



# STATE BOARD of ELEMENTARY and SECONDARY EDUCATION

P.O. Box 94064, Capitol Station, Baton Rouge, LA 70804-9064 · PHONE: 225-342-5840 · FAX: 225-342-5843

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2<sup>nd</sup> BESE District

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June 11, 2026

## MEMORANDUM

TO: Senator Cameron Henry, Senate President  
Representative Phillip DeVillier, Speaker of the House  
Senator Rick Edmonds, Chair, Senate Committee on Education  
Representative Laurie Schlegel, Chair, House Committee on Education

FROM: Tavares A. Walker, 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 May 20, 2026, Notice of Intent that was promulgated on pages 767-769 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 August 20, 2026, issue of the *Louisiana Register*.

The following document is attached:

1. A copy of the Notice of Intent.

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

TAW:med

Attachment (1)

c: Caroline Tyler, Secretary, Senate Committee on Education  
Elizabeth Borne, Legislative Analyst, House Committee on Education  
Lisa Lovello, Legislative Analyst, House Committee on Education  
Ashley Townsend, Assistant Superintendent, Louisiana Department of Education  
Max Dupuy, Records Management Administrator, BESE

Tavares A. Walker  
Executive Director

Dr. Cade Brumley  
State Superintendent

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 All Poverty Impact Statements will be in writing and kept on file in the state agency which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records.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? No.
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 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, June 10, 2026, to Tavares Walker, 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 Tavares Walker, 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.

Tavares A. Walker  
Executive Director

## FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

### RULE TITLE: **Bulletin 126—Charter Schools Charter Governance and Eligibility for Renewal**

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

There are no anticipated implementation costs or savings to state or local governmental units due to the proposed rule change. The proposed rule change amends LAC 28/CXXXIX in Bulletin 126—Charter Schools to clarify board membership residency and composition requirements, provides a board governance participation plan for operators with multiple schools in different geographical locations, and includes provisions for the 2026 renewal process that utilize accountability metrics and school performance scores.

For the 2026 renewal process, LDOE will calculate both a 2026 school performance score and letter grade and an additional score and letter grade using the 2025 accountability formula for each charter school. BESE will then use whichever score yields the more favorable outcome for charter renewal purposes.

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

There is no anticipated effect on the revenue collections of state or local governmental units as a result of the proposed rule change.

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

There are no anticipated costs or benefits to directly affected persons, small business, or nongovernmental groups as a result of the proposed rule change. The amendments provide clarity regarding charter governance and eligibility for renewal.

#### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

For a charter school that would otherwise have been recommended for closure or a shorter length of charter renewal term, the individuals employed by the school could benefit from the continued operation of the school. The extent to which this option will be utilized is unknown.

Ben Scioneaux  
Deputy Superintendent  
2605#052

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

## NOTICE OF INTENT

### Board of Elementary and Secondary Education

Bulletin 140—Louisiana Early Childhood Care and Education Network—Early Childhood (LAC 28:CLXVII.503, 509, 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 (BESE) proposes to amend LAC 28:CLXVII in *Bulletin 140—Louisiana Early Childhood Care and Education Network*. The aforementioned revisions update the CLASS<sup>®</sup> observation tool used in early childhood classrooms to measure the experiences of children and to calculate performance ratings for publicly funded sites and community networks. The CLASS<sup>®</sup> 2<sup>nd</sup> Edition *Infant-Toddler* and CLASS<sup>®</sup> 2<sup>nd</sup> Edition *Pre-K-3<sup>rd</sup>* are being adopted effective with the 2026-2027 academic year.

**Title 28**  
**EDUCATION**

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

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

**§503. Coordinated Observation Plan and Observation Requirements**

A. - B. ...

1. A *CLASS*<sup>®</sup> observation is an observation of the typical experiences of children in a classroom using the appropriate Infant-Toddler or Pre-K-3rd *CLASS*<sup>®</sup> tool using all domains, typically occurring during the morning, in which a reliable observer conducts four 20-minute cycles of observation and note-taking followed by at least 10 minutes of scoring after each observation cycle.

2. ...

a. *CLASS*<sup>®</sup> observations for infant classrooms must include both *CLASS*<sup>®</sup> 2<sup>nd</sup> Edition *Infant-Toddler* domains, which are emotional and behavioral support and engaged support for learning, and all dimensions contained within.

b. *CLASS*<sup>®</sup> observations for toddler classrooms must include both *CLASS*<sup>®</sup> 2<sup>nd</sup> Edition *Infant-Toddler* domains, which are emotional and behavioral support and engaged support for learning, and all dimensions contained within.

c. *CLASS*<sup>®</sup> observations for pre-K classrooms must include all three *CLASS*<sup>®</sup> 2<sup>nd</sup> Edition *Pre-K-Third* domains, which are emotional support, classroom organization, and instructional support, and all dimensions contained within.

3. - 3.e....

4. Use of *CLASS*<sup>®</sup> 2<sup>nd</sup> Edition *Infant-Toddler* or *CLASS*<sup>®</sup> 2<sup>nd</sup> Edition *Pre-K-3<sup>rd</sup>*. Classrooms shall be observed with the same *CLASS*<sup>®</sup> tool throughout the academic year based on the composition of the classroom when the observation plan required in accordance with Subsection C of this Section is submitted according to the following:

a. The *CLASS*<sup>®</sup> 2<sup>nd</sup> Edition *Infant-Toddler* tool shall be used in any classroom where only infants and toddlers are served or in classrooms where at least fifty percent of children are infants or toddlers

b. The *CLASS*<sup>®</sup> 2<sup>nd</sup> Edition *Pre-K-3<sup>rd</sup>* tool shall be used in any classroom where more than fifty percent of the students are pre-k children, or where more than fifty percent of the children are pre-K and kindergarten students.

c. - e. Repealed.

B.5. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.30 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2586 (December 2015), amended LR 42:1872 (November 2016), LR 43:2131 (November 2017), LR 44:1440 (August 2018), LR 45:1453 (October 2019), LR 47:452 (April 2021), LR 48:1010 (April 2022), LR 49:1715 (October 2023), LR 52:

**§509. Performance Rating Calculations for Publicly-Funded Sites**

A. - A.1....

2. Effective from the 2020-2021 through the 2025-2026 academic year, the performance rating for each publicly-funded site shall be based on the average of the dimension-level infant, toddler, and pre-K-3 observation results from the fall and spring observation periods for all infant, toddler, and

pre-K classrooms within the site, excluding the negative climate dimensions.

a. - a.ii. ...

3. ...

4. Sites that have classrooms which receive a score of 3.5 or above for the negative climate dimension will receive a notice in writing at the end of the observation period in which the score was received. If a site receives a notice for two consecutive observation periods, an indicator of high negative climate may be reported on the performance profile.

5. Beginning with the 2026-2027 academic year and beyond, the performance rating for each publicly-funded site shall be based on the average of the dimension-level infant-toddler and pre-K-3<sup>rd</sup> observation results from the fall and spring observation periods for all infant, toddler, and pre-K classrooms within the site, excluding the negative climate dimensions.

B. - G. ...

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 41:2587 (December 2015), amended LR 42:1873 (November 2016), LR 44:1442 (August 2018), LR 45:1453 (October 2019), LR 47:1286 (September 2021), LR 48:1010 (April 2022), LR 49:1716 (October 2023), LR 52:

**§511. Performance Rating Calculations for Community Networks**

A. - A.3. ...

B. Prior to the 2020-2021 academic year, *CLASS*<sup>®</sup> observation results will be determined by averaging the results of all fall and spring dimension-level toddler and pre-K-3 observation results for all toddler and pre-K classrooms within the community network excluding negative climate.

B.1. - I. ...

J. Effective from the 2020-2021 through the 2025-2026 academic year, the *CLASS*<sup>®</sup> observation results will be determined by averaging the results of all fall and spring dimension-level infant, toddler, and pre-K observation results for all infant, toddler, and pre-K classrooms within the community network, excluding negative climate.

K. Effective from the 2026-2027 academic year and beyond, the *CLASS*<sup>®</sup> observation results will be determined by averaging the results of all fall and spring dimension-level infant-toddler and pre-K observation results for all infant, toddler, and pre-K classrooms within the community network, excluding negative climate.

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), LR 49:1716 (October 2023), LR 52:

**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 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? No.
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 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, June 10, 2026, to Tavares Walker, 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 Tavares Walker, 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.

Tavares A. Walker  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Bulletin 140—Louisiana Early  
Childhood Care and Education Network  
Early Childhood**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)  
There are no anticipated implementation costs or savings to state or local governmental units due to the proposed rule change. The proposed rule change amends LAC 28: CLXVII in Bulletin 140—Louisiana Early Childhood Care and Education Network. The proposed rule change updates the CLASS® observation tool used in early childhood classrooms to measure the experiences of children and to calculate performance ratings for publicly funded sites and community networks. The CLASS® 2nd Edition Infant-Toddler and CLASS® 2nd Edition Pre-K-3rd are being adopted effective with the 2026-2027 academic year.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)  
There is no anticipated effect on the revenue collections of state or local governmental units as a result of the proposed rule change.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)  
There are no anticipated costs or benefits to directly affected persons, small business, or nongovernmental groups as a result of the proposed rule change.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)  
There are no anticipated effects on competition and employment.

Beth Scioneaux  
Deputy Superintendent  
2605#053

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Board of Elementary and Secondary Education**

Bulletin 741—Louisiana Handbook for School Administrators and Bulletin 126—Charter Schools Ten Commandments  
(LAC 28: CXV.337 and LAC 28: CXXXIX.4003)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) proposes to amend LAC 28: CXV in *Bulletin 741—Louisiana Handbook for School Administrators* and LAC 28: CXXXIX in *Bulletin 126—Charter Schools*. During the