

## NOTICE OF INTENT

### Board of Elementary and Secondary Education

Part CLXV. Bulletin 140—Louisiana Early Childhood Care and Education Network  
(LAC28:CLXVII.303, 313, 314, and 511)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education proposes to amend LAC 28:CLXVII Bulletin 140 – *Louisiana Early Childhood Care and Education Network*. The proposed revisions allow CCAP-certified family child care providers to apply for academic approval and participate in the unified quality rating system and initiatives.

#### Title 28

#### EDUCATION

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

#### Chapter 3. Early Childhood Care and Education Network

#### §303. BESE Duties and Responsibilities

A. - A.4. ...

B. To assist the Louisiana Legislature in evaluating the effectiveness of the early childhood care and education network and in determining the most efficient and effective allocation of funding and services to maximize opportunities for children aged birth through five to achieve kindergarten readiness, BESE shall:

1. coordinate and report data relative to the early childhood care and education network to assist legislators in evaluating the effectiveness of the network and in determining the most efficient allocation of funding and services to maximize opportunities for children aged birth through five to achieve kindergarten readiness; and
2. annually submit to the Louisiana Legislature a written report that shall include, at a minimum, the following information:
  - a. the number of publicly-funded children participating in the network and demographic information pertaining to age, race, and socioeconomic status; and
  - b. the areas of greatest need according to geographic location and student population for the purpose of prioritizing funding and services.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2582 (December 2015).

#### §313. Academic Approval for Type III Early Learning Centers

A. - K. ...

L. Denial, Termination, or Refusal to Renew Academic Approval

1. The department may deny, terminate, or refuse to renew academic approval for:

a. - e. ...

f. failure to participate in the early childhood site improvement planning process, as required by §512 of this Part.

2.-6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:407.36(C), and 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2584 (December 2015), amended LR 42:1871 (November 2016), LR 43:2129 (November 2017), LR 44:1439 (August 2018), LR 45:1451 (October 2019).

#### §314. Academic Approval for Family Child Care Homes

A. Registered and CCAP-certified family child care homes may apply for academic approval from the LDE.

B. Family child care homes meeting the performance and academic standards of the early childhood care and education network regarding kindergarten readiness as provided in this bulletin shall receive academic approval from the LDE. Academic approval includes verification by the LDE that the family child care home meets the required performance and academic standards.

C. Initial Academic Approval for an Applicant for a Family Child Care Home

1. In order to obtain initial academic approval as a family child care home, a family child care home applying for a new academic approval must:

a. submit a signed copy of the current program partner assurances for family child care homes to the LDE, thereby agreeing to comply with the provisions of this bulletin, which include:

i. membership in the corresponding community network, as provided in Chapter 3;

ii. participation in the early childhood care and education accountability system, as provided in Chapter 5;

and

iii. participation in the coordinated enrollment process, as provided in Chapter 7.

2. An applicant for a new family child care home academic approval who has held a family child care home academic approval and received a corrective action plan as provided in §313 at any time during the current or preceding fiscal year shall not be allowed to apply for academic approval for the fiscal year in which the family child care home received a corrective action plan and the following fiscal year.

D. Renewal of Academic Approval for Family Child Care Homes

1. Academic approval will be renewed annually for a family child care home that:

- a. has current academic approval;
- b. is in compliance with the provisions of this Part;
- c. has not received two unsatisfactory performance ratings within any consecutive three school years; and
- d. has submitted a signed copy of the current annual program partner assurances for family child care homes to the LDE, thereby certifying that:

i. the family child care home shall comply with the provisions of this Part, which include:

- (a). membership in the corresponding community network, as provided in Chapter 3;
- (b). participation in the early childhood care and education accountability system, as provided in Chapter 5; and
- (c). participation in the coordinated enrollment process, as provided in Chapter 7; and

ii. the family child care provider must:

- (a). have an early childhood ancillary certificate or other traditional teaching certificate issued by BESE;

or

(b). be in the process of completing training that will lead to an early childhood ancillary certificate and will have obtained an early childhood ancillary certificate issued by BESE within 24 months of the date when academic approval is granted.

2. To renew academic approval, family child care homes must annually submit a signed copy of annual program partner assurances for family child care homes to the LDE prior to July 1, or as requested, whichever occurs earlier.

E. A family child care home that has academic approval terminated may not apply for academic approval for the fiscal year in which academic approval was terminated or for the following fiscal year.

F. Academic approval will be valid for the fiscal year, July 1-June 30, for which granted.

G. Academic approval is granted to a specific provider and a specific location and is not transferable. If a family child care home changes owners or location, provider is considered a new operation, and academic approval for the new owner or location must be obtained prior to beginning operations under new ownership or at the new location.

H. Upon a change of ownership or change of location, academic approval granted to the original owner or at the original location becomes null and void.

I. Renewal. Prior to July 1 of each year, the LDE shall send notice to each family child care home that has academic approval regarding:

1. renewal of academic approval for the family child care home;

2. notice of the family child care home failure to comply with specific requirements in Subsection B of this Section and specific corrective actions that must be taken by a specified date in order for academic approval to be renewed; or

3. if a family child care home receives the notice outlined in Subparagraph J.2.a of this Section within the academic year and has not provided the required certifications and completed the stated corrective actions, the LDE may terminate the family child care home academic approval as provided in Subparagraph J.2.c of this Section and send notice of termination of the family child care home academic approval.

J. Denial, Termination, or Refusal to Renew Academic Approval

1. The LDE may deny, terminate, or refuse to renew academic approval for one or more of the following:

- a. violations of any provisions of this Part;
- b. failure to comply in a timely manner with a corrective action plan provided by the LDE;
- c. any act of fraud, such as the submission of false or altered documents or information;

- d. failure to timely submit a signed copy of the annual program partner assurances;
- e. two unsatisfactory performance ratings within any consecutive three school years; or
- f. failure to participate in the early childhood site improvement planning process, as required by §512 of this Part.

## 2. Notice

a. If a family child care home is in violation of any provision of this Part, the LDE shall notify the family child care home in writing and may specify in a corrective action plan any corrective actions, required to retain academic approval.

b. Within 30 calendar days of receiving such notice, the family child care home must submit certification in writing to the LDE that:

i. corrective actions specified in the corrective action plan have been taken or are in the process of being taken in compliance with the schedule provided in the corrective action plan; and

ii. the family child care home will remain in compliance with the corrective action plan and all applicable regulations.

c. If the family child care home does not respond in a timely or satisfactory manner to the notice and corrective action plan or adhere to the implementation schedule required in the corrective action plan, the LDE may terminate or refuse to renew the family child care home academic approval.

d. The LDE shall provide written notice of a denial, termination, or refusal to renew academic approval to the family child care home.

e. The denial, termination, or refusal to renew a family child care home academic approval shall be effective upon the date of notice of the denial, termination, or refusal to renew.

## K. Appeal Procedure

1. BESE shall have the authority to grant an appeal of the denial, termination, or refusal to renew academic approval for a family child care home.

2. The appeal procedure shall address unforeseen and aberrant factors impacting family child care homes or issues that arise when the literal application of the academic approval regulations does not consider certain unforeseen and unusual circumstances.

3. A family child care home may request an appeal of the denial, termination, or refusal to renew an academic approval by submitting a written request for an appeal to the LDE within 15 calendar days of the notice of the denial, termination, or refusal to renew an academic approval.

4. All appeal requests must clearly outline the specific reasons for requesting the appeal and the reasons why the appeal should be granted and must include any necessary supporting documentation.

5. The LDE shall review all timely-submitted appeal requests and make recommendations to BESE during the first regularly-scheduled BESE meeting following receipt of the appeal requests, or during the second regularly-scheduled BESE meeting if an appeal request is received within fourteen working days of the next regularly-scheduled BESE meeting. Within this interval, the LDE shall notify the family child care home of the LDE recommendation and allow the family child care home to respond in writing. The department recommendation and the family child care home response must be submitted to BESE for final disposition.

6. A family child care home that appeals the termination or refusal to renew academic approval shall retain academic approval during the appeal process.

## L. Voluntary Termination or Non-Renewal of Academic Approval

1. The family child care home may voluntarily terminate academic approval at any point during the fiscal year in which the academic approval is valid.

a. Voluntary termination of academic approval must be reported in writing according to the process developed by the LDE.

2. The family child care home may voluntarily decline to renew academic approval during the renewal period for the next fiscal year.

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

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

## Chapter 5. Early Childhood Care and Education Accountability System

### §512. Performance Rating Calculations for Community Networks

A. – A.3

...

B. Early Childhood Site Improvement Planning Process

1. Beginning with the 2018-2019 school year, publicly-funded sites rated below 3.75 for the previous year shall participate in an early childhood site improvement planning process. At a minimum, sites must:

- a. develop and submit a plan for site improvement in consultation with the department;
- b. implement the plan for site improvement and allow for regular monitoring of implementation by the department; and
- c. provide any reports or information related to the plan for site improvement as requested by the department.

B.1.d - C.3.

...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2588 (December 2015), amended LR 42:1874 (November 2016), LR 44:1442 (August 2018), LR 45:1454 (October 2019), LR 47:1286 (September 2021).

## COMPARISON DOCUMENT

### Title 28

### EDUCATION

### Part CLXVII. Bulletin 140—Louisiana Early Childhood Care and Education Network Chapter 3. Early Childhood Care and Education Network

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a. the number of publicly-funded children participating in the network and demographic information pertaining to age, race, and socioeconomic status; and

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1. The department may deny, terminate, or refuse to renew academic approval for:

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f. failure to participate in the early childhood ~~school or center~~ site improvement planning process, as required by §512 of this Part. 2.-6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:407.36(C), and 17:407.21 et seq.

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

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

## **Chapter 5. Early Childhood Care and Education Accountability System**

### **§512. Performance Ratings for Publicly-Funded Sites Calculations for Community Networks**

A. – A.3

...

B. Early Childhood ~~School or Center-Site~~ Improvement Planning Process

1. Beginning with the 2018-2019 school year, publicly-funded sites rated below 3.75 for the previous year shall participate in an early childhood ~~school or center-site~~ improvement planning process. At a minimum, sites must:

a. develop and submit a plan for ~~school or center~~ site improvement in consultation with the department;

b. implement the plan for ~~school or center~~ site improvement and allow for regular monitoring of implementation by the department; and

c. provide any reports or information related to the plan for ~~school or center~~ site improvement as requested by the department.

B.1.d - C.3.

...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2588 (December 2015), amended LR 42:1874 (November 2016), LR 44:1442 (August 2018), LR 45:1454 (October 2019), LR 47:1286 (September 2021).



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 Rule  
Baton Rouge, LA Title: Part CLXVII. Bulletin 140 – Louisiana  
Early Childhood Care and Education  
Education Network (LAC28:CLXVII.303,  
313, 314, 511)

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 result in increased costs for the Department of Education (LDE) and local school districts serving as Early Childhood Community Network lead agencies to conduct Classroom Assessment Scoring System (CLASS) observations of family child care providers which participate in the quality rating system. There will also be increased costs to the LDE to provide additional funding to Early Childhood Community Network lead agencies due to the increased number of classrooms within the networks.

The proposed revisions will result in additional costs for the LDE to contract with a third-party provider to conduct annual CLASS observations at Child Care Assistance Program (CCAP) certified family child care providers which participate in the unified quality rating system. The LDE currently pays the Picard Center \$450 per CLASS observation. If all 259 CCAP-certified family child care providers participated in the program, the annual cost would be \$116,550; however, the actual cost will depend on the number of participating providers and is indeterminable.

The proposed revisions will also increase the number of classrooms for which the LDE will need to provide funding to Early Childhood Community Network lead agencies by an indeterminable amount based on the number of family child care providers participating in the program. The Board of Elementary and Secondary Education approves funding for Community Network lead agencies. The agencies are funded with a combination of State General Funds and federal Child Care Development Funds (CCDF) at a rate of \$525 per classroom and \$787.50 per classroom for classrooms located within a secondary community network under the purview of the lead agency. Additionally, the rate of \$787.50 applies to classrooms located in school systems in community networks where more than 10% of their total classroom count are located in secondary school systems required to complete the LDE Super App.

The proposed revisions will result in additional costs to local school districts which serve as Early Childhood Community Network lead agencies to conduct twice-annual CLASS observations, which are required in addition to the annual LDE observations. Community Networks typically pay between \$100 and \$300 per observation. The cost will depend on the number of participating providers and is indeterminable.

The proposed revisions allow CCAP-certified family child care providers to apply for academic approval and participate in the unified quality rating system and initiatives.

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

The proposed revisions will lead to a decrease in state revenue collections to the extent that family child care providers opting in to the academic approval program may be eligible for the school readiness tax credit (SRTC). The SRTC currently applies to Type III early learning centers and includes credits for provider staff, the provider itself, the parents or guardians of enrolled children,

and qualifying business expenses in support of child care. Under the proposed revisions, family child care providers that participate in the quality rating system will qualify for the current SRTC. The LDE reports it is planning a separate SRTC track specific to family child care providers. The amount of revenue loss is indeterminable and will depend upon the SRTC structure as well as the number of participating providers.

For informational purposes, the average amount of SRTC claimed per early learning center staff member in 2020 was \$3,127. As of November 2021, 259 family child care providers self-identified to the Louisiana Department of Education, resulting in approximately \$809,893 in total SRTC potentially applied as a result of these revisions.

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

The proposed revisions will result in additional costs to nonprofit organizations serving as Early Childhood Community Network lead agencies to conduct twice-annual CLASS observations for participating child care providers. Community Network lead agencies typically pay \$100-\$300 per observation. The cost will depend on the number of participating providers and is indeterminable.

The proposed revisions will benefit participating family child care providers by making them eligible for SRTC tax credits. The amount of these tax credits will depend upon the SRTC structure developed by the LDE for participating family child care providers.

The proposed revisions will require participating family child care providers to obtain an Early Childhood Ancillary Certificate issued by the Board of Elementary and Secondary Education (BESE).

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed revisions may result in additional employment for contractors who conduct CLASS observations on behalf of the LDE and Early Childhood Community Network.

DocuSigned by:

Beth Scioneaux  
Signature of Agency Head or Designee

Alan M. Boudry  
Legislative Fiscal Officer or Designee

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

1/7/2022  
Date of Signature

1/10/22  
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 amend LAC 28:CLXVII Bulletin 140 – *Louisiana Early Childhood Care and Education Network* to allow CCAP-certified family child care providers to apply for academic approval and participate in the unified quality rating system and initiatives.

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

Prior to the COVID-19 pandemic, Louisiana was serving less than seven percent of the economically disadvantaged birth through two-year-olds and approximately one third of three-year-olds in the state. In order to close persistent gaps in access to publicly-funded high-quality child care, Louisiana must include home-based family child care in the long term strategy.

- 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.

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.

The legislature appropriates State General Fund and Federal Child Care Development Fund (CCDF) funding for early childhood-related expenses in the General Appropriations Bill.

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

The proposed revisions will result in additional costs for the LDE to contract with a third-party provider to conduct annual CLASS observations at Child Care Assistance Program (CCAP) certified family child care providers which participate in the unified quality rating system. The LDE currently pays the Picard Center \$450 per CLASS observation. If all 259 CCAP-certified family child care providers participated in the program, the annual cost would be \$116,550; however, the actual cost will depend on the number of participating providers and is indeterminable.

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

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

Yes.

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 result in additional costs to local school districts which serve as Early Childhood Community Network lead agencies to conduct twice-annual CLASS observations, which are required in addition to the annual LDE observations. Community Networks typically pay between \$100 and \$300 per observation. The cost will depend on the number of participating providers and is indeterminable.

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

The Board of Elementary and Secondary Education approves funding for Community Network lead agencies. The agencies are funded with a combination of State General Fund and Federal CCDF funding. The funding rate is \$525 per classroom. This rate is increased to \$787.50 per classroom for classrooms located within a secondary community network under the purview of the lead agency. Additionally, the rate of \$787.50 applies to classrooms located in school systems in community networks where more than 10% of their total classroom count are located in secondary school systems required to complete the LDE Super App.

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?

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

\*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.

The proposed revisions will lead to a decrease in state revenue collections to the extent that family child care providers opting in to the academic approval program may be eligible for the school readiness tax credit (SRTC). The SRTC currently applies to Type III early learning centers and includes credits for provider staff, the provider itself, the parents or guardians of enrolled children, and qualifying business expenses in support of child care. Under the proposed revisions, family child care providers that participate in the quality rating system will qualify for the current SRTC. The LDE reports it is planning a separate SRTC track specific to family child care providers. The amount of revenue loss is indeterminable and will depend upon the SRTC structure as well as the number of participating providers.

For informational purposes, the average amount of SRTC claimed per early learning center staff member in 2020 was \$3,127. As of November 2021, 259 family child care providers self-identified to the Louisiana Department of Education, resulting in approximately \$809,893 in total SRTC potentially applied as a result of these revisions.

## 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 result in additional costs to nonprofit organizations serving as Early Childhood Community Network lead agencies to conduct twice-annual CLASS observations for participating child care providers. Community Network lead agencies typically pay \$100-\$300 per observation. The cost will depend on the number of participating providers and is indeterminable.

The proposed revisions will benefit participating family child care providers by making them eligible for SRTC tax credits. The amount of these tax credits will depend upon the SRTC structure developed by the LDE for participating family child care providers.

The proposed revisions will require participating family child care providers to obtain an Early Childhood Ancillary Certificate issued by the Board of Elementary and Secondary Education (BESE).

- B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

The Board of Elementary and Secondary Education approves funding for Community Network lead agencies. The agencies are funded with a combination of State General Fund and Federal CCDF funding. The funding rate is \$525 per classroom. This rate is increased to \$787.50 per classroom for classrooms located within a secondary community network under the purview of the lead agency. Additionally, the rate of \$787.50 applies to classrooms located in school systems in community networks where more than 10% of their total classroom count are located in secondary school systems required to complete the LDE Super App.

#### 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 may result in additional employment for contractors who conduct CLASS observations on behalf of the LDE and Early Childhood Community Network.

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 CLXVII. Bulletin 140 – Louisiana Early Childhood Care and Education Network (LAC28:CLXVII.303,313, 314, 511)

In accordance with Section 953 and 974 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on the rule proposed for adoption, repeal or amendment. All Family Impact Statements shall be kept on file in the State Board Office which has adopted, amended, or repealed a rule in accordance with the applicable provisions of the law relating to public records.

PLEASE RESPOND TO THE FOLLOWING:

- 1. WILL THE PROPOSED RULE AFFECT THE STABILITY OF THE FAMILY?  
 No  
 Yes  
 Lacks sufficient information to determine
- 2. WILL THE PROPOSED RULE AFFECT THE AUTHORITY AND RIGHTS OF PARENTS REGARDING THE EDUCATION AND SUPERVISION OF THEIR CHILDREN?  
 No  
 Yes  
 Lacks sufficient information to determine.
- 3. WILL THE PROPOSED RULE AFFECT THE FUNCTIONING OF THE FAMILY?  
 No  
 Yes  
 Lacks sufficient information to determine
- 4. WILL THE PROPOSED RULE AFFECT FAMILY EARNINGS AND FAMILY BUDGET?  
 No  
 Yes  
 Lacks sufficient information to determine
- 5. WILL THE PROPOSED RULE AFFECT THE BEHAVIOR AND PERSONAL RESPONSIBILITY OF CHILDREN?  
 No  
 Yes  
 Lacks sufficient information to determine
- 6. IS THE FAMILY OR A LOCAL GOVERNMENT ABLE TO PERFORM THE FUNCTION AS CONTAINED IN THE PROPOSED RULE?  
 No  
 Yes  
 Lacks sufficient information to determine

Signature of Contact Person: Ashley Townsend

Date Submitted: 1/7/2022



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 CLXVII. Bulletin 140 – Louisiana Early Childhood Care and Education Network (LAC28:CLXVII.303, 313, 314, 511)

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: *Ashley Townsend*

Date Submitted: 1/7/2022

### **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, February 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