

NOTICE OF INTENT
BOARD OF ELEMENTARY AND SECONDARY EDUCATION

Mentor Teachers
(LAC 28: CXXXI.515, 553, and 1369)

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:CXXXI in *Bulletin 746 –Louisiana Standards for State Certification of School Personnel*. The proposed revisions, based on data obtained through an analysis of mentor and resident data for the 2023-2024 school year, allow the LDOE to continue granting case-by-case waivers of policy that requires all undergraduate residents and post-baccalaureate candidates be placed with mentor teachers holding the Mentor Teacher certificate or the Ancillary Provisional Mentor Teacher certificate. As with past waivers, educators who are highly recommended by the mentor’s principal and who possess one or more of the specified qualifications could be awarded the waiver to serve as a mentor. The criteria include: two years of highly effective evaluations; National Board Certification; Statewide or national distinction for excellence in teaching; Experience as a TAP mentor, master teacher, executive master teacher, or certified TAP evaluator; Content leader experience, as evidenced by participation in content leader training or redelivery of professional development; or Master’s or doctorate degree in education and exemplary experience hosting student teachers/residents. In addition to the above requirements, an individual mutually agreed upon by the school system and the teacher preparation program provider could serve as a mentor for up to two years, using the above waiver.

Title 28

EDUCATION

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

Chapter 5. Teacher Credentials, Licenses, and Certifications

Subchapter A. Standard Teaching Certificates

§515. Practitioner Licenses

A. – A.2. ...

3. Practitioner Licenses 1-3. Beginning with the 2020-2021 academic year, in order to obtain the first renewal only of a practitioner license 1, 2, or 3 certificate, practitioner candidates participating in a residency as a teacher of record, must receive mentorship by a school system-based mentor teacher who may collaborate with other personnel providing mentoring support, in accordance with LAC 28:XLV (Bulletin 996).

a. The school system-based mentor teacher must be credentialed in accordance with §553 or §1369 of this Chapter.

b. – D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:8.1 – 8.2. and R.S. 17:6, 17:7(6).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:433 (March 2022), repromulgated LR 48:1037 (April 2022), LR 48:2555 (October 2022), LR 49:39 (January 2023), LR 50:26 (January 2024), LR 50:

Subchapter C. Ancillary Teaching Certificates

§553. Mentor Teacher (MT) Ancillary Certificate

A. ...

B. Provisional MT Certification. Individuals serving as mentors who have not successfully completed a BESE-approved mentor training program or mentor assessments will be issued a nonrenewable provisional mentor teacher ancillary certificate, valid for a period of two years from the date of issuance while the holder completes a BESE-approved mentor training program or mentor assessments.

C. – E.9. ...

10. Individuals who currently hold Louisiana Educator Evaluator certification may apply for the certification, which makes the individual eligible to serve as a mentor of undergraduate or post-baccalaureate teacher residents.

F. - F.2. ...

G. The requirement that all undergraduate residents and post-baccalaureate candidates be placed with mentor teachers holding the mentor teacher certification or the ancillary provisional mentor teacher certificate, may be waived with the following contingencies:

1. Mentor teacher waivers will be granted on an annual case-by-case basis through the application process established by the LDOE and at no fee to the applicant, school system, or teacher preparation provider;

2. The waiver will be issued by the LDOE for educators highly recommended by the mentor’s principal and who possess one or more of the following qualifications:

a. two years of highly effective evaluations;

b. – f. ...

3. An individual mutually agreed upon by the LEA and the teacher preparation program provider who does not meet one of the waiver criteria listed in this Subsection may be approved for the waiver for a period of not more than two years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:230 (February 2019), LR 48:442 (March 2022), repromulgated LR 48:1046 (April 2022), amended LR 48:2099 (August 2022), LR 49:1375 (August 2023), LR 50:

§1369. Mentor Teacher

A. – G. ...

H. Individuals who currently hold Louisiana Educator Evaluator certification may apply for the mentor certification, which makes the individual eligible to serve as a mentor of undergraduate or post-baccalaureate teacher residents.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:465 (March 2022), repromulgated LR 48:1074 (April 2022), LR 50:

COMPARISON DOCUMENT

TITLE 28

EDUCATION

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

Chapter 5. Teaching Credentials, Licenses, and Certifications

Subchapter A. Standard Teaching Certificate

§515. Practitioner Licenses

A. – A.2. ...

3. Practitioner Licenses 1-3. Beginning with the 2020-2021 academic year, in order to obtain the first renewal only of a practitioner license 1, 2, or 3 certificate, practitioner candidates participating in a residency as a teacher of record, must receive mentorship by a school system-based mentor teacher who may collaborate with other personnel providing mentoring support, in accordance with LAC 28:XLV (Bulletin 996).

a. The school system-based mentor teacher must be credentialed in accordance with §553 or §1369 of this Chapter.

b. – D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:8.1 – 8.2. and R.S. 17:6, 17:7(6).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:433 (March 2022), repromulgated LR 48:1037 (April 2022), LR 48:2555 (October 2022), LR 49:39 (January 2023), LR 50:26 (January 2024), LR 50:

Subchapter C. Ancillary Teaching Certificates

§553. Mentor Teacher (MT) Ancillary Certificate

A. ...

B. Provisional MT Certification. Individuals serving as mentors who have not successfully completed a BESE-approved mentor training program or mentor assessments will be issued a nonrenewable provisional mentor teacher ancillary certificate, valid for a period of two years one calendar year from the date of issuance while the holder completes a BESE-approved mentor training program or mentor assessments.

C. – E.9. ...

10. Individuals who currently hold Louisiana Educator Evaluator certification may apply for the certification, which makes the individual eligible to serve as a mentor of undergraduate or post-baccalaureate teacher residents.

F. - F.2. ...

G. ~~For the 2020-2021, 2021-2022, 2022-2023, and 2023-2024 school years, the~~ The requirement that all undergraduate residents and post-baccalaureate candidates be placed with mentor teachers holding the ancillary mentor teacher certification or certificate, the ancillary provisional mentor teacher certificate, ~~or the Supervisor of Student Teaching certificate,~~ may be is waived with the following contingencies:

1. Mentor teacher waivers will be granted on an annual case-by-case basis through the application process established by the LDOE and at no fee to the applicant, school system, or teacher preparation provider;

2. The waiver will be issued by the LDOE for educators highly recommended by the mentor's principal and who possess one or more of the following qualifications:

a. two years of highly effective evaluations ~~Compass ratings~~;

b. – f. ...

3. An individual mutually agreed upon by the LEA and the teacher preparation program provider who does not meet one of the waiver criteria listed in this Subsection may be approved for the waiver for a period of not more than two years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:230 (February 2019), LR 48:442 (March 2022), repromulgated LR 48:1046 (April 2022), amended LR 48:2099 (August 2022), LR 49:1375 (August 2023), LR 50:

§1369. Mentor Teacher

A. – G. ...

H. Individuals who currently hold Louisiana Educator Evaluator certification may apply for the mentor certification, which makes the individual eligible to serve as a mentor of undergraduate or post-baccalaureate teacher residents.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:465 (March 2022), repromulgated LR 48:1074 (April 2022), LR 50:

**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
Part CXXXI. Bulletin 746— Louisiana Standards for State Certification of School Personnel (LAC
Rule Title: 28:CXXXI.515, 553, and 1369)

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: 4/12/2024

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

Person Preparing

Statement: Ashley Townsend
Phone: 225.342.3446
Division: Governmental, Administrative, and Public Affairs
Part CXXXI. Bulletin 746— Louisiana Standards for State Certification of School Personnel (LAC
Rule Title: 28:CXXXI.515, 553, and 1369)

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: 4/12/2024

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, June 10, 2024, to Kimberly Tripeaux, Interim 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.

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

| | | | |
|------------------------------------|---|--------------------------------|--|
| Person Preparing Statement: | <u>Ashley Townsend</u> | Department: | <u>Louisiana Department of Education; Board of Elementary and Secondary Education</u> |
| Phone: | <u>225.342.3446</u> | Office: | <u>Governmental, Administrative, and Public Affairs</u> |
| Return Address: | <u>P.O. Box 94064 Baton Rouge, LA 70804</u> | Rule Title: | <u>Part CXXXI. Bulletin 746— Louisiana Standards for State Certification of School Personnel (LAC 28:CXXXI.515, 553, and 1369)</u> |
| | | Date Rule Takes Effect: | <u>Upon final adoption by BESE</u> |

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 due to the proposed rule change. The rule change enhances the flexibility provided to educator preparation programs in the identification of high-quality mentors for educator candidates. While obtaining the mentor certification is still the most objective method of certifying a standard level of competency among potential mentor teachers, the proposed waiver provision accounts for geographic and subject-area specifications needed to best support educator candidates. While there has been an increase in the number of credentialed mentors in Louisiana, stakeholder engagement has revealed a need for continued and ongoing flexibility with resident placement. In the 2023-2024 school year, there are approximately 1,800 more credentialed mentors than the number needed; however, gaps in specific content areas and geographic regions continue to present placement barriers without a waiver provision.

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

There is no anticipated effect on the revenue collections of state or local governmental units as a result of the proposed rule change.

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

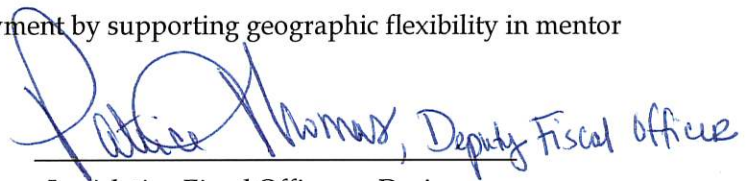
There are no anticipated costs or benefits to directly affected persons, small businesses, or nongovernmental groups as a result of the proposed rule change.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change may positively impact employment by supporting geographic flexibility in mentor placement.



Signature of Agency Head or Designee



Legislative Fiscal Officer or Designee

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

5/09/2024

Date of Signature

5/09/2024

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 changes to LAC 28:CXXXI in *Bulletin 746—Louisiana Standards for State Certification of School Personnel* allows the LDOE to continue granting case-by-case waivers of policy that requires all undergraduate residents and post-baccalaureate candidates to be placed with mentor teachers holding the Mentor Teacher certificate or the Ancillary Provisional Mentor Teacher certificate. One year waivers of policy have been adopted for the past four school years to provide suitable mentor teachers in hard to staff regions, schools, or subject areas. Proposed changes make the exceptions on-going in policy, rather than one year, and include additional clarification and quality control measures.

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

While there has been an increase in the number of credentialed mentors in Louisiana, stakeholder engagement has revealed a need for continued and ongoing flexibility with resident placement. In the 2023-24 school year, there are approximately 1,800 more credentialed mentors than the number needed; however, gaps in specific content areas and geographic regions continue to present placement barriers without a waiver provision.

- 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, 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

**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 REPAIR & 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.

Not applicable.

| 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.

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

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?

There is no anticipated effect on the revenue collections of state or local governmental units as a result of the proposed rule change.

| <u>REVENUE INCREASE/DECREASE</u> | <u>FY 24</u> | <u>FY 25</u> | <u>FY 26</u> |
|----------------------------------|--------------|--------------|--------------|
| STATE GENERAL FUND | \$0 | \$0 | \$0 |
| AGENCY SELF-GENERATED | \$0 | \$0 | \$0 |
| DEDICATED | \$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.

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.

The proposed rule change will not result in costs or economic benefits to directly affected persons, small businesses, or nongovernmental groups.

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 positively impact employment by supporting geographic flexibility in mentor placement.