

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 746—Louisiana Standards for State Certification of School Personnel
Certifications and Endorsements (LAC 28:CXXXI.305, 313, 323, 803, and 904)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and R.S. 17:6(A)(10), the Board of Elementary and Secondary Education proposes to amend LAC 28:CXXXI, Bulletin 746—Louisiana Standards for State Certification of School Personnel. Proposed amendments update requirements for certification, hiring, and dismissal of teacher and other school employees with respect to criminal history determinations, in accordance with Act 387 of the 2019 Regular Legislative Session. The proposed amendments also update certification requirements for applicants who complete an approved teacher education program in Louisiana, in accordance with Act 388 of the 2019 Regular Legislative Session.

Title 28 EDUCATION

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

Chapter 3. Teaching Authorizations and Certifications

Subchapter A. Standard Teaching Authorizations

§305. Professional Level Certificates

- A. – A.1.a.i.(a). ...
- (b). have a minimum 2.50 undergraduate grade point average (GPA) on a 4.00 scale;
- (c). an applicant who does not meet the requirement of subparagraph (b) of this paragraph may be certified if he meets the following requirements in an alternate teacher preparation program:
- i. satisfactorily complete a personal interview by the program's admissions officer.
 - ii. if the program awards credit hours, the applicant shall achieve a minimum grade point average (GPA) of 3.00 in alternate teacher preparation program courses by the end of the first twelve credit hours and successfully complete the program.
 - iii. if the program does not award credit hours, the applicant shall demonstrate mastery of competencies as required by the program administrator and by the school system in which the applicant completes required clinical practice.
 - iv. satisfactory completion all program requirements as set forth by BESE, including any requirements for clinical practice, at graduation.
- (d). present appropriate scores on the NTE core battery (common exams) or the corresponding Praxis exams (core academic skills for educators in reading, writing, and mathematics); the principles of learning and teaching (PLT) or other pedagogy exam required for the area(s) of certification as specified in §203 of this bulletin; and the specialty area exam in the certification area in which the teacher preparation program was completed or in which the initial certificate was; and
- (e). be recommended by a state-approved university or private program provider for certification.

A.1.b. - E. 6. ...

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1797 (October 2006), amended LR 33:433 (March 2007), LR 34:233 (February 2008), LR 34:1611 (August 2008), LR 35:222 (February 2009), LR 37:558 (February 2011), LR 38:1951 (August 2012), LR 40:279 (February 2014), LR 41:2128 (October 2015), LR 43:1304 (July 2017), LR 44:745 (April 2018), LR 45:525 (April 2019), LR 45:.

§313. Practitioner Licenses

- A. – B.1.a. ...
- b. 2.50 or higher undergraduate grade point average (GPA) on a 4.00 scale to enter a non-university provider program; or a 2.20 or higher undergraduate grade point average (GPA) on a 4.00 scale to enter a college or university program; or be granted conditional admittance into an alternate teacher preparation program following a satisfactory personal interview by the program admission officer; and
- B.1.c. – B.4.b. ...
- c. an applicant who does not meet the requirement of subparagraph (b) of this paragraph may be certified if he meets the following requirements in an alternate teacher preparation program:
- i. satisfactory completion a personal interview by the program admissions officer.
 - ii. if the program awards credit hours, the applicant shall achieve a minimum grade point average (GPA) of 3.00 in alternate teacher preparation program courses by the end of the first twelve credit hours and successfully complete the program.
 - iii. if the program does not award credit hours, the applicant shall demonstrate mastery of competencies as required by the program administrator and by the school system in which the applicant completes required clinical practice.
 - iv. satisfactory completion all program requirements as set forth by BESE, including any requirements for clinical practice, at graduation.
- d. demonstrated proficiency in reading and literacy competencies through successfully completing the required number of credit or contact hours in reading and literacy as specified in Bulletin 996 or passing a reading competency assessment. The reading competency assessment for early childhood PK-3, elementary 1-5, and special education candidates is the Praxis teaching reading exam (#0206 or #5206). The current required score is 156. (Middle grades 4-8 and secondary grades 6-12 will be required to take the required reading course credit hours or equivalent contact hours until an appropriate reading competency assessment is developed and adopted.); and

e. completed prescriptive plans, if need was determined by the preparation provider.

C – C.1.a. ...

b. 2.50 or higher grade point average (GPA) on a 4.00 scale to enter a non-university provider program; or a 2.20 or higher grade point average (GPA) on a 4.00 scale to enter a college or university program; or be granted conditional admittance into a preparation program following a satisfactory personal interview by the program admission officer; and

C.1.c. – C.4.b. ...

c. an applicant who does not meet the requirement of subparagraph (b) of this paragraph may be certified if he meets the following requirements in an alternate teacher preparation program:

i. satisfactory completion a personal interview by the program admissions officer.

ii. if the program awards credit hours, the applicant shall achieve a minimum grade point average (GPA) of 3.00 in alternate teacher preparation program courses by the end of the first twelve credit hours and successfully complete the program.

iii. if the program does not award credit hours, the applicant shall demonstrate mastery of competencies as required by the program administrator and by the school system in which the applicant completes required clinical practice.

iv. satisfactory completion all program requirements as set forth by BESE, including any requirements for clinical practice, at graduation.

d. demonstrated proficiency in reading and literacy competencies through successfully completing the required number of credit or contact hours in reading and literacy as specified in Bulletin 996 or passing a reading competency assessment. The reading competency assessment for early childhood PK-3, elementary 1-5, and special education candidates is the Praxis Teaching Reading exam (#0206 or #5206). The current required score is 156. (Middle grades 4-8 and secondary grades 6-12 will be required to take the required reading course credit hours or equivalent contact hours until an appropriate reading competency assessment is developed and adopted.)

D. – D.1.a. ...

b. 2.50 GPA on a 4.00 scale or be granted conditional admittance into a preparation program following a satisfactory personal interview by the program's admission officer; and

D.1.b. – D.4.b. ...

c. an applicant who does not meet the requirement of subparagraph (b) of this paragraph may be certified if he meets the following requirements in an alternate teacher preparation program:

i. satisfactory completion a personal interview by the program admissions officer.

ii. if the program awards credit hours, the applicant shall achieve a minimum grade point average (GPA) of 3.00 in alternate teacher preparation program courses by the end of the first twelve credit hours and successfully complete the program.

iii. if the program does not award credit hours, the applicant shall demonstrate mastery of competencies as required by the program administrator and by the school system in which the applicant completes required clinical practice.

iv. satisfactory completion all program requirements as set forth by BESE, including any requirements for clinical practice, at graduation.

d. demonstrated proficiency in reading and literacy competencies through successfully completing the required number of credit or contact hours in reading and literacy as specified in Bulletin 996 or passing a reading competency assessment. The reading competency assessment for early childhood PK-3, elementary 1-5, and special education candidates is the Praxis teaching reading exam #0206 or #5206). The current required score is 156. (Middle grades 4-8 and secondary grades 6-12 will be required to take the required reading course credit hours or equivalent contact hours until an appropriate reading competency assessment is developed and adopted.)

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1800 (October 2006), amended LR 35:221 (February 2009), LR 38:1952 (August 2012), LR 40:280 (February 2014), LR 43:1307 (July 2017), LR 45:.

§323. Temporary Authority to Teach (TAT)

A. – B.3.a. ...

4. The applicant must have at least a 2.20 GPA.

C. – D.1.d. ...

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1803 (October 2006), amended LR 36:2547 (November 2010), LR 40:280 (February 2014), LR 44:2000 (November 2018), LR 45:.

Chapter 8. Certification Appeal Process

§803. Appeal Process

A. – A.3.a. ...

b. lack a minimum grade point average of 2.50 for initial certification and who did not meet the conditional admittance and program requirements as outlined in R.S. 17:7.1(A)(3); or

A.3.c. – A.4. ...

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1829 (October 2006), amended LR 36:487 (March 2010), LR 38:3140 (December 2012), LR 43:1314 (July 2017), LR 44:2002 (November 2018), LR 45:.

Chapter 9. Actions Related to the Suspension/Denial and Revocation of Louisiana Certificates

§904. Criminal History Reporting

A. – A.1. ...

2. misdemeanor and felony offenses which include, but are not limited to, offenses defined in the following table;

Criminal Offenses	
R.S. 40:966(A)	Penalty for Distribution or Possession with intent to Distribute Narcotic Drugs Listed in Schedule I; Manufacture; Distribution
R.S. 40:967(A)	Prohibited Acts; Schedule II, Penalties; Manufacture; Distribution
R.S. 40:968(A)	Prohibited Acts; Schedule III; Penalties; Manufacture; Distribution
R.S. 40:969(A)	Prohibited Acts; Schedule IV; Penalties; Manufacture; Distribution
R.S. 40:970(A)	Prohibited Acts; Schedule V; Penalties; Manufacture; Distribution

3. misdemeanor and felony offenses which include, but are not limited to, offenses defined in the following table, for which issuance or reinstatement of a certificate will never be considered.

Prohibited Criminal Offenses	
R.S. 14:2(B)	Crimes of Violence
R.S. 14:30	First Degree Murder
R.S. 14:30.1	Second Degree Murder
R.S. 14:31	Manslaughter
R.S. 14:32.6	First Degree Feticide
R.S. 14:32.7	Second Degree Feticide
R.S. 14:32.8	Third Degree Feticide
R.S. 14:41	Rape
R.S. 14:42	1st Degree Rape
R.S. 14:42.1	2nd Degree Rape
R.S. 14:43	3rd Degree Rape
R.S. 14:43.1	Sexual battery
R.S. 14:43.1.1	Misdemeanor Sexual Battery
R.S. 14:43.2	2nd degree Sexual Battery
R.S. 14:43.3	Oral Sexual Battery
R.S. 14:43.4	Female Genital Mutilation
R.S. 14:43.5	Intentional Exposure to the AIDS Virus
R.S. 14:44	Aggravated Kidnapping
R.S. 14:44.1	Second Degree Kidnapping
R.S. 14:44.2	Aggravated Kidnapping of a Child
R.S. 14:45	Simple Kidnapping
R.S. 14:46.2	Human Trafficking
R.S. 14:46.3	Trafficking of Children for Sexual Purposes
R.S. 14:46.4	Rehoming of a Child
R.S. 14:74	Criminal Neglect of Family
R.S. 14:79.1	Criminal Abandonment
R.S. 14:80	Felony Carnal Knowledge of a Juvenile
R.S. 14:80.1	Misdemeanor Carnal Knowledge of a Juvenile
R.S. 14:81	Indecent Behavior with a Juvenile
R.S. 14:81.1	Pornography Involving Juveniles
R.S. 14:81.2	Molestation of a Juvenile or a Person with a Physical or Mental Disability
R.S. 14:81.3	Computer-aided Solicitation of a Minor
R.S. 14:81.4	Prohibited Sexual Conduct between Educator and Student
R.S. 14:82	Prostitution
R.S. 14:82.1	Prostitution; Persons under 17; Additional Offenses
R.S. 14:82.1.1	Sexting
R.S. 14:82.2	Purchase of Commercial Sexual Activity
R.S. 14:83	Soliciting for Prostitutes
R.S. 14:83.1	Inciting Prostitution
R.S. 14:83.2	Promoting Prostitution
R.S. 14:83.3	Prostitution by Massage
R.S. 14:83.4	Massage; sexual Content Prohibited
R.S. 14:84	Pandering
R.S. 14:85	Letting Premises for Prostitution
R.S. 14:86	Enticing Persons into Prostitution
R.S. 14:89	Crime Against Nature
R.S. 14:89.1	Aggravated Crime against Nature
R.S. 14:89.2	Crime against Nature by Solicitation
R.S. 14:92	Contributing to the Delinquency of Juveniles
R.S. 14:93	Cruelty to Juveniles
R.S. 14:93.2.1	Child Desertion
R.S. 14:93.3	Cruelty to the Infirm
R.S. 14:93.5	Sexual Battery of Persons with Infirmities
R.S. 14:106	Obscenity
R.S. 14:282	Operation of Places of Prostitution
R.S. 14:283	Video Voyeurism
R.S. 14:283.1	Voyeurism
R.S. 14:284	Peeping Tom
R.S. 14:286	Sale of Minor Children
R.S. 15:541	Sex Offenses

4. In accordance with Louisiana Revised Statute 17:7, certification issuance or reinstatement may be considered, where not prohibited in other statute, for a person who was employed as a school administrator, teacher, or substitute teacher and whose final

conviction or plea of nolo contendere to any misdemeanor or felony offense provided in table §904.A.4 occurred on or before August 1, 2019;

Criminal Offenses	
R.S. 14:2(B)	Crimes of Violence
R.S. 14:74	Criminal Neglect of Family
R.S. 14:79.1	Criminal Abandonment
R.S. 14:82.1.1	Sexting
R.S. 14:82.2	Purchase of Commercial Sexual Activity
R.S. 14:83	Soliciting for Prostitutes
R.S. 14:83.1	Inciting Prostitution
R.S. 14:83.2	Promoting Prostitution
R.S. 14:83.3	Prostitution by Massage
R.S. 14:83.4	Massage; sexual Content Prohibited
R.S. 14:85	Letting Premises for Prostitution
R.S. 14:89.2	Crime against Nature by Solicitation
R.S. 14:93.2.1	Child Desertion
R.S. 14:282	Operation of Places of Prostitution
R.S. 14:283.1	Voyeurism
R.S. 14:284	Peeping Tom
R.S. 15:541	Sex Offenses

B. – C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:587.1, 17:6, and 17:15.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:0000 (August 2019), LR 45:.

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

Person Preparing Statement: Ryan Gremillion
Phone: 225-342-1501
Division: Policy Office
Rule Title: Part CXXXI. Bulletin 746—Louisiana Standards for State Certification of Personnel

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:

- I. 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: _____

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

Person Preparing Statement: Ryan Gremillion

Phone: 225-342-1501

Division: Policy Office

Rule Title: Part CXXXI. Bulletin 746—Louisiana Standards for State Certification of Personnel

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: _____

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, October 10, 2019, 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: Ryan Gremillion

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

Phone: (225) 342-1501

Office: Policy

Return

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

Rule

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

Date Rule

Takes Effect: Upon final promulgation

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 is no anticipated impact to the costs or savings of the Department of Education or state or local school districts. The proposed changes implement the provisions of Act 388 of 2019 which revise the eligibility and program requirements for Practitioner licenses and alternate teacher certification, including conditional admission, university and non-university preparation coursework, credit hours, grade point averages, and Praxis exam scores. Further implements Act 387 of 2019 which update requirements for certification, hiring, and dismissal of teacher and other school employees with respect to criminal history determinations.

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

There are no estimated impacts on revenue collections as a result of the proposed policy revisions.

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

Individuals seeking alternate certification may benefit from the revisions which would make them eligible for conditional admission to, and completion of such programs. Changes to criminal history determinations may affect prospective employees but are indeterminable at this time.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There could be an increase in the number of individuals eligible for admission to, and completing alternative teacher preparation programs. This would serve to increase the number of certified teachers available to teach in traditional public schools. Furthermore, changes to the criminal history determinations may affect prospective employee hiring. However, the extent of any such impacts are indeterminable at this time.

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

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 amendments update certification requirements for applicants who complete an approved teacher education program in Louisiana, in accordance with Act 388 of the 2019 Regular Legislative Session.

- 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 policy aligns policy with Acts 387 and 388 of the 2019 Regular Legislative Session.

- 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.

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?

There is no anticipated impact to the Department of Education.

COSTS	FY19-20	FY20-21	FY21-22
PERSONAL SERVICES			
OPERATING EXPENSES	-0-	-0-	-0-
PROFESSIONAL SERVICES			
OTHER CHARGES			
EQUIPMENT			
MAJOR REPAIR & CONSTR.			
<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.

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

SOURCE	FY19-20	FY20-21	FY21-22
STATE GENERAL FUND	-0-	-0-	-0-
AGENCY SELF-GENERATED	-0-	-0-	-0-
DEDICATED			
FEDERAL FUNDS	-0-	-0-	-0-
OTHER (Specify)			
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 impact 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 impact revenue collections of state and local governmental units.

REVENUE INCREASE/DECREASE	FY19-20	FY20-21	FY21-22
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.

See above.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS 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.

Individuals seeking certification may be affected the proposed policy revisions. Also, applicants for certain approved teacher preparation programs may be impacted by the proposed revisions.

- 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.

No impact on income is anticipated as a result of this rule change.

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.

There could be an increase in the number of individuals eligible for admission to, and completing alternative teacher preparation programs. This would serve to increase the number of certified teachers available to teach in traditional public schools. However, the extent of any such impacts are indeterminable at this time.

COMPARISON DOCUMENT

Title 28 EDUCATION

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

Chapter 3. Teaching Authorizations and Certifications

Subchapter A. Standard Teaching Authorizations

§305. Professional Level Certificates

A. – A.1.a.i.(a). ...

(b). have a minimum 2.50 undergraduate grade point average (GPA) on a 4.00 scale;

(c). an applicant who does not meet the requirement of subparagraph (b) of this paragraph may be certified if he meets the following requirements in an alternate teacher preparation program:

i. satisfactorily complete a personal interview by the program's admissions officer.

ii. if the program awards credit hours, the applicant shall achieve a minimum grade point average (GPA) of 3.00 in alternate teacher preparation program courses by the end of the first twelve credit hours and successfully complete the program.

iii. if the program does not award credit hours, the applicant shall demonstrate mastery of competencies as required by the program administrator and by the school system in which the applicant completes required clinical practice.

iv. satisfactory completion all program requirements as set forth by BESE, including any requirements for clinical practice, at graduation.

~~(e)~~(d). present appropriate scores on the NTE core battery (common exams) or the corresponding Praxis exams (core academic skills for educators in reading, writing, and mathematics); the principles of learning and teaching (PLT) or other pedagogy exam required for the area(s) of certification as specified in §203 of this bulletin; and the specialty area exam in the certification area in which the teacher preparation program was completed or in which the initial certificate was; and

~~(d)~~(e). be recommended by a state-approved university or private program provider for certification.

A.1.b. - E. 6. ...

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1797 (October 2006), amended LR 33:433 (March 2007), LR 34:233 (February 2008), LR 34:1611 (August 2008), LR 35:222 (February 2009), LR 37:558 (February 2011), LR 38:1951 (August 2012), LR 40:279 (February 2014), LR 41:2128 (October 2015), LR 43:1304 (July 2017), LR 44:745 (April 2018), LR 45:525 (April 2019), LR 45:.

§313. Practitioner Licenses

A. – B.1.a. ...

b. 2.50 or higher undergraduate grade point average (GPA) on a 4.00 scale to enter a non-university provider program; or a 2.20 or higher undergraduate grade point average (GPA) on a 4.00 scale to enter a college or university program; or be granted conditional admittance into an alternate teacher preparation program following a satisfactory personal interview by the program admission officer; and

B.1.c. – B.4.b. ...

c. an applicant who does not meet the requirement of subparagraph (b) of this paragraph may be certified if he meets the following requirements in an alternate teacher preparation program:

i. satisfactory completion a personal interview by the program admissions officer.

ii. if the program awards credit hours, the applicant shall achieve a minimum grade point average (GPA) of 3.00 in alternate teacher preparation program courses by the end of the first twelve credit hours and successfully complete the program.

iii. if the program does not award credit hours, the applicant shall demonstrate mastery of competencies as required by the program administrator and by the school system in which the applicant completes required clinical practice.

iv. satisfactory completion all program requirements as set forth by BESE, including any requirements for clinical practice, at graduation.

~~e~~d. demonstrated proficiency in reading and literacy competencies through successfully completing the required number of credit or contact hours in reading and literacy as specified in Bulletin 996 or passing a reading competency assessment. The reading competency assessment for early childhood PK-3, elementary 1-5, and special education candidates is the Praxis teaching reading exam (#0204 #0206 or #5204 #5206). The current required score is 157 156. (Middle grades 4-8 and secondary grades 6-12 will be required to take the required reading course credit hours or equivalent contact hours until an appropriate reading competency assessment is developed and adopted.); and

~~e~~e. completed prescriptive plans, if need was determined by the preparation provider.

C – C.1.a. ...

b. 2.50 or higher grade point average (GPA) on a 4.00 scale to enter a non-university provider program; or a 2.20 or higher grade point average (GPA) on a 4.00 scale to enter a college or university program; or be granted conditional admittance into a preparation program following a satisfactory personal interview by the program admission officer; and

C.1.c. – C.4.b. ...

c. an applicant who does not meet the requirement of subparagraph (b) of this paragraph may be certified if he meets the following requirements in an alternate teacher preparation program:

i. satisfactory completion a personal interview by the program admissions officer.

ii. if the program awards credit hours, the applicant shall achieve a minimum grade point average (GPA) of 3.00 in alternate teacher preparation program courses by the end of the first twelve credit hours and successfully complete the program.

iii. if the program does not award credit hours, the applicant shall demonstrate mastery of competencies as required by the program administrator and by the school system in which the applicant completes required clinical practice.

iv. satisfactory completion all program requirements as set forth by BESE, including any requirements for clinical practice, at graduation.

e.d. demonstrated proficiency in reading and literacy competencies through successfully completing the required number of credit or contact hours in reading and literacy as specified in Bulletin 996 or passing a reading competency assessment. The reading competency assessment for early childhood PK-3, elementary 1-5, and special education candidates is the Praxis Teaching Reading exam (#0204 #0206 or #5204 #5206). The current required score is ~~157~~ 156. (Middle grades 4-8 and secondary grades 6-12 will be required to take the required reading course credit hours or equivalent contact hours until an appropriate reading competency assessment is developed and adopted.)

D. – D.1.a. ...

b. 2.50 GPA on a 4.00 scale or be granted conditional admittance into a preparation program following a satisfactory personal interview by the program’s admission officer; and

D.1.b. – D.4.b. ...

c. an applicant who does not meet the requirement of subparagraph (b) of this paragraph may be certified if he meets the following requirements in an alternate teacher preparation program:

i. satisfactory completion a personal interview by the program admissions officer.

ii. if the program awards credit hours, the applicant shall achieve a minimum grade point average (GPA) of 3.00 in alternate teacher preparation program courses by the end of the first twelve credit hours and successfully complete the program.

iii. if the program does not award credit hours, the applicant shall demonstrate mastery of competencies as required by the program administrator and by the school system in which the applicant completes required clinical practice.

iv. satisfactory completion all program requirements as set forth by BESE, including any requirements for clinical practice, at graduation.

e.d. demonstrated proficiency in reading and literacy competencies through successfully completing the required number of credit or contact hours in reading and literacy as specified in Bulletin 996 or passing a reading competency assessment. The reading competency assessment for early childhood PK-3, elementary 1-5, and special education candidates is the Praxis teaching reading exam (~~#0204 #0206~~ or ~~#5204 #5206~~). The current required score is ~~157~~ 156. (Middle grades 4-8 and secondary grades 6-12 will be required to take the required reading course credit hours or equivalent contact hours until an appropriate reading competency assessment is developed and adopted.)

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1800 (October 2006), amended LR 35:221 (February 2009), LR 38:1952 (August 2012), LR 40:280 (February 2014), LR 43:1307 (July 2017), LR 45:.

§323. Temporary Authority to Teach (TAT)

A. – B.3.a. ...

4. The applicant must have at least a 2.20 GPA. ~~The GPA may be calculated using the last 60 hours of coursework earned from a regionally accredited university.~~

C. – D.1.d. ...

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1803 (October 2006), amended LR 36:2547 (November 2010), LR 40:280 (February 2014), LR 44:2000 (November 2018), LR 45:.

Chapter 8. Certification Appeal Process

§803. Appeal Process

A. – A.3.a. ...

b. lack a minimum grade point average of 2.50 for initial certification and who did not meet the conditional admittance and program requirements as outlined in R.S. 17:7.1(A)(3); or

A.3.c. – A.4. ...

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1829 (October 2006), amended LR 36:487 (March 2010), LR 38:3140 (December 2012), LR 43:1314 (July 2017), LR 44:2002 (November 2018), LR 45:.

Chapter 9. Actions Related to the Suspension/Denial and Revocation of Louisiana Certificates

§904. Criminal History Reporting

A. – A.1. ...

2. misdemeanor and felony offenses which include, but are not limited to, offenses defined in the following table;

Criminal Offenses	
R.S. 14:2(B)	Crimes of Violence
R.S. 14:74	Criminal Neglect of Family
R.S. 14:79.1	Criminal Abandonment
R.S. 14:82.1.1	Sexting
R.S. 14:82.2	Purchase of Commercial Sexual Activity
R.S. 14:83	Soliciting for Prostitutes

Criminal Offenses	
R.S. 14:83.1	Inciting Prostitution
R.S. 14:83.2	Promoting Prostitution
R.S. 14:83.3	Prostitution by Massage
R.S. 14:83.4	Massage; sexual Content Prohibited
R.S. 14:85	Letting Premises for Prostitution
R.S. 14:89.2	Crime against Nature by Solicitation
R.S. 14:93.2.1	Child Desertion
R.S. 14:282	Operation of Places of Prostitution
R.S. 14:283.1	Voyeurism
R.S. 14:284	Peeping Tom
R.S. 15:541	Sex Offenses
R.S. 40:966(A)	Penalty for Distribution or Possession with intent to Distribute Narcotic Drugs Listed in Schedule I; Manufacture; Distribution
R.S. 40:967(A)	Prohibited Acts; Schedule II, Penalties; Manufacture; Distribution
R.S. 40:968(A)	Prohibited Acts; Schedule III; Penalties; Manufacture; Distribution
R.S. 40:969(A)	Prohibited Acts; Schedule IV; Penalties; Manufacture; Distribution
R.S. 40:970(A)	Prohibited Acts; Schedule V; Penalties; Manufacture; Distribution

3. misdemeanor and felony offenses which include, but are not limited to, offenses defined in the following table, for which issuance or reinstatement of a certificate will never be considered.

Prohibited Criminal Offenses	
R.S. 14:2(B)	Crimes of Violence
R.S. 14:30	First Degree Murder
R.S. 14:30.1	Second Degree Murder
R.S. 14:31	Manslaughter
R.S. 14:32.6	First Degree Feticide
R.S. 14:32.7	Second Degree Feticide
R.S. 14:32.8	Third Degree Feticide
R.S. 14:41	Rape
R.S. 14:42	1st Degree Rape
R.S. 14:42.1	2nd Degree Rape
R.S. 14:43	3rd Degree Rape
R.S. 14:43.1	Sexual battery
R.S. 14:43.1.1	Misdemeanor Sexual Battery
R.S. 14:43.2	2nd degree Sexual Battery
R.S. 14:43.3	Oral Sexual Battery
R.S. 14:43.4	Female Genital Mutilation
R.S. 14:43.5	Intentional Exposure to the AIDS Virus
R.S. 14:44	Aggravated Kidnapping
R.S. 14:44.1	Second Degree Kidnapping
R.S. 14:44.2	Aggravated Kidnapping of a Child
R.S. 14:45	Simple Kidnapping
R.S. 14:46.2	Human Trafficking
R.S. 14:46.3	Trafficking of Children for Sexual Purposes
R.S. 14:46.4	Rehoming of a Child
R.S. 14:74	Criminal Neglect of Family
R.S. 14:79.1	Criminal Abandonment
R.S. 14:80	Felony Carnal Knowledge of a Juvenile
R.S. 14:80.1	Misdemeanor Carnal Knowledge of a Juvenile
R.S. 14:81	Indecent Behavior with a Juvenile
R.S. 14:81.1	Pornography Involving Juveniles
R.S. 14:81.2	Molestation of a Juvenile or a Person with a Physical or Mental Disability
R.S. 14:81.3	Computer-aided Solicitation of a Minor
R.S. 14:81.4	Prohibited Sexual Conduct between Educator and Student
R.S. 14:82	Prostitution
R.S. 14:82.1	Prostitution; Persons under 17; Additional Offenses
R.S. 14:82.1.1	Sexting
R.S. 14:82.2	Purchase of Commercial Sexual Activity
R.S. 14:83	Soliciting for Prostitutes
R.S. 14:83.1	Inciting Prostitution
R.S. 14:83.2	Promoting Prostitution
R.S. 14:83.3	Prostitution by Massage
R.S. 14:83.4	Massage; sexual Content Prohibited
R.S. 14:84	Pandering
R.S. 14:85	Letting Premises for Prostitution
R.S. 14:86	Enticing Persons into Prostitution
R.S. 14:89	Crime Against Nature
R.S. 14:89.1	Aggravated Crime against Nature
R.S. 14:89.2	Crime against Nature by Solicitation
R.S. 14:92	Contributing to the Delinquency of Juveniles
R.S. 14:93	Cruelty to Juveniles
R.S. 14:93.2.1	Child Desertion
R.S. 14:93.3	Cruelty to the Infirm
R.S. 14:93.5	Sexual Battery of Persons with Infirmities
R.S. 14:106	Obscenity
R.S. 14:282	Operation of Places of Prostitution
R.S. 14:283	Video Voyeurism
R.S. 14:283.1	Voyeurism
R.S. 14:284	Peeping Tom
R.S. 14:286	Sale of Minor Children
R.S. 15:541	Sex Offenses

4. In accordance with Louisiana Revised Statute 17:7, certification issuance or reinstatement may be considered, where not prohibited in other statute, for a person who was employed as a school administrator, teacher, or substitute teacher **and** whose final conviction or plea of nolo contendere to any misdemeanor or felony offense provided in table §904.A.4 occurred on or before August 1, 2019;

Criminal Offenses	
<u>R.S. 14:2(B)</u>	<u>Crimes of Violence</u>
<u>R.S. 14:74</u>	<u>Criminal Neglect of Family</u>
<u>R.S. 14:79.1</u>	<u>Criminal Abandonment</u>
<u>R.S. 14:82.1.1</u>	<u>Sexting</u>
<u>R.S. 14:82.2</u>	<u>Purchase of Commercial Sexual Activity</u>
<u>R.S. 14:83</u>	<u>Soliciting for Prostitutes</u>
<u>R.S. 14:83.1</u>	<u>Inciting Prostitution</u>
<u>R.S. 14:83.2</u>	<u>Promoting Prostitution</u>
<u>R.S. 14:83.3</u>	<u>Prostitution by Massage</u>
<u>R.S. 14:83.4</u>	<u>Massage; sexual Content Prohibited</u>
<u>R.S. 14:85</u>	<u>Letting Premises for Prostitution</u>
<u>R.S. 14:89.2</u>	<u>Crime against Nature by Solicitation</u>
<u>R.S. 14:93.2.1</u>	<u>Child Desertion</u>
<u>R.S. 14:282</u>	<u>Operation of Places of Prostitution</u>
<u>R.S. 14:283.1</u>	<u>Voyeurism</u>
<u>R.S. 14:284</u>	<u>Peeping Tom</u>
<u>R.S. 15:541</u>	<u>Sex Offenses</u>

B. – C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:587.1, 17:6, and 17:15.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:0000 (August 2019), LR 45:.