

**NOTICE OF INTENT**

**Board of Elementary and Secondary Education**

Part XI.

Bulletin 111— The Louisiana School, District, and State Accountability System (LAC 28:XI.301, 307, 601, 709, 3901, 3903, and 4001)

Bulletin 118 – Statewide Assessment Standards and Practices (LAC28:XI.5107, 5701, 6401, 6403, and 6405)

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:XI.301, 307, 601, 709, 3901, 3903, and 4001 in *Bulletin 111 – The Louisiana School, District, and State Accountability System* and LAC28:XI.5107, 5701, 6401, 6403, and 6405 in *Bulletin 118 – Statewide Assessment Standards and Practices*. The proposed revisions update policy related to the Innovative Assessment Program, which provides an alternative approach to measuring how well students know and understand the Louisiana English Language Arts content standards. Revisions also add the new English Language Proficiency Test (ELPT) Connect, an alternate assessment created for English learners with significant cognitive disabilities.

**Title 28**

**EDUCATION**

**Part XI. Accountability/Testing**

**Subpart 1. Bulletin 111—The Louisiana School, District and State Accountability System**

**Chapter 3. School Performance Score Component**

**§301. School Performance Score Goal [Formerly LAC 28:LXXXIII.301]**

A. - C.1

...

2. Beginning in 2017-2018 (2018 SPS), the school performance score for K-8 schools will include an assessment index, progress index, and dropout/credit accumulation index. The interests and opportunities indicator will be included in school performance scores no later than 2019-2020 school year (2020 SPS).

<b>K-8 School Performance Score Indices and Weights</b>			
<b>Index</b>	<b>Grades</b>	<b>Beginning in 2017-18</b>	<b>No Later than 2019-20</b>
3-8 and high school LEAP 2025, Innovative Assessment, LEAP Connect, and ELPT* and ELPT Connect*	Grades K-7	75 percent	70 percent
* * *			

\*Beginning in 2023-2024

3. Beginning in the 2017-2018 school year (2018 SPS), the school performance score for schools with a grade 12 will include five indicators as outlined in the table below. The interests and opportunities indicator will be included in school performance scores no later than 2019-2020 school year (2020 SPS).

<b>High School Performance Score Indices and Weights</b>			
<b>Index</b>	<b>Grades</b>	<b>Beginning in 2017-2018</b>	<b>No Later than 2019-2020</b>
High school LEAP 2025, LEAP Connect, and ELPT* and ELPT Connect*	Grades 9-12	12.5 percent	12.5 percent
* * *			

\*Beginning in 2023-2024

\*\* When calculating a school’s ACT index score, students participating in the LEAP Connect assessment shall not be included in the denominator of such calculation unless the students take the ACT.

4. - 6. ...

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:6 and 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2737 (December 2003), amended LR 31:1512 (July 2005), LR 32:1017 (June 2006), LR 32:2034, 2035 (November 2006), LR 33:424 (March 2007), LR 33:2349 (November 2007), LR 33:2593 (December 2007), LR 34:430 (March 2008), LR 35:639 (April 2009), LR 36:1987 (September 2010), LR 38:3105 (December 2012), LR 39:305 (February 2013), LR 39:1421 (June 2013), LR 39:2441 (September 2013), LR 40:1313 (July 2014), LR 40:2507 (December 2014), LR 41:1481 (August 2015), LR 41:2578 (December 2015), LR 42:2171, 2172 (December 2016), LR 44:447 (March 2018), LR 45:1449 (October 2019), LR 46:1372 (October 2020), LR 47:444 (April 2021), LR 48:

**§307. Innovative Assessment Program**

A. Beginning in the 2019-2020 school year, the LDE began piloting a new Innovative Assessment Program.

B. For the 2021-2022 school year only, the ELA assessment index for operational participants will be calculated using either the most recent pre-pilot assessment index for ELA or the current year pilot assessment index, whichever yields the higher school performance score, will be used as the ELA component of the overall assessment index.

1. This policy shall not impact a school or system’s progression in intervention status for purposes of federal accountability. Intervention status will be determined by using the current year’s IAP results.

C. Beginning in 2022-2023, a student’s end of year Innovative Assessment Program achievement level and scale score shall be used in the calculation of accountability. If a student does not participate in all administrations of the Innovative Assessment Program and does not receive an end of year achievement level and scale score, they shall be required to take the traditional LEAP 2025 assessment in ELA.

D. The LDE will annually update BESE on the status of the assessment pilot transition beginning December 2019.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:1450 (October 2019), LR 48:

**Chapter 6. Inclusion in Accountability**

**§601. State Assessments and Accountability [Formerly §515]**

A. - B. ...

C. All students who are English learners shall take the Louisiana English language proficiency test (ELPT) assessment or the English language proficiency test Connect (ELPT Connect) annually, as well as the appropriate state assessment for their enrolled grade.

D. ...

E. English learners who have not been enrolled in a school in the United States for one full school year shall participate in all required academic assessments and the ELPT or ELPT Connect (for qualifying students).

E.1. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 31:2422 (October 2005), LR 32:1022 (June 2006), LR 33:253 (February 2007), LR 36:1990 (September 2010), LR 37:2119 (July 2011), LR 38:1212 (May 2012), LR 38:3107 (December 2012), 39:2443 (September 2013), LR 40:2507 (December 2014), LR 44:452 (March 2018), LR 47:446 (April 2021), LR 48:

**Chapter 7. Graduation Cohort, Index, and Rate [Formerly Chapter 6]**

**§709. Calculating a Strength of Diploma Index [Formerly §613]**

A. Beginning in 2017-2018 (2016-2017 cohort), points shall be assigned for each member of a cohort according to the following table.

Student Result	Points
HS Diploma plus: (a)Associate’s Degree OR (b)Fast Forward Apprenticeship Pathway (Advanced Plus) OR (c) Statewide Advanced Plus Level III/IV Jump Start credential	175
HS Diploma plus: (a)At least twelve (12) Board of Regents-recognized TOPS CORE College credit hours attained via dual enrollment, AP, CLEP, IB, or Cambridge OR (b)Statewide Advanced Jump Start credential or Tech Diploma (TD)	150
HS Diploma plus: (a)At least six (6) Board of Regents-recognized TOPS CORE College credit hours attained vial dual enrollment, AP, CLEP or IB, or Cambridge OR (b)Statewide Basic Jump Start credential or Certificate of Tech Studies (CTS)	125
Four-year graduate (includes Career Diploma student with a regional Jump Start credential)	100
Five-year graduate with any diploma *Five-year graduates who earn at least twelve (12) Board of Regents-recognized TOPS CORE College credit hours attained via dual enrollment, AP, CLEP, IB, or Cambridge, or a Statewide Advanced Jump Start credential or Tech Diploma (TD) will generate 140 points. Five-year graduates who earn an Associate’s Degree will generate 150 points.	75
Six-year graduate with any diploma	50
HiSET plus Jump Start credential	40
HiSET	25
Non-graduate without HiSET	0

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1025 (June 2006), amended LR 33:2031 (October 2007), LR 33:2594 (December 2007), LR 35:1472 (August 2009), LR 36:1769 (August 2010), repromulgated LR 36:1994 (September 2010), LR 36:2243 (October 2010), LR 37:3201 (November 2011), LR 38:1391 (June 2012), LR 38:3109 (December 2012), LR 39:306 (February 2013), LR 39:2444 (September 2013), LR 40:1317 (July 2014), LR 41:615 (April 2015), LR 42:1017 (July 2016), LR 42:2172 (December 2016), LR 44:455 (March 2018), LR 44:1998 (November 2018), LR 47:448 (April 2021), LR 48:

**Chapter 39. Inclusion of Students with Disabilities**

**§3901. Assessment of Students with Disabilities [Formerly LAC 28:LXXXIII.3901]**

A. All students, including those with disabilities, shall participate in Louisiana's testing program. The scores of all students who are eligible to take the 3-8 or high school LEAP 2025, ACT, LEAP Connect, or Louisiana English language proficiency test (ELPT and ELPT Connect) shall be included in the calculation of the SPS. Students with disabilities shall take the assessments with accommodations, if required by their individualized education program (IEP).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2754 (December 2003), amended LR 31:2763 (November 2005), LR 36:1994 (September 2010), LR 38:3115 (December 2012), LR 40:2508 (December 2014), LR 44:460 (March 2018), LR 47:449 (April 2021), LR 48:

**§3903. LEAP Alternate Assessment Participation Criteria [Formerly LAC 28:LXXXIII.3903]**

A. Students with disabilities participating in the LEAP and ELPT alternate assessments LEAP Alternate Assessment, LEAP Connect, must meet specific participation criteria as stated in *Bulletin 1530—Louisiana's IEP Handbook for Students with Disabilities*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2754 (December 2003), amended LR 31:2763 (November 2005), LR 40:2508 (December 2014), LR 44:460 (March 2018), LR 47:449 (April 2021), LR 48:

**Chapter 40. Definitions Related to English Proficiency**

**§4001. Proficient in English [Formerly LAC 28:LXXXIII.4001]**

A. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:767 (April 2004), amended LR 33:254 (February 2007), LR 34:2552 (December 2008), LR 36:2243 (October 2010), LR 38:3115 (December 2012), LR 44:460 (March 2018), LR 46:15 (January 2020), LR 48:

**Subpart 3. Bulletin 118—Statewide Assessment Standards and Practices**

**Chapter 51. General Provisions**

**§5107. Assessment Programs [Formerly LAC 28:CXI.107]**

A. - B.2. ...

C. Innovative Assessments. The Innovative assessment program allows for unit-based measures of performance that indicate how well students in participating school systems and grade levels have mastered the English language arts state content standards.

D. LEAP Connect. The LEAP Connect is an alternate assessment, designed for students with significant disabilities, which evaluates each eligible special education student's knowledge and skills in targeted areas.

E. English Language Proficiency Test (ELPT). The ELPT is an assessment program designed to measure proficiency in reading, writing, speaking, and listening of English learners.

F. English Language Proficiency Test Connect (ELPT-Connect). The ELPT Connect is an alternate English proficiency test, designed for English learners with significant disabilities.

G. National Assessment of Educational Progress (NAEP). Also known as the nation's report card, NAEP is administered nationally to a random stratified sample population of students to gather data about subject-matter achievement, instructional experiences, and school environment.

H. Field Tests. Representative student populations from school districts throughout Louisiana are chosen to field test new items to be used in future statewide assessments. The items are tested, scored, ranked statistically, and identified as effective or ineffective.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1526 (July 2005), amended LR 32:233 (February 2006), LR 33:255 (February 2007), LR 36:477 (March 2010), LR 40:2509 (December 2014), LR 44:462 (March 2018), LR 47:566 (May 2021), LR 48:

**Chapter 57. Assessment Program Overview**

**§5701. Overview of Assessment Programs in Louisiana [Formerly LAC 28:CXI.701]**

A. Norm-Referenced and Criterion-Referenced Testing Programs Since 1986

Name of Assessment Program	Assessment Population	Administered
<b>Kindergarten Screening</b>	* * *	
<b>Norm-Referenced Tests (NRTs)</b>	* * *	
<b>Criterion-Referenced Tests (CRTs)</b>	* * *	
LEAP 2025	Civics	fall 2023-
Innovative Assessment	ELA grade 7	fall 2021-
Innovative Assessment	ELA grades 6, 7, 8	fall 2022-
<b>Integrated NRT/CRT</b>	* * *	
<b>Special Population Assessments</b>	* * *	
Louisiana Alternate Assessment-B (LAA-B) ["out-of-level" test]	Students with Individualized Education Programs (IEPs) who met eligibility criteria in grades 3-11.	spring 1999–spring 2003 (no longer administered)

Name of Assessment Program	Assessment Population	Administered
English Language Proficiency Test (ELPT)	Limited English Proficient (LEP) students English Learners in grades K-12	spring 2018-
English Language Proficiency Test Connect (ELPT Connect)	English learners in grades K-12 who meet criteria for participation in alternate assessment	spring 2023-
English Language Development Assessment (ELDA)	Limited English Proficient (LEP) students in grades K-12	spring 2005-2017
Academic Skills Assessment (ASA) and ASA LAA 2 form	Students pursuing a State-Approved Skills Certificate (SASC) or GED	spring 2012 (one administration only, spring 2012)

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1534 (July 2005), amended LR 32:235 (February 2006), LR 34:66 (January 2008), LR 34:1352 (July 2008), LR 35:218 (February 2009), LR 36:967 (May 2010), LR 37:858 (March 2011), LR 38:34 (January 2012), LR 39:74 (January 2013), LR 39:1019 (April 2013), LR 40:1319 (July 2014), LR 40:2512 (December 2014), LR 44:465 (March 2018), LR 44:2127 (December 2018), LR 46:15 (January 2020), LR 47:566 (May 2021), re-promulgated LR 47:721 (June 2021), amended LR 48:38 (January 2022), LR 48:

## Chapter 64. Innovative Assessments

### Subchapter A. General Provisions

#### §6401. Introduction

A. The Innovative Assessment is a criterion-referenced testing program that is directly aligned with the state content standards for English Language Arts. The assessment is closely aligned to the LEAP 2025 English language arts assessments and measures how well students have mastered the state content standards using unit-based assessments. Test results are reported in terms of achievement levels and scale scores.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

### Subchapter B. Achievement Levels and Performance Standards

#### §6403. Achievement Levels

A. The Louisiana achievement levels are:

1. advanced;
2. mastery;
3. basic;
4. approaching basic; and
5. unsatisfactory.

B. Achievement Level Definitions. The definitions of the Louisiana achievement levels are consistent with the definitions of basic, proficient, and advanced in English language arts for NAEP.

1. *Advanced (Proficient)*—students performing at this level have exceeded college and career readiness expectations and are well prepared for the next level of studies in this content area.

2. *Mastery (Proficient)*—students performing at this level have met college and career readiness expectations and are prepared for the next level of studies in this content area.

3. *Basic*—students performing at this level have nearly met college and career readiness expectations and may need additional support to be fully prepared for the next level of studies in this content area.

4. *Approaching Basic*—students performing at this level have partially met college and career readiness expectations and will need much support to be prepared for the next level of studies in this content area.

5. *Unsatisfactory*—students performing at this level have not yet met the college and career readiness expectations and will need extensive support to be prepared for the next level of studies in this content area.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

#### §6405. Performance Standards

A. Performance standards for Innovative assessment English language arts assessments are finalized in scale score form. The scale scores range between 650 and 850.

1. English Language Arts

English Language Arts						
Achievement Level	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8
Advanced	810-850	790-850	799-850	790-850	785-850	794-850
Mastery	750-809	750-789	750-798	750-789	750-784	750-793
Basic	725-749					
Approaching Basic	700-724					
Unsatisfactory	650-699					

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

**COMPARISON DOCUMENT**

**Title 28**

**EDUCATION**

**Subpart 1. Bulletin 111—The Louisiana School, District, and State Accountability System**

**Chapter 3. School Performance Score Component**

**§301. School Performance Score Goal [Formerly LAC 28:LXXXIII.301]**

A. - C.1

...

2. Beginning in 2017-2018 (2018 SPS), the school performance score for K-8 schools will include an assessment index, progress index, and dropout/credit accumulation index. The interests and opportunities indicator will be included in school performance scores no later than 2019-2020 school year (2020 SPS).

K-8 School Performance Score Indices and Weights			
Index	Grades	Beginning in 2017-18	No Later than 2019-20
3-8 and high school LEAP 2025, Innovative Assessment, LEAP Connect, and ELPT* and ELPT Connect*	Grades K-7	75 percent	70 percent
* * *			

\*Beginning in 2018-19 2023-2024

3. Beginning in the 2017-2018 school year (2018 SPS), the school performance score for schools with a grade 12 will include five indicators as outlined in the table below. The interests and opportunities indicator will be included in school performance scores no later than 2019-2020 school year (2020 SPS).

High School Performance Score Indices and Weights			
Index	Grades	Beginning in 2017-2018	No Later than 2019-2020
High school LEAP 2025, LEAP Connect, and ELPT* and ELPT Connect*	Grades 9-12	12.5 percent	12.5 percent
* * *			

\*Beginning in 2018-19 2023-2024

\*\* When calculating a school’s ACT index score, students participating in the LEAP Connect assessment shall not be included in the denominator of such calculation unless the students take the ACT.

4. - 6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2737 (December 2003), amended LR 31:1512 (July 2005), LR 32:1017 (June 2006), LR 32:2034, 2035 (November 2006), LR 33:424 (March 2007), LR 33:2349 (November 2007), LR 33:2593 (December 2007), LR 34:430 (March 2008), LR 35:639 (April 2009), LR 36:1987 (September 2010), LR 38:3105 (December 2012), LR 39:305 (February 2013), LR 39:1421 (June 2013), LR 39:2441 (September 2013), LR 40:1313 (July 2014), LR 40:2507 (December 2014), LR 41:1481 (August 2015), LR 41:2578 (December 2015), LR 42:2171, 2172 (December 2016), LR 44:447 (March 2018), LR 45:1449 (October 2019), LR 46:1372 (October 2020), LR 47:444 (April 2021), LR 48:

**§307. LEAP 2025 Humanities Assessment Pilot Innovative Assessment Program**

A. Beginning in the 2019-2020 school year, the LDE ~~will pilot~~ began piloting a new ~~LEAP 2025 humanities assessment Innovative Assessment Program combining English language arts (ELA) and social studies. For school systems participating in the pilot, a transition policy will apply to the assessment and progress index calculations for participating grades only.~~

B. ~~When calculating the ELA assessment index, either the most recent pre-pilot assessment index for ELA or the current year pilot assessment index, whichever yields the higher school performance score, will be used as the ELA component of the overall assessment index. For the 2021-2022 school year only, the ELA assessment index for operational participants will be calculated using either the most recent pre-pilot assessment index for ELA or the current year pilot assessment index, whichever yields the higher school performance score, will be used as the ELA component of the overall assessment index.~~

1. This policy shall not impact a school or system’s progression in intervention status for purposes of federal accountability. Intervention status will be determined by using the current year’s IAP results.

C. ~~When calculating the social studies assessment index, either the most recent pre-pilot assessment index for social studies or the current year pilot assessment index, whichever yields the higher school performance score, will be used as the social studies component of the overall assessment index. Beginning in 2022-2023, a student’s end of year Innovative Assessment Program achievement level and scale score shall be used in the calculation of accountability. If a student does not participate in all administrations of the Innovative Assessment Program and does not receive an end of year achievement level and scale score, they shall be required to take the traditional LEAP 2025 assessment in ELA.~~

D. ~~When calculating the ELA progress index, either the most recent pre-pilot progress index for ELA or the current year pilot progress index, whichever yields the higher school performance score, will be used as the ELA component of the overall progress index. The LDE will annually update BESE on the status of the assessment pilot transition beginning December 2019.~~

E. ~~In each index calculation defined in Subsections B-D of this Section, the index will be weighted by the current year tested population in order to limit impact of population changes from prior year.~~

F. ~~The LDE will annually update BESE on the status of the assessment pilot transition beginning December 2019.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:1450 (October 2019), LR 48:

**Chapter 6. Inclusion in Accountability**

**§601. State Assessments and Accountability [Formerly §515]**

A. - B. ...

C. All students who are English learners shall take the Louisiana English language proficiency test (ELPT) assessment or the English language proficiency test Connect (ELPT Connect) annually, as well as the appropriate state assessment for their enrolled grade.

D. ...

E. English learners who have not been enrolled in a school in the United States for one full school year shall participate in all required academic assessments and the ELPT or ELPT Connect (for qualifying students).

E.1. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 31:2422 (October 2005), LR 32:1022 (June 2006), LR 33:253 (February 2007), LR 36:1990 (September 2010), LR 37:2119 (July 2011), LR 38:1212 (May 2012), LR 38:3107 (December 2012), 39:2443 (September 2013), LR 40:2507 (December 2014), LR 44:452 (March 2018), LR 47:446 (April 2021), LR 48:

**Chapter 7. Graduation Cohort, Index, and Rate [Formerly Chapter 6]**

**§709. Calculating a Strength of Diploma Index [Formerly §613]**

A. Beginning in 2017-2018 (2016-2017 cohort), points shall be assigned for each member of a cohort according to the following table.

<u>Student Result</u>	<u>Points</u>
HS Diploma plus: (a)Associate’s Degree OR (b)Fast Forward Apprenticeship Pathway (Advanced Plus) OR (c) Statewide Advanced Plus Level III/IV Jump Start credential	<u>175</u>
HS Diploma plus: (a)At least twelve (12) Board of Regents-recognized TOPS CORE College credit hours attained via dual enrollment, AP, CLEP, IB, or Cambridge OR (b)Statewide Advanced Jump Start credential or Tech Diploma (TD)	<u>150</u>
HS Diploma plus: (a)At least six (6) Board of Regents-recognized TOPS CORE College credit hours attained via dual enrollment, AP, CLEP or IB, or Cambridge OR (b)Statewide Basic Jump Start credential or Certificate of Tech Studies (CTS)	<u>125</u>
Four-year graduate (includes Career Diploma student with a regional Jump Start credential)	<u>100</u>
Five-year graduate with any diploma *Five-year graduates who earn at least twelve (12) Board of Regents-recognized TOPS CORE College credit hours attained via dual enrollment, AP, CLEP, IB, or Cambridge, or a Statewide Advanced Jump Start credential or Tech Diploma (TD) will generate 140 points. Five-year graduates who earn an Associate’s Degree will generate 150 points.	<u>75</u>
Six-year graduate with any diploma	<u>50</u>
HiSET plus Jump Start credential	<u>40</u>
HiSET	<u>25</u>
Non-graduate without HiSET	<u>0</u>

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1025 (June 2006), amended LR 33:2031 (October 2007), LR 33:2594 (December 2007), LR 35:1472 (August 2009), LR 36:1769 (August 2010), repromulgated LR 36:1994 (September 2010), LR 36:2243 (October 2010), LR 37:3201 (November 2011), LR 38:1391 (June 2012), LR 38:3109 (December 2012), LR 39:306 (February 2013), LR 39:2444 (September 2013), LR 40:1317 (July 2014), LR 41:615 (April 2015), LR 42:1017 (July 2016), LR 42:2172 (December 2016), LR 44:455 (March 2018), LR 44:1998 (November 2018), LR 47:448 (April 2021), LR 48:

**Chapter 39. Inclusion of Students with Disabilities**

**§3901. Assessment of Students with Disabilities [Formerly LAC 28:LXXXIII.3901]**

A. All students, including those with disabilities, shall participate in Louisiana's testing program. The scores of all students who are eligible to take the 3-8 or high school LEAP 2025, ACT, LEAP Connect, or Louisiana English language proficiency test (ELPT and ELPT Connect) shall be included in the calculation of the SPS. Students with disabilities shall take the assessments with accommodations, if required by their individualized education program (IEP).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2754 (December 2003), amended LR 31:2763 (November 2005), LR 36:1994 (September 2010), LR 38:3115 (December 2012), LR 40:2508 (December 2014), LR 44:460 (March 2018), LR 47:449 (April 2021), LR 48:

**§3903. LEAP Alternate Assessment Participation Criteria [Formerly LAC 28:LXXXIII.3903]**

A. Students with disabilities participating in the LEAP and ELPT alternate assessments LEAP Alternate Assessment, LEAP Connect, must meet specific participation criteria as stated in *Bulletin 1530—Louisiana's IEP Handbook for Students with Disabilities*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2754 (December 2003), amended LR 31:2763 (November 2005), LR 40:2508 (December 2014), LR 44:460 (March 2018), LR 47:449 (April 2021), LR 48:

**Chapter 40. Definitions Related to English Proficiency**

**§4001. Proficient in English [Formerly LAC 28:LXXXIII.4001]**

A. - C. ...

~~D.—Students with disabilities who are unable to meet the above exit criteria after four years or more in EL status, and whose disability impacts language acquisition may be reclassified and exempt from future ELPT participation, but will be required to take statewide assessments. In such cases, the IEP team determines that the student’s disability directly impacts language acquisition; then, the student’s reclassification and exit is decided by consensus of the members of the School Building Level Committee (SBLC). Students with significant cognitive disabilities who meet the participation criteria for LEAP Connect may be reclassified and exited sooner until such time as an alternate ELPT is available.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:767 (April 2004), amended LR 33:254 (February 2007), LR 34:2552 (December 2008), LR 36:2243 (October 2010), LR 38:3115 (December 2012), LR 44:460 (March 2018), LR 46:15 (January 2020), LR 48:

**Subpart 3. Bulletin 118—Statewide Assessment Standards and Practices**

**Chapter 51. General Provisions**

**§5107. Assessment Programs [Formerly LAC 28:CXI.107]**

A. - B.2. ...

~~C. LEAP Connect. The LEAP Connect is an alternate assessment, designed for students with significant disabilities, which evaluates each eligible special education student's knowledge and skills in targeted areas. Innovative Assessments. The Innovative assessment program allows for unit-based measures of performance that indicate how well students in participating school systems and grade levels have mastered the English language arts state content standards.~~

~~D. English Language Proficiency Test (ELPT). The ELPT is an assessment program designed to measure proficiency in reading, writing, speaking, and listening of English learners. LEAP Connect. The LEAP Connect is an alternate assessment, designed for students with significant disabilities, which evaluates each eligible special education student's knowledge and skills in targeted areas.~~

~~E. National Assessment of Educational Progress (NAEP). Also known as the nation's report card, NAEP is administered nationally to a random stratified sample population of students to gather data about subject matter achievement, instructional experiences, and school environment. English Language Proficiency Test (ELPT). The ELPT is an assessment program designed to measure proficiency in reading, writing, speaking, and listening of English learners.~~

~~F. Field Tests. Representative student populations from school districts throughout Louisiana are chosen to field test new items to be used in future statewide assessments. The items are tested, scored, ranked statistically, and identified as effective or ineffective. English Language Proficiency Test Connect (ELPT-Connect). The ELPT Connect is an alternate English proficiency test, designed for English learners with significant disabilities.~~

~~G. National Assessment of Educational Progress (NAEP). Also known as the nation's report card, NAEP is administered nationally to a random stratified sample population of students to gather data about subject-matter achievement, instructional experiences, and school environment.~~

~~H. Field Tests. Representative student populations from school districts throughout Louisiana are chosen to field test new items to be used in future statewide assessments. The items are tested, scored, ranked statistically, and identified as effective or ineffective.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1526 (July 2005), amended LR 32:233 (February 2006), LR 33:255 (February 2007), LR 36:477 (March 2010), LR 40:2509 (December 2014), LR 44:462 (March 2018), LR 47:566 (May 2021), LR 48:

**Chapter 57. Assessment Program Overview**

**§5701. Overview of Assessment Programs in Louisiana [Formerly LAC 28:CXI.701]**

A. Norm-Referenced and Criterion-Referenced Testing Programs Since 1986

Name of Assessment Program	Assessment Population	Administered
<b>Kindergarten Screening</b>		
	* * *	
<b>Norm-Referenced Tests (NRTs)</b>		
	* * *	
<b>Criterion-Referenced Tests (CRTs)</b>		
	* * *	
LEAP 2025	Civics	fall 2023-
Innovative Assessment	ELA grade 7	fall 2021-
Innovative Assessment	ELA grades 6, 7, 8	fall 2022-
<b>Integrated NRT/CRT</b>		
	* * *	
<b>Special Population Assessments</b>		

Name of Assessment Program	Assessment Population	Administered
* * *		
Louisiana Alternate Assessment-B (LAA-B) ["out-of-level" test]	Students with Individualized Education Programs (IEPs) who met eligibility criteria in grades 3-11.	spring 1999–spring 2003 (no longer administered)
English Language Proficiency Test (ELPT)	Limited English Proficient (LEP) students English Learners in grades K-12	spring 2018-
English Language Proficiency Test Connect (ELPT Connect)	English learners in grades K-12 who meet criteria for participation in alternate assessment	spring 2023-
English Language Development Assessment (ELDA)	Limited English Proficient (LEP) students in grades K-12	spring 2005-2017
Academic Skills Assessment (ASA) and ASA LAA 2 form	Students pursuing a State-Approved Skills Certificate (SASC) or GED	spring 2012 (one administration only, spring 2012)

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1534 (July 2005), amended LR 32:235 (February 2006), LR 34:66 (January 2008), LR 34:1352 (July 2008), LR 35:218 (February 2009), LR 36:967 (May 2010), LR 37:858 (March 2011), LR 38:34 (January 2012), LR 39:74 (January 2013), LR 39:1019 (April 2013), LR 40:1319 (July 2014), LR 40:2512 (December 2014), LR 44:465 (March 2018), LR 44:2127 (December 2018), LR 46:15 (January 2020), LR 47:566 (May 2021), repromulgated LR 47:721 (June 2021), amended LR 48:38 (January 2022), LR 48:

## **Chapter 64. Innovative Assessments**

### **Subchapter A. General Provisions**

#### **§6401. Introduction**

A. The Innovative Assessment is a criterion-referenced testing program that is directly aligned with the state content standards for English Language Arts. The assessment is closely aligned to the LEAP 2025 English language arts assessments and measures how well students have mastered the state content standards using unit-based assessments. Test results are reported in terms of achievement levels and scale scores.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

### **Subchapter B. Achievement Levels and Performance Standards**

#### **§6403. Achievement Levels**

A. The Louisiana achievement levels are:

1. advanced;
2. mastery;
3. basic;
4. approaching basic; and
5. unsatisfactory.

B. Achievement Level Definitions. The definitions of the Louisiana achievement levels are consistent with the definitions of basic, proficient, and advanced in English language arts for NAEP.

1. Advanced (Proficient)—students performing at this level have exceeded college and career readiness expectations and are well prepared for the next level of studies in this content area.

2. Mastery (Proficient)—students performing at this level have met college and career readiness expectations and are prepared for the next level of studies in this content area.

3. Basic—students performing at this level have nearly met college and career readiness expectations and may need additional support to be fully prepared for the next level of studies in this content area.

4. Approaching Basic—students performing at this level have partially met college and career readiness expectations and will need much support to be prepared for the next level of studies in this content area.

5. Unsatisfactory—students performing at this level have not yet met the college and career readiness expectations and will need extensive support to be prepared for the next level of studies in this content area.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

#### **§6405. Performance Standards**

A. Performance standards for Innovative assessment English language arts assessments are finalized in scale score form. The scale scores range between 650 and 850.

1. English Language Arts

English Language Arts						
Achievement Level	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8
Advanced	810-850	790-850	799-850	790-850	785-850	794-850
Mastery	750-809	750-789	750-798	750-789	750-784	750-793
Basic	725-749					
Approaching Basic	700-724					
Unsatisfactory	650-699					

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:



**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 XI. *Bulletin 111. The Louisiana School, District, and State Accountability System* (LAC 28:XI. 301, 307, 601, 709, 3901, 3903, and 4001) and *Bulletin 118 – Statewide Assessment Standards and Practices* (LAC28:XI.5107, 5701, 6401, 6403, and 6405).

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: 

Date Submitted: 9/12/2022

**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 XI. *Bulletin 111. The Louisiana School, District, and State Accountability System (LAC 28:XI. 301, 307, 601, 709, 3901, 3903, and 4001) and Bulletin 118 – Statewide Assessment Standards and Practices (LAC28:XI.5107, 5701, 6401, 6403, and 6405).*

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: 09/12/2022

### **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, November 10, 2022, to Shan N. Davis, Executive Director, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064. Written comments may also be hand delivered to Shan Davis, Executive Director, Board of Elementary and Secondary Education, Suite 5-190, 1201 North Third Street, Baton Rouge, LA 70802 and must be date stamped by the BESE office on the date received. Public comments must be dated and include the original signature of the person submitting the comments.

Shan N. Davis  
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES

Person

Preparing

Statement: Ashley Townsend

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

Phone: (225) 342-3446

Office: Policy

Return

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

Rule

Title: Part XI. *Bulletin 111— The Louisiana School, District, and State Accountability System* (LAC 28:XI.301, 307, 601, 709, 3901, 3903, and 4001) and Part XI. *Bulletin 118 – Statewide Assessment Standards and Practices* (LAC28:XI.5107, 5701, 6401, 6403, and 6405)

Date Rule

Takes Effect: Upon final adoption by BESE

SUMMARY

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

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

There will be increased costs to the Department of Education (LDE) to implement the Innovative Assessment Program (IAP) for grades 6-8. While the cost of implementing the IAP for these grade levels is indeterminable, the total cost of implementing the IAP for grades 3-8 is expected to be \$4.4 M in FY23. Costs in subsequent years are indeterminable.

The proposed revisions implement the IAP for grades 6-8. The IAP provides an alternative approach to measuring how well students know and understand the Louisiana English Language Arts content standards. The IAP has been piloted since the 2018-19 school year and was developed through the use of philanthropic funding. In June 2021, the Board of Elementary and Secondary Education (BESE) approved a contract for \$2.7 M with NWEA to expand IAP content to grades 3-5. In October, the LDE will present to BESE an amendment to this contract which increases the scope of services, including content development for the grades 6-8 assessments. Under the amended contract, the total payment in FY 23 will be \$4.4 M.

The original contract for grades 3-5 is funded through the federal Competitive Grant for State Assessments. The LDE reports it will supplement the amended contract with Elementary and Secondary School Emergency Relief (ESSER) and Individuals with Disabilities Act (IDEA) funding. Funding sources beyond FY 23 are indeterminable, and may include SGF or 8(g) program funding.

The revisions also implement the new English Language Proficiency Test (ELPT) Connect, an alternate assessment created for English learners with significant cognitive disabilities. The cost of developing the new English Language Proficiency Test (ELPT) Connect assessment is included within the LDE's English Language Proficiency Assessment for the 21st Century (ELPA21) membership. The total cost of membership in the ELPA21 assessment system is approximately \$1.4 M per year and includes all of the English Learner Assessments used by the state. Title I Part B funds are used to pay for this membership.

There may also be increased workload to local school districts to implement the new assessments; however, any associated costs are indeterminable.

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

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

\_\_\_\_\_  
Signature of Agency Head or Designee

\_\_\_\_\_  
Legislative Fiscal Officer or Designee

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

\_\_\_\_\_  
Date of Signature

\_\_\_\_\_  
Date of Signature

LFO 10/04

FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES

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

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

The proposed revisions implement the Innovative Assessment Program. The Innovative Assessment Program provides an alternative approach to measuring how well students know and understand the Louisiana English Language Arts content standards. Revisions also include adding the new English Language Proficiency Test (ELPT) Connect, an alternate assessment created for English learners with significant cognitive disabilities.

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

The proposed revisions are prompted as part of the work to bring BESE policy into alignment with the federal Every Student Succeeds Act (ESSA), which requires that alternate assessments be provided for students with significant cognitive disabilities. State education agencies must provide eligibility criteria for any statewide alternate assessments.

- 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.

Yes. The LDE's proposed amended contract for development of IAP content across grades 3-8 specifies a payment of \$4.4 M in FY 23. The original contract for grades 3-5 is funded through the federal Competitive Grant for State Assessments. The LDE reports it will supplement the amended contract with Elementary and Secondary School Emergency Relief (ESSER) and Individuals with Disabilities Act (IDEA) funding. Funding sources beyond FY 23 are indeterminable, and may include SGF or 8(g) program funding.

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

(a)   X   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?

COSTS	FY 22-23	FY 23-24	FY 24-25
PERSONAL SERVICES			
OPERATING EXPENSES	-0-	-0-	-0-
PROFESSIONAL SERVICES	INCREASE	INCREASE	INCREASE
OTHER CHARGES			
EQUIPMENT			
<u>MAJOR REPAIR &amp; CONSTR.</u>			
<u>POSITIONS (#)</u>			
<b>TOTAL</b>	<b>INCREASE</b>	<b>INCREASE</b>	<b>INCREASE</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.

There will be increased costs to the Department of Education (LDE) to implement the Innovative Assessment Program (IAP) for grades 6-8. While the cost of implementing the IAP for these grade levels is indeterminable, the total cost of implementing the IAP for grades 3-8 is expected to be \$4.4 M in FY23. Costs in subsequent years are indeterminable.

The proposed revisions implement the IAP for grades 6-8. The IAP provides an alternative approach to measuring how well students know and understand the Louisiana English Language Arts content standards. The IAP has been piloted since the 2018-19 school year and was developed through the use of philanthropic funding. In June 2021, the Board of Elementary and Secondary Education (BESE) approved a contract for \$2.7 M with NWEA to expand IAP content to grades 3-5. In October, the LDE will present to BESE an amendment to this contract which increases the scope of services, including content development for the grades 6-8 assessments. Under the amended contract, the total payment in FY 23 will be \$4.4 M.

The original contract for grades 3-5 is funded through the federal Competitive Grant for State Assessments. The LDE reports it will supplement the amended contract with Elementary and Secondary School Emergency Relief (ESSER) and Individuals with Disabilities Act (IDEA) funding. Funding sources beyond FY 23 are indeterminable, and may include SGF or 8(g) program funding.

The revisions also implement the new English Language Proficiency Test (ELPT) Connect, an alternate assessment created for English learners with significant cognitive disabilities. The cost of developing the new English Language Proficiency Test (ELPT) Connect assessment is included within the LDE's English Language Proficiency Assessment for the 21st Century (ELPA21) membership. The total cost of membership in the ELPA21 assessment system is approximately \$1.4 M per year and includes all of the English Learner Assessments used by the state. Title I Part B funds are used to pay for this membership.

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

SOURCE	FY 22-23	FY 23-24	FY 24-25
STATE GENERAL FUND	-0-	SEE BELOW	SEE BELOW
AGENCY SELF-GENERATED	-0-	-0-	-0-
DEDICATED		SEE BELOW	SEE BELOW
FEDERAL FUNDS	INCREASE	SEE BELOW	SEE BELOW
OTHER (Specify)			
<b>TOTAL</b>	<b>INCREASE</b>	<b>INCREASE</b>	<b>INCREASE</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?

The original IAP contract for grades 3-5 is funded through the federal Competitive Grant for State Assessments. The LDE reports it will supplement the amended contract with Elementary and Secondary School Emergency Relief (ESSER) and Individuals with Disabilities Act (IDEA)

funding. Funding sources beyond FY 23 are indeterminable, and may include SGF or 8(g) program funding.

**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 may also be increased workload to local school districts to implement the new assessments; however, any associated costs are indeterminable.

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

The proposed revisions will not impact sources of funding of local governmental units.

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

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

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

REVENUE INCREASE/DECREASE	FY 22-23	FY 23-24	FY 24-25
STATE GENERAL FUND			
AGENCY SELF GENERATED			
RESTRICTED FUNDS			
FEDERAL FUNDS			
LOCAL FUNDS			
TOTAL			

\*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.

N/A

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

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

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

N/A

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

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

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