

This document is intended to clarify state policy and state systems issues in light of recent flooding. It will be adjusted as needs arise, and the latest version of the document will be posted regularly on the Department of Education homepage under “Hot Topics.”

Please note that the document does not address recovery issues related to operations, personnel, or FEMA. For assistance with these issues, please have your district’s point person contact the Governor’s Office of Homeland Security and Emergency Preparedness (GOHSEP) or your district’s network leader.

Please also note that the policies discussed below presume that operating schools will open their doors to all impacted students and appropriately identify students who have been displaced in the Student Information System (SIS). This will ensure all students are served while the state can appropriately assess all necessary policy and funding accommodations. As the state and school systems learn more about the scale of relocation issues, policies will be adjusted as appropriate.

### **Policy Concerns Related to Serving Students**

Some schools and school systems have asked how they can serve displaced children while remaining in full compliance with state laws and regulations. BESE has temporarily waived regulatory provisions and approved emergency rules that may prevent or prohibit a school or district from enrolling a displaced student. These waivers and emergency rules are only intended to address the needs of LEAs impacted by or seeking to enroll students displaced as a result of the recent federally declared disaster. A copy of the BESE approvals may be viewed at the linked below and the waivers are outlined in the chart provided.

- [August 19 Policy Waivers \(Bulletins 741, 1530, and 1706\)](#)
- [August 16 Bulletin 126, Charter Schools, Emergency Rule Approval](#)
- [August 26 Policy Waiver \(Bulletin 119\)](#)

If an LEA encounters a policy obstacle that is not included in the chart below, it should enroll the displaced student immediately and contact [Erin.Bendily@la.gov](mailto:Erin.Bendily@la.gov) to request a waiver. Please note that BESE may only waive its own regulations and provisions of law where the statutes authorize BESE to issue waivers.

Bulletin	Section	Topic	Description of Rule to be Waived
119, <i>Louisiana School Transportation Specifications and Procedures</i>	2509	Used Buses	Current rule requires all replacement school buses used on a daily routes, at the time they are acquired by the owner, to be 10 or less model years old for all owners/operators and school districts.
741, <i>Louisiana Handbook for School Administrators</i>	903.A.	Exceptional Students	Exceptional students shall not be placed in educational settings that exceed the maximum pupil:teacher ratio or the three-year chronological age span.
	905.A.	Elementary – Grades per Class	Elementary teachers shall teach no more than two grades in a combined group except in band, music, and art.

	913. A., B., and C.	Class Size and Ratios	Sets maximum enrollment for K-12 and maximum student instruction hours per week for secondary teachers.
	1125.B.	Comprehensive Counseling	Provides for secondary school counselor ratio shall be 1:450.
	1705.H.	School Libraries/Media Centers	Provides for school librarian ratios.
	2307	Literacy Screenings <sup>1</sup>	Requires that every child enrolled in kindergarten through third grade be given a BESE-approved literacy screening within the first 30 days of the school year.
741, <i>Louisiana Handbook for School Administrators (Nonpublic)</i>	707	Class Size and Ratio	Provides for maximum allowable enrollments, PK4, and PK3.
	3013 (A.)-(B.)	Required Child/Staff Ratios	Provides for PK3 student:teacher ratios.
1530, <i>Louisiana's IEP Handbook for Students with Exceptionalities</i>	127.A.	Three-Year Age Span	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.
1706, <i>Regulations for Implementation of the Children with Exceptionalities Act</i>	1001 (A)(1) – (A)(13)	Pupil:Teacher, Pupil:Speech,Language Pathologist, and Pupil Appraisal Ratios for Public Education	Provides for pupil-to-teacher, and pupil appraisal ratios for public education.
	2001 (A) – (B)(4)	Pupil:Teacher, and Pupil Appraisal Ratios for Public Education	Provides for pupil-to-teacher, and pupil appraisal ratios for public education.

<sup>1</sup> Clarification on the timeline for required DCS and literacy screening for LEAs that closed due to flooding:

#### Kindergarten Developmental Readiness Screening

As required by [law](#), the state annually assesses kindergarten readiness using the Developing Skills Checklist (DSC). LEAs must administer the DSC within the first 30 days of the school year. The BESE waiver grants LEAs in a declared Disaster Area relief from this timeline and permits them to request up to a 30-day extension to assess children. The extension will begin upon the reopening of schools. LEAs must report the results within 21 days following the extension period.

#### K-3 Literacy Screening

State [law](#) and Bulletin 741, Louisiana Handbook for School Administrators, Section 2307, requires that every child enrolled in kindergarten through third grade be given a BESE-approved literacy screening within the first 30 days of the school year and that LEAs report the results to LDOE within the first 60 days of the school year. The BESE waiver grants LEAs in a declared Disaster Area relief from this timeline and permits them to request up to a 30-day extension to screen children. The extension will begin upon the reopening of schools. LEAs must report the results within 30 days following the extension period.

### Requirements in State Statute

There are additional requirements in state law (provisions that BESE cannot waive) that may prove challenging for LEAs to meet as they serve displaced students and attempt to restore normal operations. The Department is in frequent contact with impacted districts and is monitoring these situations closely, in the event that relief is needed in the future from the Governor or the Legislature.

### Special Education

The LDOE is working with the federal Office of Special Education Programs to develop guidance on IDEA initial evaluation and IEP timeline requirements and Part C to B transition requirements for students in impacted districts. LEAs should continue to work with students and families to provide special education services to students as quickly as possible.

### Information Systems Concerns

Students displaced due to flooding will be enrolling in schools across the state over the coming weeks. Schools should enroll these students immediately and should maintain the following the parent certification form below as documentation.

- [Parent Certification Form \(English\)](#)
- [Parent Certification Form \(Spanish\)](#)

To support immediate enrollment of displaced students, the LDOE, through e-Scholar, has provided a file containing detailed student information for all students that were enrolled in affected LEAs as of May 2016. This file is available now on the eScholar FTP site in the eScholarOutfolder – *Potentially Displaced Students File*.

Additional details about this file, including file layout and download instructions, are contained in the document “[Guidelines for Enrolling and Reporting Displaced Students](#)” which can be found on the LDOE INSIGHT Coordinator Portal. The same document can also be downloaded [here](#).

*IMPORTANT: This file should only be accessed by the staff required to support enrollment of displaced students, as the file includes secure information.*

### Enrolling Displaced Students, including Homeless Students

Once SIS collections reopen for the fall, it will be important for districts to identify students entering their schools due to flooding displacement. When entering documented displaced students into SIS, use the following Entry Reason Codes:

<u>ENTRY REASON CODE</u>	<u>Description</u>
<b>N1</b>	DISASTER ENTRY FROM PUBLIC SCHOOL WITHIN LOUISIANA
<b>N4</b>	DISASTER ENTRY FROM PUBLIC SCHOOL WITHIN SAME DISTRICT

Students displaced by flooding may also qualify for homeless status if they are sharing housing with other persons, including doubled-up with family members, or are living in motels, hotels, trailer parks, or camping grounds due to the

lack of adequate accommodations. Please ensure homeless status is also reported through SIS, as relevant, using the appropriate **Homeless Indicator Code** (see list below) with **Homeless Reason Code "02"** (Flooding).

**Homeless Indicator Codes:**

- 1 – Shelters
- 2 – Doubled-up (sharing housing with other persons)
- 3 – Unsheltered/FEMA (cars, parks, campgrounds w/o running water/electricity, abandoned building or substandard housing)
- 4 – Hotels/Motels

**Exiting Displaced Students**

Students that were attending school prior to the flooding disaster that are now displaced due to the flooding disaster should be exited using **Exit Reason Code "37" (Disaster Exit)**.

**School System Start Date**

Impacted school systems will need to adjust the 2016-2017 School Calendars to reflect updated school start dates, missed days due to flooding, etc. If a district's original school calendar was already submitted to LDOE, please re-submit an adjusted School and LEA level calendars before submitting student to SIS.

**Access to Individual Education Programs (IEPs) (UPDATED)**

To ensure LEAs can provide timely special education services to students, SER has been temporarily modified to allow LEAs to add jurisdiction for students through an emergency LEA transfer. An emergency LEA transfer allows an LEA to add jurisdiction and begin providing services for displaced students whose previous LEA is unable to release them. Unless they enroll in a new LEA, the jurisdiction for these students will remain unchanged. LEAs should continue the process of contacting an LEA for jurisdiction if the LEA was not impacted by the flood.

Guidance and a list of affected LEAs are posted on the INSIGHT portal.

If anyone has questions please contact [Ashley.Augustine@la.gov](mailto:Ashley.Augustine@la.gov).

**Finance Concerns (UPDATED)**

The Department is evaluating the displacement of students across LEAs to determine the cost to receiving LEAs and the financial hazards for impacted LEAs, and will work with school district and charter school leadership to determine any financial policy recommendations for the Governor, the Commissioner of Administration, and the Legislature.

In order to make this evaluation in a timely manner, LEA data coordinators have been asked to report to the LDOE Student Information System (SIS) by September 30 all students enrolled in the LEA on September 16. The September 16 snapshot is the only additional count scheduled, however, the Department may request additional count dates throughout the fall to measure student movement.

Please note, the MFP count date of October 1 is written into the formula and cannot be changed without BESE and legislative approval. The additional snapshot counts will only be used to recognize the impact of the flooding on student enrollment.

For additional information, contact [Sherry.Randall@la.gov](mailto:Sherry.Randall@la.gov).

## **Replacing Technology (UPDATED)**

As part of the ongoing efforts to assist districts and schools recovering from the flood, the Department has worked with technology and software vendors to provide lower per model costs on computer devices and access to free and low cost services and software for LEAs in parishes with disaster declarations. Current offerings can be accessed by clicking [here \(UPDATED\)](#). The Department will continue to update this document as we finalize additional negotiations already in progress. For questions, contact [Carol.Mosley@la.gov](mailto:Carol.Mosley@la.gov).

## **Charter School Specific Guidance**

If you are the school leader of a **Type 1 or Type 3 charter school** operating within a LEA, please coordinate with your LEA to address enrollment of students displaced by the recent flooding.

If you are the school leader of a **charter school that operates enrollment within EnrollNOLA**, refer to your weekly EnrollNOLA e-newsletter for guidance on enrolling students displaced by the recent flooding.

If you are the school leader of a **Type 2, Type 4, or Type 5 charter school** that operates as its own LEA and does not participate in EnrollNola, follow the guidance below to enroll students displaced by recent flooding.

### **Enrolling Students Outside of Application Period**

Parents or guardians of displaced students who are enrolling outside of the designated student application period must sign the [displaced student certification form](#). Displaced students should be enrolled on a first-come, first-served basis until 120 percent of the enrollment capacity is reached.

Students cannot be enrolled from an existing waitlist unless they are affected by the flooding and families have completed the certification form. Students enrolled due to flood-related displacement shall be permitted to remain enrolled in the charter school for the remainder of the school year.

### **Exceeding the Charter's Enrollment Cap**

Schools are allowed to enroll students up to 120 percent of the total number of students it is authorized to enroll, as outlined in the Enrollment Projection Table incorporated into each charter school's contract. Charter schools may make reasonable modifications within each grade level approved in the Enrollment Projection Table as to the number of students in any particular grade or class, but may not without written consent of the LDOE eliminate or add a grade that the school is not scheduled to serve.

Schools willing to enroll above 120 percent of their approved enrollment in order to provide a placement for who have been displaced must apply for a waiver through the Department of Education by emailing [Kristine.Barker@la.gov](mailto:Kristine.Barker@la.gov), but shall enroll all affected students pending waiver approval.

### **Documentation for Charter School Enrollments**

- [Click here for the waiver form required to request a lifting of the charter enrollment cap](#)
- [Click here for the certification form each family that is enrolling due to the federally declared disaster must complete in English](#)

- [Click here for the certification form each family that is enrolling due to the federally declared disaster must complete in Spanish](#)