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Title 28
EDUCATION
Part CLXVII. Bulletin 140—Louisiana Early Childhood Care and Education Network

Chapter 1. General Provisions

§101. Purpose

A. The purpose of this bulletin is to establish the duties and responsibilities of the early childhood care and education network, local community networks, community network lead agencies, and publicly-funded early childhood care and education programs; establish performance and academic standards for kindergarten readiness; define kindergarten readiness; and create a uniform assessment and accountability system for publicly-funded early childhood care and education sites and community networks that includes a performance profile indicative of performance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2580 (December 2015), amended LR 42:1871 (November 2016).

§103. Definitions

8(g) Program—the Student Enhancement Block Grant Program administered by the Board of Elementary and Secondary Education that provides funding through the Louisiana education quality start fund that may be used to serve at-risk PreK children.

Assessment—see early childhood care and education assessment.

Assurances—see *program partner assurances*.

At-Risk—children are considered at-risk if they have any of the characteristics listed in the definition of "economically disadvantaged" found in Title 28, Part I of the *Louisiana Administrative Code*), or they meet the definition of an "infant or toddler with a disability" found in 34 CFR §303.21 for children ages birth to three years or a "child with a disability" found in 34 CFR §300.8 for children ages 3 and older.

BESE—Board of Elementary and Secondary Education.

Caregiver—any person legally obligated to provide or secure care for a child, including a parent, legal custodian, foster home parent, or other person providing a residence for the child.

CCAP—Child Care Assistance Program.

Child Care Assistance Program (CCAP)—federal program administered by the Louisiana Department of Education that makes payments to child care providers for child care services provided to eligible families.

CLASS®—Classroom Assessment Scoring System.

Classroom—see early childhood care and education classroom.

Classroom Assessment Scoring System (CLASS®)—a classroom observation-based system used to assess and rate classroom quality across multiple areas using a scale of one to seven.

Community Network Coverage Area—the geographic area of a community network, which typically is the same geographical area as the local school district or school districts, but may be other coverage areas, as determined by the community network and approved by the department.

Coverage Area—see *community network coverage area*.

Department—Louisiana Department of Education.

Early Childhood Care and Education Assessment (Assessment)—observation-based process used to determine whether children ages birth to five years are growing and developing across all the areas of development and learning provided in *Bulletin 136—The Louisiana Standards for Early Childhood Care and Education Programs Serving Children Birth-Five Years.*

Early Childhood Care and Education Classroom (Classroom)—an infant, toddler or PreK classroom.

Early Childhood Care and Education Performance Profile (Performance Profile)—information regarding performance in preparing children for kindergarten that is reported each school year for each publicly-funded site and community network composed of the site or community network's performance rating and informational metrics.

Early Childhood Care and Education Performance Rating (Performance Rating)—measure of performance in preparing children for kindergarten that is reported each school year for each publicly-funded site and community network.

Early Childhood Care and Education Program (Program)—an early learning center-based or school-based organization that is providing early childhood care and education to children ages birth to five years who have not yet entered kindergarten.

Early Childhood Care and Education Site (Site)—a distinct early learning center-based or school-based location that is providing early childhood care and education to children ages birth to five years who have not yet entered kindergarten.

Early Learning Center—any child day care center, early Head Start, Head Start, or stand-alone prekindergarten program that is not attached to a school.

EarlySteps Program—program administered by the Louisiana Department of Health that provides early intervention services for infants and toddlers with disabilities ages birth to three years and their families according to the requirements of the Individuals with Disabilities Education Act (IDEA), part C.

Equitable Access—the point at which every family who wishes to enroll their at-risk child in a publicly-funded program is able to do so.

Fall Observation Period—observation period between August 1 and December 15 of each year.

Fiscal Year—July 1-June 30.

Full Day—at least 6 continuous hours per day or more than 20 hours per week of care and instruction aligned with a typical school day.

Head Start and *Early Head Start Programs*—federally-funded early childhood care and education programs that promote and teach school readiness to children ages birth to five from low-income families and provide services in the areas of education, social services for families, nutrition, family engagement, health and mental health, as well as providing the physical plant and instructional staff members for such purposes (42 USC 9801 et seq., 45 CFR part 1300).

Individuals with Disabilities Education Act (IDEA), Part B—federal program administered by the Louisiana Department of Education that provides education funding for children with disabilities, ages 3 through 21.

Individuals with Disabilities Education Act (*IDEA*), *Part C*—federal program administered by the Louisiana Department of Health that provides early intervention services for infants and toddlers with disabilities ages birth to three years and their families to meet the developmental needs as identified by the individualized family services plan. See *EarlySteps Program*.

Infant—a child who has not yet reached 15 months of age.

Infant Classroom—a classroom in which the majority of children are infants.

Informational Metric—measure of early childhood care and education best practices at the site or community network level.

LA 4 Program—the Cecil J. Picard LA 4 Early Childhood Program that provides funding for PreK classrooms for four-year-old children who are eligible to enter kindergarten the following school year.

Lead Teacher—the early childhood care and education classroom teacher that is primarily responsible for the classroom and is required to meet the certification requirements in *Bulletin 746—Louisiana Standards for State Certification of School Personnel*.

Learning Year—the 2015-2016 school year shall be a learning year for the early childhood care and education network.

NSECD—Nonpublic Early Childhood Development Program.

Nonpublic School Early Childhood Development Program (NSECD)—Louisiana program administered by the Department of Education that provides funding for four-year-old preschool in BESE-approved nonpublic schools and type III early learning centers.

Notice—written notice is considered given:

1. when it is sent by email or fax to the last email address or fax number furnished to the department;

2. when it is hand-delivered; or

3. on the fifth calendar day after it was mailed to the last mailing address furnished to the department.

NSECD—nonpublic school early childhood development program.

Performance Profile—see *early childhood care and education performance profile*.

Performance Rating—see *early childhood care and education performance rating*.

PreK—prekindergarten.

PreK Child—a child age 36 months to 5 years who has not yet entered kindergarten.

PreK Classroom—a classroom in which the majority of children are PreK children.

Program—see *early childhood care and education program*.

Program Partner Assurances—assurances that early childhood care and education programs must submit to the department in order to access their public funding.

Publicly-Funded Children—children ages birth to five years who have not yet entered kindergarten that are being served full-day with funds from either CCAP, Early Head Start, Head Start, LA 4 Program, NSECD, 8(g) block grant, title 1 of ESSA, other local, state, or federal funds, or IDEA part B in a full-day setting.

Publicly-Funded Classroom—see *publicly-funded early childhood care and education classroom*.

Publicly-Funded Early Childhood Care and Education Classroom—any infant, toddler or PreK classroom that includes a publicly-funded child or children.

Publicly-Funded Early Childhood Care and Education Program—an early learning center-based or school-based organization that is providing early childhood care and education to children ages birth to five years who have not yet entered kindergarten with funds from either CCAP, Early Head Start, Head Start, NSECD, LA 4 Program, 8(g) block grant, title 1 of ESSA or IDEA part B, other local, state, or federal funds, or that is authorized to receive CCAP, or that participates in the quality start child care rating system.

Publicly-Funded Early Childhood Care and Education Site—a distinct early learning center-based or school-based

location that is providing early childhood care and education to children ages birth to five years who have not yet entered kindergarten in a full-day setting with funds from either CCAP, Early Head Start, Head Start, NSECD, LA 4 Program, 8(g) block grant, title 1 of ESSA or IDEA part B, other local, state, or federal funds, or that is authorized to receive CCAP, or that participates in the quality start child care rating system.

Publicly-Funded Program—see *publicly-funded early childhood care and education program*.

Publicly-Funded Site—see *publicly-funded early childhood care and education site*.

School Year—for purposes of this bulletin, July 1-June 30.

Site—see *early childhood care and education site*.

Spring Observation Period—observation period between January 1 and May 15 of each school year.

State Superintendent—state superintendent of education.

Title I—title I of the Elementary and Secondary Education Act (ESEA) that provides funding that may be used for preschool programs for disadvantaged children.

Third-Party Independent Contractor (Third-Party Contractor)—contractor that is separate from and independent of the lead agency and the community network with whom the department enters into a contract to perform *CLASS*® observations on behalf of the department.

Toddler—a child age 15 months to 36 months.

Toddler Classroom—a classroom in which the majority of children are toddlers.

Type III Early Learning Center—an early learning center that directly or indirectly receives state or federal funds from any source other than the federal food and nutrition programs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.23 and R.S. 17:407.21 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2580 (December 2015), amended LR 42:1871 (November 2016), LR 44:1438 (August 2018).

Chapter 3. Early Childhood Care and Education Network

§301. Early Childhood Care and Education Network

A. The early childhood care and education network is established as the comprehensive and integrated network through which the Board of Elementary and Secondary Education (BESE) manages and oversees publicly-funded early childhood care and education programs in Louisiana to promote and improve kindergarten readiness.

B. The early childhood care and education network is comprised of the local community networks throughout the state.

C. The Department of Education (department), pursuant to authority delegated by BESE, manages and oversees the administration of the early childhood care and education network.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2582 (December 2015).

§303. BESE's Duties and Responsibilities

A. To facilitate the creation of the early childhood care and education network, BESE shall:

1. establish a definition of kindergarten readiness aligned with Louisiana content standards for elementary and secondary schools (see §305 of this Chapter);

2. establish performance targets for children under the age of three and academic standards for kindergarten readiness for three- and four-year old children to be used in publicly-funded early childhood education programs (see *Bulletin 136—The Louisiana Standards for Early Childhood Care and Education Programs Serving Children Birth-Five Years*);

3. create a uniform assessment and accountability system for publicly-funded early childhood care and education programs that includes an early childhood care and education performance rating (performance rating) indicative of performance (see Chapter 5 of this bulletin);

4. align the standards for the licensing of child care facilities, including the requirements for participation in the Louisiana quality start child care rating system, with the standards established for early childhood education programs (see *Bulletin 137—The Louisiana Licensing Early Learning Center Licensing Regulations* and *Bulletin 139—The Louisiana Child Care and Development Fund Programs*).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2582 (December 2015).

§305. Kindergarten Readiness Definition

A. Children who are ready for kindergarten are expected to demonstrate:

1. cognitive abilities, which include knowledge and skills in:

a. early literacy, such as phonological awareness, print concepts, alphabetic understanding, vocabulary, listening comprehension, and emergent writing;

b. basic numeracy concepts, such as rote counting and number awareness, sorting, classifying, comparing, patterning, and spatial relationships;

2. basic science concepts, such as making observations, exploring the world using their senses, and using appropriate scientific vocabulary related to topics;

3. basic social studies concepts, such as self-awareness and their relationship to family and community, and an awareness of money and time;

4. response to and participation in music, movement, visual and dramatic arts experiences and activities;

5. abilities, either assisted or unassisted, that show an awareness of health, hygiene, and environmental hazards, in addition to gross and fine motor skills;

6. social and emotional competencies, including self-regulation, self-identity, self-reliance, respect for others, and interpersonal skills; and

7. approaches to learning, such as reasoning and problem-solving, engagement, persistence, and eagerness to learn.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2582 (December 2015).

§307. Publicly-Funded Early Childhood Care and Education Programs and Community Networks

A. Publicly-Funded Early Childhood Care and Education Program (Publicly-Funded Program)

1. Each publicly-funded program shall participate in the:

a. membership in the community network for its coverage area;

b. early childhood care and education accountability system (accountability system), as provided in Chapter 5; and

c. coordinated enrollment process, as provided in Chapter 7.

2. Any publicly-funded program that does not comply with Paragraph A.1 of this Section may be subject to the loss of its public funding.

B. Community Network

1. Each community network shall:

a. participate in the early childhood care and education accountability system (accountability system);

b. develop and implement a coordinated observation plan for the community network;

c. develop and implement a coordinated enrollment process for the community network;

d. have a lead agency;

e. support the department in disseminating and collecting an annual survey from lead teachers and families of every publicly-funded child; and

f. address other needs as identified by the community network.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2582 (December 2015), amended LR 44:1438 (August 2018).

§309. Community Network Lead Agency

A. A community network lead agency is either a state agency, a local public school system, a non-profit or for-profit corporation having an educational or social services mission, including but not limited to a nonprofit corporation of a philanthropic or policy nature, a Louisiana public postsecondary institution, or a nonprofit corporation established by the governing authority of a parish or municipality, that is approved by BESE and that:

1. serves as the fiscal agent of the community network;

2. coordinates the duties and responsibilities of the community network; and

3. acts as the liaison between the community network and the department.

B. Duties and Responsibilities

1. The lead agency shall be responsible for coordinating the duties and responsibilities of the community network pertaining to:

a. coordinated Classroom Assessment Scoring System (*CLASS®)* observations, as provided in §503, which includes but is not limited to:

i. submitting the community network's annual plan for coordinated *CLASS®* observations to the department;

ii. submitting all *CLASS®* observation results to the department; and

iii. sharing each publicly-funded program's *CLASS®* observation results with that publicly-funded program and sharing the aggregate *CLASS®* observation results for the community network with all publicly-funded programs in the community network, at least monthly;

b. coordinated enrollment, as provided in Chapter 7, which includes but is not limited to:

i. ensuring a coordinated enrollment process is operated by the community network each year as provided in §703;

ii. submitting to the department the community network's coordinated enrollment plan, which shall include signatures from each publicly-funded program in the community network indicating approval of the plan and shall describe how the community network will ensure coordinated enrollment for families within the community network who want to enroll their infant, toddler, or PreK children in a publicly-funded program in the community network;

iii. submitting counts to the department twice a year reflecting the total enrollment of at-risk children in all

programs in the community network as of October 1 and as of February 1, according to the age cohorts provided in §701;

iv. submitting an annual request for funding to the department for publicly-funded programs in the community network that is based on the results of the coordinated enrollment process used in the community network and is subject to the requirements provided in §709; and

v. working with all publicly-funded programs in the community network to maximize all available resources to increase the quality of and access to the publicly-funded programs for at-risk children;

c. accountability system reporting, as provided in §515;

d. data verification, as provided in §517;

e. requesting waivers, as provided in §519;

f. submitting appeals, as provided in §521; and

g. demonstrating progress toward implementation of coordinated enrollment as provided in §707.

2. The lead agency shall not charge any publicly-funded program for any part of the coordinated observation process and shall not require publicly-funded programs to provide staff to conduct *CLASS*® observations.

C. Selection and Approval

1. Lead agencies shall be approved by BESE.

2. The department shall identify potential lead agencies through a competitive process and submit them to BESE for approval.

3. Applicants for lead agency shall demonstrate support from all publicly-funded programs within the community network by obtaining signatures from each and submitting them to the department in the competitive process.

4. By June 30 of each year, the department shall recommend the identified lead agencies to BESE for approval.

5. If BESE has not approved a lead agency for a community network by July 1, the department shall serve as lead agency for the community network.

6. Lead agencies approved by BESE shall serve for the fiscal year beginning July 1 and ending June 30.

D. Contracts

1. Lead agencies approved by BESE shall enter into a lead agency agreement with the department.

2. The lead agency may enter into a contract or agreement with an individual or entity for performance of specific tasks within the duties and responsibilities of the lead agency, but the lead agency remains responsible for satisfactory completion of the tasks.

E. Funding

1. Subject to available funding, lead agencies shall be funded based on the number of early childhood care and education classrooms (classrooms) in the network.

a. Lead agencies shall be notified of their total funding for the following fiscal year by June 30.

b. Lead agencies shall use funding solely to fulfill the duties and responsibilities of the community network as provided in this bulletin.

c. If the department is required to serve as a lead agency, the department shall be funded in the same manner as any other lead agency.

F. Audit

1. BESE may request a financial audit of the lead agency's use of funds allocated to it.

2. Audits shall be at the department's expense.

3. If a lead agency improperly uses its allocated funds, the lead agency may be required to repay the improperly used amount.

G. Termination of Lead Agency Approval

1. If a lead agency fails to satisfactorily and timely comply with the duties and responsibilities contained in this Bulletin or with any additional duties and responsibilities established in writing during the competitive process, the department shall notify the lead agency, and all publicly-funded programs within the community network in writing and specify any corrective actions that may be required.

2. Within 30 calendar days of receiving such notice, the lead agency shall submit in writing to the department certification that the corrective actions have been taken or are in the process of being taken and submit a timely implementation schedule for department approval.

3. If the lead agency does not respond in writing in a timely or satisfactory manner or adhere to the implementation schedule approved by the department, either or both of the following actions may occur.

a. The department may withhold funds from the lead agency for any work not yet performed.

b. The department may make a recommendation to BESE that approval of the lead agency be terminated.

4. If BESE terminates a lead agency's approval and does not approve a new lead agency, the department shall serve as lead agency for a community network.

5. The department shall notify all publicly-funded programs in a community network of any change in that community network's lead agency.

6. If a lead agency's approval is terminated:

a. The entity shall be ineligible to serve as lead agency in the community network from which its approval was terminated for a minimum period of 24 months.

b. If the entity serves as lead agency for more than one community network, the entity may continue to serve as

lead agency for any community network for which its approval has not been terminated.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2583 (December 2015).

§311. Complaints

A. Any program or individual may submit a written complaint to the department regarding the action or inaction of the lead agency in its community network.

B. A complaint shall be submitted in writing within 30 calendar days of the action or inaction of the lead agency upon with the complaint is based.

C. All complaints shall clearly state the action or inaction upon which the complaint is based and provide specific facts and documentation supporting the complaint.

D. The department shall act upon and respond in writing to all signed complainants within 30 calendar days of receiving the complaint.

E. Anonymous complaints may be acted upon at the discretion of the department.

F. Lead agencies shall not retaliate in any manner against a program or individual that submits a complaint to the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2584 (December 2015).

§313. Academic Approval for Type III Early Learning Centers

A. All type III early learning centers shall meet the performance and academic standards of the early childhood care and education network regarding kindergarten readiness as provided in this bulletin.

B. Type III early learning centers meeting the performance and academic standards shall receive academic approval from the department. Academic approval is verification by the department that the center is meeting the required performance and academic standards.

C. Full-Day or Non-Full-Day Type III Early Learning Centers

1. For purposes of this Bulletin, a type III early learning center shall be either a full-day center or a non-full-day center.

a. A full-day center provides care and instruction aligned with a typical school day that consists of at least six continuous hours per day or more than 20 hours per week.

b. A center that is not a full-day center is a non-full-day center.

D. Non-Full-Day Type III Early Learning Centers

1. Initial Academic Approval for Non-Full-Day Centers. In order to obtain the initial academic approval required to be licensed as a type III early learning center, a center that is applying for a new type III license and that does not provide full-day care must submit a signed copy of the current program partner assurances for non-full-day type III early learning centers to the department, thereby agreeing to the following:

a. in the event the center begins to provide full-day care, the center will provide written notice to the department, and sign new program partner assurances for full-day early learning centers, within 10 business days of the change to full-day care; and

b. by signing program partner assurances for full-day type III early learning centers, the center will be agreeing to comply with the provisions of this Bulletin, which include:

i. membership in the corresponding community network, as provided in Chapter 3;

ii. participation in the early childhood care and education accountability system, as provided in Chapter 5; and

iii. participation in the coordinated enrollment process, as provided in Chapter 7.

2. An applicant for a new non-full-day type III early learning center license who has held a type III early learning center license and received a corrective action plan as provided in §313 at any time during the current or preceding fiscal year shall not be allowed to apply for academic approval for the fiscal year in which the center received a corrective action plan and the following fiscal year.

3. Renewal of Academic Approval. Academic approval shall be renewed annually for any non-full-day type III early learning center if the center:

a. has current academic approval;

b. is in compliance with any corrective action plans required by the department in accordance with this Section; and

c. has submitted a signed copy of the current annual program partner assurances for non-full-day type III early learning centers to the department prior to July 1, or as requested by the department, whichever occurs earlier.

E. Initial Academic Approval for an Applicant for a New Full-Day Type III Early Learning Center License for Fiscal Years 2019-2020 and beyond

1. In order to obtain the initial academic approval required to be licensed as a full-day type III early learning center, a center applying for a new full-day type III license must:

a. submit a signed copy of the current program partner assurances for full-day type III early learning centers to the department, thereby agreeing to comply with the provisions of this bulletin, which include:

i. membership in the corresponding community network, as provided in Chapter 3;

ii. participation in the early childhood care and education accountability system, as provided in Chapter 5; and

iii. participation in the coordinated enrollment process, as provided in Chapter 7.

2. An applicant for a new full-day type III early learning center license who has held a type III early learning center license and received a corrective action plan as provided in §313 at any time during the current or preceding fiscal year shall not be allowed to apply for academic approval for the fiscal year in which the center received a corrective action plan and the following fiscal year.

F. Renewal of Academic Approval for Full-Day Type III Early Learning Centers for Fiscal Years 2019-2020 and beyond

1. Academic approval will be renewed annually for fiscal years 2019-2020 and beyond for any full-day type III early learning center that:

a. has current academic approval;

b. is in compliance with the provisions of this Part;

c. has not had two unsatisfactory performance ratings within any consecutive three school years; and

d. has submitted a signed copy of the current annual program partner assurances for full-day early learning centers to the department, thereby certifying that:

i. the center will comply with the provisions of this Part, which include:

(a). membership in the corresponding community network, in accordance with Chapter 3 of this Part;

(b). participation in the early childhood care and education accountability system, in accordance with Chapter 5 of this Part; and

(c). participation in the coordinated enrollment process, as provided in Chapter 7 of this Part; and

ii. all lead teachers at the center:

(a). have an early childhood ancillary certificate or other traditional teaching certificate issued by BESE; or

(b). are in the process of completing training that will lead to an early childhood ancillary certificate and will have obtained an early childhood ancillary certificate issued by BESE within 24 months of the start date as a lead teacher; and

iii. a minimum of 20 hours a week of care for every classroom providing full-day care in a publicly-funded site will be provided by a lead teacher(s) or lead teachers that:

(a). have an early childhood ancillary certificate or other traditional teaching certificate issued by BESE; or

(b). are in the process of completing training that will lead to the early childhood ancillary certificate and will have obtained an early childhood ancillary certificate issued by BESE within 24 months of the start date as a lead teacher.

2. Full-day type III early learning centers must annually submit a signed copy of annual program partner assurances for full-day type III early learning centers to the department prior to July 1, or as requested by the department, whichever occurs earlier.

G. A center that has academic approval terminated may not apply for academic approval for the fiscal year in which academic approval was terminated or the following fiscal year.

H. Academic approval will be valid for the fiscal year, July 1-June 30, for which it is granted.

I. Academic approval is granted to a specific owner and a specific location and is not transferable. If a type III early learning center changes owners or location, it is considered a new operation and academic approval for the new owner or location must be obtained prior to beginning operations under new ownership or at the new location.

J. Upon a change of ownership or change of location, academic approval granted to the original owner or at the original location becomes null and void.

K. Renewal. Prior to July 1 of each year, the department will send notice to each type III early learning center that has academic approval providing one of the following:

1. renewal of academic approval for the center;

2. notice of the center's failure to comply with specific requirements in Subsection A of this Section and specific corrective actions that must be taken by a specified date in order for academic approval to be renewed; or

3. if an early learning center has received the notice outlined in Subparagraph L.2.a of this Section within the academic year and has not provided the required certifications and completed the stated corrective actions, the department may terminate the center's academic approval as provided in Subparagraph L.2.c of this Section and send notice of termination of the center's academic approval.

L. Denial, Termination, or Refusal to Renew Academic Approval

1. The department may deny, terminate, or refuse to renew academic approval for:

a. violations of any provisions of this Part;

b. failure to timely comply with a corrective action plan provided by the department;

c. any act of fraud, such as the submission of false or altered documents or information;

d. failure to timely submit a signed copy of the annual program partner assurances;

e. two unsatisfactory performance ratings within any consecutive three school years; or

f. failure to participate in the early childhood school or center improvement planning process, as required by §512 of this Part.

2. Notice

a. If a type III early learning center is in violation of any provision of this Part, the department will notify the center in writing and may specify any corrective actions in a corrective action plan that will be required to retain academic approval.

b. Within 30 calendar days of receiving such notice, the center must submit certification in writing to the department that:

i. corrective actions specified in the corrective action plan have been taken or are in the process of being taken in compliance with the schedule provided in the corrective action plan; and

ii. the center will remain in compliance with the corrective action plan and all applicable regulations.

c. If the type III early learning center does not respond in a timely or satisfactory manner to the notice and corrective action plan or adhere to the implementation schedule required in the corrective action plan, the department may terminate or refuse to renew the center's academic approval.

d. The department will provide written notice of a denial, termination, or refusal to renew academic approval to the center.

e. The denial, termination or refusal to renew a center's academic approval will be effective when notice of the denial, termination, or refusal to renew is given.

M. Appeal Procedure

1. BESE will have the authority to grant an appeal of the denial, termination or refusal to renew academic approval for a type III early learning center.

2. The appeal procedure will be used when needed to address unforeseen and aberrant factors impacting type III early learning centers or when needed to address issues that arise when the literal application of the academic approval regulations does not consider certain unforeseen and unusual circumstances.

3. A type III early learning center may request an appeal of the denial, termination, or refusal to renew its academic approval by submitting a written request for an appeal to the department within 15 calendar days of being given notice of the denial, termination, or refusal to renew its academic approval.

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

5. The department will review all timely submitted appeal requests and make recommendations to BESE during the first regularly scheduled BESE meeting following receipt of the appeal requests, or during the second regularly scheduled BESE meeting if an appeal request is received within 10 working days of the next regularly scheduled BESE meeting. Within this interval, the department will notify the center of its recommendation and allow the center to respond in writing. The department's recommendation and the center's response must be submitted to BESE for final disposition.

6. An early learning center that appeals the termination or refusal to renew its academic approval will retain its academic approval during the appeal process.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:407.36(C), and 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2584 (December 2015), amended LR 42:1871 (November 2016), LR 43:2129 (November 2017), LR 44:1439 (August 2018), LR 45:1451 (October 2019).

Chapter 5. Early Childhood Care and Education Accountability System

§501. Early Childhood Care and Education Accountability System (Accountability System)

A. The early childhood care and education accountability system (accountability system) is the uniform accountability system created pursuant to R.S. 17:407.23(B)(3) and used to evaluate the performance of publicly-funded early childhood care and education sites and community networks in preparing children for kindergarten and to assign a performance profile to each site and community network.

B. Participants

1. Publicly-Funded Early Childhood Care and Education Sites (Publicly-Funded Sites)

a. All publicly-funded sites with at least one classroom on October 1 shall participate and shall be included in the accountability system.

b. All publicly-funded sites with at least one classroom on October 1 and one classroom on February 1 shall participate and shall receive a performance profile for the school year.

c. All classrooms in existence on either October 1 or February 1 in a publicly-funded site shall be included in the accountability system for that school year.

d. Publicly-funded sites that open after October 1 of a school year shall not participate in the accountability system, as provided in this Chapter, until the start of the following school year.

2. Community Networks

a. All community networks shall participate and shall be included in the accountability system and shall receive a performance profile for the school year.

b. If any publicly-funded site discontinues participation in a community network after October 1 by changing funding source, license type, or closing, its

performance shall remain part of the community network performance profile for the school year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2585 (December 2015).

§503. Coordinated Observation Plan and Observation Requirements

A. Coordinated observation is the local process by which each community network ensures that every classroom in a publicly-funded site in the community network receives two *CLASS*® observations each school year.

B. *CLASS*® Observation Requirements

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

2. Domains and Dimensions

a. *CLASS*® observations for infant classrooms must include the infant *CLASS*® domain and all dimensions contained within.

b. *CLASS*® observations for toddler classrooms must include both toddler *CLASS*® domains, which are emotional and behavioral support and engaged support for learning, and all dimensions contained within.

c. *CLASS*® observations for pre-K classrooms must include all three pre-K *CLASS*® domains, which are emotional support, classroom organization, and instructional support, and all dimensions contained within.

3. Required Observations

a. For the 2020-2021 academic year only, all infant, toddler, and pre-K classrooms in a publicly-funded site will receive one *CLASS*® observation during the school year conducted by the community network.

b. Any infant, toddler, and/or pre-K classroom that receives a fall *CLASS*® score of 4.49 or lower after third party replacement (if applicable) shall be observed a second time.

c. Following the 2020-2021 academic year, all infant, toddler, and pre-K classrooms in a publicly-funded site will receive two *CLASS*® observations during the school year conducted by the community network.

d. Following the 2020-2021 academic year, one observation shall occur during the fall observation period, if the classroom is in existence on October 1, and the other shall occur during the spring observation period, if the classroom is in existence on February 1.

e. *CLASS*® observations conducted by third-party contractors hired by the department shall not count towards this requirement.

f. Infant Classrooms

i. For the 2018-2019 school year, all infant classrooms in a publicly-funded site shall be reported to the department as part of the community network's count of classrooms, and may conduct or allow local or third-party observations as practice.

ii. For the 2019-2020 school year, all infant classrooms in a publicly-funded site shall receive two *CLASS*® observations during the school year conducted by the community network, but the observations shall not be included in the performance ratings for the 2019-2020 school year.

(a). One observation shall occur during the fall observation period, if the classroom is in existence on October 1, and the other shall occur during the spring observation period, if the classroom is in existence on February 1.

(b). *CLASS*® observations conducted by third-party contractors hired by the department shall not count towards this requirement.

iii. For the 2020-2021 school year and beyond, all infant classrooms in a publicly-funded site shall receive two *CLASS*® observations during the school year conducted by the community network.

(a). One observation shall occur during the fall observation period, if the classroom is in existence on October 1, and the other shall occur during the spring observation period, if the classroom is in existence on February 1.

(b). *CLASS*® observations conducted by third-party contractors hired by the department shall not count towards this requirement.

4. Use of Infant, Toddler, or Pre-K *CLASS*®. Classrooms shall be observed with the same *CLASS*® throughout the school year based on the composition of the classroom when the observation plan required in Subsection C of this Section is submitted according to the following:

a. a classroom that only has infant children or a classroom that has a mix of infant and toddler children in which a majority are infant children shall be observed with the infant *CLASS*®;

b. a classroom that has all toddler children or a classroom that has a mix of infant and toddler children in which the majority or at least half are toddler children shall be observed with the toddler *CLASS*®;

c. a classroom that has all pre-K children or a classroom that has a mix of toddler and Pre-K children in which the majority or at least half are pre-K children shall be observed with the pre-K *CLASS*®;

d. a classroom that has a mix of pre-K and kindergarten age children shall be observed using the pre-K *CLASS*® when either the majority of the class is pre-K or if the classroom receives early childhood funding;

e. a classroom that is a combination of infant, toddler, and pre-K children must be observed using the tool appropriate for the majority of the class. If there is no clear majority among the three age groups, the toddler tool must be used.

5. The department shall monitor observer accuracy within each observation period by comparing the domain-level results from classroom observations conducted by the department's third-party contractors to the domain-level results from classroom observations conducted by the community network for each observer.

a. Within each school year, for observations conducted by a community network observer that have been compared to domain-level results conducted by the department's third-party contractors, if more than 20 percent of the domain-level results are different by more than 1 point for the community network observer, that observer and lead agency will be issued a notice in writing by the state regarding the level of accuracy.

b. Within each school year, for observations conducted by a community network observer that have been compared to domain-level results conducted by the department's third-party contractors, if more than 33 percent of the domain-level results are different by more than 1 point for the community network observer, that observer will be shadow scored by another community network observer in the next observation period.

c. At the end of the school year, for observations conducted by a community network observer that have been compared to domain-level results conducted by the department's third-party contractors within the same community network, if 50 percent or more of the domain-level results are different by more than one point for the community network observer over the course of the school year, the department may determine that the community network observer shall not be able to conduct observations for that community network for the next observation period.

i. If the observer is no longer able to conduct observations for the community network, the department shall notify the observer and the lead agency that the observer shall not be able to conduct observations for that community network for the next observation period.

ii. A lead agency or community network observer may request in writing that the department review its decision in Subparagraph 5.c of this Subsection within 15 calendar days of receiving the decision.

iii. All requests for departmental review shall clearly state the specific reasons for requesting the review and the action being sought, and shall include all necessary supporting documentation.

iv. The department shall respond to the request for departmental review within 30 calendar days after receiving it.

v. The department may waive the action in Subparagraph 5.c of this Subsection in cases of extenuating circumstances or if the action would result in no other assessor being available to conduct required observations.

d. Observers who are receive notification from the department under Clause 5.c.i of this Subsection must meet the reliability requirements of 80 percent accuracy through annual recertification prior to being permitted to complete observations for the community network.

e. At the end of each observation period, the department will notify lead agencies in writing of all community network observers that have more than 20 percent of the domain-level results that differ by more than 1 point from comparable observations conducted by the department's third-party contractors.

C. Coordinated Observation Plan

1. Local Protocol. Each community network shall develop and maintain, no later than September 30 of each year, a written local protocol for coordinated observation using *CLASS*® that at a minimum includes:

a. the number of *CLASS*® observers who will conduct observations;

b. a plan to ensure reliable data that includes the following requirements:

i. all observers are reliable, which is defined as all observers having a certification achieved by completing and passing all trainings and assessments required by Teachstone to conduct a *CLASS*® observation with validity and fidelity;

ii. all observers maintain inter-rater reliability and fidelity. Inter-rater reliability occurs when two or more observers produce consistent observation results for the same classroom at the same time;

iii. the community network conducts inter-rater reliability observation checks for 10 percent of all classrooms observed during the fall observation period and for 10 percent of all classrooms observed during the spring observation period, and that these reliability observation checks include every observer and at least one observation for each classroom age configuration in the community network at least once annually; and

iv. no observer shall conduct an observation in which the observer is an immediate family member, as defined in R.S. 42:1102, of a teacher in the classroom being observed or an immediate family member of an individual who supervises or provides training or technical assistance to a teacher in the classroom being observed or has a direct financial interest in the site where the classroom is being observed.

2. Observation Schedule

a. In 2018-2019, each community network shall submit an observation schedule that includes two observations for each toddler and pre-K classroom identified in Paragraph B.3 of this Section.

b. In 2019-2020 and beyond, each community network shall submit an observation schedule that includes two observations for each infant, toddler, and pre-K classroom identified in Paragraph B.3.b, with one observation scheduled during the fall observation period and one during the spring observation period.

3. Submission of Observation Schedules

a. For the fall observation period, the observation schedule must be submitted to the department by October 1 unless otherwise specified by the department.

b. For the spring observation period, the observation schedule must be submitted to the department by February 1 unless otherwise specified by the department.

c. Lead agencies may alter these schedules after submission as required by local circumstances, or in order to complete local observations around the same time as third-party observations.

D. Waiver

1. The state superintendent of education shall have the authority to grant waivers to lead agencies for specific requirements of the coordinated observation plan or observation requirements included in this Chapter, with the exception of Clause C.1.d.iv of this Section.

2. Lead agencies seeking a waiver shall submit a written request the department prior to or at the time of the submission of the coordinated enrollment plan. The request shall cite the specific requirement for which a waiver is being requested and shall clearly state the reasons why the waiver is being requested and why it should be granted. Waiver requests shall include any supporting documentation that substantiates the need for the waiver.

3. The department shall respond in writing to waiver requests within 30 calendar days after receiving the request.

E. The department shall publicly release the reliability requirements for third-party contractors hired by the department annually.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.21 et seq.

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

§505. Performance Profiles

A. The performance profiles for publicly-funded sites and for community networks shall include:

1. a performance rating as provided in §509 for publicly-funded sites and as provided in §511 community networks; and

2. informational metrics as provided in §513.

B. Each publicly-funded site and each community network shall receive a performance profile based on performance each school year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2587 (December 2015).

§509. Performance Rating Calculations for Publicly-Funded Sites

A. Performance Rating

1. For the 2018-2019 and 2019-2020 school years, the performance rating for each publicly-funded site shall be based on the average of the dimension-level toddler and pre-K observation results from the fall and spring observation periods for all toddler and pre-K classrooms within the site, excluding the negative climate dimension.

2. For 2020-2021 school year and beyond, the performance rating for each publicly-funded site shall be based on the average of the dimension-level infant, toddler, and pre-K observation results from the fall and spring observation periods for all infant, toddler, and pre-K classrooms within the site, excluding the negative climate dimensions.

3. BESE may include a weight for improvement beginning with the 2016-2017 school year.

4. Sites that have classrooms which receive a score of 3.5 or above for the negative climate dimension and sites that have infant classrooms that receive a "low" on the lack of adult negativity indicator will receive a notice in writing at the end of the observation period in which the score was received. If a site receives a notice for two consecutive observation periods, an indicator of high negative climate, low lack of adult negativity or an indicator for both may be reported on the performance profile. Lack of adult negativity is an indicator used in infant *CLASS*® and is comparable to the pre-K and toddler negative climate dimension. Like all indicators for *CLASS*®, the measure is expressed as "high," "medium," or "low" rather than as a numerical score.

B. Any classroom in a publicly-funded site that does not have the observations required in LAC 28:XCI.503 or does not have all results reported, shall have third-party scores for that classroom reported when available. If no third-party scores are available for that classroom, but there are observation scores for comparable classrooms within the site as required in LAC 28:XCI.503, the department shall assign the average domain score for the comparable classrooms to each missing *CLASS*® score. The department may assign a score of 1 to each missing *CLASS*® domain score if no comparable local or third-party scores are available. If this occurs, the score of 1 for missing or not-reported observation results shall be included in the performance rating calculation for that site. In these circumstances, the number of missing or not-reported observation results shall be reported on the performance profile.

1. Lead agencies may have their approval terminated as provided in §309.G for incomplete observations or observation results not reported.

2. Any site or program that has diligently sought observations from the lead agency, including written evidence of such efforts, and that has not been provided such observations, may request of BESE an appeal of its performance rating as described in §521. BESE shall consider diligent efforts and evidence thereof in determining the appeal.

3. Prior to the issuance of the publicly-funded site or community network profiles, the department shall provide to the Advisory Council on Early Childhood Care and Education committee members and to BESE members a list of all publicly funded sites receiving a score of one due to a missing or not-reported *CLASS*® domain score and the number of such ones received by each site.

C. The department shall compare the domain-level results from observations of classrooms conducted by the department's third-party contractors to the domain-level results from observations conducted by the community network for each publicly-funded site.

1. In calculating the performance rating, the department shall replace domain-level results from classroom observations conducted by community networks with the domain-level results from observations conducted by the department's third-party contractors for any single domain in which the results differ by more than one point and shall calculate the performance rating using the replaced results.

2. The department shall monitor the domain-level observation results of classroom observations conducted by community networks for each publicly-funded site, including by observer, and domain-level observation results conducted by the department's third-party contractor for each publicly-funded site.

a. Beginning with the 2016-2017 school year, if observation results conducted by community networks are consistently different by more than one point from observation results conducted by the department's third-party contractors, the department may replace all of the community network's observation results for a publicly-funded site with the results from the department's third-party contractors, including those results that do not differ by at least one point.

D. The performance rating for each site shall be based on the following numerical scale:

1. 6.0-7.0—excellent;

2. 5.25-5.99—high proficient;

3. 4.50-5.24—proficient;

4. 3.0-4.49—approaching proficient;

5. 1.0-2.99—unsatisfactory.

E. The numerical scale and performance rating shall be used for each *CLASS*® domain and for the overall performance rating.

F. BESE may transition to a five-level rating scale beginning with the 2017-2018 school year.

G. BESE shall review the overall rating calculation, including but not limited to data collected on the informational metrics of best practices, prior to the 2016-2017 school year and determine whether additional factors should be added to the rating calculation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2587 (December 2015), amended LR 42:1873 (November 2016), LR 44:1442 (August 2018), LR 45:1453 (October 2019).

§511. Performance Rating Calculations for Community Networks

A. Community networks shall receive two performance ratings which shall be calculated as follows.

1. *CLASS*® observation results shall be one of the community network performance ratings.

2. An equitable access score for four-year-olds shall be one of the community network performance ratings.

3. BESE may include a weight for improvement on equitable access beginning with the 2017-2018 school year.

B. The *CLASS*® observation results will be determined by averaging the results of all fall and spring dimension-level toddler and pre-K observation results for all toddler and pre-K classrooms within the community network excluding negative climate. Beginning in the 2020-2021 school year, the *CLASS*® observation results will be determined by averaging the results of all fall and spring dimension-level infant, toddler, and pre-K observation results for all infant, toddler, and pre-K classrooms within the community network, excluding negative climate.

1. Any classroom in a site that does not have the observations required in LAC 28:XCI.503, or has not had all observation results reported, shall have third-party scores for that classroom reported when available. If no third-party scores are available for that classroom, but there are observation scores for comparable classrooms within that site as required in LAC 28:XCI.503, the department shall assign the average domain score for the comparable classrooms to each missing *CLASS*® domain score. The department may assign a score of 1 to each missing *CLASS*® domain score if no comparable local or third-party score is available. If this occurs, the score of 1 for missing observation or not-reported results shall be included in the performance rating calculation for the community network. In these circumstances the number of missing or not-reported observation results shall be reported on the community network's performance profile.

a. Lead agencies may be subject to termination as provided in §309.G for incomplete observations or observation results not reported.

2. The department shall compare the domain-level results from observations of classrooms conducted by the department's third-party contractors to the domain-level results from observations conducted by community network for each publicly-funded site.

a. In calculating the performance rating, the department shall replace domain-level results from classroom observations conducted by community network with the domain-level results from observations conducted by the department's third-party contractor for any single domain in which the results differ by more than one point and shall calculate the performance rating using the replaced results.

b. The department shall monitor domain-level observation results of classroom observations conducted by community network for each publicly-funded site, including by observer, and domain-level observation results conducted by the department's third-party contractors for each publicly-funded site.

i. For every year after the 2015-2016 school year, if the observation results conducted by a community network are consistently different by more than one point from observation results conducted by the department's third-party contractor, the department may replace all of the community network's observation results for a publicly-funded site with the results from the department's third-party contractor for that site, including those results that do not differ by at least one point.

ii. For every year after the 2015-2016 school year, if the observation results conducted by a community network are consistently different by more than one point from observation results conducted by the department's third-party contractor, the department may replace all of the community network's observation results for a publicly-funded site with the results from the department's third-party contractor for that site, including those results that do not differ by at least one point.

C. The equitable access score performance rating shall be determined by calculating the access achieved by the community network for all at-risk four-year-old children in the community network coverage area. Points are earned on a four-level rating scale according to:

Percentage of At-Risk Four-Year-Olds Served	Rating
95-100 percent	Excellent
85 - 94.99 percent	High Proficient
75-84.99 percent	Proficient
65-794.99 percent	Approaching Proficient
0-64.99 percent	Unsatisfactory

D. The *CLASS*® observation results performance rating for each community network shall be based on the following numerical scale:

1. 6.0-7.0—excellent;

2. 5.25-5.99—high proficient;

3. 4.50-5.24—proficient;

4. 3.0-4.49—approaching proficient;

5. 1.0-2.99—unsatisfactory.

E. The numerical scale and performance rating shall be used for reporting each *CLASS*® domain and the overall performance rating.

F. BESE may transition to a five-level rating scale beginning with the 2017-2018 academic year.

G. BESE shall review the overall rating calculation, including but not limited to data collected on the informational metrics of best practices, prior to the 2016-2017 school year and determine whether additional factors should be added to the rating calculation.

H. Prior to the start of the 2017-2018 school year, a workgroup of Early Childhood Care and Education Advisory Council members shall be formed to study the inclusion of additional metrics in the performance rating calculations and review R.S. 17:407.21 et seq., for potential statutory changes, and shall make recommendations regarding the use of any additional performance rating calculation metrics in LAC 28:XCI.509.D.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2588 (December 2015), amended LR 42:1874 (November 2016), LR 44:1442 (August 2018), LR 45:1454 (October 2019).

§512. Performance Ratings for Publicly-Funded Sites

A. Unsatisfactory Publicly-Funded Sites

1. Beginning with the 2016-2017 school year, publicly-funded sites rated as "unsatisfactory," as defined in LAC 28:XCI.509, for two school years in any consecutive three school year period, shall lose their public funding and have their academic approval terminated.

2. The state superintendent may grant exception to Subsection A of this Section if the publicly-funded site serves a special population, or if taking the required action in Subsection A of this Section would create an extraordinary burden for families or place children at risk of harm.

3. The department shall conduct an annual needs analysis for families in regions that may be impacted by publicly-funded sites losing their public funding to support access to early childhood programs.

B. Early Childhood School or Center Improvement Planning Process

1. Beginning with the 2018-2019 school year, publicly-funded sites rated below 3.75 for the previous year shall participate in an early childhood school or center improvement planning process. At a minimum, sites must:

a. develop and submit a plan for school or center improvement in consultation with the department;

b. implement the plan for school or center improvement and allow for regular monitoring of implementation by the department; and

c. provide any reports or information related to the plan for school or center improvement as requested by the department.

C. Rewards and Recognition

1. Beginning in the 2016-2017 school year, sites and community networks that are rated "excellent" shall be included in an annual honor roll published by the department and be eligible for financial rewards, as funds are available and as determined by the department.

2. No later than the 2017-2018 school year, sites and community networks that demonstrate significant improvement in their overall score or rating shall be labeled "top gains" on their performance profile and be eligible for financial rewards, as funds are available and as determined by the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1874 (November 2016), amended LR 44:1442 (August 2018).

§513. Informational Metrics of Best Practices

A. Informational metrics are measures of a publicly-funded site and a community network's use of the following early childhood care and education best practices. The performance profile shall report the publicly-funded site and community network's use of the best practices identified as investment in quality measures, which shall include, but is not limited to:

1. teacher/child ratios. Publicly-funded sites maintain teacher/child ratios based on the age of children that are at or better than the minimum standards required in BESE *Bulletin 137—Louisiana Early Learning Center Licensing Regulations*:

a. to achieve gold-level ratios, publicly-funded sites use the following teacher/child ratios and meet group size~~s~~ requirements in BESE *Bulletin 137—Louisiana Early Learning Center Licensing Regulations*;

Age	Teacher/Child Ratio
Birth to 1 year	1:4
1 year to 2 years	1:4
2 years to 3 years	1:6
3 years to 4 years	1:8
4 years to 5 years	1:10

b. to achieve silver-level ratios, publicly-funded sites use the following teacher/child ratios and meet group size~~s~~ requirements in BESE *Bulletin 137—Louisiana Early Learning Center Licensing Regulations*;

Age	Teacher/Child Ratio
Birth to 1 year	1:4
1 year to 2 years	1:6
2 years to 3 years	1:8
3 years to 4 years	1:10
4 years to 5 years	1:12

c. to achieve bronze-level ratios, publicly-funded sites use at least the minimum teacher/child ratios and group size requirements in BESE *Bulletin 137—Louisiana Early Learning Center Licensing Regulations*;

2. teacher preparation. Publicly-funded sites ensure lead teachers meet or exceed credential requirements for publicly-funded classrooms provided in BESE *Bulletin 746—Louisiana Standards for State Certification of School Personnel*;

3. standards-based curriculum. Publicly-funded sites use a curriculum that is aligned to BESE *Bulletin 136—The Louisiana Standards for Early Childhood Care and Education Programs Serving Children Birth-Five Years*.

B. The performance profile may report informational metrics in the following categories:

1. child assessment that informs instruction;

2. investment in quality measures;

3. family engagement and supports; and

4. community network supports (reported at the community network level only):

a. the number of children served in new publicly-funded early childhood seats;

b. the percent of publicly-funded early childhood seats that are filled.

C. Each year and in collaboration with the Early Childhood Care and Education Advisory Council, the department shall review the results of the accountability system, including but not limited to the performance of programs on each domain of the *CLASS®*, how the performance profile ratings are calculated, and the observer reliability substitution rates, and recommend any improvements for this bulletin. To develop these recommendations, the department shall work collaboratively with the Early Childhood Care and Education Advisory Council, which shall establish a workgroup for this purpose. The department, with assent shown by vote of the Advisory Council, can decide in a given year that no review is needed.

D. Contingent on available funding, the department shall conduct an external implementation evaluation of Louisiana's early childhood care and education network to answer questions that include but are not limited to whether the system:

1. is based on performance ratings that are valid and reliable;

2. meaningfully differentiates between levels of program quality; and

3. delivers a robust set of quality improvement supports and incentives for improvement, as well as consequences for failure to improve. The results of the study

shall be shared with the Early Childhood Care and Education Advisory Council and BESE.

E.1. The LDE is required to collect data designed to strengthen the state's ability to track and monitor implementation of new and ongoing policies and supports, program quality, and child outcomes, positioning Louisiana to:

a. provide targeted supports to teachers, programs, and schools; and

b. be evaluation-ready when funds and evaluators become available.

2. The LDE shall explore critical data elements being collected by other states, seek recommendations from the Early Childhood Advisory Council on critical data elements and present a report on the findings to BESE no later than January 2017.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2588 (December 2015), amended LR 42:1875 (November 2016), LR 43:2131 (November 2017).

§515. Reporting for the Accountability System

A. Lead agencies shall report to the department, in the manner specified by the department, the following:

1. classroom counts:

a. by October 1, the number of classrooms serving infant, toddler and PreK children in each publicly-funded site on October 1;

b. by February 1, the number of classrooms serving infant, toddler, and PreK children in each publicly-funded site on February 1; and

c. by February 1, the number of classrooms in the February 1 count that have been added or removed since the October 1 count;

2. child counts:

a. by October 31, the number of publicly-funded children in each publicly-funded site on October 1;

b. by February 28, the number of publicly-funded children in each publicly-funded site on February 1; and

c. by February 28, the number of publicly-funded children by site in the February 1 count that have been added or removed since the October 1 count;

3. *CLASS*® observation results:

a. within 10 business days after the observation, unless upon written request from the lead agency, the department grants a written extension of time for a specific observation based on the extenuating circumstances provided in the written request;

b. all fall observation period data by December 15; and

c. all spring observation period data by May 15;

4. child assessment results for publicly-funded infants, toddlers and PreK children by October 31, February 28, and May 31.

B. Publicly-funded sites shall report to the department by October 31 for all classrooms in existence on October 1 and by February 28 for classrooms opened between October 1 and February 1, in the manner specified by the department, the following:

1. number of lead teachers with certification of reliability on the ongoing assessment used in the community network;

2. teacher/child ratios used in the site;

3. credential and certification status of one lead teacher per classroom; and

4. curriculum used in each classroom.

C. The department shall report to lead agencies on a monthly basis the number of *CLASS*® observations that have been submitted for publicly-funded programs in that community network.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2589 (December 2015), amended LR 42:1875 (November 2016), LR 44:1443 (August 2018).

§517. Data Verification

A. The department shall provide all non-survey data contributing to the performance profile for publicly-funded sites and community networks to each lead agency prior to publishing the performance rating.

B. In 2015-2016, the department shall provide lead agencies 30 calendar days for final review, correction, and verification of data for the performance profiles. For all subsequent years, the department shall provide lead agencies 10 calendar days for final review, correction, and verification of data for performance profiles.

1. The lead agency shall create and implement a community network data certification procedure that requires review of all performance profile data for each site during the data certification period.

2. The department may request the certification procedure from each lead agency.

3. Data corrections shall not be grounds for an appeal or waiver request as all data corrections shall be made prior to the release of profiles regardless of the source of any errors.

4. Data corrections for *CLASS*® scores may only be submitted for the following reasons:

a. *CLASS*® observations results have been reported incorrectly; or

b. *CLASS*® observation results were not reported.

5. The department shall review all data corrections and grant approval of those corrections that are proven valid.

6. The department may request additional documentation to support the validity of the changes.

C. The department shall act upon and respond in writing within 30 calendar days of receiving a signed report from the general public regarding potential irregularities in data reporting.

D. Anonymous complaints may be acted upon at the discretion of the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2590 (December 2015), amended LR 42:1876 (November 2016), LR 44:1443 (August 2018).

§519. Waivers of Accountability System Requirements

A. The state superintendent of education (state superintendent) shall have the authority to grant waivers to publicly-funded sites and community networks for specific requirements of the accountability system included in this Chapter.

1. Community Networks

a. Prior to October 1, any lead agency requesting a waiver on behalf of the community network from a requirement of the accountability system shall submit a request in writing to the department.

b. After October 1 and prior to the start of the data verification period established in §517, any lead agency with extenuating circumstances arising after October 1 may request a waiver by submitting a written request to the department that shall clearly state the extenuating circumstances on which the request is based.

2. Publicly-Funded Sites

a. Prior to October 1, any publicly-funded site requesting a waiver from a requirement of the accountability system shall submit a request in writing to the department and shall include a written statement of support for the waiver from the community network lead agency.

b. After October 1 and prior to the start of the data verification period established in §517, any publicly-funded site with extenuating circumstances arising after October 1 may request a waiver by submitting a written request to the department that shall clearly state the extenuating circumstances on which the request is based. The request shall include a written statement of support for the waiver from the community network lead agency.

B. All waiver requests shall cite the requirement(s) from which a waiver is being requested and shall clearly state the reasons why it being requested and why it should be granted. Waiver request shall include any supporting documentation that substantiates the need for the waiver.

C. The department shall respond in writing to waiver requests within 30 calendar days after receiving the request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2590 (December 2015).

§521. Performance Profile Appeals Procedure

A. BESE shall have the authority to grant an appeal of a publicly-funded site or community network's performance profile.

B. The appeal procedure shall be used when needed to address unforeseen and aberrant factors impacting publicly-funded sites and community networks or when needed to address issues that arise when the literal application of the accountability system regulations does not consider certain unforeseen and unusual circumstances. Failure to complete observations or use of third-party scores are not sufficient reasons for requesting an appeal. Data corrections shall not be grounds for an appeal or waiver request as all data corrections shall be made prior to the release of profiles regardless of the source of any errors.

C. A publicly-funded site or community network may request an appeal of its performance profile by submitting a written request for an appeal to the department within 15 calendar days of the department's release of the publicly-funded site or community network's performance profile.

D. All appeal requests shall clearly state the specific reasons for requesting the appeal and the reasons why the appeal should be granted and shall include any necessary supporting documentation.

E. The lead agency shall submit a written request for appeal on behalf of a community network that wishes to appeal its performance profile.

F. The department shall review all timely submitted appeal requests and make a recommendation to BESE during the first regularly scheduled BESE meeting following receipt of the appeal request, or during the second regularly scheduled BESE meeting if the appeal request is received within 10 working days of the first regularly scheduled BESE meeting. Within this interval, the department shall notify the publicly-funded site or community network of its recommendation and allow the site or community network to respond in writing. The department's recommendation and the site or community network's response shall be submitted to BESE for final disposition.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2590 (December 2015), amended LR 42:1876 (November 2016).

§523. Disaster Consideration for Programs and Community Networks

A. A severe impact site meets either of the following conditions associated with disasters:

1. the site was closed, due to the disaster, for 18 or more consecutive school days during a given school year; or

2. the site gained or lost 25 percent or more of its population due to the disaster.

B. A severe impact community network is a community network that consists of 25 percent or more severe impact sites.

C. Severe impact sites and severe impact community networks may qualify for a waiver for up to one school year from participation in the accountability system.

1. A severe impact site or severe impact community network that is not open or operational for at least one of the observation periods during the school year may qualify for a waiver from participation in the accountability system for up to that one observation period.

2. A severe impact site or severe impact community network that is not open or operational during both observation periods during the school year in which the disaster occurred may qualify for a waiver for the school year.

3. BESE shall not issue a performance profile for any severe impact site or severe impact community network that is not open or operational during both observation periods of the school year in which the disaster occurred unless the site or community network requests that the performance profile be issued. BESE may extend such site or community network' performance rating and score from the previous year.

D. Community network lead agencies and sites may address situations not part of the severe impact disaster process through the waiver process for accountability system requirements set forth in §519.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2591 (December 2015), amended LR 44:1443 (August 2018).

Chapter 7. Coordinated Enrollment

§701. Age Cohorts

A. Children shall be placed in a single age cohort for counting purposes in a school year. Each child shall be placed in the appropriate age cohort at the beginning of the school year and shall remain in that age cohort for the entire school year.

B. A child's age cohort shall be determined by the child's age on September 30 of the school year.

C. Children shall be placed in age cohorts for a school year as follows:

1. four-year-olds are children who have reached or will reach their fourth birthday on or before September 30;

2. three-year-olds are children who have reached or will reach their third birthday on or before September 30;

3. two-year-olds are children who have reached or will reach their second birthday on or before September 30;

4. one-year-olds are children who have reached or will reach their first birthday on or before September 30; and

5. children ages birth to one year are children who have not reached and will not reach their first birthday by or before September 30.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq., and R.S. 17:407.91 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2591 (December 2015).

§703. Coordinated Enrollment Process

A. Coordinated enrollment is the process developed and implemented by a community network to coordinate enrollment for infant, toddler, and PreK children in the community network whose families want to enroll them in a publicly-funded program in the community network.

B. The coordinated enrollment process consists of:

1. a coordinated information campaign through which the community network informs families about the availability of publicly-funded programs serving children ages birth to five years;

2. a coordinated eligibility determination through which the community network coordinates enrollment, eligibility criteria, and waiting lists to ensure that families are referred to other available publicly-funded early childhood programs should they be ineligible for or unable to access their primary choice;

3. a coordinated application process through which the community network conducts a unified application process so families can easily indicate their enrollment choices for publicly-funded programs; and

4. a matching based on family preference through which the community network enrolls at-risk children, using available public funds and based upon stated family preferences.

C. In collaboration with representatives of providers of child care, Head Start, and prekindergarten services, the lead agency shall develop policies and procedures for how the requirements of Subsection B of this Section will be implemented. These policies and procedures shall be submitted to the department prior to initiation of the enrollment process, and shall include training for providers and parents on the eligibility criteria for different programs, the matching process for the network, and the complaint process for providers and parents as needed.

D. Each community network shall operate a coordinated enrollment process for each school year, subject to the implementation timeline provided in §705.

E. The lead agency shall ensure the community network develops and implements a process to enroll publicly-funded children on an ongoing basis outside of the community network's established application period each year.

F. Any publicly-funded program that seeks to enroll children outside of their community network's coordinated enrollment process shall obtain prior written approval from the department.

G. Request for Departmental Review

1. Any parent or caregiver may request that the department review the placement of his or her child resulting from the coordinated enrollment process.

2. A request for departmental review shall be submitted in writing to the department within 30 calendar days of placement of the child or of the event upon which the request for review is based.

3. All requests for departmental review shall clearly state the specific reasons for requesting the review and the action being sought, and shall include all necessary supporting documentation.

4. The department shall respond to the request for departmental review within 30 calendar days after receiving it.

5. Written notice of the process outlined in Paragraph 2 of this Subsection, as well as of the complaint process described in LAC 28:CLXVII.311, and the appropriate contact information for the department, shall be made available to any parent or caregiver.

H. Community networks shall determine preliminary eligibility for families interested in CCAP during the coordinated eligibility determination as provided in Paragraph B.2 of this Section, and the department shall determine final eligibility for CCAP.

I. Prior to the start of the school year, BESE shall review this Chapter and revise as necessary based on learnings from the previous year. A work group of the Early Childhood Care and Education Advisory Council shall be formed to study the effectiveness of the coordinated enrollment process and make recommendations to the council and BESE for changes for implementation in the following school year. This research may include, but not be limited to, defining key indicators of effectiveness, conducting focus groups of all provider types, reviewing data on the placement of new early childhood seats opened statewide, and reviewing other available information. The department, with assent shown by vote of the advisory council, may decide in a given year that no review is needed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq., and R.S. 17:407.91 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2591 (December 2015), amended LR 42:1876 (November 2016), LR 44:1443 (August 2018).

§707. Demonstrated Progress toward Implementation

A. No later than August 31, 2015, each community network shall submit a self-assessment of its progress toward full implementation of each component of the coordinated enrollment process as defined in §703.B.

B. The department may require community networks to complete an enrollment self-assessment each year. This self-assessment shall include, but is not limited to, the outcomes of the prior year's coordinated enrollment process, specifically how family choice resulted in these outcomes.

C. The lead agency of any community network not making progress on coordinated enrollment, or not achieving the full coordinated enrollment process according to the timeline in §705, may be subject to BESE intervention, as specified in §711.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2592 (December 2015), amended LR 42:1876 (November 2016).

§709. Community Network Request for Funding for Publicly-Funded Programs

A. Annually by September 1, the department will release the timeline by which the lead agency will develop, in collaboration with representatives of providers of child care, Head Start, and prekindergarten services, and submit a funding request for the following fiscal year to the department on behalf of the community network and based on the coordinated enrollment results, to include the following:

1. the number of applications received for each age of at-risk children;

2. the number of seats requested at each publicly-funded site;

3. the number of seats recommended by the lead agency to receive funding with a prioritization by site and age of children served by funding source;

4. the criteria and process used to develop the community network request;

5. the recommended plan to maximize all funding sources to increase service to at-risk children;

6. the number of seats being requested in a mixed delivery setting; and

7. the number of eligible children served in the network by specific program type.

B. The lead agency shall provide an opportunity for each publicly-funded program in the community network and the general public in the coverage area of the community network to comment on the proposed funding request prior to submission to the department and shall include documentation of this process in the funding request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:407.21 et seq., and 17:407.91 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2592 (December 2015), amended LR 42:1877 (November 2016), LR 45:1454 (October 2019).

§711. Local Enrollment Coordinator

A. If the lead agency is not satisfactorily coordinating the duties and responsibilities of the community network pertaining to the community network's coordinated enrollment process, the department shall send written notification to the lead agency and all programs within the community network. The written notification shall identify the unsatisfactory performance issues and specify any corrective actions that may be required of the lead agency.

B. Within 30 calendar days of receiving such notice, the lead agency shall submit written certification to the department that corrective actions have been taken or are in the process of being taken and submit a timely implementation schedule for the department's approval.

C. If the lead agency does not respond in a timely or satisfactory manner or adhere to the implementation schedule approved by the department, the department may recommend that BESE terminate the lead agency's duties and responsibilities pertaining to coordinated enrollment and authorize a local enrollment coordinator for the community network.

D. A local enrollment coordinator is an entity authorized by BESE to assume responsibility for the services a lead agency is required to provide in coordinating the community network's coordinated enrollment process, as set forth in §309.B.1.b and §§703-709.

1. A local enrollment coordinator may be a state agency, including the department, a public school system, a nonprofit or for-profit corporation having an educational or social services mission, including but not limited to a nonprofit corporation of a philanthropic or policy nature, a Louisiana postsecondary education institution, or a nonprofit corporation established by the governing authority of a parish or municipality.

2. A local enrollment coordinator shall be authorized for a term no greater than five years.

3. A local enrollment coordinator authorized by BESE shall enter into a local enrollment coordinator agreement with the department.

4. If a local enrollment coordinator is authorized, the lead agency's allocation shall be reduced by, or the lead agency shall repay, an amount equal to that portion of the coordinated enrollment duties and responsibilities that remain outstanding.

E. If BESE terminates a lead agency's responsibilities pertaining to coordinated enrollment, but does not terminate the lead agency's approval to serve as the lead agency for the community network, the lead agency shall continue to serve as lead agency and coordinate all other duties and responsibilities of the community network.

F. Funding

1. For each local enrollment coordinator authorized by BESE, the department shall allocate not more than one percent of the public funds appropriated for each publicly-funded program in the community network to support the local enrollment coordinator.

2. The amount allocated from the funding for each publicly-funded site shall be proportionate to the number of publicly-funded children in the site enrolled by the local enrollment coordinator.

3. If an allocation cannot be made from a funding source to support the local enrollment coordinator, the amount established for that funding source to support the local enrollment coordinator shall be allocated from the remaining public funding sources in an amount proportionate to the number of children in each publicly-funded program enrolled by the local enrollment coordinator.

4. BESE shall not allocate additional funds to support local enrollment coordinators from any public funding source that has a per-child allocation or subsidy below the Louisiana average per-child allocation or subsidy for all programs included in the enrollment system.

G. Audit

1. A local enrollment coordinator shall annually submit to the department an independent financial audit conducted by a certified public accountant who has been approved by the legislative auditor. Such audit shall be accompanied by the auditor's statement that the report is free of material misstatements. The audit shall be limited in scope to those records necessary to ensure that the local enrollment coordinator has used funds to perform required services, and it shall be submitted to the legislative auditor for review and investigation of any irregularities or audit findings.

2. The local early learning enrollment coordinator shall return to the state any funds that the legislative auditor determines were expended in a manner inconsistent with Louisiana law or BESE regulations.

3. The cost of such audit shall be paid by the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq., and R.S. 17:407.91 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2593 (December 2015).

§713. Request for Departmental Review

A. Any publicly-funded program may request that the department review an enrollment decision or funding request of its lead agency or local enrollment coordinator. All programs shall be given written notice of the opportunity to request a departmental review of a lead agency or local enrollment coordinator's enrollment decision or funding request, as well as the complaint process described in LAC 28:XCI.311.A-F, and the appropriate contact information for the department.

B. A request for departmental review shall be submitted in writing to the department no later than 30 calendar days after the day on which community networks must submit

funding requests to the department or the day in which the community network submitted the funding request to the department, whichever is later.

C. All requests for departmental review shall clearly state the specific reasons for requesting the review and the action being sought, and shall include necessary supporting documentation.

D. The department shall respond to the request for review within 30 calendar days after receiving the request or prior to BESE considering funding allocations, whichever is sooner.

E. No publicly-funded program or community network may request departmental review of the funding allocation approved by BESE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.21 et seq., and R.S. 17:407.91 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2593 (December 2015), amended LR 42:1877 (November 2016).

Chapter 9. Louisiana Early Childhood Education Fund

§901. Purpose, Scope, and Effect

A. The purpose of this Chapter is to set forth the rules and regulations necessary to implement the provisions of R.S. 17:407.30, which creates the Louisiana early childhood education fund (the "fund") for the purpose of funding certain early childhood education programs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.30 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:555 (April 2020).

§903. Eligibility Requirements

A. Subject to legislative appropriation, monies in the fund will be awarded annually to local entities approved by the board.

B. Fund awards are reserved for projects that expand the number of early childhood care and education quality seats for families eligible for the Child Care Assistance Program (CCAP) in type III early learning centers with a performance rating of "proficient" or above and at least one classroom with children age 15 months or younger.

C. Entities eligible to receive fund awards include, but are not limited to, BESE-approved local community networks and early learning centers.

D. Each applicant seeking an award must establish eligibility criteria for the early childhood care and education quality seats financed by local funds that serve as the match for the award. At a minimum, eligibility criteria established by each applicant must contain the following assurances:

1. that only those children whose family income makes them *economically disadvantaged*, as defined in Title 28, Part I, Chapter 11 of the *Louisiana Administrative Code*, shall be eligible for the early childhood care and education quality seats outlined in the applicant's proposal; and

2. that at least 70 percent of any funding awarded to the applicant will be used to directly fund additional early childhood care and education seats in type III early learning centers with a performance rating of "proficient" or above and at least one classroom with children age 15 months or younger;

3. remaining awarded funding will be used to:

a. expand seats through improved quality; and

b. pay for audit costs required per §909 of this Chapter.

E. Funding is intended to supplement existing funding sources and not to be used to supplant existing state or federal funds.

F. Prior to the start of the 2022-2023 school year, the Early Childhood Care and Education Advisory Council shall review this Chapter and, as necessary, recommend revisions to BESE based on learnings from the first two years of the fund.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.30 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:555 (April 2020).

§905. Application Process

A. Local entities must submit an application to be considered for the allocation of these funds.

1. The application must define local needs using current data and define objective criteria through which the seats will be awarded.

B. Local entities seeking funding for qualifying projects must secure non-state and non-federal matching funds at a rate of at least one-to-one prior to the awarding of monies from the fund.

1. Eligible sources of a match for funds include locally-generated funds, including donations from private entities and allocations from local governmental entities.

2. School readiness tax credits will not be considered an eligible source of match for purposes of receiving funding pursuant to this Chapter.

C. The application submitted by the local entity must be accompanied by appropriate documentation as identified by the department to substantiate the existence of the match funding. Supporting documentation may include but is not limited to, letter(s) of donation from the donor to the local entity demonstrating the intent to donate a specified amount of funding.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.30 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:555 (April 2020).

§907. Award Process

A. A rubric will be used to identify award recipients, and the following criteria will be considered when recommending award recipients for approval to BESE:

1. Ready Start network status;

2. child care assistance program waitlist for the local entity's community network;

3. child poverty rates in the local entity's community network;

4. child care needs in terms of the economic development needs of the parish where the center is located; and

5. the extent to which the proposal increases the availability of high quality learning center seats statewide.

B. All applicants whose submission are selected to receive a funding award must submit documentation to the department to substantiate the existence and possession of the match funds including, but not limited to:

1. copy of check(s) received totaling the required match plus receipt for bank deposit into local entity's bank account;

2. copy of bank statement which lists the deposit for the required match; or

3. copy of bank statement with balance totaling greater than the required match.

C. The total of all awards in any given year may not exceed the amount legislatively appropriated to the fund.

D. If a balance remains in the fund after every qualifying project under §903.B of this Chapter has been funded, then the board may consider awarding funds for the exclusive use of type III early learning centers to provide quality care for children who are ages birth through two and whose parents are eligible for the Child Care Assistance Program.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:556 (April 2020).

§909. Audit of Awards

A. A participating local entity must submit to the department an independent limited scope audit conducted by a certified public accountant who has been approved by the legislative auditor. Audit procedures will be developed by the department and will be limited in scope to those records necessary to substantiate that the funding received was utilized in accordance with program requirements and the approved application.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:556 (April 2020).