

**At-Risk Policy Outline
October 2015**

Act 467 - Context

In developing the state’s charter school law, Legislators ensured that the “best interests” of at-risk pupils should be a primary consideration in the implementation of the law and the development of charter schools. As charter school authorizers, both BESE and local school boards should ensure that their charter schools are equitably serving students at-risk and those with disabilities in their areas.

LA R.S. 17:3991(B)(1)(a) and (b) requires that charter schools enroll a certain percentage of students who meet the definition of “at-risk” as defined in law. In 2015, the Legislature passed Act 467, which amended and expanded the law to include enrollment requirements for students with disabilities for all charter schools as well as mandating that BESE develop a process for ensuring compliance. Additionally, this act provides for differentiated funding statewide for charter schools based on each school’s demographics, such as increased funding for serving students with disabilities.

Act 467 requires that BESE develop and administer a process to measure whether charter schools are meeting the at-risk and students with disabilities percentages outlined in the law and identify the roles and responsibilities of BESE/the Department, local school boards, and the charter schools in implementing a process to:

- Determine the reasons a school might not meet either percentage and
- Determine all actions taken to meet the percentage.

Roles/Responsibilities in Law and Related Policy

Entity	Role/Responsibilities
Charter Schools (Type 1, 1B, 2, 3, and 4)	<ul style="list-style-type: none"> • Meet enrollment requirements for Students with Disabilities (SWD) and At-Risk according to the below: <ul style="list-style-type: none"> ○ For new charter schools (Type 1, 1B, or Type 2) <ul style="list-style-type: none"> ▪ SWD: Not less than 85% of average percentage of pupils enrolled in local districts from which charter enrolls its students who have been identified as students with disabilities, excluding gifted and talented ▪ At-Risk: Not less than 85% of average percentage of pupils enrolled in local districts from which charter enrolls its students who are at-risk as defined in R.S. 17:3973(1)(a) ○ For charter schools resulting as a conversion of an existing school (Type 2, 3, or 4): <ul style="list-style-type: none"> ▪ SWD: Equal to, not less than, the total percentage of students enrolled in the school the year prior to the establishment of the charter who were identified as students with disabilities ▪ At-Risk: Equal to, not less than, the total percentage of students enrolled in the school the year prior to the establishment of the charter who were eligible for free and reduced price lunch (as identified by % economically disadvantaged) • Report at-risk data to charter authorizer

<p>All Charter Authorizers (Including Districts, Local Charter Authorizers, and BESE/Department of Education)</p>	<ul style="list-style-type: none"> • Codify initial enrollment requirements in charter contracts for both at-risk and SWD, which must remain fixed for the term of the approved charter unless specified in the charter that the percentage can reflect the current year’s at-risk percentage • Report and verify at-risk data to LDE • If a charter school fails to meet enrollment requirements: <ol style="list-style-type: none"> 1) Determine contributing factors towards failing to meet enrollment requirements; 2) Notify the school of annual enrollment targets that schools must reach towards meeting enrollment requirements; and 3) Notify the school of the clear consequences for failure to meet identified annual enrollment targets (ex: inability to expand/open new school). • Hold schools accountable for meeting enrollment requirements
<p>Louisiana Department of Education</p>	<ul style="list-style-type: none"> • Annually calculate enrollment requirements for all charter schools • Annually report to BESE in June SWD % and Economically Disadvantaged % for all public schools compared to district averages

Additional Key Policy Notes

Item	Description
<p>Student Population</p>	<ul style="list-style-type: none"> • Enrollment requirements will be based off the student population of all publicly funded students that reside in a school’s enrollment zone • Ex: a Type 1 at-risk % should be based off all publicly funded students that reside in East Baton Rouge Parish, even if they attend a Type 5 school in EBR
<p>Initial Sped Requirements</p>	<ul style="list-style-type: none"> • Since not previously defined in charter contracts, all charter sped requirements will be based off the 2/1/15 count until charter renewal.
<p>Count Dates</p>	<ul style="list-style-type: none"> • LDE will calculate annual at-risk/SWD metrics using the 2/1 demographics of students enrolled at a charter school on 10/1.
<p>Updating Requirements</p>	<ul style="list-style-type: none"> • Enrollment requirements should be updated upon each charter renewal.