



Action Alert #21

BESE Committees Need to Hear from You

August 13, 2024

The Louisiana Board of Elementary and Secondary Education's (BESE) committees will meet Tuesday, August 20th, to discuss multiple issues affecting students with disabilities, including:

1. Consideration of a status report regarding economically disadvantaged students and students with disabilities ([Report](#)).
2. Consideration of revisions to bulletins in response to special education legislation of the 2024 Regular Legislative Session and recommendations from the Louisiana Legislative Auditors.

A few questions to consider:

- Do you feel students with disabilities deserve equal educational opportunities?
- Do you feel charter schools in your area are serving their fair share of students with disabilities and those economically disadvantaged?
- Do you feel charter schools should or should not be held accountable for not serving their fair share of students?
- Are you in support or opposition of school board members receiving special education training?
- Are you in support or opposition of extending parent's right to file a special education complaint from 1 to 2 years?
- Are you in support or opposition of installing cameras in self-contained classrooms within 90 days of request?

If any of these issues impact you, your child or someone you know, BESE needs to hear from you! More detailed 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 committees meet on Tuesday, August 20th.

- [Click here](#) for BESE members' contact information. This [map](#) will help you determine your BESE member.
- 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](#).

If you need help taking action or would like to discuss this alert before taking action, please reach out to your [LaCAN Leader](#). They are happy to help!

Background Information

First Issue – Charter Schools Serving Students with Disabilities/Economically Disadvantaged

In 2012, then Senator Dan Claitor filed SCR124 which requested BESE correct the inequities in the MFP Formula which resulted in Type 2 charter schools receiving millions of dollars that should have been given to traditional schools for services to educate students with disabilities (SWD). After three years with no fix, the Council was thrilled to work with Sen. Claitor on SB267 ([Act 467](#)) which required the same funding formula be applied to all traditional and Type 1, 2, 3 and 4 Charter Schools. It also required charter schools serve their fair share of SWD based on the average percentage of SWD in the district the charter was enrolled. The requirement was reduced from 85% to 70% this past legislative session.

The law also requires BESE develop and administer a process for determining if a charter school is meeting the student enrollment requirements and provide for an investigation of a charter school that fails to meet the requirements to determine the reasons for such failure and all actions taken by the school toward meeting the requirements.

Prior to the passage of Act 467, less than 40% of charters were meeting their 85% requirement. With the ever-changing educational landscape, it is vital that students with disabilities are provided with equal access to all educational choices, and BESE and the Department of Education (LDOE) should hold charter schools accountable when they fail to meet requirements of the law year after year.

Year over Year Students with Disabilities (SWD) Comparison

Charter Type	2022 Schools Meeting SWD Requirements	2023 Schools Meeting SWD Requirements
All Charters	53%	63%
Type 1 and 3 Local Authorized	59%	60%
Type 2 and 4 BESE Authorized	44%	51%
Type 1, 2, 3 and 4	54%	57%

This [report](#) continues to show a significant percentage of charter schools are still not serving their fair share of students with disabilities, and there does not appear to be any accountability or penalty for continued non-compliance with Act 467.

This issue will be discussed in the School Innovation and Turnaround Committee Tuesday, August 20th, at 1:30PM. ([Agenda](#))

Second Issue – Special Education Bulleting Revisions

During the 2024 Regular Legislative Session, multiple bills became law prompting needed updates to various special education bulletins. Representative Bacala worked with advocates and the LDOE to pass [Act 198](#) (HB153), strengthening 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 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)

Additionally, in response to the Louisiana Legislative Audit (LLA) on Risk-Based Monitoring, proposed updates to Bulletin 1922, *Compliance Monitoring Procedures*, include adding that all local education agencies (LEAs) will receive risk-based monitoring activities at least once in a six year cycle. LDOE also requested that a national OSEP-funded technical assistance center, the National Center on Systemic Improvement, review the state's policy. LDOE is including some clarifying updates based on that feedback.

Links to the proposed revisions to be discussed in committee below:

- Bulletin 741: [AGII B741 SpEd Aug2024.pdf \(boarddocs.com\)](#)
- Bulletin 1706: [AGII B1706SpEd Aug2024.pdf \(boarddocs.com\)](#)
- Bulletin 1922: [AGII B1922SpEd Aug2024.pdf \(boarddocs.com\)](#)

Advocates are encouraged to read the legislation linked above and determine if the recommended changes to the referenced bulletin will address the issues within and intent of the new law.

This issue will be discussed in the Academic Goals and Instructional Improvement Committee at Tuesday, August 20th, at 9:30AM. ([Agenda](#))

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

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