



STATE BOARD of ELEMENTARY and SECONDARY EDUCATION

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January 10, 2022

MEMORANDUM

TO: Senator Patrick Page Cortez, Senate President
Representative Clay Schexnayder, Speaker of the House
Senator Cleo Fields, Chair, Senate Committee on Education
Representative Raymond E. Garofalo, Chair, House Committee on Education

FROM: Shan N. Davis, Executive Director
Board of Elementary and Secondary Education

RE: Summary Report on Board of Elementary and Secondary Education Proposed Rulemaking

Pursuant to R.S. 49:968(D)(1)(b), the Board of Elementary and Secondary Education hereby submits to you this summary report and announces its plan to proceed with rulemaking by finalizing the December 20, 2022, Notice of Intent that was promulgated on pages 1920-1924 of the *Louisiana Register*.

The Board has received no public comments and has not conducted a hearing pursuant to R.S. 49:953(A)(2)(a).

The Board has made no change to the proposed Rule.

Subject to legislative oversight by either the House Committee on Education or Senate Committee on Education, the Board anticipates adopting the Notice of Intent as a final Rule in the March 20, 2022, issue of the *Louisiana Register*.

The following document is attached:

1. A copy of the Notice of Intent.

Please contact Shannon Rawson at (225) 342-5841 if the Board may be of any assistance to you concerning this Rule.

SND:slr

Attachment (1)

- c: Shalyric Self, Secretary, Senate Committee on Education
Cheryl Serrett, Analyst, Senate Committee on Education
Elizabeth Borne, Legislative Analyst, House Committee on Education
Lisa Lovello, Legislative Analyst, House Committee on Education
Ashley Townsend, Policy Director, Louisiana Department of Education
Shan N. Davis, Executive Director, BESE
Kevin Calbert, Communications Manager, BESE

Shan N. Davis
Executive Director

Cade Brumley
State Superintendent

The proposed rules will not result in any increased costs to the Department of Agriculture and Forestry ("Department" or LDAF), other than the cost of promulgation that is normally included in the department's annual operating budget. The proposed rules set forth eligibility and application requirements for the recordation of livestock brands and marks, as well as investigation and enforcement provisions for violations of the livestock brand rules and laws. The livestock brand program has been operating for years under state law. The proposed rules will not result in any implementation costs or savings to local governmental units.

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

The proposed rule change is anticipated to result in increased annual collections from the recordation fees for the new lifetime livestock brand. However, due to the novelty of a new lifetime brand coupled with the five-year renewal cycle for brands, the increase in revenue collections is not expected to be uniform from year to year.

There are approximately 5,300 brands currently registered with the department. LDAF anticipates approximately 60% of those brands taking advantage of this new \$75 lifetime registration rule the first year, with 15% more registering for a lifetime brand in each of the following two years. Additionally, LDAF receives approximately 150 to 200 requests for new brand registrations each year. The current cost of a new brand is \$15, but LDAF anticipates the vast majority (if not all) of the new registrants choosing the lifetime brand option, which represents a \$60 difference (\$75-\$15). Using these assumptions, LDAF estimates the following revenue increases:

Year 1: \$238,500 3,180 lifetime brand registrations
(5,300 total brands X 60%)
9,000 150 new lifetime brand registrations (150 X \$60)
\$247,500 total revenue

Year 2: \$59,625 795 lifetime brand registrations
(5,300 total brands X 15%)
9,000 150 new lifetime brand registrations (150 X \$60)
\$68,625 total revenue

Year 3: \$59,625 795 lifetime brand registrations
(5,300 total brands X 15%)
9,000 150 new lifetime brand registrations (150 X \$60)
\$68,625 total revenue

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

The proposed rule change would result in economic benefits to persons who choose to take advantage of the lifetime livestock brand recordation at a one-time fee of \$75, insofar as they would no longer be required to renew brand or marks every five years at a renewal fee of \$15. While branding livestock is not mandatory, the recordation of any and all livestock brands and marks used within the State of Louisiana is mandatory. The new lifetime livestock brand recordation is optional and not required, as brand owners may elect to continue to renew their brands every five years.

All other provisions in the proposed rule change would not result in any new costs or benefits to affected persons, small businesses, or non-governmental groups as those provisions merely codify the existing procedures in the livestock brand program.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is not anticipated to effect competition or employment.

Dane Morgan
Assistant Commissioner
2112#057

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

BESE/8(g) Operations
(LAC 28:I.103, 301, 307, 309,
311, 501, 503, 1101, and 1105)

Editor's Note: This Notice of Intent is being reprinted because of an error upon submission. The original Notice of Intent can be viewed in its entirety on pages 1670-1674 of the November 20, 2021 Louisiana Register.

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 the Louisiana Administrative Code, Title 28, Part I, BESE/8(g) Operations (BESE Code). The proposed revisions align state policy with Act 468 of the 2021 Louisiana Legislature.

Title 28

EDUCATION

Part I. BESE/8(g) Operations

Subpart 1. Board of Elementary and Secondary Education

Chapter 1. General Provisions

§103. Definitions

Constitution—the constitution of the state of Louisiana

Ex Officio—denoting or relating to the persons who are members by virtue of some other position that is held.

House—the Louisiana House of Representatives.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:409 (March 2008), amended LR 38:3149 (December 2012), LR 48:

Chapter 3. Composition and General Authority

§301. Creation

A. The Board of Elementary and Secondary Education is created as a body corporate. It shall supervise and control the public elementary and secondary schools under its jurisdiction and shall have budgetary responsibility of all funds appropriated or allocated by the state for those schools, all as provided by law. The board shall have other powers, duties, and responsibilities as provided by the Louisiana Constitution or by law, but shall have no control over the business affairs of a city, parish, or other local public school board or the selection or removal of its officers and employees; however, in accordance with law, the board shall have the power to supervise, manage, and operate or provide for the supervision, management, and operation of a public elementary or secondary school which has been determined to be failing, including the power to receive, control, and expend state funds appropriated and allocated pursuant to Louisiana Constitution, Article VIII, §13, any local contribution required by Article VIII, §13, and any other local revenue available to a school board with responsibility for a school determined to be failing in amounts that are calculated based on the number of students in attendance in such a school, all in the manner provided by and in accordance with law.

AUTHORITY NOTE: Promulgated in accordance with Article VIII, Section 3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:409 (March 2008), LR 48:

§307. General Powers and Duties

A. The board exercises its supervision and control over the public elementary and secondary schools under its jurisdiction, and exercises its budgetary responsibility for all funds appropriated or allocated by the state for public elementary, and secondary schools placed under its jurisdiction, through general powers and duties that shall include, but not be limited to, the following:

1. - 3. ...

4. approve budgets of the LDE, including the recovery school district, and all entities under the jurisdiction of the board as provided herein;

5. prescribe and adopt free school books and other materials of instruction for the children of this state at the elementary and secondary levels and all other schools and programs under its jurisdiction for which the legislature provides funds, in accordance with law;

6. adopt or approve courses of study and rules, by-laws, and regulations for the discipline of students and for the governance of the public elementary and secondary schools and other public schools and programs under its jurisdiction, which shall not be inconsistent with law and which shall be enforced by the city, parish, or other local public school boards and the city, parish, or other local public school superintendents;

7. prescribe the qualifications and provide for the certification of teachers in accordance with applicable law, which qualifications and requirements shall be such as to insure that certification shall be a reliable indicator of the minimum current ability and proficiency of the teacher to educate at the grade level and in the subject(s) to which the teacher is assigned;

8. adopt minimum standards for the approval of each public elementary and secondary school in the state under its jurisdiction;

9. except as otherwise provided by law, approve private schools in accordance with the provisions of R.S. 17:11 and other applicable laws;

10. issue diplomas for successful completion of programs of study;

11. exercise approval authority over the administration of the recovery school district by the LDE pursuant to law;

12. authorize the operation of type 2, type 4, and type 5 charter schools and provide oversight through the LDE of type 2, type 4, and type 5 charter schools;

a. review each proposed charter in a timely manner and determine whether each proposed charter complies with the law and rules and whether the proposal is valid, complete, financially well-structured, educationally sound, and whether it offers potential for fulfilling the purposes of the charter school law;

b. enter into any proposed charter that complies with the charter school law and policy upon a determination that the charter is a valid, complete, financially well-structured, and educationally sound proposal that offers potential for fulfilling the purposes of the charter school law;

c. determine the policy and provide direction to the LDE for providing the oversight of the operation of charter schools chartered with the board;

13. adopt, amend, or repeal rules, regulations, and policies necessary or proper for the conduct of the business of the board.

AUTHORITY NOTE: Promulgated in accordance with La. Const. art. VIII, §8 and R.S. 17:6(A), 17:7(2)(a), 17:7(3), 17:7(4), 17:7(5), 17:7(6)(a)(i), 17:7(7), 17:7(8), 17:4.1, 17:43, 17:348, 17:6(A)(10), 17:6(A)(11), 17:10.5, 17:1990 and 17:3981.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:410 (March 2008), amended LR 38:3150 (December 2012), LR 39:3262 (December 2013), LR 44:1995 (November 2018), LR 48:

§309. State Superintendent

A. - D.3....

4. The state superintendent may delegate, subject to the approval of the board, the appointing authority conferred upon him/her by law as to the recovery school district to the recovery school district supervising executive. The state superintendent may delegate administrative authority conferred upon him/her by law as to the recovery school district to the recovery school district supervising executive, subject to any restrictions provided by law, rule, or policy.

E. - E.6.c. ...

d. The state superintendent shall employ/appoint and fix the salaries and duties of employees of the LDE, including the recovery school district, subject to applicable Civil Service laws, rules, and regulations, and other applicable laws, rules, regulations, and policies.

e. The selection of appointees to all unclassified positions shall be based on professional, technical, and/or clerical qualifications appropriate to each position.

f. No person shall, on the basis of race, color, religion, sex, age, national origin, handicap, veteran status, or any other non-merit factor, be discriminated against in any employment practice.

g. In addition to the above, the state superintendent shall exercise his/her responsibilities for personnel matters in accordance with the constitution and laws of the state.

7. - 9. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:21(C), 17:6(B), 17:21(B), 17:21(D), 17:21(A), 17:1990, 17:24(A), 17:24(B), 17:24(C), 17:24(D), 17:22(2)(f), 36:645, 17:22(6), 17:88(B), 17:88(D), 17:92, 17:10.6(A)(2), 17:3983, 17:43, 17:1945, 36:642(C)(1), and 36:648.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:410 (March 2008), amended LR 37:886 (March 2011), LR 38:3150 (December 2012), LR 39:3262 (December 2013), LR 44:1995 (November 2018), LR 48:

§311. The Special School District

A. Functions of the Special School District

1. The special school district is a local education agency that includes Louisiana Schools for the Deaf (LSD) and Louisiana School for Visually Impaired (LSVI) and the special school programs, an education service agency. The special school district is available to all eligible students regardless of their place of residence within the state.

a. LSD and LSVI are state-operated schools providing educational programs and services for residential and/or day students. LSD and LSVI are established to provide a free appropriate public education for children with low incidence disabilities who meet the admission criteria (i.e., deaf, blind, orthopedically impaired) for each such special school and who are enrolled in such special school.

b. The special school programs, an education service agency, provide educational services to students enrolled in state-approved programs in non-traditional settings such as those provided by the Department of Health's Office for Citizens with Developmental Disabilities and the Office of Behavioral Health, the Office of Juvenile Justice, and the Department of Public Safety and Corrections.

B. Administration

1. The special school district shall be under the administration and supervision of the special school district Board of Directors.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:4.1, R.S. 17:6(B), 17:43, 17:1945, 36:642(C)(1), and 36:648.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:412 (March 2008), amended LR 38:3151 (December 2012), LR 39:3262 (December 2013), LR 44:1995 (November 2018), LR 48:

Chapter 5. Organization

§501. Committees

A. - B.1.b.iii. ...

c. The BESE student representative is an ex officio non-voting member of the AGII Committee. The student representative serves a one-year term (April through March annually) and is a high school student selected by the Louisiana Association of Student Councils (LASC).

2. - 2.a.i.(c). ...

ii. financial management and performance;

(a). budgets:

(i). BESE;

(ii). LDE;

(iii). RSD;

2.(b). - 3.a.ii.(a). ...

b. The Louisiana Teacher of the Year (TOY) is a non-voting ex officio member of the BE Committee. The TOY serves a one-year term and is an educator selected annually by a state selection committee composed of community and educational leaders via process established by the LDE.

B.4. - B.4.b.i. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:415 (March 2008), amended LR 35:223 (February 2009), LR 35:1874 (September 2009), LR 36:2851 (December 2010), LR 37:2139 (July 2011), LR 38:3152 (December 2012), repromulgated LR 39:308 (February 2013), amended LR 39:3263 (December 2013), LR 45:1443 (October 2019). LR 48:

§503. Advisory Councils

A. - C.3.b.i. ...

ii. the president of the Louisiana Association of School Superintendents (LASS), who shall serve as chair of the council;

C.3.c. - G.8. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:6(A)(15), 17:11, 17:24.4, and 42:19.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:416 (March 2008), amended LR 35:1874 (September 2009), LR 36:2851 (December 2010), LR 37:2140 (July 2011), LR 38:772 (March 2012), LR

38:3152 (December 2012), LR 39:3263 (December 2013), LR 42:563 (April 2016), LR 44:744 (April 2018), LR 44:1995 (November 2018), LR 45:1444 (October 2019), LR 48:

Chapter 11. Finance and Property

§1101. Projects and Facilities

A. Capital Projects

1. All requests for new capital construction or renovation projects submitted by board entities, including the recovery school district, shall comply with all applicable state laws, all applicable regulations issued by the Division of Administration, and all BESE policy.

2. All requests for any given fiscal year shall be prioritized by the LDE, and the LDE shall present the priority listing of projects to the board. The board shall approve all capital construction or renovation projects and the priority of the requests prior to submission to the executive and legislative branches of government or prior to implementation of a project, as applicable.

B. - B.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:424 (March 2008), amended LR 38:3154 (December 2012), LR 39:3266 (December 2013), LR 48:

§1105. Budgets

A. - A.2. ...

B. Budget Submission. The LDE, including the recovery school district, and entities under the jurisdiction of the board shall submit their budgets to the board in a timely manner for approval prior to submission to the Division of Administration and legislative offices.

C. Budget Forms. The LDE, including the recovery school district, and entities under the jurisdiction of the board shall submit their budgets on the forms prescribed by the Division of Administration.

D. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:425 (March 2008), amended LR 38:3155 (December 2012), LR 39:3266 (December 2013), LR 48:

Family Impact Statement

In accordance with section 953 and 974 of title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on rules proposed for adoption, repeal, or amendment. All Family Impact Statements will be kept on file in the state board office which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.

2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No.

3. Will the proposed Rule affect the functioning of the family? No.

4. Will the proposed Rule affect family earnings and family budget? No.

5. Will the proposed Rule affect the behavior and personal responsibility of children? No.

6. Is the family or a local government able to perform the function as contained in the proposed Rule? Yes.

Poverty Impact Statement

In accordance with section 973 of title 49 of the *Louisiana Revised Statutes*, there is hereby submitted a Poverty Impact Statement on rules proposed for adoption, amendment, or repeal. All Poverty Impact Statements will be in writing and kept on file in the state agency which has adopted, amended, or repealed rules 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 100 percent of the federal poverty line.

1. Will the proposed Rule affect the household income, assets, and financial authority? No.

2. Will the proposed Rule affect early childhood development and preschool through postsecondary education development? Yes.

3. Will the proposed Rule affect employment and workforce development? No.

4. Will the proposed Rule affect taxes and tax credits? No.

5. Will the proposed Rule affect child and dependent care, housing, health care, nutrition, transportation, and utilities assistance? No.

Small Business Analysis

The impact of the proposed Rule on small businesses as defined in R.S. 49:965.6, 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 the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;

2. the cost to the providers to provide the same level of service; or

3. 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, December 10, 2021, 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 RULE TITLE: BESE/8(g) Operations

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

The proposed revisions will have an indeterminable impact for the Special School District (SSD) associated with performing administrative functions in lieu of the Department of Education (LDE). Per Act 468 of the 2021 Regular Legislative Session, the proposed revisions would establish the Special School District (SSD) as an independent agency governed by a newly created board of directors.

Under previous law, the LDE provided human resources and legal services for the SSD, and payment for services was rendered through an interagency transfer (IAT). This fund transfer partially funded the salaries and related benefits of two positions, as well as operating expenses. As a result of Act 468, the LDE retained those staff members and the SSD retained the IAT funds. The LDE will be able to absorb the costs for these positions without replacement of the lost IAT revenues. SSD costs will depend on the extent to which the agency is able to fund anticipated workload increases within its existing operating budget. Costs will increase to the extent the SSD requires additional staff and resources beyond the estimated \$84,000 it previously transferred to the LDE for administrative services. The SSD plans to use only existing appropriations and positions in absorbing administrative functions from the LDE. To the extent that no additional appropriations are needed, the proposed revisions will not have a fiscal impact.

The proposed revisions also remove the supervising executive of the Recovery School District (RSD) from the composition of the Superintendents' Advisory Council (SAC) and update language to reflect the current presence of a student representative and the Teacher of the Year as ex officio non-voting members on certain Board of Elementary and Secondary Education (BESE) committees. These changes will not have an impact on state government expenditures.

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

The proposed policy revisions will result in the LDE experiencing a decrease in IAT revenues from the SSD by an indeterminable amount. In FY 20, for example, the LDE received \$84,200 to conduct administrative functions on behalf of the SSD; however, amounts varied by fiscal year based on services provided. LDE reports it will not require additional funding to replace these lost revenues.

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

Beth Scioneaux
Deputy Superintendent
2112#038

Alan M. Boxberger
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 111—The Louisiana School, District, and State
Accountability System—Interests and Opportunities Index
(LAC 28:XI.801)

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:XI, Accountability/Testing, Subpart 1, Bulletin 111—The Louisiana School, District, and State Accountability System. The aforementioned revisions provide a menu approach for the Interests and Opportunities index calculation. The 2021-2022 school year will serve as a learning year in which school districts adjust to the use of domains and indicators for the interests and opportunities index calculation.

**Title 28
EDUCATION**

Part XI. Accountability/Testing

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

**Chapter 8. Interests and Opportunities Index
Calculations**

§801. Interests and Opportunities Index Components

A. ...

B. For the 2019-2020 baseline school year, 2020-2021 school year, and 2021-2022 school year, the interests and opportunities index for K-8 schools will be based in equal parts on survey completion and course enrollment.

C. ...

D. Beginning with the 2022-2023 school year (2023 SPS), K-8 schools and high schools will select from a list of approved domains and associated indicators that will serve as the basis for the interests and opportunities index calculation.

1. *Domains* are defined as a broad grouping of offerings related to student interests. Beginning with the 2022-2023 school year (2023 SPS), the following domains shall be applicable to the interests and opportunities index calculation:

- a. the arts;
- b. extracurricular activities;
- c. STEM (science, technology, engineering, and math); and
- d. world languages.

2. *Indicators* are defined as specific measures that capture the extent to which a school is advancing student interests and opportunities. For purposes of the interests and opportunities index, K-8 schools and high schools shall

select four total indicators. These indicators shall be associated with at least two different domains.

3. The 2021-2022 school year (2022 SPS) will be a designated learning year as local education agencies adjust to the interests and opportunities index criteria outlined in this Subsection.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:1450 (October 2019), amended LR 46:1372 (October 2020), LR 48:

Family Impact Statement

In accordance with section 953 and 974 of title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on rules proposed for adoption, repeal, or amendment. All Family Impact Statements will be kept on file in the state board office which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.
2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No.
3. Will the proposed Rule affect the functioning of the family? No.
4. Will the proposed Rule affect family earnings and family budget? No.
5. Will the proposed Rule affect the behavior and personal responsibility of children? No.
6. Is the family or a local government able to perform the function as contained in the proposed Rule? Yes.

Poverty Impact Statement

In accordance with section 973 of title 49 of the Louisiana Revised Statutes, there is hereby submitted a Poverty Impact Statement on rules proposed for adoption, amendment, or repeal. All Poverty Impact Statements will be in writing and kept on file in the state agency which has adopted, amended, or repealed rules 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 100 percent of the federal poverty line.

1. Will the proposed Rule affect the household income, assets, and financial authority? No.
2. Will the proposed Rule affect early childhood development and preschool through postsecondary education development? Yes.
3. Will the proposed Rule affect employment and workforce development? No.
4. Will the proposed Rule affect taxes and tax credits? No.
5. Will the proposed Rule affect child and dependent care, housing, health care, nutrition, transportation, and utilities assistance? No.

Small Business Statement

The impact of the proposed Rule on small businesses as defined in R.S. 49:965.6, 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