

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

<b>Person Preparing Statement:</b>	<u>Ashley Townsend</u>	<b>Department:</b>	<u>Louisiana Department of Education, Board of Elementary and Secondary Education</u>
<b>Phone:</b>	<u>225.342.3773</u>	<b>Office:</b>	<u>Governmental, Administrative, and Public Affairs</u>
<b>Return Address:</b>	<u>P.O. Box 94064 Baton Rouge, LA 70804</u>	<b>Rule Title:</b>	<u>Part CXXXI <i>Bulletin 746-Louisiana Standards for State Certification of School Personnel</i> (LAC 28: CXXXI, 547, 1901, 1903, 1904, 1909, 1911, 1913, and 2103)</u>
		<b>Date Rule Takes Effect:</b>	<u>Upon final adoption by BESE</u>

SUMMARY  
(Use complete sentences)

In accordance with Section 961 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 anticipated implementation costs to state or local governmental units as a result of the proposed rule change. The proposed change amends LAC 28:CXXXI in *Bulletin 746-Louisiana Standards for State Certification of School Personnel* to update the appeal process for issuance or reinstatement of teacher certifications and clarifies criminal background check and rap back monitoring requirements.

Further changes remove the ancillary certification requirement for Junior Reserve Officers' Training Corps (JROTC) instructors and expands eligibility to become an instructor beyond JROTC retirees to include non-retired/currently serving Guard/Reserve or honorably discharged veterans who hold a current, valid certification and recommendation issued by the appropriate branch of the U.S. Armed Forces. Under the proposed rule change, these eligible individuals are considered certified as a JROTC instructor by the Board of Elementary and Secondary Education (BESE), eliminating the need for an additional certification issued by the Louisiana Department of Education (LDOE). Additional changes include updates to paraprofessional Education Testing Services (ETS) assessments, transitioning from use of the ParaPro assessment to the ParaPathways assessment to determine classification as a "highly qualified paraprofessional."

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

The proposed rule change is anticipated to minimally decrease self-generated revenue collections of LDOE. Historically, the department has received very few applications for JROTC instructor certifications; therefore, any decrease in revenues due to the elimination of the separate JROTC certification and its associated \$50 application fee is not anticipated to be significant.

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

There are anticipated economic savings to persons, small businesses, or non-governmental groups as a result of the proposed rule change. The cost of the ETS paraprofessional test will decrease from \$85 to \$75 with the transition from the ParaPro exam to the ParaPathways exam. Further, the repeal of the duplicate certification requirement for JROTC instructors will result in a savings of the \$50 application fee for applicants seeking certification by BESE.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change may increase competition and employment as currently serving members of the U.S. Armed Forces may now be eligible to teach JROTC courses instead of limiting access to retirees.

Beth Scioneaux  
Signature of Head or Designee

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

1. 29. 2026  
Date of Signature

[Signature]  
Legislative Fiscal Officer or Designee

2/03/2026  
Date of Signature

#### **Small Business Analysis**

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, March 10, 2026, to Tavares Walker, 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 Tavares Walker, 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.

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

**Person Preparing**

**Statement:** Ashley Townsend  
**Phone:** 225.342.3773  
**Division:** Governmental, Administrative, and Public Affairs  
**Rule Title:** Part CXXXI. Bulletin 746— Louisiana Standards for State Certification of School Personnel (LAC 28:CXXXI. 547, 1901, 1903, 1904, 1909, 1911, 1913, and 2103)

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 (YES, NO, OR LACKS SUFFICIENT INFORMATION TO DETERMINE) TO THE FOLLOWING:

1. Will the proposed Rule affect the stability of the family? No
2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No
3. Will the proposed Rule affect the functioning of the family? No
4. Will the proposed Rule affect family earnings and family budget? No
5. Will the proposed Rule affect the behavior and personal responsibility of children? No
6. Is the family or local government able to perform the function as contained in the proposed Rule? Yes

Signature of Contact Person:   
Date Submitted: 01/16/2026

**POVERTY IMPACT STATEMENT  
(LA R.S. 49:973)**

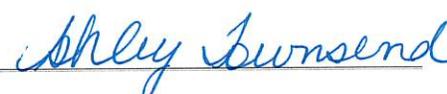
**Person Preparing**

**Statement:** Ashley Townsend  
**Phone:** 225.342.3773  
**Division:** Governmental, Administrative, and Public Affairs  
**Rule Title:** Part CXXXI. Bulletin 746— Louisiana Standards for State Certification of School Personnel (LAC 28:CXXXI. 547, 1901, 1903, 1904, 1909, 1911, 1913, and 2103)

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 (YES, NO, OR LACKS SUFFICIENT INFORMATION TO DETERMINE) TO THE FOLLOWING:

1. Will the proposed Rule affect the household income, assets, and financial authority? No
2. Will the proposed Rule affect early childhood development and preschool through postsecondary education development? No
3. Will the proposed Rule affect employment and workforce development? Yes
4. Will the proposed Rule affect taxes and tax credits? No
5. Will the proposed Rule affect child and dependent care, housing, health care, nutrition, transportation, and utilities assistance? No

Signature of Contact Person:   
Date Submitted: 01/16/2026

### §1911. ~~Submission of Fraudulent Documents~~

A. A Louisiana teaching credential will be sanctioned in accordance with §1903 of this Chapter if an educator uses or submits fraudulent documents, denied or if currently issued will be suspended if an educator presents fraudulent documentation as part of an application for a credential to BESE or the LDOE.

B. Repealed.

C. – D.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6), R.S. 17:6, R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1753 (July 2022), amended LR 50:1449 (October 2024), LR 52:

### §1913. Professional License Censure

A. – B. ...

C. An existing credential, even if expired, for which license censure has been reported and verified may will be suspended by the LDQE and referred to BESE for review.

D. – E.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1753 (July 2022), amended LR 50:1449 (October 2024), LR 52:

## Chapter 21. State Guidelines Related to Qualifications for Paraprofessionals

### §2103. Paraprofessional Qualifications

A. – D. ...

1. State Test. A paraprofessional who passes the Educational Testing Service (ETS) ParaPro or ParaPathways para-pro assessment will meet state and federal requirements to be classified as a highly qualified paraprofessional. A paraprofessional who is not new to the profession, passes the ACT work keys assessment, and has successful observations will meet state and federal requirements to be classified as a highly qualified paraprofessional.

D.2. – F.1. ...

a. passed the ETS ParaPro or ParaPathways para-pro assessment;

b. – F.2. ...

a. passed the ETS ParaPro or ParaPathways para-pro assessment;

b. – F.2.d. ...

G. Curriculum-based Pathways for Paraprofessionals. General education and teacher preparation coursework must address the K-12 state content standards, Louisiana components of effective Teaching, National Council for the Accreditation of Teacher Education (NCATE) standards, and Praxis expectations. In addition to the ETS ParaPro or ParaPathways para-pro assessment, the state specified three curriculum-based pathways for paraprofessionals to meet federal requirements, as follows:

G.1. – G.3.b.iii.(b). ...

#### H. ETS Paraprofessional Assessments.

1. ParaPro (1755); prior to August 31, 2026; score 450.

2. ParaPathways (5758 and 5759); effective June 1, 2026.

a. Reading and Writing (5758); score 332; and

b. Mathematics (5759); score 334.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 3902, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:474 (March 2022), repromulgated LR 48:1083 (April 2022), LR 52:

Clear Credential—designation on an educator certification record signifying the educator was fingerprinted for certification under the LDOE Originating Agency Identifier for the purposes of credentialing/licensing. The criminal background check (CBC) provided was free of disqualifying conviction, or the educator was cleared by BESE in accordance with records review provisions in accordance with §1919 of this Chapter.

Credential—documentation issued by the LDOE to validate educator qualifications including but not limited to certification, authorization, permit, or license.

Criminal Background Check (CBC)—bureau of criminal identification and information criminal history records and identification files, including Federal Bureau of Investigation (FBI) information from other jurisdictions, used to ascertain whether a person has been arrested for, convicted of, or pled nolo contendere to any criminal offense.

Convicted or Conviction—any proceedings in which the accused person pleads guilty or no contest, and those proceedings that are tried and result in a judgment of guilty. Convictions also include matters that have been granted expungement and/or deferred disposition under Louisiana CCP Article 893 or 894.

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Fraudulent Document—any paper, instrument, or other form of written or electronic text that is false, altered, or counterfeit, and that is used as a subterfuge or device to induce the issuance or reinstatement of an educator credential or that is used to falsely represent or signify that the holder of the credential has certification which has not been issued or is not valid.

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Offense or Crime—those listed in R.S. 15:587.1(C) and any felony offense whatsoever.

Rap Back—record of arrest and prosecution background FBI service that notifies authorized agencies when new criminal history information is added to the criminal background check of an individual.

Records Review—official board procedure for consideration of an educator appeal regarding credential issuance, reinstatement, or sanction.

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Teaching Authorization (TA)—Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1750 (July 2022), amended LR 50:1448 (October 2024), LR 52:

#### **§1904. Criminal History Review for Certification**

A. – B. ...

C. Effective Beginning January 1, 2025, an application for certification renewal, advancement, or modification shall require state and federal criminal history checks for individuals for whom LDOE records do not include a state and federal criminal history check for certification purposes within the past five years.

D. ...

E. Upon receipt of a CBC conducted through LDOE, the department shall determine eligibility for certification as follows:

1. An applicant with no disqualifying convictions shall be cleared for certification, with the “Clear Credential” notation placed on the certification record.

2. The certification of an applicant with a felony conviction shall be sanctioned. Eligibility for records review and appeal to BESE shall be in accordance with §1909 and §1919 of this Chapter for felony convictions other than those felonies enumerated in R.S. 15:587.1.

3. An applicant with a felony or misdemeanor conviction enumerated in R.S. 15:587.1 shall receive a permanent denial or revocation of certification. An appeal to BESE is prohibited.

F. Credentials issued by LDOE are subject to continuing rap back monitoring.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:8.7, R.S. 17:8.9, R.S. 17:15, R.S. 15:587.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 50:1449 (October 2024), LR 52:

#### **§1909. Sanctions for Criminal Convictions History Reporting**

A. – D.2. ...

E. Misdemeanor and felony criminal convictions, or plea of nolo contendere, for an offense listed in R.S. 15:587.1 shall be referenced as a prohibited conviction convictions for which denial, suspension, and/or revocation is mandated and issuance or reinstatement shall never be considered.

F. With the exception of convictions listed in R.S. 15:587.1, records review for appeal of sanction eligibility may be considered under the following conditions:

1. – 3. ...

G. Rap Back Monitoring and Appeals.

1. If an applicant’s appeal is filed within ninety days of issuance of the letter of suspension or letter of denial, the applicant will not have to undergo a new criminal history record check.

2. If an applicant’s appeal is filed after ninety days have passed since issuance of the letter of suspension or letter of denial, the applicant shall undergo a new criminal history check.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:587.1, R.S. 17:6, R.S. 17:15, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1752 (July 2022), LR 50:31 (January 2024), LR 50:1449 (October 2024), LR 52:

paraprofessional who is not new to the profession, passes the ACT work keys assessment, and has successful observations will meet state and federal requirements to be classified as a highly qualified paraprofessional.

D.2. – F.1. ...

a. passed the ETS ParaPro or ParaPathways assessment;

b. – F.2. ...

a. passed the ETS ParaPro or ParaPathways assessment;

b. – F.2.d. ...

G. Curriculum-based Pathways for Paraprofessionals. General education and teacher preparation coursework must address the K-12 state content standards, Louisiana components of effective Teaching, National Council for the Accreditation of Teacher Education (NCATE) standards, and Praxis expectations. In addition to the ETS ParaPro or ParaPathways assessment, the state specified three curriculum-based pathways for paraprofessionals to meet federal requirements, as follows:

G.1. – G.3.b.iii.(b). ...

H. ETS Paraprofessional Assessments.

1. ParaPro (1755); prior to August 31, 2026; score 450.

2. ParaPathways (5758 and 5759); effective June 1, 2026.

a. Reading and Writing (5758); score 332; and

b. Mathematics (5759); score 334.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 3902, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:474 (March 2022), repromulgated LR 48:1083 (April 2022), LR 52:

## COMPARISON DOCUMENT

### Title 28

### EDUCATION

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

### Subchapter C. Ancillary Teaching Certificates

### §547. Junior Reserve Officers Training Corps Instructor (ROTC)

A. Effective June 1, 2026, a retiree, retired grade, non-retired/currently serving Guard/Reserve, or honorably discharged veteran who holds a current, valid JROTC certification and recommendation issued by the appropriate branch of the U.S. Armed Forces is considered certified by BESE. An ancillary certificate issued in ROTC authorizes an individual to teach Junior ROTC.

B. – B.2. Repealed. Eligibility requirements:

1. ~~retired from active duty in the retired grades of E-6-E-9, WO-1-CWO-5, 03-06; and~~

2. ~~official recommendation by appropriate branch of the military service with certification by the appropriate department of defense.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 17:8.1-8.3, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:441 (March 2022), repromulgated LR 48:1045 (April 2022), amended LR 50:663 (May 2024), LR 52:

### Chapter 19. Actions and Sanctions to Louisiana Educator Credentials

### §1901. Overview

A. Educator credentials can be sanctioned for a conviction of certain criminal offenses, for ~~fraud~~ ~~the submission of fraudulent documentation~~, for professional license censure, for failure to meet the standards for effectiveness, or for participation in cheating. This chapter presents the circumstances that result in sanction, the criteria under which reinstatement or issuance may be obtained, and the circumstances under which a credential may be rescinded. Conditions and mandates for issuance and sanction outlined in this Chapter will be the same for all educator credentials issued by the Louisiana Department of Education.

B. – B.1. ...

2. The person has been found to have submitted or used fraudulent documents ~~documentation to the board or the department as part of an application for a Louisiana credential.~~

B.3. – E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:587.1, R.S. 17:6, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1750 (July 2022), amended LR 50:1448 (October 2024), LR 52:

### §1903. Definitions

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*Cheating*—as determined by the LDQE in accordance with LAC 28:XI, *Bulletin 118—Statewide Assessment Standards and Practices*, a testing irregularity and/or test security violation committed by an educator in order to alter student or school assessment results in violation of Bulletin 118, LAC 28:XI.Chapter 53. The determination is made by the LDE in consultation with the LEA.

*Records Review*—official board procedure for consideration of an educator appeal regarding credential issuance, reinstatement, or sanction.

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*Teaching Authorization (TA)*—Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1750 (July 2022), amended LR 50:1448 (October 2024), LR 52:

#### **§1904. Criminal History Review for Certification**

A. – B. ...

C. Effective January 1, 2025, an application for certification renewal, advancement, or modification shall require state and federal criminal history checks for individuals for whom LDOE records do not include a state and federal criminal history check.

D. ...

E. Upon receipt of a CBC conducted through LDOE, the department shall determine eligibility for certification as follows:

1. An applicant with no disqualifying convictions shall be cleared for certification, with the “Clear Credential” notation placed on the certification record.

2. The certification of an applicant with a felony conviction shall be sanctioned. Eligibility for records review and appeal to BESE shall be in accordance with §1909 and §1919 of this Chapter for felony convictions other than those felonies enumerated in R.S. 15:587.1.

3. An applicant with a felony or misdemeanor conviction enumerated in R.S. 15:587.1 shall receive a permanent denial or revocation of certification. An appeal to BESE is prohibited.

F. Credentials issued by LDOE are subject to continuing rap back monitoring.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:8.7, R.S. 17:8.9, R.S. 17:15, R.S. 15:587.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 50:1449 (October 2024), LR 52:

#### **§1909. Sanctions for Criminal Convictions**

A. – D.2. ...

E. Misdemeanor and felony criminal convictions, or plea of nolo contendere, for an offense listed in R.S. 15:587.1 shall be a prohibited conviction for which denial, suspension, and/or revocation is mandated and issuance or reinstatement shall never be considered.

F. With the exception of convictions listed in R.S. 15:587.1, records review for appeal of sanction eligibility may be considered under the following conditions:

1. – 3. ...

G. Rap Back Monitoring and Appeals.

1. If an applicant’s appeal is filed within ninety days of issuance of the letter of suspension or letter of denial, the applicant will not have to undergo a new criminal history record check.

2. If an applicant’s appeal is filed after ninety days have passed since issuance of the letter of suspension or letter of denial, the applicant shall undergo a new criminal history check.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:587.1, R.S. 17:6, R.S. 17:15, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1752 (July 2022), LR 50:31 (January 2024), LR 50:1449 (October 2024), LR 52:

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A. A Louisiana teaching credential will be sanctioned in accordance with §1903 of this Chapter if an educator uses or submits fraudulent documents.

B. Repealed.

C. – D.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6), R.S. 17:6, R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1753 (July 2022), amended LR 50:1449 (October 2024), LR 52:

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A. – B. ...

C. An existing credential, even if expired, for which license censure has been reported and verified may be suspended by the LDOE and referred to BESE for review.

D. – E.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1753 (July 2022), amended LR 50:1449 (October 2024), LR 52:

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#### **§2103. Paraprofessional Qualifications**

A. – D. ...

1. State Test. A paraprofessional who passes the Educational Testing Service (ETS) ParaPro or ParaPathways assessment will meet state and federal requirements to be classified as a highly qualified paraprofessional. A

## NOTICE OF INTENT

### Board of Elementary and Secondary Education

*Bulletin 746—Louisiana Standards for State Certification of School Personnel*  
Certification Endorsement  
(LAC 28: CXXXI.547, 1901, 1903, 1904, 1909, 1911, 1913, and 2103)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1), *et seq.*, the Board of Elementary and Secondary Education (BESE) proposes to amend LAC 28:CXXXI in *Bulletin 746—Louisiana Standards for State Certification of School Personnel*. The revisions update the appeal process for issuance or reinstatement and clarifies criminal background check, rap back monitoring, fraud, and definitions. Further changes remove a redundant certification requirement for JROTC instructors and expand access to currently serving members of the U.S. Armed Forces, update paraprofessional ETS assessments, and provide for technical edits.

#### Title 28

#### EDUCATION

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

#### Subchapter C. Ancillary Teaching Certificates

#### §547. Junior Reserve Officers Training Corps Instructor (ROTC)

A. Effective June 1, 2026, a retiree, retired grade, non-retired/currently serving Guard/Reserve, or honorably discharged veteran who holds a current, valid JROTC certification and recommendation issued by the appropriate branch of the U.S. Armed Forces is considered certified by BESE.

B. – B.2. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 17:8.1-8.3, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:441 (March 2022), repromulgated LR 48:1045 (April 2022), amended LR 50:663 (May 2024), LR 52:

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#### §1901. Overview

A. Educator credentials can be sanctioned for a conviction of certain criminal offenses, for fraud, for professional license censure, for failure to meet the standards for effectiveness, or for participation in cheating. This chapter presents the circumstances that result in sanction, the criteria under which reinstatement or issuance may be obtained, and the circumstances under which a credential may be rescinded. Conditions and mandates for issuance and sanction outlined in this Chapter will be the same for all educator credentials issued by the Louisiana Department of Education.

B. – B.1. ...

2. The person has been found to have submitted or used fraudulent documents.

B.3. – E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:587.1, R.S. 17:6, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1750 (July 2022), amended LR 50:1448 (October 2024), LR 52:

#### §1903. Definitions

\*\*\*

*Cheating*—as determined by the LDOE in accordance with LAC 28:XI, *Bulletin 118—Statewide Assessment Standards and Practices*, a testing irregularity and/or test security violation committed by an educator in order to alter student or school assessment results in violation of Bulletin 118, LAC 28:XI.Chapter 53. The determination is made by the LDE in consultation with the LEA.

*Clear Credential*—designation on an educator certification record signifying the educator was fingerprinted for certification under the LDOE Originating Agency Identifier for the purposes of credentialing/licensing. The criminal background check (CBC) provided was free of disqualifying conviction, or the educator was cleared by BESE in accordance with records review provisions in accordance with §1919 of this Chapter.

*Credential*—documentation issued by the LDOE to validate educator qualifications including but not limited to certification, authorization, permit, or license.

*Criminal Background Check (CBC)*—bureau of criminal identification and information criminal history records and identification files, including Federal Bureau of Investigation (FBI) information from other jurisdictions, used to ascertain whether a person has been arrested for, convicted of, or pled nolo contendere to any criminal offense.

*Convicted or Conviction*—any proceedings in which the accused person pleads guilty or no contest, and those proceedings that are tried and result in a judgment of guilty. Convictions also include matters that have been granted expungement and/or deferred disposition under Louisiana CCP Article 893 or 894.

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*Fraudulent Document*—any paper, instrument, or other form of written or electronic text that is false, altered, or counterfeit, and that is used as a subterfuge or device to induce the issuance or reinstatement of an educator credential or that is used to falsely represent or signify that the holder of the credential has certification which has not been issued or is not valid.

\*\*\*

*Offense or Crime*—those listed in R.S. 15.587.1(C) and any felony offense whatsoever.

*Rap Back*—record of arrest and prosecution background FBI service that notifies authorized agencies when new criminal history information is added to the criminal background check of an individual.

**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 change amends LAC 28:CXXXI in *Bulletin 746—Louisiana Standards for State Certification of School Personnel* to update the appeal process for issuance or reinstatement of teacher certifications and clarifies criminal background check and rap back monitoring requirements.

Further changes remove the ancillary certification requirement for Junior Reserve Officers' Training Corps (JROTC) instructors and expands eligibility outside of JROTC retirees to include non-retired/currently serving Guard/Reserve or honorably discharged veterans who hold a current, valid certification and recommendation issued by the appropriate branch of the U.S. Armed Forces. Under the proposed rule change, these eligible individuals are considered certified as a JROTC instructor by the Board of Elementary and Secondary Education (BESE), eliminating the need for an additional certification issued by the Louisiana Department of Education (LDOE). Additional changes include updates to paraprofessional Education Testing Services (ETS) assessments, transitioning from use of the ParaPro assessment to the ParaPathways assessment to determine classification as a "highly qualified paraprofessional."

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

The proposed rule change aligns BESE policy with Louisiana State Police privacy mandates regarding criminal history information received relevant to educator credentials issued by LDOE. The proposed rule change sunsets current ETS assessment requirements and adopts a new assessment type for paraprofessionals. Additionally, the rule change eliminates a duplicative certification requirement for JROTC instructors and expands eligibility to include active-duty U.S. Armed Services members.

- 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.

The proposed rule change will not result in an increase in the expenditure of funds.

- (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

- D. Compliance with Act 98 of the 2025 Regular Session

- (1) Will the proposed rule change result in either the expenditure of state funds or an economic impact involving costs to regulated entities estimated at \$200,000 or more per year or \$600,000 or more over three years?

(a) \_\_\_\_\_ YES. (proceed to question D.2 on this page)

(b)   X   NO.

- (2) If the answer to (1) above is yes, was there a fiscal note for the enacted legislation that required this action (attach documentation)?

(a) \_\_\_\_\_ YES, and all cost impacts were contemplated in the Fiscal Note.

(b) \_\_\_\_\_ YES, but cost impacts exceed those contemplated in the Fiscal Note.

(c) \_\_\_\_\_ NO.

**FISCAL AND ECONOMIC IMPACT STATEMENT  
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?

<b>COSTS</b>	<b>FY 26</b>	<b>FY 27</b>	<b>FY 28</b>
PERSONAL SERVICES	\$0	\$0	\$0
OPERATING EXPENSES	\$0	\$0	\$0
PROFESSIONAL SERVICES	\$0	\$0	\$0
OTHER CHARGES	\$0	\$0	\$0
EQUIPMENT	\$0	\$0	\$0
MAJOR REPAIR & CONSTR.	\$0	\$0	\$0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>POSITIONS (#)</b>	<b>0</b>	<b>0</b>	<b>0</b>

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.

Not applicable.

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

<b>SOURCE</b>	<b>FY 26</b>	<b>FY 27</b>	<b>FY 28</b>
STATE GENERAL FUND	\$0	\$0	\$0
AGENCY SELF-GENERATED	\$0	\$0	\$0
DEDICATED	\$0	\$0	\$0
FEDERAL FUNDS	\$0	\$0	\$0
OTHER (Specify)	\$0	\$0	\$0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

Not applicable.

**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 potential costs or savings to local governmental units as a result of the proposed rule change. Any loss of certification application fees is expected to be negligible.

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

Not applicable.

**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?

<b>REVENUE INCREASE/DECREASE</b>	<b>FY 26</b>	<b>FY 27</b>	<b>FY 28</b>
STATE GENERAL FUND	\$0	\$0	\$0
AGENCY SELF-GENERATED	Decrease	Decrease	Decrease
DEDICATED	\$0	\$0	\$0
FEDERAL FUNDS	\$0	\$0	\$0
LOCAL FUNDS	\$0	\$0	\$0
<b>TOTAL</b>	Decrease	Decrease	Decrease

\*Specify the particular fund being impacted.

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.

The proposed rule change is anticipated to minimally decrease self-generated revenue collections of LDOE. Historically, the department has received very few applications for JROTC instructor certifications; therefore, any decrease in revenues due to the elimination of the separate JROTC certification and its associated \$50 application fee is not anticipated to be significant.

**III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS**

A. What persons, small businesses, 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.

There are anticipated economic savings to persons, small businesses, or non-governmental groups as a result of the proposed rule change. The cost of the ETS paraprofessional test will decrease from \$85 to \$75 with the transition from the ParaPro exam to the ParaPathways exam. Further, the repeal of the duplicate certification requirement for JROTC instructors will result in a savings of the \$50 application fee for applicants seeking certification by BESE.

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.

Not applicable.

**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 rule change may increase competition and employment as currently serving members of the U.S. Armed Forces may now be eligible to teach JROTC courses instead of limiting access to retirees.

