



Action Alert #20

SEAP to Discuss Changes to Special Education Bulletins

July 25, 2024

The Louisiana Special Education Advisory Council (SEAP) meets Wednesday, July 31st at 9:30 AM to discuss changes to Special Education Bulletins and several other important issues.

During the 2024 Regular Legislative Session, two bills became law prompting needed updates to various special education bulletins. The Board of Elementary and Special Education (BESE) reviewed proposed bulletin changes, and now SEAP will have the opportunity to weigh in. The following bulletins will be up for discussion:

- Bulletin 741 - Handbook for School Administrators ([Recommended Changes](#))
- Bulletin 1573 - Complaint Management Procedures ([Recommended Changes](#))
- Bulletin 1706 - Regulations for Implementation of Children with Exceptionalities Act ([Recommended Changes](#))
- Bulletin 135 - Health and Safety ([Recommended Changes](#))

Other issues SEAP plans to discuss include:

- Alternate Assessment Participation, the 1% cap and Eligibility Criteria
- A response plan to the Louisiana Legislative Auditor report on risk-based monitoring and updates to Bulletin 1922 – Compliance Monitoring Procedures
- Updates regarding the State Performance Plan/Annual Performance Report (SPP/APR) and 2024-2025 Planning

More information about each of the issues above can be found in the “Additional Information” section of this alert.

Are any of these issues important to you or someone you know? Ask yourself:

- Do you feel the recommended changes to the bulletins above are in line with the intent of the bills passed?
- Do you have ideas about recommended changes you would like SEAP to consider?
- Are you concerned about Louisiana’s consistent use of waivers to exceed the 1% cap of students assessed by an alternate assessment?
- Do you have ideas and recommendations on how LDOE can better monitor special education services?

If you answered yes to any of these questions, SEAP needs your input!

How to Take Action

Share your thoughts about any of the issues above with SEAP by Tuesday, July 30th.

- Email specialeducation@la.gov
- Email SEAP Co-Chair Simone Champagne at Simone.Champagne@la.gov

With your comments, please include the issue(s) you are writing about, and don't forget to thank members for supporting the needs and interests of students with disabilities.

The meeting agenda can be found [here](#). If you need help with this alert or would like more information, contact your [LaCAN Leader](#).

Additional Information

Changes to Special Education Bulletins

Two pieces of legislation were passed this session addressing the following issues:

- Training for local school board members on special education issues
- Changes to medication administration
- Information Individualized Education Plan (IEP) teams must provide to parents
- Allowing for complaints to be filed up to two years after the alleged violation

Once legislation is passed, Special Education Bulletins must be updated to reflect those changes. Advocates are encouraged to read the legislation linked below and determine if the recommended changes to the referenced bulletin will address the issues within and intent of the new law.

Representative Bacala worked with advocates and the Louisiana Department of Education (LDOE) to pass [Act 198 \(HB153\)](#) which strengthens policies around several different special education issues, including:

- Extending length of time a parent has to file a complaint from one to two years after an alleged violation (*Bulletin 1573*)
- Requiring all local school board members receive training on Special Education (*Bulletin 741*)
- Requiring BESE develop rules for a dispute resolution process
- Requirements around reporting of items discussed at local Special Education Advisory Committees (SEACs) (*Bulletin 741*)
- Requiring schools to install cameras in self-contained special education classrooms within 90 days after a request is made (*Bulletin 741*)

Representative Kerner passed [Act 689 \(HB362\)](#) which requires IEP teams to provide families information around all legal options once the student turns 18 (transfer of parental rights) if that student is taking the Alternate Assessment. (*Bulletin 1706*)

Alternate Assessment Participation, the 1% Cap, and Eligibility Criteria

The 1% cap is designed to limit the number of students with disabilities who are assessed with a state's alternate assessment. Any state that anticipates exceeding the 1% cap is required to submit a waiver to the U.S. Department of Education (USED) identifying:

- All of the state content areas that will be impacted
- The number and percentage of students who will take the state's alternate assessment and
- A plan and timeline for reviewing and possibly revising state guidelines for participation in state alternate assessments.

Louisiana consistently exceeds the 1% cap.

Update on Risk Based Monitoring of Special Education Services Audit

In May, the Legislative Auditor released the Risk-Based Monitoring of Special Education Services [audit](#), which evaluates the LDOE's oversight of students with disabilities who receive special education services. Page seven of the audit summarizes the findings and recommendations of the auditor. LDOE has recommended additional changes to Bulletin 1922 to address concerns noted in the audit. Some of the changes and their plan to address concerns can be found [here](#). This plan has been shared with BESE and was previously vetted by SEAP members during past meetings.

State Performance Plan/Annual Performance Report (SPP/APR) and 2024-2025 Planning

LDOE plans to share with SEAP information regarding Louisiana's performance as it relates to many special education indicators. SPP targets are used to determine which school districts have met requirements in the SSP and those that are in need of assistance or intervention. Unfortunately, there are no reports linked in the agenda around this topic, so it is unclear what information will be shared with SEAP.

Confirm Your Action

- Email your [LaCAN Leader](#) after you take action or just respond to this email.
- 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.

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

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