to residence, school system, geographic boundaries, or attendance zones, contingent upon the following:

1. the public school in which the student was most recently enrolled, or would otherwise attend, received a school performance letter grade of "D" or "F" for the most recent school year in which school letter grades were produced, pursuant to Part XI., Subpart 1;

2. the public school in which the student seeks to enroll received a school performance letter grade of "A", "B", or "C" for the most recent school year in which school letter grades were produced, pursuant to the school and district accountability system, pursuant to Part XI., Subpart 1;

3. the public school in which the student seeks to enroll has sufficient capacity at the appropriate grade level; and

4. the enrollment of the student in the public school of choice does not violate an order of a court of competent jurisdiction.

B. If an LEA denies the enrollment request of a prospective student for an intradistrict transfer pursuant to Subsection A of this Section, the parent or legal custodian of the student may request that the state board review the denied transfer request.

1. Requests for review may be submitted to the state board annually by May 15 using the designated form.

2. At the June meeting of the state board, or within ninety days of receipt of a request for review, the state board shall determine if the capacity policy established for the school was followed.

3. If the state board determines that the school and/or district policy was not followed, the LEA shall reconsider the transfer request.

4. The state board shall not approve any transfer request that would exceed the enrollment capacity of a school or classroom, as established by the school governing authority.

C. LEA Responsibilities

1. The governing authority of each public elementary and secondary school shall ensure compliance with the provisions of this Section and shall adopt a policy to govern student transfers authorized by this Section. Such policies shall include:

a. a definition of “capacity” for each school;

b. the transfer request period, which shall begin no later than March first and end no earlier than March twenty-eighth, annually;

c. such policies shall be posted annually to the school governing authority website no later than January 1, and reported to the state Department of Education no later than January 30.

2. Prior to the transfer request period, the public school governing authority shall notify parents and legal guardians of students enrolled in a school that received a "D" or "F" school performance letter grade pursuant to the state school and district accountability system for the most recent school year of the following:

a. any schools under the jurisdiction of the governing authority that received an "A", "B", or "C" school performance letter grade;

b. the process for submitting student transfer requests; and

c. the page on the LDE website that contains school performance data.

D. A student transfer pursuant to the provisions of this Section shall comply with the policy adopted by the governing authority of the school in which the student seeks to enroll.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:4035.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 49:35 (January 2023).

§3503. Public High School Program of Choice

A. The governing authority of each public high school shall work to grow programs of choice as defined by R.S. 17:4035.2.

B. A student may enroll in a program of choice offered within the assigned school district, without regard to attendance zones, contingent upon the following:

1. the program of choice and the high school offering the program have available capacity at the appropriate grade level;

2. the program of choice is not offered at the public high school in which the student was most recently enrolled or would otherwise attend;

3. the enrollment of the student in the public school of choice does not violate an order of a court of competent jurisdiction; and

4. the student meets the published admission requirements, if any, of the program of choice.

C. The governing authority of each public high school shall include in the district policy regarding student transfers:

1. a definition of capacity for each program of choice;

2. admission requirements, if any, for each program of choice; and

3. the process for requesting BESE review of any denied request to transfer to a program of choice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:4035.1 and R.S. 17:4035.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 49:254 (February 2023).

Chapter 37. Glossary

§3701. Abbreviations/Acronyms

ADA—Americans with Disabilities Act.

AP—advanced placement.

BESE—Board of Elementary and Secondary Education.

CPR—cardiopulmonary resuscitation.

CTE—career/technical education.

CTSO—career and technical student organizations.

CTTIE—career and technical trade and industrial education.

DECA—An association of marketing students.

FBLA—Future Business Leaders of America.

FCCLA—Family, Career, and Community Leaders of America.

FFA—National FFA Organization.

GEE 21—Graduation Exit Examination for the 21st Century.

GLEs—grade-level expectations.

HOSA—Health Occupations Students of America.

IAP—individualized accommodation program.

IB—international baccalaureate.

IBC—industry-based certification.

IDEA—Individuals with Disabilities Education Act; the special education law.

IEP—individualized education program.

JROTC—Junior Reserve Officer Training Corps.

LDE—Louisiana Department of Education.

LEA—local education agency.

LEAP 21—Louisiana Educational Assessment Program for the 21st Century.

LHSAA—Louisiana High School Athletic Association.

LMA—Louisiana Montessori Association.

MFP—Minimum Foundation Program.

MPS—minimum proficiency standards.

NAEP—national assessment of educational progress.

NCLB—No Child Left Behind.

OFAT—out-of-field authority to teach.

SAE—supervised agriculture experience.

SAPE—substance abuse prevention education.

TAT—temporary authority to teach.

TOPS—Taylor Opportunity Program for Students.

TSA—Technology Student Organization.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1316 (June 2005), amended LR 39:2230 (August 2013), LR 42:1879 (November 2016).

§3703. Definitions

Academically-Able Student—a student who is functioning at grade level as determined by the local school system. For special education students identified in accordance with *Bulletin 1508—Pupil Appraisal Handbook*, the IEP committee shall determine the student's eligibility to receive foreign language instruction, provided the student is performing at grade level.

Academic Endorsement—recognition for high school graduates who meet requirements listed in §2318 which are above the requirements of a standard diploma.

Accommodation—any technique that alters the academic setting or environment. An *accommodation* generally does not change the information or amount of information learned. It enables students to show more accurately what they actually know.

Activity Class—any class such as band, theatre, or chorus for which a large class size is acceptable due to the nature of the instruction.

Adapted Physical Education—specially designed physical education for those exceptional students for whom significant deficits in the psychomotor domain have been identified according to *Bulletin 1508—Pupil Appraisal Handbook*, and who, if school-aged, are unable to participate in regular physical education programs on a full-time basis.

Adult Education—instruction below the college level for adults who have not been awarded a regular high school diploma and who are not currently required to be enrolled in school.

Advanced Placement Program—the *Advanced Placement Program* of the College Board gives students the opportunity to pursue college-level studies while still in secondary school and to receive advanced placement and/or credit upon entering college.

Alternative School/Program—an educational school/program that deviates from the standards stated in Bulletin 741 in order to meet the specific needs of a particular segment of students within the community. There are two types of *alternative schools/programs*:

1. alternative within regular education:

a. the curriculum addresses state standards; and

b. upon graduation, students earn a state-approved diploma;

2. alternative to regular education:

a. the curriculum does not address state standards; and

b. upon graduation, students do not earn a state-approved high school diploma.

Alternative to Regular Placement—placement of students in programs that are not required to address BESE performance standards.

Approved School—a public or nonpublic school that has an approval classification based upon a degree of compliance with standards/regulations prescribed by BESE.

Area of Concentration—a coherent sequence of courses or field of study that prepares a student for a first job and/or further education and training. It includes four sequential related credits in a specific area plus two credits in a related field; one must be a basic computer course.

Articulated Credit—promotes a smooth transition from secondary to postsecondary education. It serves as a vehicle for high school students to earn postsecondary credit while enrolled in high school or upon entering postsecondary study.

Assessment—the act or process of gathering data in order to better understand the strengths and weaknesses of a student learning as by observation, testing, interviews, etc.

Attendance (Half-Day)—a student is considered to be in attendance for one-half day when he or she:

1. is physically present at a school site or is participating in an authorized school activity; and

2. is under the supervision of authorized personnel for more than 25 percent but more than half (26-50 percent) of the student's instructional day.

Attendance (Whole-Day)—a student is considered to be in attendance for a whole day when he or she:

1. is physically present at a school site or is participating in an authorized school activity; and

2. is under the supervision of authorized personnel for more than 50 percent (51-100 percent) of the student's instructional day.

BESE Policy—a comprehensive statement that has been adopted by BESE pursuant to the APA process and that has the force and effect of law to govern and to bring uniformity in education throughout Louisiana.

Board or *BESE*—the state Board of Elementary and Secondary Education.

Career Major—a coherent sequence of courses or field of study that prepares a student for a first job and/or further education and training. It includes four sequential related credits in a specific area plus two credits in a related field; one must be a basic computer course.

Career Technical Endorsement—an endorsement beyond a regular diploma which has the purposes of enhancing a student’s junior/senior years and providing a credential for postsecondary work with specific performance indicators that include industry-based certification and/or articulated credit and work-based learning.

Class Size—the maximum enrollment allowed in a class or section.

Co-Curricular Activities—those activities that are relevant and supportive, that are an integral part of the program of studies in which the student is enrolled, and that are under the supervision and/or coordination of the school instructional staff.

Cooperative Education—programs that provide opportunities for career and technical education students to receive on-the-job training and related classroom instruction in the areas of agriculture, business, health, family and consumer science, marketing, and trade and industrial education programs.

Credit Exam—an examination for the purpose of verifying a student has mastered a course taken under conditions that do meet the requirements for awarding Carnegie credit, such as teacher certification or time requirements.

Cultural Arts—that subject area that includes music, arts and crafts, and the fine arts.

Cumulative Record—a current record of academic, health, and other special types of information maintained for each student throughout his progress in school.

Department or *LDE*—the Louisiana Department of Education.

Education Records—

1. those records, files, documents, and other materials which:

a. contain information directly related to a student; and

b. are maintained by an educational agency or institution or by a person acting for such agency or institution;

2. the term *education records* does not include:

a. records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute;

b. records maintained by a law enforcement unit of the educational agency or institution that were created by that law enforcement unit for the purpose of law enforcement;

c. in the case of persons who are employed by an educational agency or institution but who are not in attendance at such agency or institution, records made and maintained in the normal course of business which relate exclusively to such person in that person's capacity as an employee and are not available for use for any other purpose; or

d. records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, which are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his professional or paraprofessional capacity, or assisting in that capacity, and which are made, maintained, or used only in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional of the student's choice.

Elementary School—a school composed of any span of grades kindergarten through the eighth grade.

Evaluation—the in-depth process of review, examination, and interpretation of intervention efforts, test results, interviews, observations, and other assessment information relative to predetermined criteria.

Exceptional Child—a child who is evaluated in accordance with *Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act* (R.S. 17:1941 et seq.) and who is determined according to *Bulletin 1508—Pupil Appraisal Handbook*, to have an exceptionality that adversely affects educational performance to the extent that special education is needed.

Extracurricular Activities—those activities which are not directly related to the program of studies, which are under the supervision and/or coordination of the school instructional staff, and which are considered valuable for the overall development of the student.

Face Covering—a piece of material used to cover both the nose and mouth for the purpose of forming a barrier to droplets or airborne particles that are coughed, sneezed, or exhaled when talking. Face coverings are meant to protect both the wearer of the face covering and surrounding individuals.

Fine Arts—those arts produced or intended primarily for beauty rather than utility, such as music, dance, drama, and the visual arts (i.e., drawing, painting, sculpture).

Five-Year Educational Plan—the plan developed by each student by the end of the eighth grade with the input of his/her family. The plan shall include a sequence of courses which is consistent with the student's stated goals for one year after graduation. Each student's *five-year educational plan* shall be reviewed annually thereafter by the student, parents, and school advisor, and revised as needed.

Gifted—children or youth who demonstrate abilities that give evidence of high performance in academic and intellectual aptitude.

Grade-Level Expectations (GLE)—the concepts and skills that students should master at the end of a grade or course.

High-Touch Surface—surfaces that are touched frequently, including but not limited to door handles, bathroom fixtures, drinking fountains, railings, desks, and other surfaces in school facilities or on school buses.

Homebound Student—a student who is enrolled in regular education and who, as a result of healthcare treatment, physical illness, accident, or the treatment thereof, is temporarily unable to attend school, and who is provided instructional services in the home or hospital environment.

Home Study Program (Approved)—program in which an approved curriculum can be implemented under the direction and control of a parent or a tutor (i.e., court-appointed guardian under Louisiana law).

Individualized Education Program (IEP)—a written statement of specially designed instruction developed, reviewed and revised by a group of qualified education personnel and the parent/guardian for each student with an exceptionality in public schools.

Individual Graduation Plan—the plan developed by each student by the end of the eighth grade with the input of his/her family. The plan shall include a sequence of courses which is consistent with the student's stated academic and career goals. Each student individual graduation plan shall be reviewed annually thereafter by the student, parents and/or legal custodian, and school advisor, and revised as needed.

Industry-Based Certification—a portable recognized credential (tangible evidence) that an individual has successfully demonstrated skill competencies on a core set of content and performance standards in a specific set of work related tasks, single occupational area, or a cluster of related occupational areas.

Instructional Time—shall include the scheduled time within the regular school day devoted to teaching courses outlined in the program of studies. *Instructional time* does not include such things as recess, lunch, change of class time, and parent-teacher conferences.

Internship—student *internships* are situations where students work for an employer for a specified period of time to learn about a particular industry or occupation. Students' workplace activities may include special projects, a sample of tasks from different jobs, or tasks from a single occupation. These may or may not include financial compensation.

Language Arts—a broad subject area which includes reading, literature, speaking, listening, oral and written composition, English grammar, and spelling. (Foreign language may be included as part of the language arts program.)

LDH—the Louisiana Department of Health.

Least Restrictive Environment—the educational placement of an exceptional child in a manner consistent with the *least restrictive environment* requirements in of *Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act* and R.S. 17:1941 et seq.

Local Educational Agency (LEA)—a public board of education or other public authority legally constituted within the state either to provide administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, parish school district, or other political subdivision of the state. The term includes an educational service agency and any other public institution or agency having administrative control and direction of a public elementary or secondary school, including a public charter school that is established as an LEA under state law.

Locally Initiated Elective—an elective course developed and approved by an LEA according to the standards in §2315 and reported to the LDE.

Minimum Standards for Career/Technical Education—requirements that shall be met by local education governing agencies to be eligible for reimbursement in vocational education programs.

Modification—any technique that alters the work product in some way that makes it different from the work required of other students in the same class. A *modification* generally does change the work format or amount of work required of students. It encourages and facilitates academic success.

Paraprofessional—a person who is at least 18 years of age, possesses a certificate of good health signed by a physician, possesses an appropriate permit, and assists in the delivery of special educational services under the supervision of a special education teacher or other professional who has the responsibility for the delivery of services to exceptional children.

Paraprofessional Training Unit—a setting that may be used for the self-help training (toilet-training, dressing skills, grooming skills, feeding skills, and pre-academic readiness activities) of children with severe/profound disabilities or preschool children. A school-aged unit may be comprised of no more than six paraprofessionals. A preschool unit may be comprised of no more than four paraprofessionals. All units must be supervised directly by a certified special education teacher. Each paraprofessional must have a full quota of students (three) before an additional paraprofessional can be added to the unit. A *paraprofessional training unit* must be approved by the Office of Special Educational Services for the LDE in accordance with operational standards established by BESE.

Pre-Kindergarten—developmental programs for children ages 3-4, the minimum age being three by September 30 of the school year in which the student enters pre-kindergarten.

Principal—in a school, the chief administrative officer certified by the state Department of Education, except in the case of special schools in which the superintendent may be designated as the chief school administrator.

Procedures—specific actions or steps developed and required by the LDE to implement standards or regulations of BESE.

Proficiency Exam—an examination taken by a student to demonstrate mastery of a course they have not taken.

Public School—a school operated by publicly elected or appointed school officials and supported primarily by public funds.

Public School System Accreditation—an accreditation classification, which is based upon the fifth-year, on-site verification of the annual system and school reports, and which is granted by the state Department of Education.

Pupil Appraisal Personnel—professional personnel who meet the certification requirements for school personnel for such positions and who are responsible for delivery of pupil appraisal services included in *Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act* (R.S. 17:1941 et seq.) and *Bulletin 1508—Pupil Appraisal Handbook*.

School Building Level Committee—a committee of at least three school level staff members. It shall be comprised of at least the principal/designee, a classroom teacher, and the referring teacher. It is suggested that other persons be included, such as the school counselor, reading specialist, master teacher, nurse, parents, pupil appraisal personnel, etc. This committee is a decision-making group that meets on a scheduled basis to solve problems or address concerns from teachers, parents, or other professionals on individual students who are experiencing difficulty in school because of academic and/or behavior problems. In most cases, for enrolled students, it is only through the SBLC that a referral

can be made to pupil appraisal services for an individual evaluation.

Senior Project—a project that provides high school seniors with an opportunity to conduct in-depth research in an area of interest, and to demonstrate problem-solving, decision-making, and independent learning skills. The project consists of a research paper, a portfolio of project activities, a product, and an oral presentation to a panel of teachers and community leaders. During this process, the student is advised by a teacher serving as a senior project advisor and a product mentor who has experience in the student's field of study.

Special Education—specially designed instruction, at no cost to the parent, to meet the unique needs of the student with an exceptionality.

Static Group—a group whose composition of students and adults does not change.

Talented—children or youth who give evidence of measurable abilities of unique talent in visual and/or performing arts.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:439.1, and 17:3391.

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