



LOUISIANA DEPARTMENT OF EDUCATION

April 20, 2020

Mrs. Sandy Holloway, President
Louisiana Board of Elementary and Secondary Education
1201 North Third Street
Baton Rouge, LA 70802

President Holloway:

Pursuant to the authority granted to the BESE President in LAC 28: I.305.B. to make ad hoc decisions for the board in times of emergency, and subject to ratification by the board, I am requesting a waiver of BESE rules to support essential employees, early childhood centers, and special education during the recent COVID-19 public health emergency and an extension of some waivers set to expire on April 30, 2020. The length of each waiver is defined below, in order to address the needs of educators, children, and their families.

Rules impacting special education

- The waiver requests within this section would waive requirements for Extended School Year (ESY) eligibility decisions to provide Individualized Education Program (IEP) teams with additional flexibility in making ESY decisions. These waivers shall terminate September 1, 2020 unless terminated sooner by the Superintendent.
 - Bulletin 1530, Louisiana's IEP Handbook, §705
 - Bulletin 1530, Louisiana's IEP Handbook, §709 (A)(1)-(4)
 - Bulletin 1530, Louisiana's IEP Handbook, §709 (D)(1)(b)
 - Bulletin 1706, Regulations for Implementation of the Children with Exceptionalities Act, §106 (A)(4)

Rules impacting early learning centers

- The waiver requests within this section would allow early learning centers to have six or fewer children with one staff member, creating a safe space for essential employees to have their children receive care.
 - Bulletin 137, Louisiana Early Learning Center Licensing Regulations, §1711.B.1. Waive the requirement that there shall be a minimum of two staff members present at an early learning center when more than one child is present. This waiver shall terminate on June 30, 2020, unless terminated sooner by the Superintendent.
 - Bulletin 137, Louisiana Early Learning Center Licensing Regulations, §701.E.6. Waive the requirement to pay an initial licensure fee. This waiver shall terminate on May 31, 2020, unless terminated sooner by the Superintendent.
- This waiver request would support all early learning centers.



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- Bulletin 137, §313 and §707.A.2. Waive the license fees for Early Learning Centers until May 31, 2020.
- The following waivers terminate on April 30, 2020. In order to support centers through the continuation of COVID-19 and post-COVID-19, an extension through May 31, 2020 is requested.
 - Bulletin 137, §315. Inspections. Waive the inspection requirements in order to allow the Division of Licensing discretion as to whether or not it is safe and appropriate to inspect an early learning center; while prioritizing complaints that affect the health and safety of children. This waiver shall terminate on May 31, 2020, unless terminated sooner by the Superintendent.
 - Bulletin 137, §707.A.1. Waive fees for initial licensure (\$25.00) and for change requests (\$25.00) until May 31, 2020.

If approved, these waivers of BESE rules will be subject to the ratification of the state board at its next regularly scheduled meeting and will be immediately communicated to impacted persons and entities as they attempt to respond to this unprecedented public health emergency. Thank you for your consideration of this request.

Sincerely,

DocuSigned by:

Beth Scioneaux

Beth Scioneaux

Acting State Superintendent of Education

Approved: _____

Sandy Holloway

Sandy Holloway, President
Louisiana Board of Elementary and Secondary Education

Date: _____ April 20, 2020