



STATE BOARD of ELEMENTARY and SECONDARY EDUCATION

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Dr. Cade Brumley
State Superintendent

August 10, 2024

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: Kimberly Tripeaux, Interim 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, 2024, Notice of Intent that was promulgated on pages 1028-1032 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 October 20, 2024, issue of the *Louisiana Register*.

The following document is attached:

1. A copy of the Notice of Intent.

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

KT:ell

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, Policy Director, Louisiana Department of Education
Kimberly Tripeaux, Interim Executive Director, BESE
Kevin Calbert, Communications Manager, BESE

kept on file in the state agency which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records.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, August 9, 2024, to Kimberly Tripeaux, Interim 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.

Kimberly Tripeaux
Interim Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: **Bulletin 111—The Louisiana School, District, and State Accountability System School, District, and State Accountability**

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 change updates LAC 28:XI in Bulletin 111—*The Louisiana School, District, and State Accountability System*. The revisions amend and adopt a comprehensive update to Louisiana's current K-12 school and district accountability system. The new accountability system is an effort to simplify accountability reporting, increase rigor and transparency, and is strongly influenced by the college and career readiness definition. The formula and calculations focus on indicators for student growth, academic proficiency, and acceleration for career, college, and service readiness. The proposed rule change will not require any change to the data currently collected by the department, but rather adjusts the calculation methodology. As a result, there are no anticipated costs to the department or local education agencies to implement the proposed rule change.

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 businesses, or nongovernmental groups as a result of the proposed rule change.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment as a result of the proposed rule change.

Beth Scioneaux
Deputy Superintendent
2407#043

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

Criminal Background Checks and Reporting Requirements
(LAC 28:LXXIX.123; CXV.501; CXXXI.303, 1901, 1903, 1904, 1907, 1909, 1911, 1913, 1917, and 1919)

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

School Administrators and LAC 28: CXV in *Bulletin 741—Louisiana Handbook for School Administrators* and LAC 28: CXXXI in *Bulletin 746—Louisiana Standards for State Certification of School Personnel*. Revisions to Louisiana Revised Statute 17:8.9 and 17:15 require criminal background checks (CBC) for the purposes of certification. The proposed amendments align policy with statute to establish a timeline for implementation of the requirement and reporting requirements for educators and school systems. Further, sanctions and actions applied to educator credentials are updated. Finally, new Praxis exams are being adopted to replace existing exams.

Title 28

EDUCATION

Part LXXIX. Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators

Chapter 1. Operation and Administration

§123. Personnel

A. - A.3. ...

B. No person who has been convicted of or has pled *nolo contendere* to a crime listed in R.S. 15:587.1(C) shall be hired by any elementary or secondary school as a teacher, substitute teacher, bus driver, substitute bus driver, janitor, or as a temporary, part-time, or permanent school employee of any kind.

1. - 2. Repealed.

C. - D.1. ...

E. - E.2. Repealed.

F. - F.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:15, 17:22(6), 17:391.1-391.10, 17:411, and 17:587.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2344 (November 2003), amended LR 31:3074 (December 2005), LR 39:1439 (June 2013), LR 44:2132 (December 2018), LR 50:

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 5. Personnel

§501. Criminal Background Checks

A. - A.3. ...

B. No person who has been convicted of or has pled *nolo contendere* to a crime listed in R.S. 15:587.1(C) shall be hired by a public elementary or secondary school as a teacher, substitute teacher, bus driver, substitute bus driver, janitor, or as a temporary, part-time, or permanent employee of any kind, including any person employed to provide cafeteria, transportation, or janitorial or maintenance services by any person or entity that contracts with a school or school system to provide such services.

1. - 2. Repealed.

C. ...

D. - D.2. Repealed.

E. ...

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1265 (June 2005), amended LR 33:431 (March 2007), LR 34:607 (April 2008), repromulgated LR 35:443 (March 2009), amended LR 35:1473 (August 2009), LR 39:2200 (August 2013), LR 44:2132 (December 2018), LR 50:

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

Chapter 3. Initial Teacher Certification

Subchapter B. Testing Required for Certification

§303. Certification Exams and Scores

A. - I.1.d.i. ...

ii. Family and Consumer Sciences (5122), effective 6/8/14 - 8/31/25, score 153; or

iii. Family and Consumer Sciences (5123), effective 9/1/24, score 151.

e. - f. ...

g. Technology Education.

i. Technology Education (0051 or 5051), effective 1/1/12 - 8/31/25, score 159; or

ii. Technology and Engineering Education (5053), effective 9/1/24, score 157.

I.2. - P.2.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 17:3902, and R.S. 17:8.1-8.5.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1797 (October 2006), amended LR 37:558 (February 2011), LR 38:1951 (August 2012), LR 46:01375 (October 2020), amended LR 48:416 (March 2022), repromulgated LR 48:1018 (April 2022), LR 48:2099 (August 2022), LR 48:2554 (October 2022), LR 48:2730 (November 2022), LR 49:36 (January 2023), repromulgated LR 49:2096 (December 2023), amended LR 50:21 (January 2024), repromulgated LR 50:173 (February 2024), LR 50:

Chapter 19. Actions and Sanctions to Louisiana Educator Credentials

§1901. Overview

A. Educator credentials can be sanctioned for a conviction of certain criminal offenses, for the submission of fraudulent documentation, for professional license censure, for failure to meet the standards for effectiveness, or for participation in cheating. This chapter presents the circumstances that result in sanction, the criteria under which reinstatement or issuance may be obtained, and the circumstances under which a credential may be rescinded. Conditions and mandates for issuance and sanction outlined in this Chapter will be the same for all educator credentials issued by the Louisiana Department of Education.

B. The LDOE shall maintain and make available on the department website the identity of any person whose educator credential has been denied, suspended, or revoked for any of the following:

1. The person has been convicted of or has pled *nolo contendere* to a crime listed in R.S. 15:587.1(C), or any felony, even if adjudication was withheld or a pardon or expungement was granted.

2. The person has been found to have submitted fraudulent documentation to the board or the department as part of an application for a Louisiana credential.

3. The person has been found to have facilitated cheating on any state assessment as determined by the board.

C. The LDOE shall make available on the department website records regarding an individual's credential status, including period(s) of validity, sanctions, and actions. Status shall be determined by documents on file with LDOE that indicate criteria for certification have been met and verify no disqualifying factors as outlined in this Chapter.

D. An educator credential may be rescinded when the LDOE is notified that the credential was issued in violation of law or policy. The department shall notify the educator and may rescind the credential.

E. Annually, BESE shall make available on the board website a report detailing the number of appeals filed with the board for the prior calendar year, the offense upon which the appeal is based, the disposition of each appeal, and the number of teacher certifications or other authorizations to teach issued as the result of all successful appeals.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:587.1, R.S. 17:6, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1750 (July 2022), LR 50:

§1903. Definitions

Department or LDOE—the Louisiana Department of Education, may also be referenced as LDE.

Records Review—official board procedure for consideration of an educator appeal regarding credential issuance, reinstatement, or sanction.

Rescission—removal of a credential, endorsement, or authorization issued in violation of law or policy. This is not considered a sanction.

Sanction—action or censure imposed upon educator credentials by the LDOE and/or BESE including but not limited to denial, suspension, revocation, reprimand, investigation, or monitor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1750 (July 2022), LR 50:

§1904. Criminal History Review for Certification

A. Effective beginning January 1, 2025, an applicant for an initial educator credential shall undergo a criminal history record check in accordance with this Section. For an applicant or recipient of an educator credential, the LDOE shall:

1. Request information from the Louisiana Bureau of Criminal Identification and Information, referred to in this Section as the “state bureau,” and the Federal Bureau of Investigation, referred to in this Section as the “federal bureau,” concerning whether the person has been arrested for, convicted of, or pled nolo contendere to any criminal offense.

2. Require and provide the procedure for the submission of a person’s fingerprints to the state bureau, and from the state bureau to the federal bureau, in a form acceptable to the state bureau.

3. Review rap backs in accordance with R.S. 15:587.1 and this Section for any person with an educator credential when the person applies to have a credential renewed, advanced, or otherwise modified.

B. An applicant for an educator credential shall submit required forms to obtain a state and federal criminal history check.

C. Beginning January 1, 2025, an application for certification renewal, advancement, or modification shall require state and federal criminal history checks for individuals for whom LDOE records do not include a state and federal criminal history check for certification purposes within the past five years.

D. The LDOE may require state and federal criminal history checks as otherwise requested.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:8.7, R.S. 17:8.9, R.S. 17:15, R.S. 15:587.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 50:

§1907. Reporting Requirements

A. An LEA must notify the LDOE upon the termination, resignation, or resignation in lieu of termination of an employee who holds a Louisiana educator credential within 10 days of separation of service when the action results from:

1. conviction or plea of nolo contendere for an offense outlined in R.S. 15:587.1 or for any felony whatsoever;

2. - 4. Repealed.

A.5. - E. ...

F. Upon final conviction or plea of nolo contendere to any felony offense or any offense listed in R.S. 15:587.1(C), an individual who has an educator credential issued by the board or department shall report the fact of the conviction or plea to the LDOE within two business days, exclusive of weekends and holidays.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:587.1, R.S. 17:6, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1751 (July 2022), LR 50:

§1909. Criminal History Reporting

A. ...

B. Court dispositions that are set aside pursuant to Articles 893 or 894 of the *Louisiana Code of Criminal Procedure*, expunged, or first offenders pardon, will be treated as convictions for the purpose of sanction.

C. ...

D. Sanction regarding a credential issued by the LDOE shall apply for the following:

1. - 2. ...

E. Misdemeanor and felony criminal convictions, or plea of nolo contendere, for an offense listed in R.S. 15:587.1 shall be referenced as prohibited convictions for which denial, suspension, and/or revocation is mandated and issuance or reinstatement shall never be considered.

F. With the exception of convictions listed in R.S. 15:587.1, records review eligibility may be considered under the following conditions:

1. - 3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:587.1, R.S. 17:6, R.S. 17:15, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1752 (July 2022), LR 50:31 (January 2024), LR 50:

§1911. Submission of Fraudulent Documents

A. A Louisiana teaching credential will be denied or if currently issued will be suspended if an educator presents fraudulent documentation as part of an application for a credential to BESE or the LDOE.

B. The department will verify prior to determining that an educator has submitted fraudulent documentation as part of an application for a credential. Upon confirmation of the information, the LDOE will deny or suspend the credential pending official board action per sanction proceedings.

C. - D. ...

1. five years have passed since the date of the relevant sanction;

2. - 3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6), R.S. 17:6, R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1753 (July 2022), LR 50:

§1913. Professional License Censure

A. ...

B. An application for a Louisiana educator credential may be denied if the educator is found to have had a professional credential related to the area of issuance censured by the issuing agency.

C. - E. ...

1. completion of the terms and conditions of censure;

2. attainment of the eligibility for or reinstatement of censured licensure; and

3. compliance with criminal background check provisions where censure was due to potential criminal actions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1753 (July 2022), LR 50:

§1917. Test Irregularities and Test Security Violations

A. - B. ...

1. After an investigation has been completed by the school system, department staff will attempt to contact and inform the educator that the LDOE has information regarding participation in cheating and is proceeding under this Section to sanction the credential.

2. - 5. ...

6. Individuals who have been found to have participated in cheating in the administration of standardized tests, will be reported to the National Association of State Directors of Teacher Education and Certification (NASDTEC) Clearinghouse by the LDOE. Such individuals will be notified in accordance with this Section.

B.7. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1753 (July 2022), LR 50:

§1919. Records Review for Appeal of Sanction

A. - I. ...

1. In criminal cases, the felony conviction occurred more than 10 years prior with no additional convictions or repeat offenses, and the conviction does not involve violence, sex, children, or any crime outlined in R.S. 15:587.1.

2. ...

J. An educator meeting criteria for provisional approval will be issued a Louisiana educator credential, appropriate to the qualifications of the educator, and valid for a period of 90 days. The provisional approval is subject to ratification by the board at the next convening meeting of BESE. If a forthcoming records review is not ratified by the board, sanctions may be enforced.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:587.1, R.S. 17:6, R.S. 17:7(6), R.S. 17:8.7, R.S. 17:8.9, and R.S. 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1754 (July 2022), LR 50:

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? 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, August 9, 2024, to Kimberly Tripeaux, Interim 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.

Kimberly Tripeaux
Interim Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Criminal Background Checks and Reporting Requirements

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

There may be implementation costs or savings to state or local governmental units due to the proposed rule change. The proposed rule change updates LAC 28:LXXIX in *Bulletin 741(Nonpublic)—Louisiana Handbook for Nonpublic School Administrators* and LAC 28:CXV in *Bulletin 741—Louisiana Handbook for School Administrators*, and LAC 28:CXXXI in *Bulletin 746—Louisiana Standards for State Certification of School Personnel*. The changes will require applicants for certification to pay a fee of approximately \$85, to cover the costs of criminal background checks (CBC) with the Louisiana State Police and Federal Bureau of Investigations, as well as the Louisiana Department of Education (LDOE) credentialing fee in order to determine eligibility for the issuance of educator credentials. Some local education agencies (LEA) cover these costs for prospective employees, but this practice varies by LEA. Further, employers are no longer required to obtain CBCs for teachers, but are still authorized to obtain CBCs, which may reduce costs for the applicant or school system.

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

There is an anticipated effect on the revenue collections of state or local governmental units as a result of the proposed rule change. The Louisiana State Police will receive processing and vendor fees for all CBCs requested by the department. Additionally, as a part of the total fee, LDOE will receive a processing fee of \$25 for reviewing and determining eligibility for certification. The fees collected will be used to cover operating expenses of the Credentialing Section of the LDOE Division of Educator Talent and Workforce Development.

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

There are anticipated costs to directly affected persons, small business, or nongovernmental groups as a result of the proposed rule change. Both first-time applicants for educator credentials and any applicant for credential renewal or update may be subject to fees for CBCs.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There may be an impact on competition and employment as a result of the proposed rule change. If an educator cannot become certified due to a criminal history issue, it could impact their ability to be hired in the field of education. Additionally, if criminal history issues cause a change in the personnel availability to school systems, it could impact the competition between employing school systems for the educators available.

Beth Scioneaux
Deputy Superintendent
2407#044

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Imports and Exports of Hazardous Waste Multi-Rule and e-Manifest Update

(LAC 33:V.Chapter 1, 1021, Chapter 11, Chapter 13, 1516,
1531, Chapter 38, Chapter 41, and 4911)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Hazardous Waste regulations, LAC 33:V.105, 109, 110, 1021, 1101, 1107, 1108, 1113, 1123, 1127, 1301, 1307, 1309, 1516, 1531, 3835, 3855, 3857, 3871, 3877, 3879, 4105, 4143, 4145, and 4911 (Log # HW127ft).

This proposed Rule is identical to federal regulations found in 40 CFR 260.2(b) and (d); 260.4(a); 260.5; 260.11(g) and (g)(1); 261.4(d)(1) and (4), (e)(1) and (4); 261.6(a)(3)(i), and (5); 261.39(a)(5)(i), (iv)-(vi), (ix), and (xi); 261.10(d); 261.12(d); 261.41(c); 262.20(a)(1); 262.21(f)(5)-(8); 262.24(c), (e), and (g)-(h); 262 Subpart H; 263.10 and (d); 263.20(a)(2), (8) and (9), (c), (e)(2), (f)(2), and (g); 263.21(a)-(c), 264.12(a); 264.71(a)(2) and (3), (d), (j), and (l); 264.1086(c)(4)(i) and (d)(4)(i); 265.12(a); 265.71(a)(2) and (3), (d), (j), and (l); 266.70(b); 266.80(a); 273.20; 273.39; 273.40; 273.56; 273.62(a); and 273.70, which are applicable in Louisiana. For more information