



BATON ROUGE
ALLIANCE
for STUDENTS

July 20, 2023

Ms. Shan N. Davis
Executive Director, Board of Elementary and Secondary Education
Box 94064 Capitol Station
Baton Rouge, LA 70804-9064

RE: EXCELL appeals process - Title 28 Part CXV. Bulletin 741, Chapter 7 Section 717; Chapter 23 Subchapter A Section 2321 and Section 2322

Dear Ms. Davis,

On behalf of children in Baton Rouge, I write to request that BESE hold a formal hearing to discuss the EXCELL appeals process it recently voted to adopt. In our opinion, the new appeals process is deeply flawed and overly applicable outside what should be a rarely-used and exceedingly limited set of exceptions to the state's standards for graduation.

Our world gets more competitive and challenging every day. Students who are unable to achieve grade-level scores on high school assessments should be provided with support and intervention, rather than a work-around. The BESE board instituted end-of-course assessments for a reason: to ensure that graduating students are prepared for their lives after high school, whether that is pursuing post-secondary education or entering the workforce. An inability to demonstrate performance via the approved state assessments begs the questions of whether a student has truly been educated in a way that will provide opportunities for success post-high school, and whether waivers of such requirements will ultimately be a deep disservice and injustice to the students who receive them.

In Baton Rouge, the average composite ACT score at our open enrollment high schools is a 14, and like in many other places in Louisiana, only about one-third of our high school students are reading and doing math on grade-level. The BESE board should be focusing on strategies and tactics that will change these statistics for the better rather than finding ways to work around the assessments that alert us to the challenges facing our students.

Thank you for your efforts on behalf of Louisiana's children.

Sincerely,

Adonica Pelichet Duggan

CEO, Baton Rouge Alliance for Students

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JUL 25 2023

Board of Elementary
and Secondary Education

July 20, 2023

Ms. Shan Davis
Executive Director, Board of Elementary and Secondary Education
Suite 5-190
1201 North Third St
Baton Rouge, LA 70802

To whom it may concern:

The Louisiana Association of Business and Industry (LABI) is opposed to the proposed changes to Bulletin 741 Sections 717, 2321, and 2322 to provide for an appeals process as it relates to graduation assessment requirements for all students in Louisiana.

LABI represents more than 2,000 Louisiana employers and is the only association representing businesses of all sizes from a statewide, multi-industry perspective. Our members support a strong, robust education and workforce development system that prepares Louisianans to compete in the job marketplace. We believe the proposed policy will put Louisiana students at a competitive disadvantage in that market.

While we are not opposed to a graduation appeals process for English language learners (ELL), we are opposed to expanding the graduation appeal process to include all students. The proposed revisions to Bulletin 741 will water down the high school diploma, and artificially inflate school performance scores and school letter grades at a time when 70% of all public high schools are already rated A or B—despite our state being ranked 41st in K-12 education in the nation—causing uncertainty and confusion for employers seeking to fill jobs with qualified, skilled workers.

We ask that you reconsider this policy revision and address the root cause of students' inability to pass standardized assessments rather than implementing policies that weaken our students' high school diplomas and lower standards.

The Louisiana Association of Business and Industry (LABI) is formally requesting a public hearing on this proposed rule change as an association with over 2,000 members, pursuant to R.S. 49:961(B)(1).

Sincerely,



Brian Davis
Director of Education and Workforce Development
Louisiana Association of Business and Industry

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JUL 25 2023

Board of Elementary
and Secondary Education



July 25, 2023

Shan N. Davis
Executive Director
Board of Elementary and Secondary Education
Suite 5-190
1201 North Third Street
Baton Rouge, LA 70802

RECEIVED

JUL 26 2023

Board of Elementary
and Secondary Education

RE: Request for Public Hearing concerning Universal Grad Appeals process

Dear Ms. Davis,

On Thursday June 12, 2023, BESE voted to approve a policy "Universal Grad Waiver Appeals Process." ERN (Education Reform Now) does not support this policy, and firmly believes this policy does not fully address the concerns of ELL students and, the appeals process should be a separate policy exclusive of ELL concerns. Therefore, we believe that this policy was erroneously decided and request a public hearing to discuss this matter.

First, this policy does not fully address the concerns of English Language learners (ELL). We arrived at this policy point because of months of discussion addressing the salient problem: how to address the accountability concerns of ELL students. Somehow, from the creation of a task force to bring solutions to the board, we ended with a completely different policy that nobody was aware of. It has been well documented that students who attend High school in Louisiana from another country where English is not predominately spoken do well on the math and science portions of the standardized testing but suffer on the language arts portions. ELL student's need a policy that is equitable and addresses their unique concerns specifically, a policy that addresses their English attainment.

Second, there should be an appeals process, however, this should be a separate policy that is not inclusive of ELL concerns. Louisiana is one of eight states that does not have an appeal process in place for graduating seniors. ERN strongly believes that we should enact one. Currently, the proposed policy for appeals only allows for the schools, specifically a school board level committee (SBLC) to make decisions without input from either the district or LDOE. This proposed makeup can potentially inject biases into an objective system governed by set standards designed for all students. There should be a member from each level (District, LDOE) involved. The goal should be that our High School Diplomas still matter and worth more than the paper they are printed on. Enactment of the proposed policy does not get us to that place.

In closing, ERN strongly opposes the implementation of the Universal Grad Appeal policy in its current form. The policy does not adequately reflect the needs of ELL students. Furthermore, the policy should not include ELL students and should only be reflective of a fair and equitable appeals process granted by a body made up of members from the school, district, and LDOE that adheres to state standards. Once again, we request a public hearing to discuss these concerns.

Best Regards,



Terrence Lockett
Executive Director
Education Reform Now-Louisiana



P.O. Box 4308
Baton Rouge, Louisiana 70821
(225) 344-CABL (344-2225) Fax (225) 338-9470
Web Site: www.cabl.org
E-mail: info@cabl.org

August 4, 2023

Ms. Shan Davis
Executive Director, Board of Elementary and Secondary Education
Suite 5-190
1201 North Third St
Baton Rouge, LA 70802

Dear Ms. Davis,

I am writing on behalf of the Council for A Better Louisiana (CABL) to express our opposition to the proposed changes to Bulletin 741 Sections 717, 2321, and 2322 to provide for an appeals process as it relates to graduation assessment requirements for all students in Louisiana.

CABL has been involved in education issues for nearly three decades. We were one of the early architects of the original school accountability system, actively involved in the state's first high school redesign efforts, and a strong supporter of higher standards and expectations for students. Through it all, our work has focused on the urgent need to ensure that our schools prepare all students to succeed in postsecondary education and careers.

Unfortunately, we believe this proposed policy change is a step in the opposite direction, opening a door that would allow students to graduate high school without the basic skills they need to be successful in life.

This is a concern of CABL members who are employers. It is already a challenge for many of them to find the qualified workers they need without having to provide them with additional training on skills they should have learned in high school. They are concerned that this policy would only exacerbate that situation.

It is also a concern of CABL members who have been actively involved in postsecondary education. Last year some 14,000 students in Louisiana colleges were enrolled in remedial math classes and 4,000 in remedial reading. Adding to those numbers, as this proposed policy likely would, creates extra burdens on our postsecondary institutions while putting already struggling students at yet another disadvantage.

We are not opposed to a graduation appeals process for English language learners. We understand the issues there and want to give these students every chance to succeed in a way that will allow them to become productive citizens of our state. However, we are opposed to expanding the graduation appeal process to include all students.

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AUG 8 2023

Board of Elementary
and Secondary Education

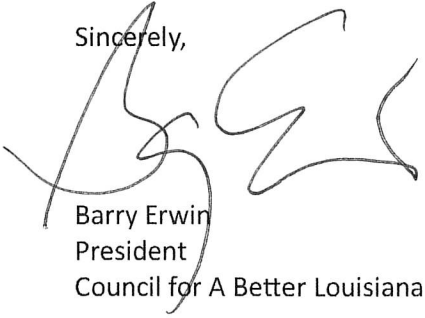
Louisiana has already set a relatively low bar for students to graduate from high school. We fear that the proposed revisions to Bulletin 741 have the potential to lower that bar even further, calling into question the value and meaning of a high school diploma. This hurts the students who have failed to meet our existing standards, as well as those who have met all the qualifications for a high school degree.

This proposal represents a major change in our high school graduation requirements – not simply a small adjustment. And, it has significant implications for our school accountability system at the high school level, which we already know needs tightening and revision. If nothing else, this policy should receive a more robust review over a more appropriate time frame with the input of all stakeholders.

At the end of the day, our public education system should provide a legitimate opportunity for every child to be successful, both for their personal benefit and to create a more prosperous state for all. We believe the implementation of this proposed policy will have a negative impact on our efforts to achieve that.

For these reasons we ask that you reconsider this policy revision. Through this letter CABL is formally requesting a public hearing on this proposed rule change pursuant to R.S. 49:961(B)(1).

Sincerely,



Barry Erwin
President
Council for A Better Louisiana

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AUG 8 2023
Board of Elementary
and Secondary Education

July 31, 2023

Shan N Davis
Executive Director, Board of Elementary and Secondary Education
Box 94064, Capitol Station
Baton Rouge, LA 70804-9064

Re Chapter 23 of Title 28

Dear Ms. Davis,

I am a lifelong resident of Louisiana, and have become aware of a potential new policy concerning the high school diploma in our state. Since a diploma is considered one of the benchmarks to obtain many jobs, I'm very concerned that the BESE is considering lowering the minimum standards to graduate. Employers need to be assured that their hires who have a diploma are capable of passing required tests, and that those who do are selected based on those assumed proficiencies.

I believe that graduates who have passed the necessary exams deserve an advantage in the marketplace over those who do not pass. I do also believe that those unable to pass should be offered assistance, but they need to work hard to meet the requirements rather than easily fall back on an alternative that does not equal the aptitude needed to earn a diploma.

I ask you to leave the current minimum standards as they are, and not compromise the value of a Louisiana High School diploma.

Thank you for your time.

Sincerely,

Melody Jackson
980 Panhandle Rd
DeQuincy, LA 70633
337-802-6361

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AUG 8 2023

Board of Elementary
and Secondary Education

July 31, 2023

Shan N Davis
Executive Director, Board of Elementary and Secondary Education
Box 94064, Capitol Station
Baton Rouge, LA 70804-9064

Dear Ms. Davis,

As a grandmother of ten I am concerned about a new policy that the BESE Board is gathering comments on. My understanding of this new policy is that the Louisiana high school diploma will no longer be an indicator of minimum English proficiency for employers to use when making hiring decisions. In addition, those students who have worked hard and earned their high school diploma by passing the exams now required will, with this new policy, lose a competitive advantage they currently have over students who were not able to pass the exams.

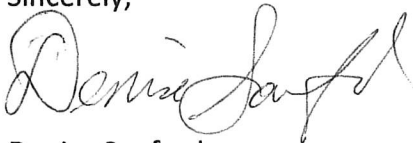
It seems to me that this new policy is targeting those students who score at level 1 (unsatisfactory). While I agree these students need to be targeted for guidance and direction into industry-based apprenticeship programs or technical educational degrees, ***I do not believe we should lower the standards for our Louisiana graduates who are able to pass the minimum required exams.***

Finally, the HiSET gives these targeted students the undervalued option of acquiring credentials that can help them get jobs and higher education without compromising the value of the high school diploma.

So instead of making the diploma a participation trophy, guide students to choose an attainable option that still vastly expands their opportunities as opposed to dropping out.

I hope you will strongly consider these comments when making your decision. As a taxpayer and grandparent, I am asking that you leave the current policy in place.

Sincerely,



Denise Sanford
4933 Fernwood Dr
Lake Charles, LA 70605
337 540-3976
Dsanford1953@me.com

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AUG 8 2023

Board of Elementary
and Secondary Education

July 30, 2023
Louisiana State BESE
1201 N. 3rd Street
Baton Rouge, LA 70802

RE: OFFICIAL PUBLIC COMMENT

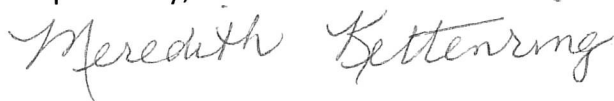
Dear BESE:

In today's Times Picayune an article titled "BESE threatens to make diplomas meaningless" explained the BESE proposal to change the rules for obtaining a high school diploma. This letter is an Official Public Comment prompted by that article. Does the Board believe that Louisiana students are not capable of learning? That would be a terrible insult to the students. This state has a high poverty rate which some insist causes students to not learn as well as those not in poverty. Some very wealthy people who grew up extremely poor are: Oprah & Ralph Lauren, Larry Ellison (founded Oracle), David Steward (co-founder of World Wide Technologies, and others. These leader have proven that the desire to succeed is more important than a person's beginning bank account.

Does the Board believe that Louisiana teachers are not capable of teaching well? Our teachers are well trained dedicated professionals who need to be allowed to focus on the basics of education. Elevating reading, writing, math, science, civics, geography, and history should be the main focus of BESE so that students receive a formal well-rounded education. Ask teachers to spend class time on the basics and test scores will improve again!

I am requesting that the members of BESE not reaffirm the proposal that allows failing students to receive a diploma. Allowing students to 'pass' without requiring them to work for the passing grade hurts them and society because those students who can't pass the exit exam will not be prepared for the work force.

Respectfully,



Meredith Kettenring (former homeschool Mom & Paraprofessional at Mandeville Jr.)
320 De Zaire Drive
Madisonville, LA 70447

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Board of Elementary
and Secondary Education



August 7, 2023

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AUG 7 2023

Board of Elementary
and Secondary Education

Ms. Shan N. Davis
Executive Director
Board of Elementary and Secondary Education
Box 94064
Capitol Station
Baton Rouge, LA 70804-9064

RE: Public comment regarding Notice of Intent “Bulletin 741—The Louisiana School, District, and State Accountability System—Graduation Appeals Process (LAC 28: CXV.717, 2321, and 2322)” as published in the July 2023 edition of the Louisiana Register

Dear Ms. Davis:

This letter serves as public comment regarding the Board of Elementary and Secondary Education’s (BESE’s) Notice of Intent which is titled, “Bulletin 741—The Louisiana School, District, and State Accountability System—Graduation Appeals Process (LAC 28: CXV.717, 2321, and 2322),” as published in the July 2023 edition of the Louisiana Register.

I am writing on behalf of the Pelican Institute for Public Policy, Louisiana’s leading free-market think tank in Louisiana. The Pelican Institute believes every person should have the opportunity to flourish. Our mission is to research and develop policy solutions to address the most significant barriers to opportunity in Louisiana. We educate the public about the benefits of individual liberty and free enterprise, turning great ideas into powerful policy solutions that make a meaningful difference in people’s lives. Given the critical importance of education to achieve this mission of opportunity and flourishing, it is a top priority for our organization and for the people of Louisiana.

Louisiana has long struggled to equip students with the knowledge and skills necessary to thrive and help our state flourish. Decades of low expectations, insufficient quality instruction, inadequate student supports and interventions, and limited educational options have contributed to our state ranking in the bottom of states nationally on a number of K-12 education indicators, even as some improvement has been realized over the years.

Current standards for student learning and high school graduation are yielding very concerning outcomes. Only 31% of Louisiana public high school students are proficient

in core academic subjects. Staggering numbers of public high school graduates require remediation: 41% in math and 25% in English for the Class of 2021, the year in which the most recent available data exist from the Louisiana Board of Regents.

And yet rather than studying and identifying the root causes of low academic performance among students and developing an evidence-based plan to help them meet and even exceed the current meager standard of “Approaching Basic”¹ on state tests (a standard that presently requires students to earn only 10-38% of total available points, depending on the test taken), BESE has proposed a workaround to give those same students a diploma without ever having to retake the test and meet the standard.

The workaround establishes the end goal as exiting high school and receiving a diploma, not preparing students to be truly “college and career ready.” Our north star *should be* genuine readiness as students transition to post-secondary education and the workplace. Instead, the proposed policy change leverages creative, subjective grading of student portfolio projects rather than objectively measuring and certifying² that students have actually learned fundamental academic content.

In addition to having grave concerns about the proposed policy, we are also troubled by several specific aspects of the process that led to the initial approval of this Notice of Intent. Additionally, we have identified problems and inconsistencies in the actual policy language.

First, the process that led to this proposed policy receiving initial approval was not transparent. Discussion of this topic began with a concentration on a small group of students with extenuating circumstances—English learners who arrive shortly before high school graduation and have insufficient time in which to learn English and demonstrate their learning on state tests that are not offered in other languages. Neither the board nor the Louisiana Department of Education did a “deep dive” to fully understand what is or is not being done at the school level to support these students and to explore alternative options for them to demonstrate what they have learned.

To dig deeper into these questions, this past spring the board approved a motion to convene a group of stakeholders to study and make recommendations on this issue. That group was never convened. Data were never gathered and analyzed. Best practices were not highlighted to devise a statewide plan. National experts were not consulted. Instead, BESE members—in a rare move without a recommendation from the Department, and in fact with concerns expressed by the Department—expedited a brand new proposal to continue previous years’ graduation waivers and authorize alternative paths to graduation for *all students*.

¹ BESE Bulletin 118, Section 6113, (B)(4): “*Approaching Basic*—students performing at this level have partially met college and career readiness expectations, and will need much support to be prepared for the next level of studies in this content area.”

² Pelican acknowledges the important, continuous work of ensuring that state standardized tests are as valid and timely as possible and that students with disabilities and limited English proficiency may require alternative assessments as set forth in federal and state law.

Very little stakeholder input was solicited. Aside from one meeting of the Superintendents' Advisory Council which consists exclusively of traditional public school superintendents from across the state,³ no further opportunities were given for parents, advocacy organizations, educators, experts, colleges and universities, employers, and community leaders to weigh in. Those who serve on School Building Level Committees,⁴ which would bear the responsibility of implementing these new, detailed and time-consuming requirements at a time when schools are reporting significant certificated personnel shortages, were not consulted.

The state's longstanding Accountability Council and the College and Career Readiness Commission, which exist to study and weigh in on related matters and include parents, educators, college and university leaders, employers, workforce experts, and public policy research organizations, were also not engaged. There are legal questions as to whether BESE followed its own regulations and federal laws that require consultation with parents and education practitioners before altering policy having implications for the state's school and district accountability system.

The proposed policy also raises significant concerns about potential conflicts of interest related to school accountability. Graduation isn't just about students exiting high school and earning a diploma; it also factors heavily into school performance scores and ratings. Those scores and ratings, among other things, lead to the formal identification of schools as needing improvement, schools that are subjected to state intervention, and schools that are eligible for federal school improvement funding. Graduation rates comprise 20% of high school performance scores. In addition, when students earn a diploma, they generate 100 points in the "strength of diploma" index of the high school rating system. Thus, the ratings lead to ample incentives for the system to "graduate" as many students as possible, regardless of the standards.

Finally, the policy language as proposed contains different requirements for two groups of individuals ("the freshman cohort entering 2022-2023 and beyond" and "the freshmen cohort prior to 2022-2023" with no specified start date for eligibility) and contains undefined terms, requirements to report data that do not exist, and concerning limits on the state's ability to audit implementation and exercise oversight. Specific problematic provisions are outlined in the enclosed document for your review and consideration.

One notable provision requires the Department to create detailed rubrics for each tested subject that guides educators in determining "content proficiency" as they grade students' portfolio projects. However, the term "content proficiency" is undefined. Is it intended to

³ Note that the Superintendents Advisory Council initially expressed grave concerns about the first version of this proposed policy when it applied to only English learners, but later endorsed a substantially similar proposed policy that would extend eligibility to all students.

⁴ Bulletin 1508, Section 303, (A) provides that School Building Level Committees must include as standing members the principal or his/her designee, a classroom teacher, and the referring teacher. The Department, through official guidance to school systems, additionally recommends involvement by the school's social worker, counselor, nurse, interventionist, and 504 coordinator.

be synonymous with the current graduation assessment requirement of “Approaching Basic?” Or is it intended to have the same meaning as “proficiency” as currently defined in Bulletin 118 Section 6113(B)(2), which is “Mastery?”⁵ What will be the proficiency level of these new “graduates?” If they failed the LEAP exams administered in the 9th and 10th grades, will Louisiana be awarding diplomas to students on an 8th grade level? Even more concerning, if these students were promoted to high school after scoring *below* Mastery (proficiency) in the 8th grade, will BESE, through this new policy, grant diplomas to students functioning on a 7th grade level in math and/or English?

Louisiana is struggling. While our neighboring states’ economies are booming, we are experiencing the worst run of out-migration in almost 20 years. Families and businesses are leaving in search of greater opportunity, and much of that is tied to the need for a quality education system that empowers individuals to reach their full potential and provides a talented, skilled workforce. Enacting the proposed high school graduation policy may serve some individuals in the short-term, but it will not increase opportunity in the long-run. Simply put, students who fail our state tests at the lowest levels are not ready to undertake challenging college (1- year, 2-year, or 4-year) programs, nor will they be able to thrive in the workforce and earn a living wage. Their opportunity will be significantly limited. Louisiana’s economic opportunity will be significantly limited.

We respectfully request that the Board hold a public hearing to gather additional stakeholder input and either modify or defer, indefinitely, the proposed policy to address the above concerns. We also urge the Board to charge the Department with proposing a thoughtful, comprehensive, evidence-based plan to address the needs of struggling students so they can truly become college and career ready. With a strong plan in place, BESE can exercise oversight to ensure its successful implementation and positive outcomes for Louisiana’s students.

Thank you for the opportunity to comment on this proposal and for your consideration of what is in the best interest of Louisiana’s students.

Sincerely,



Erin Bendily, Ph.D.

Vice President for Policy and Strategy
Pelican Institute for Public Policy

Enclosure

⁵ Bulletin 118, Section 6113, (B)(2) “*Mastery (Proficient)*—students performing at this level have met college and career readiness expectations, and are prepared for the next level of studies in this content area.”

Pelican Institute concerns with BESE's proposed "Revisions to Bulletin 741, The Louisiana Handbook for School Administrators, regarding an appeals process for all students, as it relates to graduation assessment requirements," as approved as Notice of Intent on June 13-14, 2023

Bulletin 741, Section 717:

- (B)(2)(a) and (b) requires LDOE to report to BESE data that do not exist:
 - Percentage of college enrollment after high school exit of non-graduates in each respective graduation cohort
 - Percentage of employment after high school exit of non-graduates in each respective graduation cohort
 - To obtain this data would require updating R.S. 17:3914, collecting student/parent signatures to authorizing the sharing of personally identifiable information between LDOE and the Louisiana Workforce Commission, and possibly additional funds/personnel or contractor time to conduct the matching, analysis, and reporting required
- (C)(1)(h) contains a reference to "immigrants" that could be problematic because related information is limited and, pursuant to federal laws and regulations, LEAs are not permitted to ask or collect information on students' immigration status. They can request and report on the student's country of origin and date of U.S. entry, but a student's parent or legal guardian may not always supply that information.
- (C)(2) refers to a school serving a "unique population," saying that if such a school is in compliance with appeals eligibility requirements, it "shall be exempt from consecutive audits."
 - The term "unique population" is undefined. Does this mean EL students? Students with disabilities? Students having 504 plans? Students who are homeless, economically advantaged, dyslexic? Louisiana has several "unique population" schools, including those that serve students with disabilities, dyslexic students, students referred for disciplinary reasons or significant academic deficiencies (alternative schools), and academically gifted students.
 - This language prohibits the LDOE from performing consecutive audits based on a single initial check for compliance with eligibility requirements. A school could engage in future questionable practices, yet be shielded from LDOE audits to address concerns and follow up to ensure appropriate resolution. If a report is made regarding questionable or concerning actions in the future, the LDOE would lack the authority to investigate.
- (C)(3) refers to the state superintendent of education being a "final authorizer" for a school site that has had an initial audit yielding discrepancies. It is not clear what "final authorizer" means, nor what being a "final authorizer" empowers or charges the state superintendent to do. The word "authorize" is not defined, nor is it generally understood by LEAs beyond activities associated with charter school authorization.
- (D)(1)(c) refers to "evidence of content proficiency," another undefined term. Throughout other BESE bulletins, "proficiency" refers to performance at the Mastery level on LEAP assessments. Is that what is implied here? This sentence also refers to a "state assessment requirement," and it is unclear whether LDOE is being required to develop or designate a new state assessment for this purpose.

- (E) fails to show that this is current policy (currently “B.” in Section 717) that is proposed to become a new Subsection E. There should be a strikethrough in the current “B.” Furthermore, this language refers to the completion of an outdated, non-existent “options program” and “options program skill certificate” that does not exist anymore. Therefore, that language should be repealed, not preserved or relocated within this Section.

Bulletin 741, Section 2321:

- (A) requires School Building Level Committees (SBLC) to determine whether students are eligible to appeal assessment requirements for purposes of graduation and implement this policy. Many SBLC coordinators already report being stretched thin and unable to adequately address the needs of all students identified with special needs (particularly 504 plans). This will place significant new requirements and workloads on SBLC coordinators and SBLC members (school leaders, counselors, and teachers) throughout Louisiana’s high schools.
- (C) instructs LDOE on which diplomas “shall be considered regular purposes in the state and district accountability system.” (There is another reference to accountability in Subsection (F)). Pursuant to Bulletin 111, Section 103, proposed policies related to federal programs (including the Elementary and Secondary Education Act as most recently amended by the Every Student Succeeds Act, which requires and funds states to support all students in achieving the state’s rigorous academic standards as measured by the same assessments of student learning) and the state accountability system must be presented to the state Committee of Practitioners (Louisiana’s Accountability Council) “before publication, proposed or final State rule or regulation.” This item was not referred to the Accountability Council for input prior to being voted upon by BESE. Furthermore, Section 1603 of the federal Elementary and Secondary Education Act requires states to “ensure that any State rules, regulations, and policies relating to this title conform to the purposes of this title and provide any such proposed rules, regulations, and policies to the committee of practitioners created under subsection (b) for review and comment....(3) The duties of such committee shall include a review, before publication, of any proposed or final State rule or regulation pursuant to this title.”
- (D)(1)(b)(iii) requires students to “demonstrate mastery of specific employability skills,” but it is unclear whether merely “earning” an industry-based credential is sufficient to “demonstrate mastery” of specific employability skills. Further, this language refers to IBCs “outlined in Bulletin 741, Section 2319,” but Bulletin 741, Section 741 does not outline any IBCs. It is unclear which IBCs are being referenced, or if all/any IBC is considered sufficient to signify mastery of employability skills at any level of employment, even if there is no corresponding employment opportunity that affords an individual to earn a living wage.
- (D)(1)(c) references “content proficiency,” but this term is undefined. As stated above, in other references to “proficiency” in the BESE bulletins, this term is the equivalent of Mastery on the state LEAP assessment.
- (D)(1)(c)(ii) also references a “content proficiency requirement, as measured by the LDOE standardized rubric.” Again, “content proficiency” is undefined, and the reference to a rubric seems to require LDOE to provide a rubric for use in grading students’

portfolios of work. It is unclear how the LDOE will ensure that use of such rubric is “standardized” across the state, particularly given the LDOE’s limited authority to audit, as grading will be subjective by teachers or other school staff. LDOE will need to develop and implement such a rubric for all six high school courses for which a LEAP end-of-course exam exists, and they will need to be aligned to Louisiana State Standards. This represents a significant amount of time and resources to develop, test, implement, monitor, ensure “content proficiency” (whenever and however that term is ultimately defined), and ensure “standardized” use.

- (D)(1)(c)(iii) references “students entering the freshmen cohort prior to 2022-2023,” but it is not clear how far back this policy reaches in terms of eligibility. Could a student who graduated 20 years ago be eligible to receive a diploma by following this requirement? 10 years ago? Five years ago? Does the provision apply as far back as there has been an assessment requirement for graduation in Louisiana? It is also important to note the inequity of having two different standards—one for students entering the freshman cohort prior to 2022-2023, and another for the freshman cohort entering 2022-2023 and beyond—with differing requirements for earning a diploma.
- (E)(1)(a) references “appropriate academic supports,” but there is no guidance or definition as to what is considered appropriate or when (how quickly after the student fails to meet an Approaching Basic standard on the LEAP end-of-course exam) such supports are to be provided to students. (E)(1) alludes to several interventions and supports for students who are not able to achieve the Approaching Basic standard, but there is no requirement that students receive them in a timely manner or that students re-take the LEAP end-of-course exam upon their completion to retake the exam in an effort to achieve the required score. In other words, with this new proposed policy, there is no longer an expectation that students ever retake the LEAP end-of-course exam, even once.
- (E)(1)(c) introduces a new requirement for LDOE to make available to LEAs a list of strategies and technical assistance for at-risk students. It is unclear whether this expectation includes local, community-based resources which could be quite voluminous for every high school in the state.
- (E)(1)(d) requires LEAs to schedule between students involved in the proposed appeals process with a Workforce Innovation Opportunities Act (which should be *Workforce Innovation and Opportunity Act*) provider, Vocational Rehabilitation Services provider, or other local career support agency and its affiliated providers, but most of these programs require that students be of legal age and no longer in high school. This could be construed as requiring transportation to an off-site location where minor students would be required to meet with an unauthorized adult (possibly one who has not undergone a background check), provide personally identifiable information, and apply for government services without the consent of a parent or legal custodian.
- (F)(1) provides a list of factors that the SBLC “may consider” in determining an appeal decision, but it is not clear why or how it would choose to consider or not consider these factors for some but not all students uniformly. Additionally, this makes reference to students meeting requirements only in Subsection D, not also Subsection E where important factors like completion of academic supports, remedial or co-requisite instruction, and dropout prevention and mentoring services. Student completion of and progress arising from those activities should also be considered in making a decision as to whether a student needs to be granted an appeal or needs to re-attempt the regular

graduation requirements. A similar provision that fails to include consideration of these factors is contained in (G).

- (F)(1)(f) refers to the “strength” of an attained IBC, but that term is undefined and it is unclear which IBCs are intended to be acceptable (strong enough) and which are not, ranging from regional credentials to statewide basic credentials to statewide advanced credentials. It references the Strength of Diploma index in the School and District Accountability System, but gives no guidance as to what level is expected.
- Similarly, (F)(1)(g) refers to “overall preparedness for postsecondary success” is also undefined. It is unclear whether the intent is that students be “prepared” to enter postsecondary education without the need for remediation or co-remediation or whether students must simply meet postsecondary admissions requirements, which could still render students needing to undergo remediation or co-remediation.



GREATER NEW ORLEANS

INC
REGIONAL ECONOMIC DEVELOPMENT

10 PARISHES
Jefferson
Orleans
Plaquemines
St. Bernard
St. Charles
St. James
St. John the Baptist
St. Tammany
Tangipahoa
Washington

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AUG 08 2023

Board of Elementary
and Secondary Education

August 7, 2023

Shan Davis
Executive Director, Board of Elementary and Secondary Education
Suite 5-190, 1201 North Third Street
Baton Rouge, LA 70802

Re: LEAP Test Graduation Waiver Option – Public Hearing Request

Dear Shan Davis:

On behalf of Greater New Orleans, Inc. (GNO, Inc.), I write this letter to recommend that the Louisiana Board of Elementary and Secondary Education (BESE) hold a public hearing on the recently proposed revisions which create a universal appeals process for high school graduation. Published in the Louisiana Register on July 20, the revisions seek to create an alternative evaluation method by which a student in their senior year who fails to achieve a "passing" score on the end-of-course exam in a testing pair may demonstrate proficiency using a portfolio of work that meets the content proficiency requirement. As the strength of the high school diploma is directly related to the strength of our workforce pipelines, the language of the proposed rule necessitates more public input from workforce development leaders and employers; thereby, GNO, Inc. requests that BESE hold a public hearing on the adoption of the rule.

A high school diploma signals readiness to employers, demonstrating that students have gained the knowledge and skills needed to transition to college or the workforce. Assessment of the knowledge and skills a student has learned must serve as an *objective* signal to employers or higher education institutions. Informed by our extensive programming experience in workforce development, while GNO, Inc. is sympathetic to the concerns of testing accessibility and capability, we firmly believe that employers and the business community at-large should have the opportunity to participate in a public discussion about this topic. Therefore, I deliver this letter to request that BESE hold a public hearing to remediate the concerns of a subjective measure in its pursuit to promulgate rules that address the foundational concerns of accessibility for students with intellectual disabilities or learning barriers.

I respectfully request your consideration to hold a public hearing on the proposed rules for high school graduation waiver options and hope that you conclude it is worthy to gather more public input to promulgate the most appropriate rules for Louisiana students.

Sincerely,

Michael Hecht
President and Chief Executive Officer

August 3, 2023

RE: Proposed High School Diplomas Changes

Your proposed rules change on July 20th for high school diplomas when graduation tests are failures is terrible. BESE should be ashamed as I am that such a proposal has reached this stage. The standards are already very low and you want to lower them more is horrible.

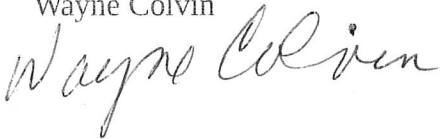
These exceptions like "portfolio of work" that approximates the content proficiency requirement is a lousy effort to have some meaning. Of courses teachers will be lenient for many reasons none of which are justified. Even when teachers fail someone they may get their arm twisted by fellow teachers or superiors. Why, because our school rating is more important than ensuring the students achieve a proficient and solid education and a diploma that means something.

When kids are struggling in school their grades should reflect that. Discussions with students should be held to help identify problems. If kids complain about outside jobs/responsibilities, etc then the school should verify the extent of that with calls to parents/guardians and/or employers if necessary.

Part of high school learning is to help prepare students for the next challenges in life and adulthood. When you treat these 17 and 18 year old like 4th graders then you have failed to do your job. Unsatisfactory work will not cut it in the real world.

There is a tendency to blame so much loss of learning on Covid restrictions. Graduation tests should have been given and recorded in the spring of 2020 and also in the spring of 2021. If the scores decreased there would be data for reference and future plans. Sure they could have gone into the record books with asterisks and exceptions could have been made. Now we only have speculation what a shame. But you have to be careful with those exceptions. In the fall of 2022 we had a hurricane in SE Louisiana and you made exceptions. However, exceptions were made for high school passing of students who failed but they lived in Lafayette Parish. This parish had no damage and no long closures.

Wayne Colvin



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AUG 08 2023

Board of Elementary
and Secondary Education

David and Judy Garic

23335 N. Rian Dr.

Covington, LA 70435

August 3, 2023

BESE

PO Box 94064

Capital Station

Baton Rouge, LA 70804

Attention: All members of the BESE Board of Directors

Subject: Official Public Comment re: proposed rules change regarding allowing students to get high school diplomas.

This proposed rules change further degrades our already low educational standards in Louisiana and we are opposed to it. Though we doubt the La. Legislature would allow this to become enacted, we expect that members of the board will have the good sense to defeat it before it can be endorsed and moved forward.

We can't imagine why a body devoted to advancing education would consider such a rules change—unless it is satisfied to remain near the bottom of educational achievement as a state.

Again, we strongly oppose this proposed rules change.

Respectfully,

David Garic
Judy Garic
David and Judy Garic

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AUG 08 2023

Board of Elementary
and Secondary Education

August 5, 2023
3915 Saint Charles Ave. Apt 714
New Orleans, Louisiana 70115-4664

Shan N. Davis
Executive Director
Board of Elementary and Secondary Education
Post Office Box 94064
Capitol Station
Baton Rouge, Louisiana 70804-9064.

Re.: Proposed Revisions – Bulletin 741, Louisiana Handbook for School Administrators,
Sections 717, 2321 and 2322

Gentlemen,

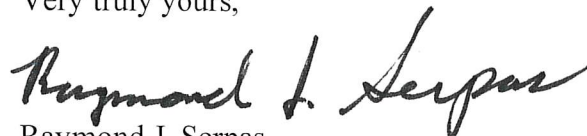
I am writing you regarding the proposed revisions to the Louisiana Handbook for School Administrators, Sections 717, 2321 and 2322, which will provide for an appeals process, as it relates to graduation assessment requirements for all students in Louisiana.

I strongly encourage BESE to reject the proposed revisions for the following reasons:

- It will be a major disservice to students who will be awarded a diploma that does not signify the student has acquired the minimum skills required by other students who do not need to appeal.
- By boosting graduation rates, it allows a failing school's faculty to evade accountability for bad results.

Unfortunately, Louisiana ranks near the bottom of the states in educational achievement and these revision will do nothing to improve the ranking.

Very truly yours,


Raymond J. Serpas



JOSEPH E. ZEHNER, JR.
3806 TAFT PARK
METAIRIE, LA. 70002
1 AUGUST 2023

LOUISIANA STATE BOARD OF
ELEMENTARY AND SECONDARY EDUCATION
1201 North Third Street
Baton Rouge, La. 70802

Attention: Mr. James Garvey

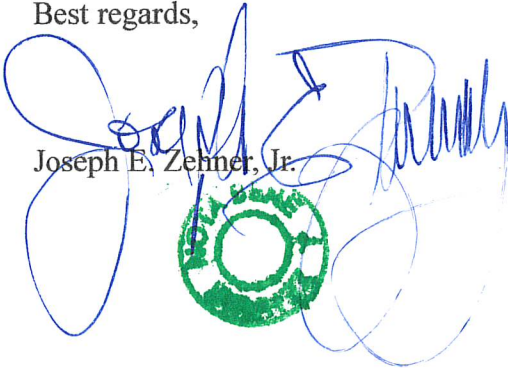
Dear Mr. Garvey,

I have read with concern an article in the Sunday July 30, 2023 edition of The Times-Picayune entitled "BESE threatens to make diplomas meaningless". The article states, in part: On July 20, BESE officially published a proposed rules change that would allow students to get high school diplomas even if they repeatedly fail the state's graduation tests.

I ask that you do not support this rules change as it will devalue all diplomas issued to students who successfully did pass the graduation test. It will not benefit the student receiving such a diploma and will certainly will not allow potential employers to fairly make choices on hiring.

This arrangement will not benefit the State of Louisiana in any way. I ask that you will reject this proposed rules change.

Best regards,


Joseph E. Zehner, Jr.

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AUG 08 2023

Board of Elementary
and Secondary Education



August 7, 2023

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AUG 08 2023

Board of Elementary
and Secondary Education

Ms. Shan N. Davis
Executive Director
Board of Elementary and Secondary Education
Box 94064
Capitol Station
Baton Rouge, LA 70804-9064

RE: Public comment regarding Notice of Intent “Bulletin 741—The Louisiana School, District, and State Accountability System—Graduation Appeals Process (LAC 28: CXV.717, 2321, and 2322)” as published in the July 2023 edition of the Louisiana Register

Dear Ms. Davis,

This letter serves as public comment regarding the Board of Elementary and Secondary Education’s (BESE’s) Notice of Intent entitled, “Bulletin 741—The Louisiana School, District, and State Accountability System—Graduation Appeals Process (LAC 28: CXV.717, 2321, and 2322),” as published in the July 2023 edition of the Louisiana Register.

My name is Katherine Munal, Legislative Director, Gulf Region at ExcelinEd in Action. Our national organization works with state lawmakers and partner organizations to adopt student-centered policy solutions that empower families with educational opportunity, prepare students for college and careers, prioritize early literacy grounded in the science of reading, expand innovation and strengthen school performance.

We formally oppose BESE’s proposed graduation appeals process, which makes harmful changes to the state’s graduation requirements. The new appeals process would lower the bar for graduates, put them at a disadvantage and harm those students who need the most help.

Quality assessments serve a real purpose, as they measure student achievement and ensure students are prepared to succeed in postsecondary education and careers. Under BESE’s proposed policy, these assessments would become effectively meaningless. The policy would allow high school seniors to apply for a waiver of the basic graduation requirements, allowing them to receive their diploma without ever having to pass the LEAP exam.

The proposed policy is being framed as a way to assist students who struggle with assessments. However, all of the requirements under the new pathway would still require testing, but using different assessments and often with a lower bar. Further, most of the options that allow a student to demonstrate employability are already included under the TOPS Tech diploma. This essentially would allow “double-dipping” of measures to meet these lower expectations—rather than requiring students to demonstrate readiness in new, alternate ways.

Louisiana's longstanding academic standard for public school graduation currently requires students to earn a score of "Approaching Basic," which is only one level above failing. Moving this relatively low bar even lower will hinder Louisiana's ability to ensure students are ready for college and career by the time they graduate high school. It will also increase the number of graduates who will require remediation as freshmen in college.

In addition, these proposed changes would create a lower-tier pathway, with at-risk students likely being funneled into this pathway early on. This means they will miss out on important opportunities that could change their future options in terms of college and pathways to higher quality, higher wage careers.

Louisiana's leaders must ensure students are prepared to successfully compete with their peers across the nation and around the world. This is vital to strengthening the state's economy, where employers are currently struggling to find graduates with basic education and workforce skills.

ExcelinEd in Action believes that rigorous classroom expectations coupled with accountability for student results are powerful strategies for strengthening education. Together they serve as valuable tools to guarantee all students receive a quality education.

We urge the board to consider these concerns and vote against the proposed changes as a final rule. Ensure that Louisiana's standard high school diploma remains meaningful and retain the state's graduation exit exam requirements.

Thank you for your consideration and the opportunity to comment on this proposed policy.

Respectfully,

A handwritten signature in black ink, appearing to read 'K. Munal', written in a cursive style.

Katherine Munal
Legislative Director, Gulf Region
ExcelinEd in Action

NATHALIE SIMON

8.1.23

DEAR BGESE MEMBERS -

PLEASE VOTE NO

1 PASSING STUDENTS

WOULD PROVIDING

DIPLOMAS DESPITE NOT

PASSING TESTS. PLEASE

DON'T SET OUR STUDENTS

UP FOR FAILURE.

THEY DESERVE MORE.

RECEIVED

AUG 08 2023

Board of Elementary
Secondary Education

THANK YOU,

Nathalie Simon

522 MONTEGUT #212
MONTREAL, QUEBEC H3T 1J7



650 Poydras St., Ste. 2825
New Orleans LA 70130
(504) 569-0607
www.bcno.org

August 9, 2023

Ms. Shan Davis
Executive Director, Louisiana State Board of Elementary and Secondary Education
Suite 5-190
1201 North Third Street
Baton Rouge, LA 70802

To whom it may concern:

On behalf of The Business Council of New Orleans and the River Region (Business Council), I write in opposition to the proposed changes to Bulletin 741 Sections 717, 2321 and 2322 and, as an organization with a membership of more than 70 CEOs of significant regional businesses, to formally request a public hearing on the rule change pursuant to La. R.S. 49:961(B)(1).

The Business Council has worked for decades to ensure our public schools deliver on their promise of a quality public education that prepares our students to reach their potential. This proposed rule change, which opens the door for tolerance of a school's failure to perform, contradicts our effort and underserves our students.

We are particularly concerned that the policy change could diminish the respect in the job market of a Louisiana high school diploma, erode the quality of high school education, and undermine performance measures associated with our state's high school accountability system. These concerns intersect with workforce development, employee recruitment and retention and the ability to effectively deliver a fundamental public service.

We understand the proposed changes originated with a concern for English language learners and the need to identify a solution for their complex testing and graduation scenarios. The Board's April 19, 2023 directive to the Louisiana Department of Education for the development of a specifically responsive solution is a better path forward than the overreach and risk of an appeals process applicable to all students. See April 19, 2023 BESE Minutes, Motion 7.1.22.

For these reasons, we ask that you reconsider the policy revisions and reset the focus and public dialogue on addressing the needs of Louisiana's English language learners rather than creating generalized allowances for a school's failure to perform.

Sincerely,

A handwritten signature in blue ink that reads "Paul Flower". The signature is written in a cursive, flowing style.

Paul Flower
Chair, Business Council of New Orleans and the River Region

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AUG 14 2023

Board of Elementary
and Secondary Education

Paul Flower
BCNO
650 Poydras St.
Ste 2825
New Orleans, LA 70130

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Board of Elementary
and Secondary Education

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Attn: Shan Davis
Executive Director
Louisiana State Board of Elementary & Secondary
Education
Suite 5-190
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Baton Rouge, LA 70802

70802-524301

