



Action Alert #1

BESE Committee to Discuss Two Important Issues

October 6, 2023

The Louisiana Board of Elementary and Secondary Education's (BESE) Academic Goals and Instructional Improvement Committee meets Tuesday, October 10th at 9:00 AM to discuss two issues impacting students with disabilities: ([Committee Agenda](#))

1. A request to waive policy contained in Bulletin 1530, *Louisiana Handbook for Students with Disabilities*, §127. Three-Year Age Span, for three school districts.
2. Consideration of the [Legislative Auditor's report](#) regarding the Louisiana Department of Education's (LDOE) complaint process regarding Students with Disabilities receiving Special Education Services.

A few questions to consider:

- Do you believe self-contained classrooms should remain small, with children similar in age to ensure their specific needs are met?
- Are you concerned about greater gaps in age of children in self-contained classrooms?
- Are you the parent of a child in a self-contained classroom at one of the school systems below and were not notified of the three-year age span waiver?
- Do you believe LDOE will monitor systems granted three-year age span waivers to ensure the agreed upon contingencies are met?
- Have you filed a formal complaint regarding your child's special education services with LDOE and the complaint was never addressed?
- Do you feel LDOE's complaint process should be more accessible, user-friendly and transparent?
- Would you like to see LDOE partner with stakeholders to create a better complaint process?

If any of these issues impact you, your child or someone you know, BESE needs to hear from you! More information about each issue can be found in the background information below.

How to Take Action

Email or call your BESE member and the At-Large members before the committees meet on Tuesday, October 10th.

- [Click here](#) for BESE members' contact information.
- With your comments, please include your name, address, phone number, email address and the issue you are addressing. Don't forget to thank members for supporting the needs and interests of students with intellectual and developmental disabilities (I/DD).

The meetings will be live streamed on BESE's [website](#) and their [YouTube Channel](#).

Background Information

First Issue – Three-year Age Span

Bulletin 1530, *Louisiana Handbook for Students with Disabilities*, §127 states “Unless specifically permitted by the State Board of Elementary and Secondary Education, there shall not be a chronological age span of more than three years within a special education class.”

The following three school districts requested to waive this policy:

- Jackson Parish School Board - Affects the only self-contained LEAP Connect classroom at Weston High School. This classroom has 10 students ranging in age from 5 – 10 years old and is staffed by one teacher and four paraprofessionals.
- Bricolage Academy – Affects one self-contained middle school classroom serving seven students in fourth through seventh grades and one self-contained lower elementary school classroom serving six students in pre-kindergarten through third grade. The classrooms, which have access to accessible facilities, are each staffed with one special education case manager and multiple paraprofessionals.
- Audubon Charter Gentilly - Affects one self-contained classroom for a student that requires changing services and accessibility features only available on the first floor of the building. The age of the building and historic status do not provide ADA-compliant access to the second floor.

The Louisiana Department of Education (LDOE) recommends approving all requests to waive the three-year age span as long as the following contingencies are met:

- The students in the self-contained classroom should be included regularly with typically developing peers as much as possible;
- Frequent progress monitoring should guide data-based decisions to ensure that instruction and supports address each student's unique needs;
- Students should have continuous supervision when exceeding the age span; and
- The waiver must be submitted annually, if needed.

A self-contained classroom is generally designed to provide struggling students with specialized supports and interventions. These classrooms are typically smaller settings with a small number of students, similar in age, to allow for specific needs and difficulties to be addressed. Before these requests are granted, LDOE should share their plan to monitor each requests compliance with the contingencies set forth.

Second Issue – LDOE Dispute/Complaint Process

The Legislative Auditor released the first of a series of reports related to the evaluation of the LDOE's oversight of students with disabilities in Louisiana. Federal law requires LDOE to provide general supervision of local school systems and ensure all Individuals with Disabilities Education Act (IDEA) requirements are met. To accomplish this, LDOE must adopt written procedures for due process hearings, mediations and formal complaints. Because federal law allows for some flexibility in how states set up their dispute resolution processes, Louisiana has developed two additional processes — Individualized Education Plan (IEP) facilitations and informal complaints.

The report highlighted several areas of concern on how the LDOE:

- Handled formal complaints;
- Failed to address all complaints received via email; and
- The need for LDOE to make their complaint process more accessible, transparent and user friendly.

It was also noted LDOE does not always reach out to parents during the complaint process, but they always reached out to school systems making the process unfair.

This report will be referred to the Special Education Advisory Panel (SEAP) to discuss at their next meeting November 29th. Be on the lookout for another alert and a Yellow Shirt Day.

If this issue has affected you in particular, please reach out to your [LaCAN Leader](#) regarding possible testimony at the next SEAP meeting.

Confirm Your Action

- Email your [LaCAN Leader](#) after you take action
- Why confirm your action? This helps the Council know how effective we are reaching you with important information and engaging members across our state in advocacy for systems change.

Tips & Tools for Advocacy

Looking for tips and tools to help you in your advocacy? Check out the Council's [Advocacy 101](#) page. You can also find tips for:

- [Writing/emailing your legislators](#)
- [Calling your legislators](#)
- [Writing your story](#)

Contact Us

LaCAN is an initiative of the LA Developmental Disabilities Council. If there are any questions about the information in this email, contact the Council by replying to this email, or calling the toll free number listed below:

phone: 1-800-450-8108

email: info@laddc.org

website: www.lacanadvocates.org

facebook: www.facebook.com/LaDDCouncil

twitter: www.twitter.com/LaDDCouncil

Sign up to receive LaCAN Alerts [HERE](#).

View all recent LaCAN Alerts [HERE](#).



Louisiana Developmental
Disabilities Council