

NOTICE OF INTENT

Board of Elementary and Secondary Education

Part XI. Accountability/Testing
Subpart 3. Bulletin 118—Statewide Assessment Standards and Practices
(Part XI.5303, 5305, 5309, 5311, 5312).

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) proposes to amend LAC 28:XI:Subpart 3 in Bulletin 118 – *Statewide Assessment Standards and Practices*. The aforementioned revisions are in response to a request by the Board at the October 2019 meeting directing BESE staff to work with the Louisiana Department of Education (LDE) staff to recommend policy revisions to Bulletins allowing for certification notations and/or possible license censure options. Bulletin 118 revisions align test security policy and further clarifies terminology related to assessment proctors, scoring, irregularities, cheating and security violations that may clarify terminology and impact educator credentials. These proposed revisions do not amend any test security process or procedure. The purpose of these changes is to define terminology more specifically.

Title 28

Education

Part XI. Accountability/Testing

Subpart 3. Bulletin 118—Statewide Assessment Standards and Practices

Chapter 53. Test Security

§5303. Definitions

[Formerly LAC 28:CXL303]

Access— physically handling secure test materials, including reading, reviewing, or analyzing test items or student responses, either before, during, or after testing, except where providing approved accommodations.

Cheating—a test security violation committed by an educator in order to alter student or school assessment results by inappropriately accessing secure test materials in violation of Bulletin 118, LAX 28:XI. Chapter 53.

Erasure—erasing answers on paper and pencil test, as well as changing answers online.

Secure Materials—test materials that contain test items or student responses and to which access is restricted. Secure test materials include:

1. student test booklets;
2. student answer documents;
3. student log-in information; and
4. any other materials that contain test items or student responses.

Oath of Security—attestation that a test administrator has received required testing procedure training and vows to comply with all policies set forth.

Test Security Violation—actions(s) committed by an educator during the handling or administration of secure materials that compromises the validity of assessment results and may result in voiding test scores.

Testing Irregularity— an error in test handling or administration that compromises reliability regarding the security of the test or the accuracy of the test data.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:81.6 et seq., R.S. 416 et seq., and R.S. 441 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1528 (July 2005), amended LR 34:65 (January 2008), LR 40:2510 (December 2014), LR 48:

§5305. Test Security Policy

[Formerly LAC 28:CXL305]

A. The state Board of Elementary and Secondary Education holds the test security policy to be of utmost importance and deems any violation of test security to be serious.

A.1. – A.3.i. ...

j. fail to report any testing irregularities to the district test coordinator, who must report such incidents to the LDE;

k. participate in, direct, aid, counsel, assist in, encourage, or fail to report any of the acts prohibited in the section.

A.4. – A.4.k. ...

5. Procedures for investigating a test security violation or testing irregularity must, at a minimum, include the following.

A.5.a. – A.17. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:391.7(C)-(G).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1528 (July 2005), amended LR 32:233 (February 2006), LR 33:255 (February 2007), LR 33:424 (March 2007), LR 33:2033 (October 2007), LR 34:65 (January 2008), LR 34:431 (March 2008), LR 34:1351 (July 2008), LR 35:217 (February 2009), LR 37:858 (March 2011), repromulgated LR 37:1123 (April 2011), amended LR 38:747 (March 2012), LR 39:1018 (April 2013), LR 40:2510 (December 2014), LR 43:634 (April 2017), LR 44:463 (March 2018), LR 44:1857 (October 2018), LR 47:566 (May 2021), LR 48:

§5309. Erasure Analysis and Online Answer Changes

[Formerly LAC 28:CXL309]

A. – A.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:24 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1530 (July 2005), amended LR 32:234 (February 2006), LR 33:257 (February 2007), LR 35:217 (February 2009), LR 35:443 (March 2009), LR 40:2512 (December 2014), LR 43:634 (April 2017), LR 44:463 (March 2018), LR 44:1857 (October 2018), LR 48:

§5311. Violations of Test Security [Formerly LAC 28:CXL311]

A. The test security policy approved by the SBESE requires that the LDE establish procedures to deal with breaches of test security. District authorities provide the LDE information about voiding student tests because of student violations observed during test administration or violations by school personnel or others that are reported. In addition, the scoring process produces information regarding written responses that have common elements, which indicate a student brought unauthorized materials to testing and used them to assist in writing; that indicate that teacher interference might have been a significant factor, and in which troubling content was evident. Procedures for dealing with these issues follow.

A.1. – A.1.d. ...

2. Violations by School Personnel or Other Persons. All suspected instances of cheating should be reported directly to the school's district test coordinator (DTC) for further investigation, and a report of the incident must be sent by the DTC to LDE. If it is deemed necessary to void tests, the DTC must submit a completed void form to the LDE. The original void verification form along with a written report of the investigation carried out must be mailed to the LDE. Educators determined by the LEA and/or LDE investigation to have participated in cheating may receive certification sanctions as defined in Bulletin 746, Chapter 19.

A.3. – A.3.d.i. ...

4. Disturbing Content. If student responses with disturbing content are discovered during the scoring process, the scoring contractor will notify the appropriate staff member at the LDE, Division of Assessments and Accountability.

a. Professional assessment personnel review the responses. If it is determined that disturbing content causes a compelling need to break confidentiality, LDE will, within five business days, contact the district superintendent by telephone to summarize findings and inform the superintendent that materials are being mailed regarding the alert.

b. Issues regarding troubling content are for the district's information to assist the student and do not require further communication with LDE, nor is the notice a violation of test security.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:24 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1531 (July 2005), amended LR 33:257 (February 2007), LR 35:217 (February 2009), LR 43:635 (April 2017), LR 44:464 (March 2018), LR 44:1858 (October 2018), LR 48:

§5312. Testing Irregularities [Formerly LAC 28:CXL312]

A. – F.3. ...

G. Student actions including but not limited to inappropriate access, test material damage or destruction, or failure to follow testing protocol, may result in a testing irregularity and be reported as outlined in this section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 32:390 (March 2006), amended LR 33:257 (February 2007), LR 34:66 (January 2008), LR 34:1351 (July 2008), LR 35:218 (February 2009), LR 36:967 (May 2010), LR 38:33 (January 2012), amended LR 38:748 (March 2012), LR 38:2358 (September 2012), LR 40:2512 (December 2014), LR 44:464 (March 2018), LR 48:

COMPARISON DOCUMENT

Title 28

Education

Part XI. Accountability/Testing

Subpart 3. Bulletin 118—Statewide Assessment Standards and Practices

Chapter 53. Test Security

§5303. Definitions

[Formerly LAC 28:CXI.303]

~~Access—access to secure test materials means~~ physically handling the secure test materials, ~~not including~~ reading, reviewing, or analyzing test items or student responses, either before, during, or after testing, except where providing approved accommodations.

Cheating—a test security violation committed by an educator in order to alter student or school assessment results by inappropriately accessing secure test materials in violation of Bulletin 118, LAX 28:XI. Chapter 53.

Erasure—erasing answers on paper and pencil test, as well as changing answers online.

Secure Materials—test materials that contain test items or student responses and to which access is restricted. Secure test materials include:

1. student test booklets;
2. student answer documents;
3. student log-in information; and
4. any other materials that contain test items or student responses.

Oath of Security—attestation that a test administrator has received required testing procedure training and vows to comply with all policies set forth.

Test Security Violation—actions(s) committed by an educator during the handling or administration of secure materials that compromises the validity of assessment results and may result in voiding test scores.

Testing Irregularity—any incident an error in test handling or administration that leads to a question compromises reliability regarding the security of the test or the accuracy of the test data.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:81.6 et seq., R.S. 416 et seq., and R.S. 441 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1528 (July 2005), amended LR 34:65 (January 2008), LR 40:2510 (December 2014), LR 48:

§5305. Test Security Policy

[Formerly LAC 28:CXI.305]

A. The state Board of Elementary and Secondary Education holds the test security policy to be of utmost importance and deems any violation of test security to be serious. ~~The test security policy follows.~~

A.1. – A.3.i. ...

j. fail to report any testing irregularities to the district test coordinator (~~a testing irregularity is any incident in test handling or administration that leads to a question regarding the security of the test or the accuracy of the test data~~), who must report such incidents to the LDE;

k. participate in, direct, aid, counsel, assist in, encourage, or fail to report any of the acts prohibited in the section.

A.4. – A.4.k. ...

5. Procedures for investigating ~~missing secure materials, any~~ a test security violation or testing irregularity (~~including cheating~~), and any employees accused of improprieties must, at a minimum, include the following.

A.5.a. – A.17. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:391.7(C)-(G).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1528 (July 2005), amended LR 32:233 (February 2006), LR 33:255 (February 2007), LR 33:424 (March 2007), LR 33:2033 (October 2007), LR 34:65 (January 2008), LR 34:431 (March 2008), LR 34:1351 (July 2008), LR 35:217 (February 2009), LR 37:858 (March 2011), repromulgated LR 37:1123 (April 2011), amended LR 38:747 (March 2012), LR 39:1018 (April 2013), LR 40:2510 (December 2014), LR 43:634 (April 2017), LR 44:463 (March 2018), LR 44:1857 (October 2018), LR 47:566 (May 2021), LR 48:

§5309. Erasure Analysis and Online Answer Changes

[Formerly LAC 28:CXI.309]

A. – A.5. ...

~~6. Erasure—online answer changing as well as erasing answers on a paper and pencil test.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:24 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1530 (July 2005), amended LR 32:234 (February 2006), LR 33:257 (February 2007), LR 35:217 (February 2009), LR 35:443 (March 2009), LR 40:2512 (December 2014), LR 43:634 (April 2017), LR 44:463 (March 2018), LR 44:1857 (October 2018), LR 48:

§5311. Addressing Suspected Violations of Test Security and Troubling Content in Written Responses [Formerly LAC 28:CXI.311]

A. The test security policy approved by the SBESE requires that the LDE establish procedures to deal with breaches of test security. District authorities provide the LDE information about voiding student tests because of student violations observed during test administration or violations by school personnel or others that ~~have been~~ are reported. In addition, the scoring process produces information regarding written responses that have common elements, which indicate a student

brought unauthorized materials to testing and used them to assist in writing; that indicate that teacher interference might have been a significant factor, and in which troubling content was evident. Procedures for dealing with these issues follow.

A.1. – A.1.d. ...

2. ~~Reported~~ Violations by School Personnel or Other Persons. All suspected instances of cheating should be reported directly to the school's district test coordinator (DTC) for further investigation, and a report of the incident must be sent by the DTC to LDE. If it is deemed necessary to void tests, the DTC must submit a completed void form to the LDE. The original void verification form along with a written report of the investigation carried out must be mailed to the LDE. Educators determined by the LEA and/or LDE investigation to have participated in cheating may receive certification sanctions as defined in Bulletin 746, Chapter 19.

A.3. – A.3.d.i. ...

4. Disturbing Content. If student responses with disturbing content are discovered during the scoring process, the scoring contractor will notify the appropriate staff member at the LDE, Division of Assessments and Accountability.

a. Professional assessment personnel review the responses. If it is determined that disturbing content causes a compelling need to break confidentiality, LDE will, within five business days, contact the district superintendent ~~by telephone~~ to summarize findings and inform ~~him or her~~ the superintendent that materials are being mailed regarding the alert.

b. Issues regarding troubling content are for the district's information to assist the student and do not require further communication with LDE, nor is the notice a violation of test security.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:24 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1531 (July 2005), amended LR 33:257 (February 2007), LR 35:217 (February 2009), LR 43:635 (April 2017), LR 44:464 (March 2018), LR 44:1858 (October 2018), LR 48:

**§5312. Administrative Error Testing Irregularities
[Formerly LAC 28:CXI.312]**

A. – F.3. ...

G. Student actions including but not limited to inappropriate access, test material damage or destruction, or failure to follow testing protocol, may result in a testing irregularity and be reported as outlined in this section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 32:390 (March 2006), amended LR 33:257 (February 2007), LR 34:66 (January 2008), LR 34:1351 (July 2008), LR 35:218 (February 2009), LR 36:967 (May 2010), LR 38:33 (January 2012), amended LR 38:748 (March 2012), LR 38:2358 (September 2012), LR 40:2512 (December 2014), LR 44:464 (March 2018), LR 48:

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) 342-2503 Office: Policy

Return Address: P. O. Box 94064
Baton Rouge, LA Rule Title: Part XI. Subpart 3. Bulletin 118 –
Statewide Assessment Standards and
Practices (Part XI.5303, 5305, 5309,
5311, 5312).

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)

The proposed revisions will not impact costs or savings to state or local governmental units. These revisions align test security policy related to assessment proctors, scoring, irregularities, cheating, and security violations with proposed revisions to Bulletin 746. These proposed revisions do not amend any test security process or procedure. The purpose of these changes is to define terminology more specifically.

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.

DocuSigned by:
Beth Scioneaux
Signature of Agency Head or Designee

Evan Brassfield, Interim Deputy Fiscal
Legislative Fiscal Officer or Designee *office*

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

4/5/2022
Date of Signature

4/7/2022
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 revisions update *Bulletin 118, Statewide Assessment Standards and Practices*, §§5303, 5305, 5309, 5311, and 5312, regarding testing programs, policies, and procedures in the state. These revisions align test security policy and further clarify terminology related to assessment proctors, scoring, irregularities, cheating, and security violations that may clarify terminology and impact educator credentials. These proposed revisions do not amend any test security process or procedure. The purpose of these changes is to define terminology more specifically.

- 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 in response to a request by the Board of Elementary and Secondary Education at the October 2019 meeting directing BESE staff to work with the Louisiana Department of Education (LDE) staff to recommend policy revisions to Bulletins allowing for certification notations and/or possible license censure options.

- 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 revisions will have no effect on costs or savings to state agencies.

These revisions align test security policy related to assessment proctors, scoring, irregularities, cheating, and security violations with proposed revisions to Bulletin 746.

These proposed revisions do not amend any test security process or procedure. The purpose of these changes is to define terminology more specifically.

| COSTS | FY21-22 | FY22-23 | FY23-24 |
|-----------------------------------|---------|---------|---------|
| PERSONAL SERVICES | | | |
| OPERATING EXPENSES | -0- | -0- | -0- |
| PROFESSIONAL SERVICES | | | |
| OTHER CHARGES | | | |
| EQUIPMENT | | | |
| <u>MAJOR REPAIR & CONSTR.</u> | | | |
| <u>POSITIONS (#)</u> | | | |
| TOTAL | -0- | -0- | -0- |

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

N/A

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

| SOURCE | FY21-22 | FY22-23 | FY23-24 |
|------------------------|---------|---------|---------|
| STATE GENERAL FUND | -0- | -0- | -0- |
| AGENCY SELF-GENERATED | -0- | -0- | -0- |
| DEDICATED | | | |
| FEDERAL FUNDS | -0- | -0- | -0- |
| <u>OTHER (Specify)</u> | | | |
| 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?

N/A

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 revisions will not result in costs or savings to local governmental units.

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.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

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

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

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

| REVENUE INCREASE/DECREASE | FY21-22 | FY22-23 | FY23-24 |
|---------------------------|---------|---------|---------|
| STATE GENERAL FUND | -0- | -0- | -0- |
| AGENCY SELF GENERATED | | | |
| RESTRICTED FUNDS* | | | |
| FEDERAL FUNDS | | | |
| LOCAL FUNDS | | | |
| TOTAL | -0- | -0- | -0- |

*Specify the particular fund being impacted.

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

N/A

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

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 impact on competition and employment.

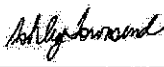
STATE BOARD OF ELEMENTARY AND SECONDARY EDUCATION
FAMILY IMPACT STATEMENT
(LA R.S. 49:953 and 972)

Person Preparing Statement: Ashley Townsend
Phone: 225-342-2503
Division: Policy Office
Rule Title: Part XI. Subpart 3. Bulletin 118 – Statewide Assessment Standards and Practices (Part XI.5303, 5305, 5309, 5311, and 5312).

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: 3/15/2022

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

Person Preparing Statement: Ashley Townsend

Phone: 225-342-2503

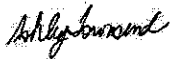
Division: Policy Office

Rule Title: Part XI, Subpart 3, Bulletin 118 – Statewide Assessment Standards and Practices (Part XI.5303, 5305, 5309, 5311, and 5312).

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: 3/15/2022

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, May 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