



# 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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3<sup>rd</sup> BESE District

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March 12, 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: 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 February 20, 2024, Notice of Intent that was promulgated on pages 285-290 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 May 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.

SND: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  
Shan N. Davis, Executive Director, BESE  
Kevin Calbert, Communications Manager, BESE

Shan N. Davis  
Executive Director

Dr. Cade Brumley  
State Superintendent

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: Educator Credentials**

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

There are no anticipated costs or savings to state or local governmental units as a result of the proposed rule change. The proposed rule change provides for: adoption of a reading exam to reduce number of tests required for teacher certification; adoption of a computer science exam in response to recommendation of the Computer Science Education Advisory Commission; alignment of bulletins with legislation; removal of duplicative language; reorganization of information; updating requirements for foreign equivalency transcripts; aligning military out-of-state certification issuance with legislation; removing unused or obsolete Extended Endorsement License and Pre-Practitioner Level certification; updating Out-of-Field Authority to Teach renewal requirements; adding resident certificates for use in early learning centers; clarifying Early Childhood Ancillary Certificate language and non-practicing status for individuals called to military duty; removing certification duplication and reducing bureaucracy for areas in which a license is issued by another authorizing board; adding artist, talented, and library endorsements; removing Continuing Learning Unit requirements and reinstating coursework requirements; and technical edits.

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

The proposed rule change may result in a decrease in the number of certification applications received by the Louisiana Department of Education (LDOE), resulting in a reduced collection of the associated \$50 certification fee. The number of applications that will not be received is indeterminable.

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

The proposed rule change will decrease the need for application fees paid by educators submitting applications for initial, renewal, or advanced credentials and will reduce redundant licensure for professional areas. More potential teachers will be eligible for certification through expanding the Temporary Employment Permit, but some educators that currently have to submit certification applications to LDOE will no longer be required to do so, like physical and occupational therapists who are already licensed by their professional boards. LDOE expects proposed rule changes will result in a net decrease in certification applications received.

Further, the addition of the reading exam reduces the number, and thus the cost, of required tests necessary for elementary certification. The Praxis Teaching of Reading exam cost is \$156, and the Praxis Elementary Multi Subject exam cost is \$180 combined, or \$64 for each of the four individual subtests. Educators will have the option to meet the reading exam requirement of R.S. 17:8.1 through the reading portion of the Multi Subject exam or through the Teaching of Reading exam, potentially costing an educator \$180 instead of \$336 for the content exams required for some certification areas. This exam may also be used for educators moving from upper

grades content areas to grades K-3 as a more cost-effective way to meet the reading exam requirement.

The computer science exam addition will provide a more expeditious route to computer science certification, which currently requires the accumulation of 30 credit hours of coursework. This exam cost is currently set at \$130.

Finally, revisions to certification reciprocity will grant military families transferring into Louisiana an expedited pathway to state credentialization.

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

The proposed rule change may have an effect on competition and employment by facilitating computer science certification and by providing more streamlined and cost-effective pathways to certification for educators.

Beth Szionaux  
Deputy Superintendent  
2402#044

Patrice Thomas  
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  
Educator Preparation Program Providers  
(LAC 28:XLV.Chapter 3, Chapter 4, Chapter 5, Chapter 7, and Chapter 9)

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:XLV in Bulletin 996—*Standards for Approval of Teacher and/or Educational Leader Preparation Programs*. The proposed revisions provide clarity to educator preparation program providers and address the following: submission requirements following denial for program applicants; implementation dates and scoring for the Early Childhood Quality Rating System; inclusion of family child care home providers with academic approval in the quality rating system; repeal of obsolete subchapters; program considerations regarding associate teachers; and technical edits.

**TITLE 28  
EDUCATION**

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

**Chapter 3. Initial State Approval for Teacher or Educational Leader Preparation Programs**

**§303. Initial Approval [Formerly §203]**

A. - D. ...

E. Upon receipt, teacher, early childhood ancillary certificate program, and/or educational leader proposals will undergo a preliminary review by the LDE for completeness. Proposals that are determined to be complete and meet all initial submission requirements will undergo an evaluation process conducted by a panel of reviewers. Proposals that do not meet all initial submission requirements will receive a notice of pending denial. Providers must provide the required material within seven days. If providers do not

provide the required material, the proposal will be denied. Proposals may be resubmitted no sooner than one calendar year following denied applications at two consecutive approval cycles.

F. - H.1. ...

2. If BESE does not grant initial approval of the proposed program, the teacher, early childhood ancillary certificate program, or educational leader provider is eligible to resubmit the proposal. Proposals may be resubmitted no sooner than one calendar year following denied applications at two consecutive approval cycles.

I. - O. ...

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 30:2453 (November 2004), amended LR 35:2327 (November 2009), LR 37:561 (February 2011), LR 43:2486 (December 2017), LR 45:228 (February 2019), LR 45:902 (July 2019), repromulgated LR 46:892 (July 2020), amended LR 48:1757 (July 2022), LR 50:

#### **Chapter 4. Teacher and Leader Preparation Program Accountability, Renewal and Approval**

##### **§405. Louisiana Teacher Preparation Quality Rating System**

A. - B.2.c.ii. ...

d. school system-based teacher preparation programs may use the same methodology described above to define high-need certification areas and high-need schools at the local level;

3. - 3.b. ...

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 43:2489 (December 2017), LR 48:1757 (July 2022), LR 50:

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

##### **§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, 2023:

1. The 2021-2022 academic year will be an initial pilot phase for the early childhood ancillary certificate program quality rating system. The 2022-2023 and 2023-2024 academic years will be an extended 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 LDOE. If produced, individual early childhood ancillary certificate program performance profiles will not be published.

2. The 2024-2025 and 2025-2026 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 2024-2025 and 2025-2026 learning phase will be publicly available in fall 2027 and will clearly indicate that the performance profile is informational and assigned during a learning phase.

3. The 2026-2027 academic reporting year will be the first year of the initial two-year renewal cycle.

B. - B.2. Repealed.

C. For early childhood ancillary certificate programs that obtain BESE approval after September 1, 2026, the two-year renewal cycle will begin on September 1 of the year directly following BESE approval.

D. Beginning with the 2023-2024 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 2027, the LDOE will annually produce and make publicly available on the LDOE 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 2027, 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 48:1088 (April 2022), LR 50:

##### **§505. Louisiana Early Childhood Ancillary Certificate Quality Rating System**

A. - B.2. ...

a. Program candidates shall include candidates who teach in Type III child care centers and family child care home providers with academic approval, 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 LDOE-issued certification.

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

a. - c. ...

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 48:1089 (April 2022), LR 50:

##### **§507. Quality Rating Calculation**

A. - B. ...

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C. The early childhood ancillary certificate program experience score shall be determined by the last available on-site review rating. All numbers used in the on-site review



calculation process shall be rounded to the nearest tenth, unless otherwise specified.

\* \* \*

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 Complete	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 all 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

D.2. - E.4. ...

\* \* \*

F. The LDOE shall analyze results from the 2024-2026 learning cycle and may recommend additional policy for BESE consideration for 2026-2027 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 48:1090 (April 2022), LR 50:

**Chapter 7. Louisiana State Standards for Educator Preparation Programs**

**Subchapter A. Traditional Teacher Preparation Programs**

**§703. Overview**

Repealed.

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 43:1318 (July 2017), amended LR 43:2491 (December 2017), repealed LR 50:

**§705. Introduction**

Repealed.

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 43:1318 (July 2017), amended LR 43:2491 (December 2017), repealed LR 50:

**§707. Minimum Requirements for Approved Regular Education Programs for Birth to Kindergarten**

Repealed.

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 43:1318 (July 2017), amended LR 43:2491 (December 2017), repealed LR 50:

**§709. Minimum Requirements for Approved Regular Education Programs for Grades PK-3**

Repealed.

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 43:1318 (July 2017), amended LR 43:2491 (December 2017), repealed LR 50:

**§711. Minimum Requirements for Approved Regular Education Programs for Grades 1-5**

Repealed.

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 43:1318 (July 2017), amended LR 43:2491 (December 2017), repealed LR 50:

**§713. Minimum Requirements for Approved Regular Education Programs for Grades 4-8**

Repealed.

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 43:1318 (July 2017), amended LR 43:2491 (December 2017), repealed LR 50:

**§715. Minimum Requirements for Approved Regular Education Programs for Grades 6-12**

Repealed.

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 43:1318 (July 2017), amended LR 43:2491 (December 2017), repealed LR 50:

**§717. College of Art/Humanities/Sciences Degree Pathway to Secondary Education Certification (Grades 6-12)**

Repealed.

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 43:1318 (July 2017), amended LR 43:2491 (December 2017), repealed LR 50:

**§719. Minimum Requirements for Approved Regular Education All-Level Programs for Grades K-12**

Repealed.

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 43:1318 (July 2017), amended LR 43:2491 (December 2017), repealed LR 50:

**§721. Minimum Requirements for Approved General/Special Education Mild-Moderate Undergraduate Program: An Integrated to Merged Approach Grades 1-5**

Repealed.

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 43:1318 (July 2017), amended LR 43:2491 (December 2017), repealed LR 50:

**§723. Minimum Requirements for Approved General/Special Education Mild-Moderate Undergraduate Program: An Integrated to Merged Approach Grades 4-8**

Repealed.

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 43:1318 (July 2017), amended LR 43:2491 (December 2017), repealed LR 50:

**§725. Minimum Requirements for Approved General/Special Education Mild-Moderate Undergraduate Program: An Integrated to Merged Approach Grades 6-12**

Repealed.

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 43:1318 (July 2017), amended LR 43:2491 (December 2017), repealed LR 50:

**§727. Minimum Requirements for Approved Early Interventionist Special Education Birth to Five Years Program**

Repealed.

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 43:1318 (July 2017), amended LR 43:2491 (December 2017), repealed LR 50:

**§729. Minimum Requirements for Approved Teacher Education Program for Speech, Language, and Hearing Specialists**

Repealed.

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 43:1318 (July 2017), amended LR 43:2491 (December 2017), repealed LR 50:

**Subchapter B. Alternate Teacher Preparation Programs**  
**§731. Introduction**

Repealed.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1325 (July 2017), amended, LR 43:2491 (December 2017), repealed LR 50:

**§733. The Practitioner Teacher Program Alternative Path to Certification (Minimum Requirements)**

Repealed.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1325 (July 2017), repealed LR 50:

**§735. The Master's Degree Program Alternative Path to Certification (Minimum Requirements)**

Repealed.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1325 (July 2017), repealed LR 50:

**§737. Certification-Only Program Alternative Path to Certification**

Repealed.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1325 (July 2017), repealed LR 50:

**§739. The State as a Private Provider**

Repealed.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1325 (July 2017), repealed LR 50:

**Subchapter C. Teacher Preparation Programs**

**§743. Minimum Requirements for Traditional Teacher Preparation Programs**

A. - C.2.c. ...

d. teacher preparation providers may seek approval to offer an innovative residency model that does not meet the minimum instructional time requirements but meets a specific workforce need and includes high-quality clinical experiences throughout the program and intensive clinical experiences throughout the residency year; and

e. A candidate holding a valid associate teacher permit in accordance with LAC 28:CXV.525. (Bulletin 741) shall be deemed as appropriately meeting the undergraduate residency requirements and shall be considered a resident teacher by BESE during the final two semesters of the approved undergraduate preparation program.

C.3. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411, and 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1330 (July 2017), amended LR 43:2492 (December 2017), LR 45:229 (February 2019), LR 48:1274 (May 2022), LR 48:1758 (July 2022), LR 49:41 (January 2023), LR 49:246 (February 2023), repromulgated LR 49:851 (May 2023), amended LR 50:

**§745. Minimum Requirements for Alternate Teacher Preparation Programs**

A. - D.4. ...

a Beginning with the 2020-2021 academic year, candidates enrolled in an alternate teacher preparation program who serve as a teacher of record must be mentored five hours per week, of the school's instructional time, during the first year, by a school-based mentor teacher, who may collaborate with other personnel providing mentoring support.

D.4.a.i. - F.4.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411; and 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1331 (July 2017), amended LR 43:2492 (December 2017), LR 45:1751 (December 2019), LR 46:324 (March 2020), LR: 48:1274 (May 2022), LR 48:1759 (July 2022), LR 49:41 (January 2023), LR 49:246 (February 2023), LR 49:256 (February 2023), repromulgated LR 49:852 (May 2023), amended LR 50:

**Subchapter D. Alternate Educational Leader Preparation Programs**

**§747. Educational Leader Practitioner (Residency) Program**

A. ...

1. Admission to the Program. Program providers work with local educational agency or state/ school system-approved charter school personnel to identify educational

leader practitioner program candidates who will be employed by the local educational agency or approved charter school (hereinafter referred to as hiring authority). For admission, candidates must:

L.a. - 10. ...

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

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 43:1333 (July 2017), amended LR 45:229 (February 2019), amended LR 50:

**Chapter 9. The Components of Effective Teacher Preparation**

**Subchapter A. Standard A: Candidates Provide Effective Teaching for All Students**

**§917. School Improvement [Formerly §417]**

A. The teacher education program provides candidates at both the initial and advanced levels with preparatory experiences in school improvement that includes taking an active role in school decision-making and creating relevant partnerships.

Unacceptable	Acceptable	Target
Candidates understand the processes of school improvement.	Candidates review and are familiar with school improvement efforts at the school and school system levels	Candidates participate in school improvement efforts by serving on committees and forming partnerships with community groups.

**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 28:1735 (August 2002), amended LR 30:2458 (November 2004), LR 35:2330 (November 2009), LR 37:565 (February 2011), amended 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? 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 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, March 11, 2024, 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: Educator Preparation Program Providers**

**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 provides clarity to educator preparation program providers and addresses the following: submission requirements following denial for program applicants; implementation dates and scoring for the Early Childhood Quality Rating System; inclusion of family child care home providers with academic approval in the quality rating system; repeal of obsolete subchapters; program considerations regarding associate teachers; and technical edits.

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

There is no anticipated effect on 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 economic benefits to directly affected persons, small businesses, or non-governmental groups as a result of the proposed rule change.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

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

Beth Scioneaux  
Deputy Superintendent  
2402#045

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Board of Elementary and Secondary Education**

**Bulletin 1566—Pupil Progression Policies and Procedures  
Third Grade Students with a Reading Deficiency  
(LAC 28:XXXIX.701)**

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:XXXIX in Bulletin 1566—*Pupil Progression Policies and Procedures*. Act 422 of the 2023 Regular Legislative Session requires revisions to BESE policy regarding pupil progression plans. The aforementioned revisions implement policy regarding promotion or retention of certain students with reading deficiencies that have not been remediated by the end of third grade. A student must score above the lowest achievement level on the literacy screener and may be given three attempts prior to the subsequent academic year. Such a student will be screened for dyslexia and may be promoted under certain stipulations.

**Title 28  
EDUCATION**

**Part XXXIX. Bulletin 1566—Pupil Progression Policies  
and Procedures**

**Chapter 7. Promotion and Support Policy**

**§701. Promotion and Support Standard for Grades 3-7**

A. - C.2. ...

D. Beginning with the 2024-2025 school year, a third grade student with a reading deficiency as demonstrated by the student scoring at the lowest achievement level in reading on an end-of-year literacy screener in accordance with LAC 28:XXV,2307. *Bulletin 741* shall be provided with two additional opportunities to score a higher achievement level on the literacy screener prior to the beginning of the

subsequent academic year. A student who does not score above the lowest achievement level on the literacy screener after three attempts shall be screened for dyslexia and shall not be promoted to the fourth grade unless promoted for good cause as outlined in Subsection E. of this Section.

E. Promotion to Fourth Grade for Good Cause.

1. A student who does not meet the literacy criteria for promotion may be promoted to fourth grade if the student meets at least one of the following conditions:

a. A limited English proficient student has been enrolled in an English language assistance program for fewer than two years.

b. An IEP indicates that the screener is not appropriate for the student with a disability.

c. A student with an IEP or 504 Plan has received intensive reading intervention for two years and still scores at the lowest achievement level on the literacy screener.

d. A student with an IEP or 504 Plan was previously retained in kindergarten, first, or second grade and still scores at the lowest achievement level on the literacy screener.

e. A student has received intensive evidence-based structured literacy intervention for two or more years, still scores at the lowest achievement level, does not meet exceptional criteria, and was previously retained for a total of two years in kindergarten, first, second, or third grade. For the purposes of this Section, intensive reading intervention includes targeted intervention in a small group with progress monitoring documented through an individual reading improvement plan.

f. A student has been diagnosed with dyslexia.

g. The student demonstrates an acceptable level of proficiency on a BESE-approved alternative standardized assessment. Alternative assessments will be presented for BESE approval upon recommendation of LDOE. A student scoring Mastery on the English language arts section of the LEAP 2025 assessment may be considered for promotion.

2. Promotion to fourth grade may be considered for a student who meets a good cause as indicated in this Section. Such promotion shall be considered as follows:

a. The teacher shall confer with the parent or guardian of the student to determine whether promotion based on an exemption should be pursued.

b. The teacher shall submit documentation to the school principal that promotion is appropriate for the student. The documentation shall clearly demonstrate that the student meets at least one of the criteria for good cause and shall reflect the decision of the parent or guardian to allow the request for promotion.

c. The principal shall review the request and documentation provided by the teacher and determine whether to make a written recommendation for promotion. Such recommendation shall be made in writing to the local superintendent.

d. The local superintendent shall review the request and documentation provided by the school principal and, in writing, accept or reject the recommendation. Written notification shall be provided to the parent or guardian and the school principal.

e. The parent or guardian shall have the option to have the child retained in third grade even if the