

**Title 28**  
**EDUCATION**

**Part CLXVII. Bulletin 140—Louisiana Early Childhood Care and Education Network**  
**Chapter 3. Early Childhood Care and Education Network**

**§313. Academic Approval for Type III Early Learning Centers**

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

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

**§314. Academic Approval for Family Child Care Homes**

A. Registered and CCAP-certified family child care homes may apply for academic approval from the department.

B. Family child care homes meeting the performance and academic standards of the early childhood care and education network regarding kindergarten readiness as provided in this bulletin shall receive academic approval from the department. Academic approval is verification by the department that the family child care home is meeting the required performance and academic standards.

C. Initial Academic Approval for an Applicant for a Family Child Care Home

1. In order to obtain the initial academic approval as a family child care home, a family child care home applying for a new academic approval must:

a. submit a signed copy of the current program partner assurances for family child care homes 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 family child care home academic approval who has held a family child care home academic approval 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 family child care

home received a corrective action plan and the following fiscal year.

D. Renewal of Academic Approval for Family Child Care Homes

1. Academic approval will be renewed annually for any family child care home 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 family child care homes to the department, thereby certifying that:

i. the family child care home will comply with the provisions of this Part, which include:

(a) membership in the corresponding community network, as provided in Chapter 3;

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

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

ii. the family child care provider must:

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

(b) be 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 date when academic approval was granted.

2. To renew academic approval, family child care homes must annually submit a signed copy of annual program partner assurances for family child care homes to the department prior to July 1, or as requested by the department, whichever occurs earlier.

E. A family child care home 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.

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

G. Academic approval is granted to a specific provider and a specific location and is not transferable. If a family child care home 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.

H. 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.

I. Renewal. Prior to July 1 of each year, the department will send notice to each family child care home that has academic approval providing one of the following:

1. renewal of academic approval for the family child care home;

2. notice of the family child care home's failure to comply with specific requirements in Subsection B 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 a family child care home has received the notice outlined in Subparagraph J.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 family child care home's academic approval as provided in Subparagraph J.2.c of this Section and send notice of termination of the family child care home's academic approval.

J. 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 site improvement planning process, as required by §512 of this Part.

2. Notice

a. If a family child care home is in violation of any provision of this Part, the department will notify the family child care home 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 family child care home 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 family child care home will remain in compliance with the corrective action plan and all applicable regulations.

c. If the family child care home 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 family child care home's academic approval.

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

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

K. Appeal Procedure

1. BESE will have the authority to grant an appeal of the denial, termination or refusal to renew academic approval for a family child care home.

2. The appeal procedure will be used when needed to address unforeseen and aberrant factors impacting family child care homes 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 family child care home 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 family child care home of its recommendation and allow the family child care home to respond in writing. The department's recommendation and the family child care home's response must be submitted to BESE for final disposition.

6. A family child care home that appeals the termination or refusal to renew its academic approval will retain its academic approval during the appeal process.

L. Voluntary Termination or Non-Renewal of Academic Approval

1. The family child care home may voluntarily terminate their academic approval at any point during the fiscal year in which their academic approval is valid.

a. Voluntary termination of academic approval must be reported in writing according to the process developed by the department.

2. The family child care home may voluntarily refuse to renew their academic approval during the renewal period for the next fiscal year.

## **Chapter 5. Early Childhood Care and Education Accountability System**

### **§511. Performance Rating Calculations for Community Networks**

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B. ~~Early Childhood School or Center Site 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 site~~ improvement planning process. At a minimum, sites must:

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

b. implement the plan for ~~school or center site~~ 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 site~~ improvement as requested by the department.