



LOUISIANA DEPARTMENT OF EDUCATION

February 12, 2021

Mrs. Sandy Holloway, President
Louisiana Board of Elementary and Secondary Education
1201 North Third Street Baton Rouge, LA 70802

President Holloway:

Pursuant to the authority granted to the BESE President in LAC 28:1.305.B. to make ad hoc decisions for the board in times of emergency, and subject to ratification by the board, I am requesting a waiver extension of BESE rules to support early childhood centers severely impacted by the COVID-19 public health emergency and hurricanes. The length of each waiver is defined below, in order to address the needs of educators, students, and children.

Rules Impacting the Child Care Assistance Program (CCAP) - Bulletin 139 *La. Child Care and Development Fund Programs*:

- Bulletin 139 §310(F) -- Fees for the Child Care Criminal Background Check. Waive the \$15 Department fee for background checks and the \$15 fee for out of state applicants. Effective from March 14, 2020 through December 31, 2021.
- Bulletin 139 §515.A. - Payments. Allow Family Child Care Providers and In-Home Providers to receive the same state maximum payments of Type III CCAP Providers. This waiver shall remain in effect from March 13, 2020 through December 31, 2021, unless terminated sooner by BESE.
- Bulletin 139 §515.B.-D. - Payments. Allow the Department to issue payments to providers on behalf of eligible households at the state maximum daily rate for CCAP care, regardless of the number of hours the child is actually in care; to allow for the Department to waive the requirement for eligible CCAP households to pay copayments; to allow for the Department to issue payments to the providers prior to the child care being provided. This waiver shall remain in effect from March 13, 2020 until December 31, 2021, unless terminated sooner by BESE.
- Bulletin 139, §517.B. - CCAP Household Reporting Requirements. Allow the Department to extend the reporting requirements for CCAP Households from the required 10 days to 90 days. This extension shall remain in effect from March 13, 2020 until December 31, 2021.

Louisiana Believes



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Rules impacting Early Learning Centers (Bulletin 137 -- *Louisiana Early Learning Center Licensing Regulations*):

- Bulletin 137 §1815.B. and C. Fee for Child Care Criminal Background Check. Waive the \$15.00 Department fee for background checks and the \$15 fee for out of state applicants. This waiver shall be effective from March 14, 2020 through December 31, 2021, unless terminated sooner by BESE.
- Bulletin 137, 1707(D) -- Staff age requirement. In addition to a person age 17, a person age 16 may be included in child-to-staff ratios, if the person works under the direct supervision of an adult staff member. This waiver shall be effective from March 14, 2020 through December 31, 2021, unless terminated sooner by BESE.

If approved, these waivers of BESE rules will be subject to the ratification of the state board at its next regularly scheduled meeting and will be immediately communicated to impacted persons and entities as they attempt to respond to this unprecedented public health emergency. Thank you for your consideration of this request.

Sincerely,

Dr. Cade Brumley
State Superintendent of Education

Approved:

Sandy Holloway, President
Louisiana Board of Elementary and Secondary Education

Date

2/12/21