

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 746—Louisiana Standards for State Certification of School Personnel

(LAC 28:CXXXI.305, 705, 706, 708, 709, 723, and 725)

Under the authority granted in R.S. 17:6 and in accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education proposes to amend *Bulletin 746—Louisiana Standards for State Certification of School Personnel*. The proposed policy revisions allow district-level administrators to renew educational leader licenses using local evaluations. The policy also establishes an "operational role" status that allows teachers and school-based administrators serving in operational roles to freeze the validity period of their certificate while serving in such a role. This ensures that the educator certificate will not expire while the educator is serving in a role that is not suited to being evaluated per the standards of effectiveness. The proposed policy does not affect teacher or school-level leader evaluations.

Title 28

EDUCATION

Part CXXXI. Bulletin 746—Louisiana Standards for State Certification of School Personnel

Chapter 3. Teaching Authorizations and Certifications

Subchapter A. Standard Teaching Authorizations

Editor's Note: The name of the Division of Student Standards and Assessments has been changed to The Division of Student Standards, Assessments, and Accountability.

§305. Professional Level Certificates

A. - D.2.b. ...

E. Non-Practicing Status and Operational Role Status for Level 1, 2, 3 Certificates

1. The LDE may grant:

a. non-practicing status to any teacher who applies within a year of ceasing employment as a teacher or leader in a local education agency to state law and Bulletin 130. An exception may be made for a teacher or leader who ended employment in a local education agency prior to November 1, 2015 with at least one evaluation rating in 2012-2013, 2013-2014, or 2014-2015;

b. operational role status to any teacher who is serving in a role that cannot be evaluated per student growth measures.

2. Non-practicing status shall take effect on the last day of employment in the local education agency, as verified by the employing LEA.

3. Operational role status shall take effect on the first day of employment in a role that cannot be evaluated per student growth measures, as verified by the employing LEA.

4. Operational role teachers returning to a role that can be evaluated per student growth measures must be evaluated with student growth measures as soon as they return to that role.

5. Non-practicing teachers returning to practice and operational role teachers returning to a role that can be evaluated per student growth measures may apply through a local education agency for an extension of their certificate for the number of years remaining in the renewal period of the certificate.

6. Final effectiveness ratings earned while in active status will be retained during non-practicing status and operational role status and applied to any subsequent renewal or extension.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1797 (October 2006), amended LR 33:433 (March 2007), LR 34:233 (February 2008), LR 34:1611 (August 2008), LR 35:222 (February 2009), LR 37:558 (February 2011), LR 38:1951 (August 2012), LR 40:279 (February 2014), LR 41:2128 (October 2015), LR 43:1304 (July 2017), LR 44:745 (April 2018), LR 45:

Chapter 7. Administrative and Supervisory Credentials

Subchapter A. The Educational Leadership Certificate

§705. Educational Leader Certificate Level 1 (EDL 1)

A. - A.5.a. ...

b. Individuals who hold an educational leader add-on endorsement issued prior to July 1, 2012 and are employed in a leadership capacity at the school level will be required to meet the standards of effectiveness pursuant to Bulletin 130 and R.S. 17:3902 for at least three years out of the five-year renewal period in order to renew their endorsement.

c. Individuals who hold an educational leader add-on endorsement issued prior to July 1, 2012 and are employed in a leadership capacity at the district level will be required to earn effective ratings per local personnel evaluations for three years out of the five-year renewal period in order to renew their endorsement.

6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1823 (October 2006), amended LR 33:819 (May 2007), LR 38:43 (January 2012), LR 38:3138 (December 2012), LR 39:1465 (June 2013), LR 43:1313 (July 2017), LR

§706. Educational Leader Certificate Level 2 (EDL 2)

[Formerly §707]

A. - A.3. ...

4. for individuals who are employed in a leadership capacity at the school level, either meet the standards of effectiveness as an educational leader for three years pursuant to Bulletin 130 and R.S. 17:3902 or receive a waiver of this provision from the LDE,

at the request of the employing LEA, if the educational leader was unable to meet the standards of effectiveness any year prior to the 2015-2016 school year due to administrative error in the local implementation of the evaluation system-;

5. for individuals who are employed in a leadership capacity at the district level, earn effective ratings per local personnel evaluations for three years.

B. **Renewal Requirements.** An EDL 2 is valid for five years initially and may be extended thereafter for a period of five years at the request of an LEA. For renewal of an EDL 2 certificate, candidates who are employed in a leadership capacity at the school level must successfully meet the standards of effectiveness for at least three years during the five-year initial or renewal period pursuant to Bulletin 130 and R.S. 17:3902. Candidates who are employed in a leadership capacity at the district level must earn effective ratings per local personnel evaluations for at least three years during the five-year initial or renewal period.

1. Individuals who hold an educational leader add-on endorsement issued prior to July 1, 2012 and are employed in a leadership capacity at the school level will be required to meet the standards of effectiveness pursuant to Bulletin 130 and R.S. 17:3902 for three years out of the five-year renewal period in order to renew their endorsement.

2. Individuals who hold an educational leader add-on endorsement issued prior to July 1, 2012 and are employed in a leadership capacity at the district level must earn effective ratings per local personnel evaluations for three years out of the five-year renewal period in order to renew their endorsement.

3. LEAs may request a one-time five-year renewal of the certificate, if the educational leader employed in a leadership capacity at the school level was unable to successfully meet the standards of effectiveness any year prior to the 2015-2016 school year due to administrative error in the local implementation of the evaluation system.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1823 (October 2006), amended LR 33:820 (May 2007), LR 38:43 (January 2012), LR 38:3138 (December 2012), LR 39:1465 (June 2013), LR 41:2129 (October 2015), LR 45:

§708. Educational Leader Certificate Level 3 (EDL 3)
[Formerly §709]

A. - A.1.d. ...

2. **Renewal Requirements.** An EDL 3 is valid for five years initially and may be extended thereafter for a period of five years at the request of an LEA. For renewal of an EDL 3 certificate, candidates who are employed in a leadership capacity at the school level must successfully meet the standards of effectiveness for at least three years during the five-year initial or renewal period pursuant to Bulletin 130 and R.S. 17:3902. Candidates who are employed in a leadership capacity at the district level must earn effective ratings per local personnel evaluations for at least three years during the five-year initial or renewal period.

3. ...

4. Individuals who hold an educational leader add-on endorsement issued prior to July 1, 2012 and are employed in a leadership capacity at the district level will be required to earn effective ratings per local personnel evaluations for at least three years out of the five-year renewal period in order to renew their endorsement.

5. LEAs may request a one-time five-year renewal of the certificate if the educational leader was unable to successfully meet the standards of effectiveness any year prior to the 2015-2016 school year due to administrative error in the local implementation of the evaluation system.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1824 (October 2006), amended LR 38:3139 (December 2012), LR 41:2129 (October 2015), LR 45:

§709. Non-Practicing Status for Educational Leader Certificates

A. ...

B. Non-practicing educational leaders returning to practice may apply through a local education agency for an extension of their certificate for the number of years they were not practicing, not to exceed five years.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2129 (October 2015), amended LR 45:

Subchapter B. Out-of-State Administrative Certification Structure

§723. Out-of-State Principal Level 2 (OSP2)

A. - A.1.c. ...

d. individuals who are employed in a leadership capacity at the school level successfully meeting the standards of effectiveness as an educational leader during the validity period of the OSP1 certificate. Individuals who are employed in a leadership capacity at the district level must earn effective ratings per local personnel evaluations for at three years during the five-year initial or renewal period.

2. **Renewal Requirements.** For renewal of an OSP2 certificate, candidates who are employed in a leadership capacity at the school level must successfully meet the standards of effectiveness for at least three years during the five-year initial or renewal period pursuant to Bulletin 130 and R.S. 17:3902. Individuals who are employed in a leadership capacity at the district level must earn effective ratings per local personnel evaluations for at least three years during the five-year initial or renewal period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1825 (October 2006), amended LR 35:2325 (November 2009), LR 36:882 (March 2011), LR 38:43 (January 2012), LR 38:3139 (December 2012), LR 39:1466 (June 2013), LR 45:

§725. Out-of-State Superintendent (OSS)

A. - A.1.e. ...

2. **Renewal Requirements.** For renewal of an OSS certificate, candidates who are employed in a leadership capacity at the school level must successfully meet the standards of effectiveness for at least three years during the five-year initial or renewal

period pursuant to Bulletin 130 and R.S. 17:3902. Individuals who are employed in a leadership capacity at the district level must earn effective ratings per local personnel evaluations for at least three years during the five-year initial or renewal period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1825 (October 2006), amended LR 38:3140 (December 2012), LR 45:

Title 28

EDUCATION

Part CXXXI. Bulletin 746—Louisiana Standards for State Certification of School Personnel

Chapter 3. Teaching Authorizations and Certifications

Subchapter A. Standard Teaching Authorizations

Editor's Note: The name of the Division of Student Standards and Assessments has been changed to The Division of Student Standards, Assessments, and Accountability.

§305. Professional Level Certificates

A. - D.2.b. ...

E. Non-Practicing Status and Operational Role Status for Level 1, 2, 3 Certificates

1. ~~The LDE may grant non-practicing status to any teacher who applies within a year of ceasing employment as a teacher or leader evaluated pursuant to state law and Bulletin 130. An exception may be made for a teacher or leader who ended employment prior to November 1, 2015 with at least one evaluation rating in 2012-2013, 2013-2014, or 2014-2015.~~

a. non-practicing status to any teacher who applies within a year of ceasing employment as a teacher or leader in a local education agency to state law and Bulletin 130. An exception may be made for a teacher or leader who ended employment in a local education agency prior to November 1, 2015 with at least one evaluation rating in 2012-2013, 2013-2014, or 2014-2015;

b. operational role status to any teacher who is serving in a role that cannot be evaluated per student growth measures.

2. ~~Non-practicing status shall take effect on the last day of employment in the evaluated role local education agency, as verified by the employing LEA.~~

3. ~~Non-practicing teachers returning to practice may apply through a Louisiana education agency for an extension of their certificate for the number of years remaining in the renewal period of the certificate. Operational role status shall take effect on the first day of employment in a role that cannot be evaluated per student growth measures, as verified by the employing LEA.~~

4. ~~Final effectiveness ratings earned while in active status will be retained during non-practicing status and applied to any subsequent renewal or extension. Operational role teachers returning to a role that can be evaluated per student growth measures must be evaluated with student growth measures as soon as they return to that role.~~

5. Non-practicing teachers returning to practice and operational role teachers returning to a role that can be evaluated per student growth measures may apply through a local education agency for an extension of their certificate for the number of years remaining in the renewal period of the certificate.

6. Final effectiveness ratings earned while in active status will be retained during non-practicing status and operational role status and applied to any subsequent renewal or extension.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1797 (October 2006), amended LR 33:433 (March 2007), LR 34:233 (February 2008), LR 34:1611 (August 2008), LR 35:222 (February 2009), LR 37:558 (February 2011), LR 38:1951 (August 2012), LR 40:279 (February 2014), LR 41:2128 (October 2015), LR 43:1304 (July 2017), LR 44:745 (April 2018), LR 45:

Chapter 7. Administrative and Supervisory Credentials

Subchapter A. The Educational Leadership Certificate

§705. Educational Leader Certificate Level 1 (EDL 1)

A. - A.5.a. ...

b. Individuals who hold an educational leader add-on endorsement issued prior to July 1, 2012 and are employed in a leadership capacity at the school level will be required to meet the standards of effectiveness pursuant to Bulletin 130 and R.S. 17:3902 for at least three years out of the five-year renewal period in order to renew their endorsement.

c. Individuals who hold an educational leader add-on endorsement issued prior to July 1, 2012 and are employed in a leadership capacity at the district level will be required to earn effective ratings per local personnel evaluations for three years out of the five-year renewal period in order to renew their endorsement.

6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1823 (October 2006), amended LR 33:819 (May 2007), LR 38:43 (January 2012), LR 38:3138 (December 2012), LR 39:1465 (June 2013), LR 43:1313 (July 2017), LR

§706. Educational Leader Certificate Level 2 (EDL 2)

[Formerly §707]

A. - A.3. ...

4. for individuals who are employed in a leadership capacity at the school level, either meet the standards of effectiveness as an educational leader for three years pursuant to Bulletin 130 and R.S. 17:3902 or receive a waiver of this provision from the LDE, at the request of the employing LEA, if the educational leader was unable to meet the standards of effectiveness any year prior to the 2015-2016 school year due to administrative error in the local implementation of the evaluation system;

5. for individuals who are employed in a leadership capacity at the district level, earn effective ratings per local personnel evaluations for three years.

B. **Renewal Requirements.** An EDL 2 is valid for five years initially and may be extended thereafter for a period of five years at the request of an LEA. For renewal of an EDL 2 certificate, candidates who are employed in a leadership capacity at the school level must successfully meet the standards of effectiveness for at least three years during the five-year initial or renewal period pursuant to Bulletin 130 and R.S. 17:3902. Candidates who are employed in a leadership capacity at the district level must earn effective ratings per local personnel evaluations for at least three years during the five-year initial or renewal period.

1. Individuals who hold an educational leader add-on endorsement issued prior to July 1, 2012 and are employed in a leadership capacity at the school level will be required to meet the standards of effectiveness pursuant to Bulletin 130 and R.S. 17:3902 for three years out of the five-year renewal period in order to renew their endorsement.

2. ~~LEAs may request a one-time five-year renewal of the certificate, if the educational leader was unable to successfully meet the standards of effectiveness any year prior to the 2015-2016 school year due to administrative error in the local implementation of the evaluation system. Individuals who hold an educational leader add-on endorsement issued prior to July 1, 2012 and are employed in a leadership capacity at the district level must earn effective ratings per local personnel evaluations for three years out of the five-year renewal period in order to renew their endorsement.~~

3. LEAs may request a one-time five-year renewal of the certificate, if the educational leader employed in a leadership capacity at the school level was unable to successfully meet the standards of effectiveness any year prior to the 2015-2016 school year due to administrative error in the local implementation of the evaluation system.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1823 (October 2006), amended LR 33:820 (May 2007), LR 38:43 (January 2012), LR 38:3138 (December 2012), LR 39:1465 (June 2013), LR 41:2129 (October 2015), LR 45:

§708. Educational Leader Certificate Level 3 (EDL 3)
[Formerly §709]

A. - A.1.d. ...

2. **Renewal Requirements.** An EDL 3 is valid for five years initially and may be extended thereafter for a period of five years at the request of an LEA. For renewal of an EDL 3 certificate, candidates who are employed in a leadership capacity at the school level must successfully meet the standards of effectiveness for at least three years during the five-year initial or renewal period pursuant to Bulletin 130 and R.S. 17:3902. Candidates who are employed in a leadership capacity at the district level must earn effective ratings per local personnel evaluations for at least three years during the five-year initial or renewal period.

3. ...

4. ~~LEAs may request a one-time five-year renewal of the certificate if the educational leader was unable to successfully meet the standards of effectiveness any year prior to the 2015-2016 school year due to administrative error in the local implementation of the evaluation system. Individuals who hold an educational leader add-on endorsement issued prior to July 1, 2012 and are employed in a leadership capacity at the district level will be required to earn effective ratings per local personnel evaluations for at least three years out of the five-year renewal period in order to renew their endorsement.~~

5. LEAs may request a one-time five-year renewal of the certificate if the educational leader was unable to successfully meet the standards of effectiveness any year prior to the 2015-2016 school year due to administrative error in the local implementation of the evaluation system.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1824 (October 2006), amended LR 38:3139 (December 2012), LR 41:2129 (October 2015), LR 45:

§709. Non-Practicing Status for Educational Leader Certificates

A. ...

B. Non-practicing educational leaders returning to practice may apply through a Louisiana-local education agency for an extension of their certificate for the number of years they were not practicing, not to exceed five years.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2129 (October 2015), amended LR 45:

Subchapter B. Out-of-State Administrative Certification Structure

§723. Out-of-State Principal Level 2 (OSP2)

A. - A.1.c. ...

d. individuals who are employed in a leadership capacity at the school level successfully meeting the standards of effectiveness as an educational leader during the validity period of the OSP1 certificate. Individuals who are employed in a leadership capacity at the district level must earn effective ratings per local personnel evaluations for at three years during the five-year initial or renewal period.

2. **Renewal Requirements.** For renewal of an OSP2 certificate, candidates who are employed in a leadership capacity at the school level must successfully meet the standards of effectiveness for at least three years during the five-year initial or renewal period pursuant to Bulletin 130 and R.S. 17:3902. Individuals who are employed in a leadership capacity at the district level must earn effective ratings per local personnel evaluations for at least three years during the five-year initial or renewal period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1825 (October 2006), amended LR 35:2325 (November 2009), LR 36:882 (March 2011), LR 38:43 (January 2012), LR 38:3139 (December 2012), LR 39:1466 (June 2013), LR 45:

§725. Out-of-State Superintendent (OSS)

A. - A.1.e. ...

2. **Renewal Requirements.** For renewal of an OSS certificate, candidates who are employed in a leadership capacity at the school level must successfully meet the standards of effectiveness for at least three years during the five-year initial or renewal

period pursuant to Bulletin 130 and R.S. 17:3902. Individuals who are employed in a leadership capacity at the district level must earn effective ratings per local personnel evaluations for at least three years during the five-year initial or renewal period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1825 (October 2006), amended LR 38:3140 (December 2012), LR 45:

**STATE BOARD OF ELEMENTARY AND SECONDARY EDUCATION
FAMILY IMPACT STATEMENT
(LA R.S. 49:953 and 972)**

Person Preparing Statement: Ryan Gremillion
Phone: 225-342-1501
Division: Policy Office
Rule Title: Part CXXXI. Bulletin 746—Louisiana Standards for State Certification of Personnel

In accordance with Section 953 and 974 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on the rule proposed for adoption, repeal or amendment. All Family Impact Statements shall be kept on file in the State Board Office which has adopted, amended, or repealed a rule in accordance with the applicable provisions of the law relating to public records.

PLEASE RESPOND TO THE FOLLOWING:

1. WILL THE PROPOSED RULE AFFECT THE STABILITY OF THE FAMILY?
 No
 Yes
 Lacks sufficient information to determine
2. WILL THE PROPOSED RULE AFFECT THE AUTHORITY AND RIGHTS OF PARENTS REGARDING THE EDUCATION AND SUPERVISION OF THEIR CHILDREN?
 No
 Yes
 Lacks sufficient information to determine.
3. WILL THE PROPOSED RULE AFFECT THE FUNCTIONING OF THE FAMILY?
 No
 Yes
 Lacks sufficient information to determine
4. WILL THE PROPOSED RULE AFFECT FAMILY EARNINGS AND FAMILY BUDGET?
 No
 Yes
 Lacks sufficient information to determine
5. WILL THE PROPOSED RULE AFFECT THE BEHAVIOR AND PERSONAL RESPONSIBILITY OF CHILDREN?
 No
 Yes
 Lacks sufficient information to determine
6. IS THE FAMILY OR A LOCAL GOVERNMENT ABLE TO PERFORM THE FUNCTION AS CONTAINED IN THE PROPOSED RULE?
 No
 Yes
 Lacks sufficient information to determine

Signature of Contact Person: *Ryan Gremillion*
Date Submitted: 12/18/18

**STATE BOARD OF ELEMENTARY AND SECONDARY EDUCATION
POVERTY IMPACT STATEMENT
(LA R.S. 49:973)**

Person Preparing Statement: Ryan Gremillion

Phone: 225-342-1501

Division: Policy Office

Rule Title: Part CXXXI. Bulletin 746—Louisiana Standards for State Certification of Personnel

In accordance with Section 973 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a Poverty Impact Statement on the rule proposed for adoption, amendment, or repeal. All Poverty Impact Statements shall be in writing and kept on file in the state agency which has adopted, amended, or repealed a rule in accordance with the applicable provisions of the law relating to public records. For the purposes of this Section, the word "poverty" means living at or below one hundred percent of the federal poverty line.

PLEASE RESPOND TO THE FOLLOWING:

1. WILL THE PROPOSED RULE AFFECT THE HOUSEHOLD INCOME, ASSETS, AND FINANCIAL SECURITY?
 No
 Yes
 Lacks sufficient information to determine
2. WILL THE PROPOSED RULE AFFECT EARLY CHILDHOOD DEVELOPMENT AND PRESCHOOL THROUGH POSTSECONDARY EDUCATION DEVELOPMENT?
 No
 Yes
 Lacks sufficient information to determine
3. WILL THE PROPOSED RULE AFFECT EMPLOYMENT AND WORKFORCE DEVELOPMENT?
 No
 Yes
 Lacks sufficient information to determine
4. WILL THE PROPOSED RULE AFFECT TAXES AND TAX CREDITS?
 No
 Yes
 Lacks sufficient information to determine
5. WILL THE PROPOSED RULE AFFECT CHILD AND DEPENDENT CARE, HOUSING, HEALTH CARE, NUTRITION, TRANSPORTATION, AND UTILITIES ASSISTANCE?
 No
 Yes
 Lacks sufficient information to determine

Signature of Contact Person: Ryan Gremillion

Date Submitted: 12/12/17

Small Business Statement

The impact of the proposed Rule on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed rule on small businesses.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments via the U.S. Mail until noon, February 9, 2019, to Shan N. Davis, Executive Director, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064. Written comments may also be hand delivered to Shan Davis, Executive Director, Board of Elementary and Secondary Education, Suite 5-190, 1201 North Third Street, Baton Rouge, LA 70802 and must be date stamped by the BESE office on the date received. Public comments must be dated and include the original signature of the person submitting the comments.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES



Person
Preparing

Statement: Ryan Gremillion

Dept.: LA Department of Education
Board of Elementary &
Secondary Education

Phone: (225) 342-1501

Office: Policy

Return

Address: P. O. Box 94064
Baton Rouge, LA

Rule

Title: Part CXXXI. Bulletin 746—Louisiana
Standards for State Certification of
Personnel

Date Rule

Takes Effect: Upon final promulgation

SUMMARY

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS
(Summary)

There are no fiscal implications for state or local governmental units related to the proposed revisions. The proposed policy revisions allow district-level administrators to renew educational leader licenses using local evaluations. The policy also establishes an "operational role" status that allows teachers and school-based administrators serving in operational roles to freeze the validity period of their certificate while serving in such a role. This ensures that the educator certificate will not expire while the educator is serving in a role that is not suited to being evaluated per the standards of effectiveness. The proposed policy does not affect teacher or school-level leader evaluations.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS
(Summary)

There are no estimated impacts on revenue collections as a result of the proposed policy revisions.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed policy revisions allow district-level administrators to renew educational leader licenses using local evaluations. The policy also establishes an "operational role" status that allows teachers and school-based administrators serving in operational roles to freeze the validity period of their certificate while serving in such a role. This ensures that the educator certificate will not expire while the educator is serving in a role that is not suited to being evaluated per the standards of effectiveness. The proposed policy does not affect teacher or school-level leader evaluations.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The new requirements may result in an increase in the number of teachers competing for operational positions.

Beth Scioneaux
Signature of Agency Head or Designee

Evan Br... Staff Director
Legislative Fiscal Officer or Designee

Beth Scioneaux, Deputy Superintendent for Management and Finance
Typed Name and Title of Agency Head or Designee

12/18/18
Date of Signature

1/3/19
Date of Signature

RECEIVED
DEC 18 2018
Legislative Fiscal Office LFO 10/04

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The proposed policy revisions allow district-level administrators to renew educational leader licenses using local evaluations. The policy also establishes an "operational role" status that allows teachers and school-based administrators serving in operational roles to freeze the validity period of their certificate while serving in such a role. This ensures that the educator certificate will not expire while the educator is serving in a role that is not suited to being evaluated per the standards of effectiveness. The proposed policy does not affect teacher or school-level leader evaluations.

- B. Summarize the circumstances that require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

In response to concerns raised by local school system leaders, the Louisiana Department of Education (LDE) proposes revisions to policy regarding school system administrators serving in central office roles and school-based teachers and leaders serving in operational roles. Current policy establishes evaluation requirements that may not be appropriate to these roles and that impede certification renewal. After discussion at a recent Superintendent Advisory Council meeting, the LDE collaborated with the Board of Elementary and Secondary Education (BESE) leadership, the Louisiana Association of School Superintendents, and the Louisiana State Association of School Personnel Administrators to identify a solution, reflected in the proposed policy revisions.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session.

1. Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

No

2. If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) _____ Yes. If yes, attach documentation.

(b) _____ NO. If no, provide justification as to why this rule change should be published at this time.

WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY18-19	FY19-20	FY20-21
PERSONAL SERVICES			
OPERATING EXPENSES	-0-	-0-	-0-
PROFESSIONAL SERVICES			
OTHER CHARGES			
EQUIPMENT			
MAJOR REPAIR & CONSTR.			
POSITIONS (#)			
TOTAL	-0-	-0-	-0-

2. Provide a narrative explanation of the costs or savings shown in "A. 1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY18-19	FY19-20	FY20-21
STATE GENERAL FUND	-0-	-0-	-0-
AGENCY SELF-GENERATED	-0-	-0-	-0-
DEDICATED			
FEDERAL FUNDS	-0-	-0-	-0-
OTHER (Specify)			
TOTAL	-0-	-0-	-0-

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

Yes.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

There are no anticipated fiscal impacts to local governmental units as a result of the proposed revisions.

2. Indicate the sources of funding of the local governmental unit that will be affected by these costs or savings.

No sources of funding of local governmental units will be affected by the proposed revisions.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

The proposed revisions will not impact revenue collections of state and local governmental units.

REVENUE INCREASE/DECREASE	FY18-19	FY19-20	FY20-21
STATE GENERAL FUND	-0-	-0-	-0-
AGENCY SELF GENERATED			
RESTRICTED FUNDS*			
FEDERAL FUNDS			
LOCAL FUNDS			
TOTAL	-0-	-0-	-0-

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

See above.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS

- A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

The new requirements may result in an increase in the number of teachers competing for operational positions.

- B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

No impact on income is anticipated as a result of this rule change.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

The proposed revisions will not have an impact on competition and employment.