

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

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Return
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Rule
Title: Part CLXVII. Bulletin 140 -
Louisiana Early Childhood Care and Education
Network (LAC 28:CLXVII.103, 503, 509, 511,
513, and 519).

Date Rule Takes Effect: Upon final adoption by BESE

SUMMARY

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 or savings to state or local governmental units as a result of the proposed rule change. The proposed rule change provides for the inclusion of family child care homes with current academic approval in the definition of early childhood care and education programs and sites. The proposed change also includes revisions to observation requirements, child-to-teacher ratios, and technical edits.

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

The proposed rule change will not have an effect on revenue collections of state or local governmental units.

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

The proposed rule change will not result in costs and/or benefits to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will not have an effect on competition and employment.

Beth Johnson

Signature of Agency Head or Designee

Patrice Thomas, Deputy Fiscal Officer
Legislative Fiscal Officer or Designee

Legislative Fiscal Officer or Designee

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

7.10.23

Date of Signature

7/10/2023

Date of Signature

**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 rule change provides for the inclusion of family child care homes with current academic approval in the definition of early childhood care and education programs and sites. The proposed change also includes revisions to observation requirements, child-to-teacher ratios, and technical edits. No implementation costs are anticipated for state or local governmental units as a result of these changes.

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

The inclusion of family child care home providers requires alignment of regulations for programs and sites. The Second Edition of the *CLASS*[®] observation tool requires a title update in policy.

- 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.

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?

The proposed rule change will have no effect on costs or savings to state agencies.

COSTS	FY 24	FY 25	FY 26
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 Repairs & Constr.	0	0	0
TOTAL	0	0	0
POSITIONS (#)	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.

Not applicable.

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

SOURCE	FY 24	FY 25	FY 26
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
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?

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.

The proposed rule change will have no effect on costs or savings to local governmental units.

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?

The proposed rule change will not have an effect on revenue collections of local governmental units.

REVENUE INCREASE/DECREASE	FY 24	FY 25	FY 26
State General Fund	0	0	0
Agency Self-Generated	0	0	0
Dedicated Funds*	0	0	0
Federal Funds	0	0	0
Local Funds	0	0	0
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.

Not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT WORKSHEET

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.

No impact is anticipated to directly affected persons, small businesses, or nongovernmental groups. The proposed rule change provides clarity and makes technical revisions and updates to policy.

- 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.

No impact is anticipated to competition and employment as a result of the proposed rule change.

NOTICE OF INTENT
Board of Elementary and Secondary Education

Part CLXVII. Bulletin 140—Louisiana Early Childhood Care and Education Network
(LAC 28:CLXVII.103, 503, 509, 511, 513, and 519)

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 proposes to amend LAC 28:CLXVII in *Bulletin 140—Louisiana Early Childhood Care and Education Network*. The aforementioned revisions provide the inclusion in definitions of family child care home with current academic approval for early childhood care and education programs and sites. Further revisions update observation requirements, child-to-teacher ratios, and technical edits.

Title 28

EDUCATION

Part CLXVII. Bulletin 140—Louisiana Early Childhood Care and Education Network

Chapter 1. General Provisions

§103. Definitions

* * *

Early Childhood Care and Education Program (Program)—an early learning center-based, ~~or~~ school-based organization, or family child care home with current academic approval, that is providing early childhood care and education to children ages birth to five years who have not yet entered kindergarten.

Early Childhood Care and Education Site (Site)—a distinct early learning center-based, ~~or~~ school-based location, or family child care home with current academic approval, that is providing early childhood care and education to children ages birth to five years who have not yet entered kindergarten.

* * *

Learning Year—the 2015-2016 school year shall be a learning year for the early childhood care and education network.

LDOE—Louisiana Department of Education, may also be referenced as LDE or department.

* * *

Publicly-Funded Early Childhood Care and Education Program—an early learning center-based, ~~or~~ school-based organization, or family child care home with current academic approval, that is providing early childhood care and education to children ages birth to five years who have not yet entered kindergarten with funds from either CCAP, Early Head Start, Head Start, NSECD, LA 4 Program, 8(g) block grant, title 1 of ESSA or IDEA part B, other local, state, or federal funds, or that is authorized to receive CCAP, or that participates in the quality start child care rating system.

Publicly-Funded Early Childhood Care and Education Site—a distinct early learning center-based, ~~or~~ school-based location, or family child care home with current academic approval, that is providing early childhood care and education to children ages birth to five years who have not yet entered kindergarten in a full-day setting with funds from either CCAP, Early Head Start, Head Start, NSECD, LA 4 Program, 8(g) block grant, title 1 of ESSA or IDEA part B, other local, state, or federal funds, or that is authorized to receive CCAP, or that participates in the quality start child care rating system.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.23 and R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2580 (December 2015), amended LR 42:1871 (November 2016), LR 44:1438 (August 2018), LR 49:

Chapter 5. Early Childhood Care and Education Accountability System

§503. Coordinated Observation Plan and Observation Requirements

A. Coordinated observation is the local process by which each community network ensures that every classroom, including virtual classrooms, in a publicly-funded site in the community network receives two *CLASS*® observations each school year.

B. – B.2.b.

...

c. *CLASS*® observations for pre-K classrooms must include all three Pre-K-3rd *CLASS*® domains, which are emotional support, classroom organization, and instructional support, and all dimensions contained within.

3. – 4.b. ...

c. a classroom that has all pre-K children or a classroom that has a mix of toddler and Pre-K children in which the majority or at least half are pre-K children shall be observed with the Pre-K-3rd *CLASS*®;

d. a classroom that has a mix of pre-K and kindergarten age children shall be observed using the Pre-K-3rd *CLASS*® when either the majority of the class is pre-K or if the classroom receives early childhood funding;

e. – 5.c.v.

...

d. Observers who are receive notification from the LDOE under Clause 5.c.i of this Subsection must meet the reliability requirements of 80 percent accuracy through annual recertification prior to being permitted to complete observations for the community network.

e. – C.2.b.

...

3. Submission of Observation Schedules

a. For the fall observation period, the observation schedule must be submitted to the LDOE via the Early Childhood *CLASS*® portal or a comparable LDOE-approved system by October 1 unless otherwise specified by the department.

b. For the spring observation period, the observation schedule must be submitted to the LDOE via the Early Childhood CLASS® portal or a comparable LDOE-approved system by February 1 unless otherwise specified by the department.

c. – D.1. ...

2. Lead agencies seeking a waiver shall submit a written request to the LDOE prior to or at the time of the submission of the coordinated enrollment plan. The request shall cite the specific requirement for which a waiver is being requested and shall clearly state the reasons why the waiver is being requested and why it should be granted. Waiver requests shall include any supporting documentation that substantiates the need for the waiver.

3. – E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.30 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2586 (December 2015), amended LR 42:1872 (November 2016), LR 43:2131 (November 2017), LR 44:1440 (August 2018), LR 45:1453 (October 2019), LR 47:452 (April 2021), LR 48:1010 (April 2022), LR 49:

§509. Performance Rating Calculations for Publicly-Funded Sites

A. – A.1. ...

2. For 2020-2021 school year and beyond, the performance rating for each publicly-funded site shall be based on the average of the dimension-level infant, toddler, and pre-K-3 observation results from the fall and spring observation periods for all infant, toddler, and pre-K classrooms within the site, excluding the negative climate dimensions.

a. – 3. ...

4. Sites that have classrooms which receive a score of 3.5 or above for the negative climate dimension and sites that have infant classrooms that receive a “low” on the lack of adult negativity indicator will receive a notice in writing at the end of the observation period in which the score was received. If a site receives a notice for two consecutive observation periods, an indicator of high negative climate, low lack of adult negativity or an indicator for both may be reported on the performance profile. Lack of adult negativity is an indicator used in infant CLASS® and is comparable to the pre-K-3 and toddler negative climate dimension. Like all indicators for CLASS®, the measure is expressed as “high,” “medium,” or “low” rather than as a numerical score.

B. – G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.21 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2587 (December 2015), amended LR 42:1873 (November 2016), LR 44:1442 (August 2018), LR 45:1453 (October 2019), LR 47:1286 (September 2021), LR 48:1010 (April 2022), LR 49:

§511. Performance Rating Calculations for Community Networks

A. – A.3. ...

B. The CLASS® observation results will be determined by averaging the results of all fall and spring dimension-level toddler and pre-K-3 observation results for all toddler and pre-K classrooms within the community network excluding negative climate. Beginning in the 2020-2021 school year, the CLASS® observation results will be determined by averaging the results of all fall and spring dimension-level infant, toddler, and pre-K observation results for all infant, toddler, and pre-K classrooms within the community network, excluding negative climate.

1. – 2.b.ii. ...

C. The equitable access score performance rating shall be determined by calculating the access achieved by the community network for all at-risk four-year-old children in the community network coverage area. Points are earned on a four-level rating scale according to:

Percentage of At-Risk Four-Year-Olds Served	Rating

65-74.99 percent	Approaching Proficient

D. – I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.21 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2588 (December 2015), amended LR 42:1874 (November 2016), LR 44:1442 (August 2018), LR 45:1454 (October 2019), LR 47:1286 (September 2021), LR 49:

§513. Informational Metrics of Best Practices

A. Informational metrics are measures of a publicly-funded site and a community network’s use of the following early childhood care and education best practices. The performance profile shall report the publicly-funded site and community network’s use of the best practices identified as an investment in quality measures, which shall include, but is not limited to:

1. Child-to-teacher ratios. Publicly-funded sites maintain child-to-teacher ratios based on the age of children and that are at or better than the minimum standards required in accordance with LAC 28:CLXI.137 or LAC 28:CLXV.139, as applicable.

a. To achieve gold-level ratios, publicly-funded sites shall at minimum meet the following child-to-teacher ratios.

i. Family Child Care Provider. If any children in care are 24 months old or younger, the maximum child-to-teacher ratio shall be 4:1.

ii. Early Learning Center or School-based Organization. The maximum child-to-teacher ratio shall be as shown below:

Age	Ratio
Birth to 1 year	4:1
1 year to 2 years	4:1

Age	Ratio
2 years to 3 years	6:1
3 years to 4 years	8:1
4 years to 5 years	10:1

b. To achieve silver-level ratios, publicly-funded sites shall meet at minimum the following child-to-teacher ratios.

- i. Family Child Care Provider. If any children in care are 24 months old or younger, the maximum child-to-teacher ratio shall be 5:1.
- ii. Early Learning Center or School-based Organization. The maximum child-to-teacher ratio shall be as shown below:

Age	Ratio
Birth to 1 year	4:1
1 year to 2 years	6:1
2 years to 3 years	8:1
3 years to 4 years	10:1
4 years to 5 years	12:1

c. To achieve bronze-level ratios, publicly-funded sites shall meet at least the minimum child-to-teacher ratios.

- i. Family Child Care Provider. The maximum child-to-teacher ratio shall be in accordance with LAC 28:CLXV.139.
 - ii. Early Learning Center or School-based Organization. The maximum child-to-teacher ratio shall be in accordance with LAC 28:CLXI.137.
- d. For all levels of ratios, early learning centers or school-based organizations shall meet the group size requirement in accordance with LAC 28:CLXI.137.

2. – E.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2588 (December 2015), amended LR 42:1875 (November 2016), LR 43:2131 (November 2017), LR 49:

§519. Waivers of Accountability System Requirements

A. – C.

D. Any site requesting a waiver from an accountability system requirement for three consecutive observation periods will not be granted a subsequent waiver until a full academic year has elapsed from the most recent waiver approved by the LDOE. If the classroom has no comparable local or third-party scores available, a score of 1.00 shall be assigned to each missing CLASS® domain score, in accordance with §503. of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2590 (December 2015), LR 49:

COMPARISON DOCUMENT

Title 28

EDUCATION

Part CLXVII. Bulletin 140—Louisiana Early Childhood Care and Education Network

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* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.23 and R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2580 (December 2015), amended LR 42:1871 (November 2016), LR 44:1438 (August 2018), LR 49:

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A. Coordinated observation is the local process by which each community network ensures that every classroom, including virtual classrooms, in a publicly-funded site in the community network receives two CLASS® observations each school year.

B. – B.2.b.

...

c. CLASS® observations for pre-K classrooms must include all three ~~pre-K~~ Pre-K-3rd CLASS® domains, which are emotional support, classroom organization, and instructional support, and all dimensions contained within.

3. – 4.b. ...

c. a classroom that has all pre-K children or a classroom that has a mix of toddler and Pre-K children in which the majority or at least half are pre-K children shall be observed with the ~~pre-K~~ Pre-K-3rd CLASS®;

d. a classroom that has a mix of pre-K and kindergarten age children shall be observed using the ~~pre-K~~ Pre-K-3rd CLASS® when either the majority of the class is pre-K or if the classroom receives early childhood funding;

e. – 5.c.v.

...

d. Observers who are receive notification from the LDOE department under Clause 5.c.i of this Subsection must meet the reliability requirements of 80 percent accuracy through annual recertification prior to being permitted to complete observations for the community network.

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...

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c. – D.1.

...

2. Lead agencies seeking a waiver shall submit a written request to the LDOE department prior to or at the time of the submission of the coordinated enrollment plan. The request shall cite the specific requirement for which a waiver is being requested and shall clearly state the reasons why the waiver is being requested and why it should be granted. Waiver requests shall include any supporting documentation that substantiates the need for the waiver.

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- A. – A.1. ...
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- a. – 3. ...
4. Sites that have classrooms which receive a score of 3.5 or above for the negative climate dimension and sites that have infant classrooms that receive a “low” on the lack of adult negativity indicator will receive a notice in writing at the end of the observation period in which the score was received. If a site receives a notice for two consecutive observation periods, an indicator of high negative climate, low lack of adult negativity or an indicator for both may be reported on the performance profile. Lack of adult negativity is an indicator used in infant CLASS® and is comparable to the pre-K-3 and toddler negative climate dimension. Like all indicators for CLASS®, the measure is expressed as “high,” “medium,” or “low” rather than as a numerical score.

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AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.21 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2587 (December 2015), amended LR 42:1873 (November 2016), LR 44:1442 (August 2018), LR 45:1453 (October 2019), LR 47:1286 (September 2021), LR 48:1010 (April 2022), LR 49:

§511. Performance Rating Calculations for Community Networks

- A. – A.3. ...
- B. The CLASS® observation results will be determined by averaging the results of all fall and spring dimension-level toddler and pre-K-3 observation results for all toddler and pre-K classrooms within the community network excluding negative climate. Beginning in the 2020-2021 school year, the CLASS® observation results will be determined by averaging the results of all fall and spring dimension-level infant, toddler, and pre-K observation results for all infant, toddler, and pre-K classrooms within the community network, excluding negative climate.
1. – 2.b.ii. ...
- C. The equitable access score performance rating shall be determined by calculating the access achieved by the community network for all at-risk four-year-old children in the community network coverage area. Points are earned on a four-level rating scale according to:

Percentage of At-Risk Four-Year-Olds Served	Rating

65-74.99 794.99 percent	Approaching Proficient

D. – I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.21 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2588 (December 2015), amended LR 42:1874 (November 2016), LR 44:1442 (August 2018), LR 45:1454 (October 2019), LR 47:1286 (September 2021), LR 49:

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- A. Informational metrics are measures of a publicly-funded site and a community network’s use of the following early childhood care and education best practices. The performance profile shall report the publicly-funded site and community network’s use of the best practices identified as an investment in quality measures, which shall include, but is not limited to:
1. ~~teacher/child~~ Child-to-teacher ratios. Publicly-funded sites maintain ~~teacher/child~~ child-to-teacher ratios based on the age of children and that are at or better than the minimum standards required in accordance with LAC 28:CLXI.137 or LAC 28:CLXV.139, as applicable. ~~BESE Bulletin 137 – Louisiana Early Learning Center Licensing Regulations:~~
- a. ~~to~~To achieve gold-level ratios, publicly-funded sites shall at minimum meet use the following teacher/child child-to-teacher ratios, and meet group sizes requirements in ~~BESE Bulletin 137 – Louisiana Early Learning Center Licensing Regulations;~~
- i. Family Child Care Provider. If any children in care are 24 months old or younger, the maximum child-to-teacher ratio shall be 4:1.
- ii. Early Learning Center or School-based Organization. The maximum child-to-teacher ratio shall be as shown below:

Age	Teacher/Child Ratio
Birth to 1 year	4:1 4:4
1 year to 2 years	4:1 4:4
2 years to 3 years	6:1 4:6
3 years to 4 years	8:1 4:8
4 years to 5 years	10:1 4:10

- b. ~~to~~To achieve silver-level ratios, publicly-funded sites shall meet use at minimum the following teacher/child child-to-teacher ratios, and meet group sizes requirements in ~~BESE Bulletin 137 – Louisiana Early Learning Center Licensing Regulations;~~
- i. Family Child Care Provider. If any children in care are 24 months old or younger, the maximum child-to-teacher ratio shall be 5:1.

ii. Early Learning Center or School-based Organization. The maximum child-to-teacher ratio shall be as shown below:

Age	Teacher/Child Ratio
Birth to 1 year	4:1 1:4
1 year to 2 years	6:1 1:6
2 years to 3 years	8:1 1:8
3 years to 4 years	10:1 1:10
4 years to 5 years	12:1 1:12

c. ~~to achieve~~ bronze-level ratios, publicly-funded sites shall meet use at least the minimum teacher/child child-to-teacher ratios, and group size requirements in BESE *Bulletin 137 Louisiana Early Learning Center Licensing Regulations*;

i. Family Child Care Provider. The maximum child-to-teacher ratio shall be in accordance with LAC 28:CLXV.139.

ii. Early Learning Center or School-based Organization. The maximum child-to-teacher ratio shall be in accordance with LAC 28:CLXI.137.

d. For all levels of ratios, early learning centers or school-based organizations shall meet the group size requirement in accordance with LAC 28:CLXI.137.

2. – E.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2588 (December 2015), amended LR 42:1875 (November 2016), LR 43:2131 (November 2017), LR 49:

§519. Waivers of Accountability System Requirements

A. – C. ...

D. Any site requesting a waiver from an accountability system requirement for three consecutive observation periods will not be granted a subsequent waiver until a full academic year has elapsed from the most recent waiver approved by the LDOE. If the classroom has no comparable local or third-party scores available, a score of 1.00 shall be assigned to each missing CLASS® domain score, in accordance with §503. of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2590 (December 2015), LR 49:

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

Person Preparing Statement: Ashley Townsend
Phone: 225-342-3446
Division: Governmental, Administrative, and Public Affairs
Rule Title: Part CLXVII. Bulletin 140 – Louisiana Early Childhood Care and Education Network (LAC 28:CLXVII.103, 503, 509, 511, 513, and 519).

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: _____

Ashley Townsend

Date Submitted: 06/15/2023

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

Person Preparing Statement: Ashley Townsend

Phone: 225-342-3446

Division: Governmental, Administrative, and Public Affairs

Rule Title: Part CLXVII. Bulletin 140 –Louisiana Early Childhood Care and Education Network (LAC 28:CLXVII.103, 503, 509, 511, 513, and 519)

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: 

Date Submitted: 06/15/2023

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 staffing level requirements or qualifications required to provide the same level of service;
2. the cost to the providers to provide the same level of service; or
3. 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, August 9, 2023, 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