



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

James Garvey
1st BESE District

Kira Orange Jones
2nd BESE District

Sandy Holloway
3rd BESE District

Michael Melerine
4th BESE District

Ashley Ellis
5th BESE District

Ronnie Morris
6th BESE District

Holly Boffy
7th BESE District

Preston Castille
8th BESE District

Belinda Davis
Member-at-Large

Thomas Roque
Member-at-Large

Doris Voltier
Member-at-Large

February 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 Lance Harris, 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 January 20, 2022, Notice of Intent that was promulgated on pages 113-118 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 April 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

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, February 9, 2022, to Shan N. Davis, Executive Director, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064. Written comments may also be hand delivered to Shan Davis, Executive Director, Board of Elementary and Secondary Education, Suite 5-190, 1201 North Third Street, Baton Rouge, LA 70802 and must be date stamped by the BESE office on the date received. Public comments must be dated and include the original signature of the person submitting the comments.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Bulletin 741—Louisiana Handbook for School Administrators

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

There may be an increase in local expenditures by public school districts associated with increased workload to implement the proposed revisions that provide for remote registration of children of military personnel, the Purple Star School Award Program, and student discipline. Such impacts are indeterminable.

There may be increased state costs to the Department of Education (LDE) to provide financial rewards to school systems which are designated "reward schools". The cost of the financial rewards is indeterminable; funding is subject to the availability of funds and LDE determination.

These revisions align policy with legislation of the 2021 Regular Session of the Louisiana Legislature. Act 208 provides for remote public school registration and enrollment of children of military personnel transferring to the state. Act 473

constitutes a comprehensive update to student discipline policy. Senate Concurrent Resolution 15 creates a Purple Star School Award Program, administered through the LDE, to recognize schools that evidence a major commitment to serving students and families connected to the United States Armed Forces.

The revisions designate schools which earn the equivalent of an "A" letter grade on the progress index as "reward schools", which are then eligible for financial rewards from the LDE as funds are available and as determined by the department, unless such schools are labeled "Urgent Intervention Required" for any subgroup.

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

The proposed revisions will not have an effect on revenue collections of state or local governmental units.

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

The proposed revisions will benefit military-connected students and families, as they will be able to register for school by remote means. In addition, "Purple Star Schools" will benefit military-connected students and families by providing additional resources and assistance.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed revisions will not have an effect on competition and employment.

Both Scioneaux
Deputy Superintendent
2201#056

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 996—Standards for Approval of Teacher and/or Educational Leader Preparation Programs
(LAC 28:XLV.101, 501, 503, 505, 507,
509, 511, 513, 749, and 1301)

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:XLV. *Bulletin 996—Standards for Approval of Teacher and/or Educational Leader Preparation Programs*. The proposed revisions establish a quality rating system for all BESE-approved Early Childhood Ancillary Certificate (ECAC) programs, including an improvement planning process for low-performing programs, an implementation timeline, and descriptions of calculation methods and data reporting requirements.

Title 28 EDUCATION

Part XLV. Bulletin 996—Standards for Approval of Teacher and/or Educational Leader Preparation Programs

Chapter 1. Introduction

§101. Purpose

A. ...

B. This bulletin establishes policies relative to the initial and ongoing approval of teacher, early childhood ancillary

certificate, and educational leader preparation programs relate to the following:

1. the initial approval of a teacher and educational leader preparation program from which graduates or completers may be certified per Part CXXXI, *Bulletin 746–Louisiana Standards for State Certification of School Personnel*, Chapter 2, Subchapter A, and the initial approval of an early childhood ancillary certificate program from which completers may earn an early childhood ancillary certificate per Part CLXVII, *Bulletin 140–Louisiana Early Childhood Care and Education Network* and Part CXXXI, *Bulletin 746–Louisiana Standards for State Certification of School Personnel*, Chapter 3, subsection 305;

2. - 3. ...

4. the fulfillment of all other obligations pursuant to federal and state law with respect to the initial and ongoing approval of teacher, early childhood ancillary certificate, and educational leader preparation programs from which graduates or completers may be certified; and the ongoing approval of early childhood ancillary certificate programs, including the establishment and implementation of a uniform early childhood ancillary certificate quality rating system to serve as the basis for such ongoing approval decisions;

5. the fulfillment of these duties and obligations in alignment with the Board of Regent’s (BOR) constitutional authority to regulate public institutions of higher education.

C. - D. ...

E. Beginning July 1, 2024, a uniform process for initial and ongoing early childhood ancillary certificate program approval that applies equally to university and non-university early childhood ancillary certificate programs will be used. A uniform early childhood ancillary certificate program quality rating system will serve as the basis for renewal decisions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6) and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:1730 (August 2002), amended LR 30:2453 (November 2004), LR 35:2326 (November 2009), LR 43:2485 (December 2017), LR 45:902 (July 2019), LR 48:

Chapter 5. Louisiana Early Childhood Ancillary Certificate Program Accountability, Renewal, and Approval

§501. Ongoing Approval of Early Childhood Ancillary Certificate Programs

A. In order to offer a BESE-approved early childhood ancillary certificate program that allows early childhood educators to earn a Louisiana early childhood ancillary certificate, early childhood ancillary certificate providers shall follow the process/procedures detailed in Chapter 3 of this document.

B. The LDE shall annually produce and make publicly available a performance profile and quality rating for each BESE-approved early childhood ancillary certificate program.

C. Renewal decisions shall be made every two years beginning with the first accountability cycle and shall be based on the quality ratings produced annually. Early childhood ancillary certificate programs that earn an ineffective rating (Level 1) for two of any consecutive three fiscal years may not be recommended for BESE-approval during the renewal period.

D. Early childhood ancillary certificate programs that do not maintain a quality rating of level 3 or above on the Louisiana early childhood ancillary certificate program quality rating system and as reported in the annual quality rating shall participate in a continuous improvement planning process with the LDE, including the following:

1. program development of an improvement plan that includes specific improvement goals, timelines, and measures of success;

2. approval of the improvement plan by LDE staff; and

3. progress reports submitted by the program provider to LDE staff as established in the approved plan.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6) and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§503. Early Childhood Ancillary Certificate Quality Rating System Participation and Performance Profile Implementation Timeline

A. For early childhood ancillary certificate programs that obtain BESE approval prior to September 1, 2022:

1. The 2021-2022 academic year will be a pilot phase for the early childhood ancillary certificate program quality rating system. BESE-approved early childhood ancillary certificate programs will be given the opportunity to participate in a pilot on-site review using the rubric maintained by the LDE. If produced, individual early childhood ancillary certificate program performance profiles will not be published.

2. The 2022-2023 and the 2023-2024 academic years will be a learning phase. There will be no consequences for early childhood ancillary certificate programs as a result of performance profiles or quality ratings during the learning phase. Performance profiles for the 2022-2023 and the 2023-2024 learning phase will be publicly available in 2024-2025 and will clearly indicate that the performance profile is informational and assigned during a learning phase.

3. The 2024-2025 academic year will be the first year of the initial two-year renewal cycle.

B. For early childhood ancillary certificate programs that obtain BESE approval after September 1, 2022, but prior to September 1, 2023:

1. The 2023-2024 academic year will be a learning phase. There will be no consequences for early childhood ancillary certificate programs as a result of performance profiles or quality ratings during the learning phase. Performance profiles for the 2022-2023 and the 2023-2024 learning phase will be publicly available in 2024-2025 and will clearly indicate that the performance profile is informational and assigned during a learning phase.

2. The 2024-2025 academic year will be the first year of the initial two-year renewal cycle.

C. For early childhood ancillary certificate programs that obtain BESE approval after September 1, 2023, the renewal cycle will begin on September 1 of the year directly following BESE approval.

D. Beginning with the 2022-2023 academic year, any early childhood ancillary certificate program that obtains BESE approval prior to September 1 of that academic year must participate in the early childhood ancillary certificate program quality rating system during that academic year. BESE approval shall be terminated for any program that

does not participate in the quality rating system or any component thereof.

E. Beginning with the fall semester of 2026, the LDE will annually produce and make publicly available on the LDE website a performance profile and quality rating for each BESE-approved early childhood ancillary certificate program. The quality rating will not be used to make judgments about renewal of early childhood ancillary certificate program approval until the spring semester of 2027.

F. Beginning with ratings assigned in the fall semester of 2026, Louisiana early childhood ancillary certificate quality rating system results will serve as the basis for early childhood ancillary certificate program renewal. The renewal cycle will be two years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6) and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§505. Louisiana Early Childhood Ancillary Certificate Quality Rating System

A. The Louisiana early childhood ancillary certificate quality rating system shall serve as the basis for the renewal of early childhood ancillary certificate program approval. The rating system shall:

1. include multiple measures of early childhood ancillary certificate program success;
2. result in an annual report and performance profile for each BESE-approved early childhood ancillary certificate program; and
3. result in an annual quality rating for each approved early childhood ancillary certificate program.
 - a. The ratings shall be:

Quality Rating	Composite Score Range
Level 1: Ineffective	1.00 <x< 1.44
Level 2: Effective: Emerging	1.45 <x< 2.44
Level 3: Effective	2.45 <x< 3.44
Level 4: Highly Effective	3.45 <x< 4.00

B. The Louisiana early childhood ancillary certificate quality rating system shall include but not be limited to the following domains:

1. Early Childhood Ancillary Certificate Program Experience. As measured by on-site reviews of each early childhood ancillary certificate program, the on-site review shall be conducted at the early childhood ancillary certificate program level and shall result in one rating. An on-site review shall be conducted every other year for each early childhood ancillary certificate program. When logistically and fiscally feasible and appropriate, the program may request the specific years and semesters during which the on-site review is conducted to provide a comprehensive candidate view. Such requests must be submitted to the LDE no less than one year before the renewal period begins.

a. On-site reviews may be conducted by the LDE or by a BESE-approved contractor with demonstrated expertise in early childhood teacher preparation. The evaluation tools used to conduct on-site reviews shall align to the requirements set forth in this bulletin and provide for a holistic rating between 1 and 4.

b. The LDE will maintain and publish a rubric for on-site reviews.

2. Building Workforce Capacity. The capacity shall be measured by the progress toward attainment of the early childhood ancillary certificate by program candidates:

a. Program candidates shall include candidates who teach in Type III child care centers, enroll in the early childhood ancillary certificate program, and receive a scholarship through Louisiana Pathways to attend the BESE-approved program.

b. Progress toward attainment of the early childhood ancillary certificate will be measured by program candidates attainment of credentialing milestones, including satisfactory academic progress, attainment of the CDA, and LDE-issued certification.

3. Early Childhood Teacher Quality. Quality shall be measured by program candidates CLASS® scores.

a. The CLASS® scores collected for the program completer in the observation period directly following program completion will be used for the performance profile year in which the observation occurs.

b. Program completers shall include candidates who teach in Type III child care centers, enroll in the early childhood ancillary certificate program, receive a scholarship through Louisiana Pathways to attend the BESE-approved program, and complete coursework to graduate from the program;

c. CLASS® scores will be calculated using the local CLASS® observations after any domain-level replacement by observations conducted the LDE third party contractor, as defined in Part CLXVII, Bulletin 140–Louisiana Early Childhood Care and Education Network.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6) and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§507. Quality Rating Calculation

A. The quality rating for an early childhood ancillary certificate program shall be calculated by weighting each domain.

1. Early childhood ancillary certificate program experience shall be weighted at 50 percent;
2. Building workforce capacity shall be weighted at 25 percent; and
3. Early childhood teacher quality shall be weighted at 25 percent.

B. The quality rating corresponds to the composite score range listed below.

Quality Rating	Composite Score Range
Level 1: Ineffective	1.00 <x< 1.44
Level 2: Effective: Emerging	1.45 <x< 2.44
Level 3: Effective	2.45 <x< 3.44
Level 4: Highly Effective	3.45 <x< 4.00

C. The early childhood ancillary certificate program experience score shall be determined by the on-site review rating. All numbers used in the on-site review calculation process shall be rounded to the nearest tenth, unless otherwise specified.

ECAC Program Experience Rating	Score Range
Level 1: Ineffective	1.0-1.44
Level 2: Effective: Emerging	1.45-2.44
Level 3: Effective	2.45-3.44
Level 4: Highly Effective	3.45-4.0

D. The building workforce capacity score shall be determined by the calculation of an index score, to be calculated as follows.

1. The number of candidates in each category below will be multiplied by the corresponding index points.

Candidate Completion	Index Points
Starts program but does not complete any course intervals within a year of cohort completion	0
Completes only the initial course interval within a year of cohort completion	25
Completes first and second intervals of coursework but does not obtain a CDA within a year of cohort completion	50
Completes coursework and obtains a CDA but does not obtain the ECAC within a year of cohort completion	75
Obtains the ECAC within a year of cohort completion	100

2. The totals for each category in Paragraph 1 of this Subsection will be added together.

3. The sum of the totals for each category will be divided by the total number of program participants who began the cohort, yielding an index score between 0 and 100.

4. Using the index score, a building workforce capacity score between one and four will be assigned based upon the following ranges.

Building Workforce Capacity	Score Range
Level 1: Ineffective	<65
Level 2: Effective: Emerging	65.0-75.0
Level 3: Effective: Proficient	75.1-84.9
Level 4: Highly Effective	≥85

5. The building workforce capacity score will be calculated a year after cohort completion and updated annually as a lagging indicator.

E. Early childhood teacher quality will be determined by the calculation of an index score based on CLASS® observations conducted in accordance with Bulletin 140 §503 in the observation period immediately following the candidate completion of the program.

1. The number of candidates with a CLASS® score in each category below will be multiplied by the corresponding index points.

Candidate CLASS® Score	Index Points
Level 1: Ineffective (below 1.00-2.99)	0
Level 2: Effective: Emerging (3.00 to 4.49)	50
Level 3: Effective: Proficient (4.50 to 5.99)	75
Level 4: Highly Effective (6.00 to 7.00)	100

2. The totals for each category in Paragraph 1 of this Subsection will be added together.

3. The sum of the totals for each category will be divided by the total number of program completers who have an observation in the semester following candidate graduation, yielding an index score between 0 and 100.

4. Using the index score, an early childhood teacher quality score between a range of one and four will be assigned.

Early Childhood Teacher Quality Score	Score Range
Level 1	<65
Level 2	65.0-75.0
Level 3	75.1-84.9
Level 4	≥85

F. The LDE shall analyze results from the 2022-2024 learning cycle and may recommend additional policy for BESE consideration for 2024-2025 and beyond.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6) and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§509. Informational Metrics

A. The LDE may publish informational metrics that provide additional detail regarding the early childhood ancillary certificate quality rating system domains and other measures of early childhood ancillary certificate program quality.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6) and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§511. Reporting for the Accountability System

A. Programs shall submit cohort information for each candidate participating in a BESE-approved ECAC program follow the candidate's initial CLASS® observation, at the completion of a cohort, and one year after the graduation of the cohort. Early childhood ancillary certificate programs shall report to the LDE, in the manner specified by the LDE, the following.

Data Categories	Data Elements
Candidate and Graduate Biographical and Program Data	Name
	Birthdate
	Teacher Identification number (if applicable)
	Social Security Number
	Gender
	Race/Ethnicity
	Name of employing Type III Center
	Date candidate admitted to program
	Date candidate completed first interval
	Date candidate completed second interval and any additional course intervals
	Initial CLASS scores from observation conducted by the ECAC program
	Second CLASS scores from observation conducted by the ECAC program
	Date candidate graduated or completed program
	Information for candidates who dropped including reasons for dismissal or departure and date of last attendance
Candidate Admissions	Candidate employment verification
	Candidate experience in ECE
Graduate Completion Data	Date graduate obtained CDA and certificate number
	Date graduate obtained ECAC and certificate number

B. Program completers shall be defined as candidates who completed the programs during the most recent academic year, which is defined as July 1 to June 30.

C. Regularly-reported data, coupled with certification and teacher quality data from the LDE, shall form the official record for the calculation of the program quality rating. The LDE shall provide for a data verification process for the official record as outlined in this bulletin.

D. Preparation providers shall report candidate data subject to the provisions of FERPA only when candidates have provided the necessary permissions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6) and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§513. Data Verification, Appeals, and Waivers

A. A data verification process and procedures for appeals and waivers shall be used to correct inaccurate quality rating data and address unforeseen and aberrant factors affecting teacher preparation providers.

1. The LDE shall establish a data verification process for preparation providers to correct inaccurate quality rating data. The LDE shall provide a period(s) of not less than 15 calendar days for final review, correction, and verification of accountability data. All data correction must occur during the designated data verification period. Each preparation provider must collect documentation for every data element that is submitted for correction and maintain documentation on file for at least four years. The LDE shall review all data corrections during the verification period and grant approval of data proven valid. The LDE may request documentation to support the validity of the corrections.

2. An appeal is a request for the calculation or recalculation of the quality rating or any component score. The appeal procedure is created to address issues when the literal application of program accountability or program renewal policy does not consider certain unforeseen and unusual circumstances. Appeals shall not be available for failure to correct data during the data verification process.

3. A waiver is a temporary withholding of accountability decisions or required components of the quality rating system for no more than one accountability year. The waiver procedure is created to address issues when the literal application of program accountability or program renewal policy does not consider certain unforeseen circumstances. Waivers shall be denied to aggrieved parties attempting to subvert the intent of provisions outlined in federal or state law or policy.

4. The procedure for appeals and waivers is as follows:

a. A preparation provider may request an appeal/waiver by submitting a written request to the state superintendent of education within 15 calendar days of the LDE release of the preparation provider performance profile.

b. All appeal/waiver requests must clearly state the specific reasons for requesting the appeal/waiver and the reasons why the appeal/waiver should be granted and must include any necessary supporting documentation.

c. Supporting documentation for appeal/waiver requests should clearly outline the unforeseen and unusual factors that generate the request. The preparation provider shall be responsible for supplying the LDE with information

necessary for recalculating accountability components per applicable policy.

d. Data corrections shall not be grounds for an appeal/waiver, as all data corrections shall be made prior to release of performance profiles regardless of the source of the errors.

e. The LDE shall review all timely-submitted appeal/waiver requests and, if the request meets guidelines established in this section, shall make recommendations to BESE following the close of the appeal/waiver period. The LDE shall notify the preparation provider of the recommendations and allow the provider to respond in writing. The LDE recommendations and preparation provider responses will be forwarded to BESE for final disposition, as applicable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6) and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

Chapter 7. Louisiana State Standards for Educator Preparation Programs

Subchapter D. Alternate Educational Leader

Preparation Programs

§749. Minimum Requirements for Early Childhood Ancillary Certificate Programs

A. - A.1. ...

2. training hours and professional portfolio requirements that can be used to complete a child development associate (CDA) credential, either in family child care, infant/toddler, or preschool, awarded by the Council for Professional Recognition.

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(10), 17:7(6), and 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:903 (July 2019), LR 48:

Chapter 13. Identifications of Acronyms

§1301. Acronyms

[Formerly §601]

A. Listed below are the full identifications of acronyms used in this publication.

BESE—Board of Elementary and Secondary Education.

* * *

CDA—Child Development Associates credential

CHEA—Council for Higher Education.

ECAC—Early Childhood Ancillary Certificate

IEP—individualized education plan.

* * *

USDOE—U.S. Department of Education.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(10), R.S. 17:7(6), and R.S. 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:1736 (August 2002), amended LR 30:2459 (November 2004), LR 35:2331 (November 2009), LR 36:754 (April 2010), LR 37:566 (February 2011), LR 40:1002 (May 2014), 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? Yes.
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, February 9, 2022, to Shan N. Davis, Executive Director, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064. Written comments may also be hand delivered to Shan Davis, Executive Director, Board of Elementary and Secondary Education, Suite 5-190, 1201 North Third Street, Baton Rouge, LA 70802 and must be date stamped by the BESE office on the date received. Public comments must be dated and include the original signature of the person submitting the comments.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Bulletin 996—Standards for Approval of Teacher and/or Educational Leader Preparation Programs

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)
The proposed revisions will increase costs to the Louisiana Department of Education (LDE) to conduct onsite reviews of Early Childhood Ancillary Certificate (ECAC) programs. The funding source will be the federal funds received through the Child Care and Development Fund (CCDF). The LDE has budgeted \$304,930 per year for these reviews.
Public two- and four-year colleges and universities that offer ECAC programs may experience increased costs in order to maintain or improve services, based on the results of the quality rating system; however, such costs are indeterminable in advance.
These revisions would implement a quality rating system for ECAC programs approved by the Board of Elementary and Secondary Education (BESE).
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The proposed revisions will not have an effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)
The proposed revisions may result in costs to non-university ECAC programs. The revisions state that ECAC programs which earn a Level 1 quality rating for two of any consecutive three fiscal years may not be recommended for BESE approval during the renewal period. Additionally, ECAC programs that do not maintain a quality rating of level 3 or above must participate in a continuous improvement planning process with the LDE, which will require the program to develop an improvement plan which must be approved by the LDE and submit progress reports to the LDE in accordance with the improvement plan.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
The proposed revisions will not have an effect on competition and employment.

Beth Scioneaux
Deputy Superintendent
2201#057

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office