

# Notices of Intent

## NOTICE OF INTENT

### Department of Civil Service Civil Service Commission

#### Suspension of Deadline

The State Civil Service Commission will hold a public hearing on Wednesday, January 11, 2006, to consider the following rule proposal. The hearing will begin at 9 a.m. and will be held in the Claiborne Building, Louisiana Purchase Room (Room 1-100), 1201 North Third Street, Baton Rouge, Louisiana.

To amend and reenact Civil Service Rule 2.15 to read as follows.

#### 2.15 Suspension of Deadlines

All deadlines imposed by or under these rules are suspended during the period(s) that the governor or other legal authority suspends prescriptive and/or preemptive periods.

#### Explanation

Current Rule 2.15, adopted on an emergency basis on September 14, 2005, will expire on January 12, 2006. This proposed Rule would replace the Emergency Rule and would moot the issue of whether the governor or any other authority can suspend deadlines established in the Civil Service Rules.

Persons interested in making comments relative to this proposal may do so at the public hearing or by writing to the Acting Director of State Civil Service at Post Office Box 94111, Baton Rouge, LA 70804-9111.

If any accommodations are needed, please notify us prior to this meeting.

Anne S. Soileau  
Acting Director

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## NOTICE OF INTENT

### Board of Elementary and Secondary Education

Bulletin 111—The Louisiana School, District, and State Accountability System—Inclusion of All Districts (LAC 28:LXXXIII.4301 and 4901-4911)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education approved for advertisement revisions to *Bulletin 111—The Louisiana School, District, and State Accountability System* (LAC 28:LXXXIII). Act 478 of the 1997 Regular Legislative Session called for the development of an accountability system for the purpose of implementing fundamental changes in classroom teaching by helping schools and communities focus on improved student achievement. The state's Accountability System is an evolving system with different components.

The proposed changes establish the length of time a district must maintain records for exiting students, define what students are included in a district's District Performance Score, and create policy to comply with R.S. 17:10.6 (Act 193 2004).

#### Title 28

#### EDUCATION

### Part LXXXIII. Bulletin 111—Louisiana School, District, and State Accountability System

#### Chapter 43. District Accountability

#### §4301. Inclusion of All Districts

A. - B.3. ...

C. District Performance Score (DPS). A District Performance Score (DPS) shall be calculated in the same manner as a SPS, aggregating all of the students in the district.

1. Assessment data from students enrolled in a district for a full academic year shall be used to calculate the DPS.

2. The DPS shall be reported as a numeric value and a label shall be assigned based on the numeric value.

D. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2755 (December 2003), amended LR 30:1446 (July 2004), LR 32:

#### Chapter 49. School District Academically in Crisis

#### §4901. Definition of Academically in Crisis

A. A school district shall be labeled Academically in Crisis when:

1. more than 30 schools in the district are academically unacceptable; or

2. more than 50 percent of the district's enrollment attends academically unacceptable schools.

B. The state superintendent shall notify the BESE, the local superintendent, and the president of the local school board when a district is determined to be Academically in Crisis.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:

#### §4903. Local Superintendent and Board Responsibilities

A. When a district is determined to be Academically in Crisis, the local superintendent shall have sole and exclusive authority in all matters regarding the policy for and operation and management of the school district, except:

1. the local board may:

a. incur debt, issue bonds, pay debt, and meet other financial obligations as required by contract entered into prior to the district's being labeled "Academically in Crisis," or by approval of a proposition by the electorate;

b. sue or be sued and provide for the interests of the school district in response to litigation;

c. respond to the local superintendent's recommendations for discipline or termination of employees who are legally entitled to a hearing before the board;

d. approve or disapprove with recommendations the annual budget or any amendment to that budget for the expenses and operation of the school district as submitted by the local superintendent;

e. acquire property on behalf of the school district by donation or otherwise and take action to preserve such property;

f. dispose of or contract with regard to immovable property owned or leased by the school district;

g. enter into a collectively bargained contract with employees after negotiations between the employees and the superintendent or his designee;

h. reapportion themselves as provided by law; and

i. perform any duties mandated by Section 1, R.S. 17:10.6 (Act 193).

2. The local superintendent may not enter into a contract on behalf of the local school district for a period exceeding 5 years. Upon favorable evaluation, contracts may be renewed for up to 5 years in accordance with applicable laws and procedures.

3. The local superintendent shall submit a monthly report to the local board on all newly executed or renewed contracts.

4. As soon as practicable, but no later than 180 days after notification of the district being Academically in Crisis the local superintendent shall submit to the local board, the BESE, and the legislative auditor a report containing:

a. an evaluation of the benefits of outsourcing all or portions of the school district's fiscal processes and duties, including but not limited to:

i. procurement;

ii. payroll;

iii. accounts payable;

iv. accounts receivable;

v. short-term investment;

vi. inventory control;

vii. accounting;

viii. budget compliance; and

ix. financial reporting;

b. information indicating if such an outsourcing of fiscal matters would allow more focus by the superintendent and district staff on the academic needs and improved achievement of the district's students.

5. The local superintendent shall submit for the BESE approval a structured district improvement plan within 120 days of the of the BESE response to the "180 day" report defined in Paragraph A.4. of this Subsection. The plan shall include the changes deemed necessary for the district to no longer be labeled as Academically in Crisis and contain:

a. timetables;

b. measurable goals;

c. priorities;

d. instructional changes;

e. organizational changes;

f. fiscal changes;

g. meaningful consultation with parents of students enrolled in the district; and

h. an effective and comprehensive program that uses strategies and activities to build the schools' and parents' capacities to for increased parental involvement that positively impacts student achievement.

6. If the BESE fails to approve the district improvement plan, the president of the BESE shall submit the plan to an independent, national organization with the expertise to evaluate such a plan and that will provide the evaluation to the local superintendent and the BESE within 30 days.

a. The independent, national organization shall be selected by a majority vote of a committee composed of a member of the BESE appointed by the president of the BESE, an educator appointed by the governor, and a member of the district school board appointed by its president.

b. Any cost incurred and any payment required by the organization making the evaluation shall be borne by the district school board.

7. The district superintendent shall revise the district improvement plan as advised by the independent evaluator until it is approved by the independent evaluator.

8. Once the plan is approved by the BESE or the independent, national organization, the district superintendent shall:

a. implement the approved plan;

b. provide a quarterly report to the BESE on the progress of implementing the plan.

9. The district superintendent shall seek and consider the advice and input of the district school board while exercising authority to enter into and obligate the school district to any contracts not otherwise reserved to the district board in Paragraph A.1 of this Subsection.

10. The district superintendent shall notify each district school board member (by facsimile with receipt or by U.S. Postal Service with return receipt and at the individual member's home address and post at a location of public access reserved for such purposes in the offices of the district school board) at the same time of the solicitation of any requests for proposals or quotations for any of the following types of contracts (as defined in R.S. 39:1484):

a. professional service contract;

b. social service contract;

c. personal contract;

d. consulting service contract;

e. contract for employee benefits; or

f. any other contract not subject to state law requiring public bidding and that requires more than \$250,000 in expenditures.

11. The district superintendent shall not less than 30 days prior to entering any contract described in Subparagraphs A.10.a-f above provide notice in the manner described in Paragraphs A.10 above to each individual district school board member and also post such notice publicly as described in Paragraph A.10 above.

a. The notice shall be a summary of the contract which contains:

i. a description of the service or item being provided;

ii. the identity of the contractor;

iii. the duration of the contract; and

iv. the dollar amount of total expenditures in the contract.

b. Prior to the conclusion of the thirtieth day after the delivery and the posting of the of the contract summary, the district school board may prohibit the superintendent

from initiating or renewing such contract by a vote of two-thirds of the elected members of the board.

12. The provisions of Paragraphs 9, 10, and 11 of this Subsection (§4903) shall not apply to contracts of \$25,000 or less.

13. In exigent circumstances that require the initiation of a contract to be expedited, the superintendent may enter into any contract with a favorable vote of a majority of the elected members of the district school board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:

#### **§4905. Contracting and Employing a District Superintendent**

A. The district school board of a district Academically in Crisis, except upon an affirmative vote of two-thirds majority of the elected members of the district school board, shall have no authority to:

1. contract or employ a district superintendent; or
2. terminate the contract or employment of the incumbent superintendent.

B. The district school board of a district Academically in Crisis shall not decrease the district superintendent's salary.

C. If a district superintendent is terminated by an affirmative vote of two-thirds majority of the elected members of the district school board, the board shall have not more than 10 working days from the first full day of the vacancy to appoint an acting superintendent until a new superintendent has been chosen by the board as provided by law.

1. If no acting superintendent is appointed within the required time, the state superintendent shall appoint an acting superintendent.

2. The acting superintendent and the new superintendent shall continue to have exclusive authority and responsibility during the period the system is labeled Academically in Crisis and shall be subject to termination only as provided in this Subsection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:

#### **§4907. The Financial Audit and Contracting an Independent CPA**

A. The district school board of a district Academically in Crisis shall select and contract an independent, licensed, certified public accountant from a list of at least three such accountants submitted to the board by the superintendent to conduct an audit of the finances and the financial policies and practices of the school district.

1. The district school board shall make its selection within 10 working days of receipt of the superintendent's list.

2. If the selection is not made within 10 days, the district superintendent shall refer the matter to the legislative auditor who shall select the independent, licensed, certified public accountant to complete the required audit.

3. The audit shall be conducted using generally accepted governmental auditing standards and the Louisiana Governmental Audit Guide.

4. The engagement agreement describing the scope of the audit shall be submitted to legislative auditor for his review and comment to the district school board prior to the execution of the agreement.

B. The audit report shall be submitted to the district school board, the district superintendent, and the legislative auditor.

C. If the audit results in audit findings, the district superintendent shall address each audit finding and report to the legislative auditor on the corrections made.

D. The legislative auditor may take any of the following steps:

1. conduct an independent audit of the district school board;
2. investigate the response of the superintendent to the audit;
3. require the selection of a different auditor as described in Paragraph 1 above and have the new auditor direct the changes in the district's financial practices necessary to address each audit finding.

E. Expenses incurred by the legislative auditor shall be reimbursed by the district school system.

F. If the audit reveals irregularities, they may be reported to:

1. the district attorney with jurisdiction in the parish in which the school district resides; or
2. the appropriate US attorney when the irregularities may be a violation of federal law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:

#### **§4909. Additional State Support**

A. The state superintendent of education shall appoint a team of distinguished educators to provide expertise, direction, and support to any school district determined to be Academically in Crisis.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:

#### **§4911. Exiting the Status of a District Academically in Crisis**

A. A school district Academically in Crisis shall remain so until:

1. fewer than 30 schools within the district are academically unacceptable;
2. fewer than 50 percent of the district's students are enrolled in Academically Unacceptable schools; and
3. all audit findings are addressed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:

#### **Family Impact Statement**

In accordance with Section 953 and 974 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on the Rule proposed for adoption, repeal or amendment. All Family Impact Statements shall be kept on file in the state board office, which has adopted, amended, or repealed a Rule in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.
2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No.
3. Will the proposed Rule affect the functioning of the family? No.
4. Will the proposed Rule affect family earnings and family budget? No.
5. Will the proposed Rule affect the behavior and personal responsibility of children? No.
6. Is the family or a local government able to perform the function as contained in the proposed Rule? No.

Interested persons may submit written comments until 4:30 p.m., January 9, 2006, to Nina A. Ford, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

Weegie Peabody  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Bulletin 111—The Louisiana  
School, District, and State Accountability System  
Inclusion of All Districts**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)  
There are no estimated implementation costs (savings) to state governmental units. The proposed changes establish the length of time a district must maintain records for exiting students, define what students are included in a district's District Performance Score, and create policy to comply with R.S. 17:10.6 (Act 193 2004).
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)  
There will be no effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)  
There will be no estimated costs and/or economic benefits to persons or non-governmental groups directly affected.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)  
There will be no effect on competition and employment.

Marlyn Langley  
Deputy Superintendent  
Management and Finance  
0512#046

H. Gordon Monk  
Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Board of Elementary and Secondary Education**

Bulletin 115—Trade and Industrial Education Content Standards Framework—Drafting, Electricity, Heating, Ventilating, Air Conditioning, and Refrigeration (LAC 28:CV.Chapters 1-27)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education approved for

advertisement *Bulletin 115—Trade and Industrial Education Content Standards Framework—Drafting, Electricity, Heating, Ventilating, Air Conditioning, and Refrigeration*. Bulletin 115 will be printed in codified format as Part CV of the Louisiana Administrative Code. There has been in recent years an increased effort by many industries to require the certification of skills used in those industries to assure technical competence and public confidence. Recognizing industry certifications in the training of secondary students assures that instruction is directly related to the needs of industry and nationally recognized industry standards.

**Title 28  
EDUCATION**

**Part CV. Bulletin 115—Trade and Industrial Education  
Content Standards Framework—Drafting, Electricity,  
Heating, Ventilating, Air Conditioning, and  
Refrigeration**

**Subpart 1. General Provisions**

**Chapter 1. Purpose**

**§101. Introduction**

A. The information contained in Subpart 1, General Provisions are applicable to Drafting; Electricity; and Heating, Ventilating, Air Conditioning, and Refrigeration (HVACR).

B. The Secondary Trade and Industrial Education Program in the State of Louisiana can be described as "a secondary program designed to prepare students for careers in business, industry, and the service occupations through a sequence of applied learning experiences." Instructional units are provided in the use of layout, designing, producing, processing, assembling, testing, maintaining, and the servicing of industrial goods and products, as well as public services.

**C. Intended Audience**

1. The Louisiana Trade and Industrial Education curriculum framework is intended for a broad audience:

- a. trade and industrial education teachers;
- b. parents;
- c. school and district administrators;
- d. school board members;
- e. policy makers;
- f. Louisiana Department of Education staff;
- g. college/university faculty/administrators;
- h. business/industry leaders; and
- i. government agency staff.

2. The framework serves as a guide for curriculum and instruction and as a general reference to the concepts and skills taught within Louisiana Trade and Industrial Education courses. The intended users of the framework include:

- a. Trade and Industrial Education teachers—to use in planning:
  - i. curriculum;
  - ii. instruction; and
  - iii. assessment;
- b. parents—to use as a means of assessing the effectiveness of their children's trade and industrial education;
- c. school and district administrators and school board members—to use as a vision for trade and industrial education and a basis for planning:
  - i. resource allocations;

- ii. materials purchases;
  - iii. local curriculum development;
  - iv. teachers' professional development; and
  - v. faculty recruitment;
- d. policy makers and state Education staff—to use as a basis for:
- i. developing laws, policies, professional development activities/materials, assessment strategies; and
  - ii. funding priorities to support local program development;
- e. university faculty and administrators—to use as a basis for the content and design of pre-service and in-service teacher education programs and articulation agreements;
- f. technical college faculty and administrators—to use as a basis for articulation agreements and program development; and
- g. business/industry leaders and government agency staff—to use as a basis for developing effective partnerships for supporting trade and industrial education programs and professional development.

D. How Teachers Should Use this Part XCIX. This Part XCIX outlines the content appropriate to be taught in Louisiana Trade and Industrial Education programs. Local needs will determine what should be taught in local trade and industrial education programs. Although teachers will be able to use this framework to guide them in the restructuring of their curricula, this Part XCIX does not contain specific performance criteria that are essential in trade and industrial education. These specific assessment criteria must be developed on the local level.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, Trade and Industrial Education, LR 32:

### §103. Definitions

*Academic Cross-Reference*—a reference to related academic content standards.

*Applied Academics*—a method of teaching in which the instructor presents subject matter in a way that relates a particular academic discipline to personal workforce application.

*Approved Program*—a Business Education program that offers at least four of the recommended courses for a career major—two of which must be at the competency level.

*Articulation*—the process of linking two or more educational systems to produce a smooth flow of students from one institution to another without experiencing delays, duplication of courses, or loss of credit.

*Assessment*—a process through which evidence is gathered in a range of content areas to determine both a student's understanding and ability to apply that understanding.

*Benchmark*—a broad statement of expected skills and knowledge that is used as a reference to develop curriculum and assess student progress.

*Career Clusters*—broad categories of occupations that form the basis for initial career exploration and discovery.

*Career Major*—a specific course of study within a broader career cluster.

1. Example. Accounting within the Business career cluster.

*Career Path*—a plan of study that will enable a student upon graduation, to be employed or enter a postsecondary school with a continuation of skills or coursework already started at the high school level.

*Career Plan*—a student's written plan for career and educational goals while in secondary school and beyond.

*Competency Course*—a required course in a career major.

*Content Standard*—a description of what a student should know and be able to do through subject matter, knowledge, proficiencies, etc., gained as a result of his/her education.

*Cooperative Learning*—an instructional strategy used in many applied academic courses that involves learning in the context of sharing, responding, and communicating with other learners.

*Curriculum Framework*—an outline of broad goals and standards of a system of education.

*Focus Statement*—a statement describing the importance of a career major.

*Foundation Skills*—processes that are common to all areas and levels of education and are intended to suggest methods and objectives of instructional strategies.

*High Schools That Work*—a process model developed by the Southern Regional Education Board (SREB) that focuses on:

1. applied learning;
2. integration of academic and vocational content; and
3. school-to-work transitions.

*Integrated*—refers to combining elements across the strands within a particular content area or framework.

*Interdisciplinary*—combining elements across content areas in the curriculum.

*Lifelong Learning*—the concept of continued education and training, formal and informal, throughout one's career.

*Portfolios*—personalized, sequential career planning journal designed to guide students through career development interests and aptitudes as they progress through school and beyond; including examples of student skill mastery.

*Related Elective Course*—an additional course offered to complement and enhance opportunities within a career major.

*School-Based Learning*—program of instruction based on career majors, designed to meet high academic and occupational skill standards, which involves counseling and career exploration, and periodic evaluation of academic strengths and weaknesses.

*School-to-Work Transition*—a system that enables students to identify and navigate paths to productive and progressively more rewarding roles in the workplace encompassing three components:

1. school-based learning;
2. connecting activities; and
3. work-based learning.

*Skill Standard*—the identification of the knowledge, skill, and level of ability needed to satisfactorily perform a given job.

*Strands*—concepts common to all content areas. *Strands* are interrelated and should be integrated rather than taught in isolation.

*Tech Prep*—a sequence of study beginning in high school and continuing through at least two years of postsecondary

occupational education to prepare students for high skilled jobs that require more than a high school diploma.

*Vocational Completer*—a student who successfully completes four courses in a career major:

1. two must be competency courses; and
2. two must be selected from the competency courses and/or identified related electives.

*Work-Based Learning*—integration of theoretical instruction with a planned program of job training or experiences, paid work experience, workplace mentoring, instruction in general workplace competencies, and updating elements that will:

1. engage student interest;
2. develop positive work attitudes; and
3. prepare youth for high-skill, high-wage careers.

*Workplace Mentor*—an employee at the workplace who possesses the skills to be mastered by a student, and who:

1. instructs the student;
2. critiques the student's performance;
3. challenges the student to perform well; and
4. works in consultation with classroom teachers and the employer.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, Trade and Industrial Education, LR 32:

#### §105. Mission Statement

A. To develop rigorous and challenging standards that will enable all Louisiana students to become lifelong learners and productive citizens for the twenty-first century.

B. This mission statement was developed by the Louisiana Statewide Content Standards Task Force in October 1995 and has served as the focus for the standards initiatives that have been developed by the Louisiana Department of Education. Along with this mission statement, the Task Force also identified five foundation skills that committee members felt should be embedded in all content areas to promote lifelong learning and to prepare Louisiana students to be successful in the next millennium.

C. The following five foundation skills serve as the backbone for the content standards initiative.

1. Communication
2. Problem Solving
3. Resource Access and Utilization
4. Linking and Generating Knowledge
5. Citizenship

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, Trade and Industrial Education, LR 32:

#### §107. Foundation Skills

A. Foundation Skill 1: Communication

1. Exchanging of information
2. Creating and sharing meaning
3. Applying the skills of:
  - a. reading;
  - b. writing;
  - c. speaking;
  - d. listening;
  - e. viewing; and

f. visually representing in society and a variety of workplaces

B. Foundation Skill 2: Problem Solving

1. Recognizing and defining problems
2. Identifying an obstacle or challenge
3. Applying knowledge and thinking processes to reach a solution using multiple pathways
4. Showing willingness to take risks in order to learn
5. Persevering in the face of challenges and obstacles
6. Utilizing the five senses as a resource for problem solving
7. Analyzing past problems and applying basic knowledge to develop logical, creative, and practical strategies to predict, prevent, and solve problems
8. Identifying and considering a variety of viewpoints in solving problems
9. Developing, selecting, and applying strategies to solve existing and potential problems
10. Selecting and applying appropriate technology and other resources to solve problems
11. Verifying the appropriateness of the solution
12. Analyzing and evaluating the results or consequences

C. Foundation Skill 3: Resource Access and Utilization

1. Identifying, locating, selecting, and using resource tools in analyzing, synthesizing, and communicating information
2. Identifying, and employing appropriate tools, techniques, and technologies essential to the learning process, such as:
  - a. pen, pencil, and paper;
  - b. audio/video material;
  - c. word processors;
  - d. computer;
  - e. interactive devices;
  - f. telecommunications; and
  - g. other emerging technologies.

D. Foundation Skill 4: Linking and Generating Knowledge

1. Using cognitive processes to generate and link knowledge across the disciplines and in a variety of contexts
2. Applying a strategy or content knowledge effectively in a setting or context other than that in which it was originally learned
3. Monitoring, adjusting, and expanding strategies in other contexts

E. Foundation Skill 5: Citizenship

1. Understanding the ideals, rights, and responsibilities of active participation in a democratic republic
2. Working respectfully and productively together for the benefit of the individual and the community
3. Being accountable for one's choices and actions and understanding their impact on others
4. Knowing one's civil, constitutional, and statutory rights
5. Mentoring others to be productive citizens and lifelong learners

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, Trade and Industrial Education, LR 32:

### Chapter 3. Louisiana Content Standards Foundation Skills

#### §301. Foundation Skills

A. The following foundation skills should apply to all students in all disciplines.

Note: The foundation skills are listed numerically in parentheses after each benchmark.

1. Communication—a process by which information is exchanged and a concept of *meaning* is created and shared between individuals through a common system of symbols, signs, or behavior. Students should be able to communicate clearly, fluently, strategically, technologically, critically, and creatively in society and in a variety of workplaces. This process can best be accomplished through the use of the following skills:

- a. reading;
- b. writing;
- c. speaking;
- d. listening;
- e. viewing; and
- f. visually representing.

2. Problem Solving—the identification of an obstacle or challenge and the subsequent application of knowledge and thinking processes, which include reasoning, decision making, and inquiry in order to reach a solution using multiple pathways, even when no routine path is apparent.

3. Resource Access and Utilization—the process of identifying, locating, selecting, and using resource tools to help in analyzing, synthesizing, and communicating information. The identification and employment of appropriate tools, techniques, and technologies are essential to all learning processes. These resource tools include:

- a. pen, pencil, and paper;
- b. audio/video materials;
- c. word processors;
- d. computers;
- e. interactive devices;
- f. telecommunication; and
- g. other emerging technologies.

4. Linking and Generating Knowledge—the effective use of cognitive processes to generate and link knowledge across the disciplines and in a variety of contexts. In order to engage in the principles of continual improvement, students must be able to transfer and elaborate on these processes. *Transfer* refers to the ability to apply a strategy or content knowledge effectively in a setting or context other than that in which it was originally learned. *Elaboration* refers to monitoring, adjusting, and expanding strategies into other contexts.

5. Citizenship—the application of the understanding of the ideals, rights, and responsibilities of active participation in a democratic republic that includes working respectfully and productively together for:

- a. the benefit of the individual and the community;
- b. being accountable for one's civil, constitutional, and statutory rights; and
- c. mentoring others to become productive citizens and lifelong learners.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, Trade and Industrial Education, LR 32:

### Chapter 5. Standards and Benchmarks

#### §501. Introduction

A. Standards and benchmarks provide a framework for local curriculum development. A school district's physical facilities, available equipment, resources, and community and business support are only a few of the factors that make the system unique and determine the curriculum offered.

B. In using this framework to develop curriculum, a *standard* is the major outcome of a course and *benchmarks* are the goals for obtaining that outcome. Local systems will select the career majors to be offered, the courses offered in these majors, and create the objectives and activities that teachers will use to direct their instruction to reach the benchmarks for the selected courses. This procedure will allow local systems to structure curriculum to meet the needs of their students, schools, and communities while remaining consistent with the overall framework for the entire state.

C. Local systems will use the career majors as a guide to select the courses that will be offered for each major. Not all career majors or all courses listed with the major in this framework must be offered locally. Employment opportunities and postsecondary education availability in the local area should be considered as curriculum is developed.

D. To be identified as a vocational completer, a student must successfully complete four courses in a career major:

1. two of which must be competency courses; and
2. two of which must be selected from the competency courses and/or related elective courses identified in the career major.

E. Following each career major are the content standards that relate to the major. They identify what students should know and be able to do. In the column beside each standard are benchmarks that identify specific skills and knowledge and serve as points of reference to gauge student progress toward achievement of standards. Benchmarks set the direction of instruction.

F. Cross-references to academic content standards reinforce the integration of academic and technology skills. English Language Arts, Mathematics, Social Studies, and Science academic standards are cross-referenced in the third column beside each Technology Education standard. The referenced academic standards are listed in full in Chapter 7. Codes used in the table to identify the academic standards are given in below.

1. ELA=English Language Arts
  - a. Standard number is given, then benchmark number
2. Mathematics
  - a. Strand letter is given, then benchmark number  
N—Number and Number Relations Strand  
A—Algebra Strand  
M—Measurement Strand  
G—Geometry Strand  
D—Data, Discrete Math, and Probability Strand  
P—Patterns, Relations, and Functions Strand
3. Social Studies
  - a. Strand letter is given, then benchmark letter and number

G—Geography Strand

C—Civics Strand

E—Economics Strand

H—History Strand

4. Science

a. Strand letter is given, then benchmark letter and number

SI—Science as Inquiry Strand

PS—Physical Science Strand

LS—Life Science Strand

SE—Science and the Environment Strand

ESS—Earth Science Strand

5. Arts

a. Strand letter is given, then benchmark letter and number

CE—Creative Expression

AP—Aesthetic Perception

HP—Historical and Cultural Perception

CA—Critical Analysis

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, Trade and Industrial Education, LR 32:

Chapter 7. Academic Cross-References

§701. Introduction

A. This Chapter 7 lists the content standards and benchmarks that have been referenced in Drafting; Electricity; and Heating, Ventilating, Air Conditioning, and Refrigeration (HVACR). All referenced content area standards and benchmarks are for students in grades 9-12, indicated as "H" for high school, e.g.:

Code: ELA-1-H1:

ELA=English Language Arts;

1=Standard

H1=High School, Benchmark Number.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, Trade and Industrial Education, LR 32:

§703. English Language Arts (ELA)

A. Standard One. Students read, comprehend, and respond to a range of materials, using a variety of strategies for different purposes.

ELA-1-H1	Using knowledge of word meaning and extending basic and technical vocabulary employing a variety of strategies (e.g., context clues, affixes, etymology, dictionary, thesaurus).
ELA-1-H2	Analyzing the effects of complex literary devices (e.g., figurative language, flashback, foreshadowing, dialogue, irony) and complex elements (e.g., setting, plot, character, theme, mood, style) on a selection.
ELA-1-H3	Reading, comprehending, and responding to extended, complex written, spoken, and visual texts.
ELA-1-H4	Interpreting complex texts with supportive explanations to generate connections to real-life situations and other texts (e.g., business, technical, scientific).
ELA-1-H5	Using the various purposes for reading (e.g., enjoying, learning, researching, problem-solving) to complete complex projects.

B. Standard Two. Students write competently for a variety of purposes and audiences.

ELA-2-H1	Writing a composition of complexity that clearly implies a central idea with supporting details in a logical, sequential order.
ELA-2-H2	Using language, concepts, and ideas that show an awareness of the intended audience and/or purpose (e.g., classroom, real-life, workplace) in developing complex compositions.
ELA-2-H3	Applying the steps of the writing process, emphasizing revising and editing in final drafts.
ELA-2-H4	Using narration, description, exposition, and persuasion to develop various modes of writing (e.g., notes, stories, poems, letters, essays, editorials, critical analyses, logs).
ELA-2-H5	Recognizing and applying literary devices (e.g., figurative language, symbolism, dialogue) and various stylistic elements (e.g., diction, sentence structure, voice tone).
ELA-2-H6	Writing as a response to texts and life experiences (e.g., technical writing, resumés).

C. Standard Three. Students communicate using standard English grammar, usage, sentence structure, punctuation, capitalization, spelling, and handwriting.

ELA-3-H1	Writing legibly
ELA-3-H2	Using the grammatical and mechanical conventions of standard English.
ELA-3-H3	Spelling accurately using strategies and resources (e.g., glossary, dictionary, thesaurus, spell check) when necessary.

D. Standard Four. Students demonstrate competence in speaking and listening as tools for learning and communicating.

ELA-4-H1	Speaking intelligibly, using standard English pronunciation and diction.
ELA-4-H2	Giving and following directions/procedures.
ELA-4-H3	Using the features of speaking (e.g., audience analysis, message construction, delivery, interpretation of feedback) when giving prepared and impromptu presentations.
ELA-4-H4	Speaking and listening for a variety of audiences (e.g., classroom, real-life, workplace) and purposes (e.g., awareness, concentration, enjoyment, information, problem solving).
ELA-4-H5	Listening and responding to a wide variety of media (e.g., music, TV, film, speech, CD-ROM).
ELA-4-H6	Participating in a variety of roles in group discussions (e.g., active listener, contributor, discussion leader, facilitator, recorder, mediator).

E. Standard Five. Students locate, select, and synthesize information from a variety of texts, media, references, and technological sources to acquire and communicate knowledge.

ELA-5-H1	Recognizing and using organizational features of printed text, other media, and electronic information (e.g., parts of texts, citations, endnotes, bibliographic references, microprint, laser discs, hypertext, CD-ROM, keyword searches, bulletin boards, e-mail).
ELA-5-H2	Locating and evaluating information sources (e.g., print materials, databases, CD-ROM references, Internet information, electronic reference works, community and government data, television and radio resources, audio and visual materials).
ELA-5-H3	Accessing information and conducting research using graphic organizers, outlining, note taking, summarizing, interviewing, and surveying to produce documented texts and graphics.
ELA-5-H4	Using available technology to produce, revise, and publish a variety of works.

ELA-5-H5	Citing references using various formats (e.g., parenthetical citations, endnotes, bibliography).
ELA-5-H6	Interpreting graphic organizers (e.g., charts/graphs, tables/schedules, diagrams/maps, organizational charts/flowcharts).

F. Standard Six. Students read, analyze, and respond to literature as a record of life experiences.

ELA-6-H1	Identifying, analyzing, and responding to United States and world literature that represents the experiences and traditions of diverse ethnic groups.
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G. Standard Seven. Students apply reasoning and problem-solving skills to their reading, writing, speaking, listening, viewing, and visually representing.

ELA-7-H1	Using comprehension strategies (e.g., predicting, drawing conclusions, comparing and contrasting, making inferences, determining main ideas, summarizing, recognizing literary devices, paraphrasing) in contexts.
ELA-7-H2	Problem-solving by analyzing, prioritizing, categorizing, and evaluating; incorporating life experiences; and using available information.
ELA-7-H3	Analyzing the effects of an author's life, culture, and philosophical assumptions and an author's purpose and point of view.
ELA-7-H4	Distinguishing fact from opinion, skimming and scanning for facts, determining cause and effect, generating inquiry, and making connections with real-life situations across texts.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, Trade and Industrial Education, LR 32:

### §705. Mathematics

A. Number and Number Relations Strand (N). In problem-solving investigations, students demonstrate an understanding of the real number system and communicate the relationships within that system using a variety of techniques and tools.

N-1-H	Demonstrating an understanding of the real number system.
N-2-H	Demonstrating that a number can be expressed in many forms, and selecting an appropriate form for a given situation (e.g., fractions, decimals, percents, and scientific notation).
N-3-H	Using number sense to estimate and determine if solutions are reasonable.
N-4-H	Determining whether an exact or approximate answer is necessary.
N-5-H	Selecting and using appropriate computational methods and tools for given situations (e.g., estimation, or exact computation using mental arithmetic, calculator, symbolic manipulator, or paper and pencil).
N-6-H	Applying ratios and proportional thinking in a variety of situations (e.g., finding a missing term of a proportion).
N-7-H	Justifying reasonableness of solutions and verifying results.

B. Algebra Strand (A). In problem-solving investigations, students demonstrate an understanding of concepts and processes that allow them to analyze, represent, and describe relationships among variable quantities and to apply algebraic methods to real-world situations.

A-1-H	Demonstrating the ability to translate real-world situations (e.g., distance versus time relationships, population growth functions for diseases, growth of minimum wage, auto insurance tables) into algebraic expressions, equations, and inequalities and vice versa.
A-2-H	Recognizing the relationship between operations involving real numbers and operations involving algebraic expressions.
A-3-H	Using tables and graphs as tools to interpret algebraic expressions, equations, and inequalities.
A-4-H	Solving algebraic equations and inequalities using a variety of techniques with the appropriate tools (e.g., hand-held manipulatives, graphing calculator, symbolic manipulator, or pencil and paper).

C. Measurement Strand (M). In problem-solving investigations, students demonstrate an understanding of the concepts, processes, and real-life applications of measurements.

M-1-H	Selecting and using appropriate units, techniques, and tools to measure quantities in order to achieve specified degrees of precision, accuracy, and error (or tolerance) of measurements.
M-2-H	Demonstrating an intuitive sense of measurement (e.g., estimating and determining reasonableness of results as related to area, volume, mass, rate, and distance).
M-3-H	Estimating, computing, and applying physical measurement using suitable units (e.g., calculate perimeter and area of plane figures, surface area and volume of solids presented in real-world situations).
M-4-H	Demonstrating the concept of measurement as it applies to real-world experiences.

D. Geometry Strand (G). In problem-solving investigations, students demonstrate an understanding of geometric concepts and applications involving one-, two-, and three-dimensional geometry, and justify their findings.

G-1-H	Identifying, describing, comparing, constructing, and classifying geometric figures in two and three dimensions using technology where appropriate to explore and make conjectures about geometric concepts and figures.
G-2-H	Representing and solving problems using geometric models and the properties of those models (e.g., Pythagorean Theorem or formulas involving radius, diameter, and circumference).
G-3-H	Solving problems using coordinate methods, as well as synthetic and transformational methods (e.g., transform on a coordinate plane a design found in real-life situations).
G-4-H	Using inductive reasoning to predict, discover, and apply geometric properties and relationships (e.g., patty paper constructions, sum of the angles in a polygon).
G-5-H	Classifying figures in terms of congruence and similarity and applying these relationships.
G-6-H	Demonstrating deductive reasoning and mathematical justification (e.g., oral explanation, informal proof, and paragraph proof).

E. Data, Discrete Math, and Probability Strand (D). In problem-solving investigations, students discover trends, formulate conjectures regarding cause-and-effect relationships, and demonstrate critical thinking skills in order to make informed decisions.

D-2-H	Recognizing data that relate two variables as linear, exponential, or otherwise in
D-3-H	Using simulations to estimate probabilities (e.g., lists and tree diagrams).

D-4-H	Demonstrating an understanding of the calculation of finite probabilities using permutations, combinations, sample spaces, and geometric figures.
D-7-H	Making inferences from data that are organized in charts, tables, and graphs (e.g., pictograph; bar, line, or circle graph; stem-and-leaf plot or scatter plot).
D-8-H	Using logical thinking procedures, such as flow charts, Venn diagrams, and truth tables.
D-9-H	Using discrete math to model real-life situations (e.g., fair games or elections, map coloring).

F. Patterns, Relations, and Functions (P). In problem-solving investigations, students demonstrate understanding of patterns, relations, and functions that represent and explain real-world situations.

P-1-H	Modeling the concepts of variables, functions, and relations as they occur in the real world and using the appropriate notation and terminology.
P-2-H	Translating between tabular, symbolic, or graphic representations of functions.
P-3-H	Recognizing behavior of families of elementary functions, such as polynomial, trigonometric, and exponential functions, and, where appropriate, using graphing technologies to represent them.
P-4-H	Analyzing the effects of changes in parameters (e.g., coefficients and constants) on the graphs of functions, using technology whenever possible.
P-5-H	Analyzing real-world relationships that can be modeled by elementary functions.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 30:2751 (December 2004), amended LR 32:

### §707. Social Studies

A. Geography Strand: Physical and Cultural Systems (G). Students develop a spatial understanding of Earth's surface and the processes that shape it, the connections between people and places, and the relationship between man and his environment.

#### 1. Benchmark A: The World in Spatial Terms

G-1A-H1	Using geographic representations, tools, and technologies to explain, analyze, and solve geographic problems.
G-1A-H2	Organizing geographic information and answering complex questions by formulating mental maps of places and regions.

#### 2. Benchmark B: Places and Regions

G-1B-H1	Determining how location and social, cultural, and economic processes affect the features and significance of places.
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#### 3. Benchmark C: Physical and Human Systems

G-1C-H1	Analyzing the ways in which Earth's dynamic and interactive physical processes affect different regions of the world.
G-1C-H2	Determining the economic, political, and social factors that contribute to human migration and settlement patterns and evaluating their impact on physical and human systems.

#### 4. Benchmark D: Environment and Society

G-1D-H1	Describing and evaluating the ways in which technology has expanded the human capability to modify the physical environment.
G-1D-H2	Examining the challenges placed on human systems by the physical environment and formulating strategies to deal with these challenges.
G-1D-H3	Analyzing the relationship between natural resources and the exploration, colonization, settlement, and uses of land in different regions of the world.
G-1D-H4	Evaluating policies and programs related to the use of natural resources.
G-1D-H5	Developing plans to solve local and regional geographic problems related to contemporary issues.

B. Civics Strand: Citizenship and Government (C). Students develop an understanding of the structure and purposes of government, the foundations of the American democratic system, and the role of the United States in the world, while learning about the rights and responsibilities of citizenship.

#### 1. Benchmark A: Structure and purposes of Government

C-1A-H1	Analyzing the necessity and purposes of politics and government and identifying examples of programs that fit within those purposes.
C-1A-H5	Evaluating the role and importance of law in the American political system and applying criteria to evaluate laws.

C. Economics Strand: Interdependence and Decision Making (E). Students develop an understanding of fundamental economic concepts as they apply them to the interdependence and decision making of individuals, households, businesses, and governments in the United States and the world.

#### 1. Benchmark A: Fundamental Economic Concepts

E-1A-H1	Analyzing the impact of the scarcity of productive resources and examining the choices and opportunity cost that result.
E-1A-H2	Analyzing the roles that production, distribution, and consumption play in economic decisions.
E-1A-H3	Applying the skills and knowledge necessary in making decisions about career options.
E-1A-H4	Comparing and evaluating economic systems.
E-1A-H5	Explaining the basic features of market structures and exchanges.
E-1A-H6	Analyzing the roles of economic institutions, such as corporations and labor unions, that compose economic systems.

#### 2. Benchmark B: Individuals, Households, Businesses and Governments.

E-1B-H1	Identifying factors that cause changes in supply and demand.
E-1B-H1	Analyzing how changes in supply and demand, price, incentives, and profit influence production and distribution in a competitive market system.
E-1B-H1	Analyzing the impact of governmental taxation, spending, and regulation on different groups in a market economy.
E-1B-H1	Analyzing the causes and consequences of worldwide economic interdependence.
E-1B-H1	Evaluating the effects of domestic policies on international trade.
E-1B-H1	Analyzing Louisiana's role in the national and world economies.

### 3. Benchmark C: The Economy as a Whole

E-1C-H2	Explaining how interest rates, investments, and inflation/deflation impact the economy.
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D. History Strand: Time Continuity, and Change (H). Students develop a sense of historical time and historical perspective as they study the history of their community, state, nation, and world.

#### 1. Benchmark A: Historical Thinking Skills

H-1A-H1	Applying key concepts, such as chronology and conflict, to explain and analyze patterns of historical change and continuity.
H-1A-H2	Explaining and analyzing events, ideas, and issues within a historical context.
H-1A-H3	Interpreting and evaluating the historical evidence presented in primary and secondary sources.
H-1A-H4	Utilizing knowledge of facts and concepts drawn from history and methods of historical inquiry to analyze historical and contemporary issues.
H-1A-H5	Conducting research in efforts to analyze historical questions and issues.
H-1A-H6	Analyzing cause-effect relationships.

#### 2. Benchmark B: United States History

a. Era 6: The Development of the Industrial United States (1870-1900).

H-1B-H6	Analyzing the development of industrialization and examining its impact on American society.
H-1B-H16	Explaining the major changes that have resulted as the United States has moved from an industrial to an information society.
H-1B-H17	Analyzing developments and issues in contemporary American society.

#### 3. Benchmark C: World History

a. Era 9: The Twentieth Century since 1945 (1945 to the present)

H-1C-H15	Explaining the worldwide significance of major political, economic, social, cultural, and technological developments and trends.
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AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10) and R.S. 17:10.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, Trade and Industrial Education, LR 32::

### §709. Science

A. Science as Inquiry Strand (SI). Students will do science by engaging in partial and full inquiries that are within their developmental capabilities.

1. Benchmark A: The Abilities Necessary to do Scientific Inquiry

SI-H-A1	Identifying questions and concepts that guide scientific investigations.
SI-H-A2	Designing and conducting scientific investigations.
SI-H-A3	Using technology and mathematics to improve investigations and communications.
SI-H-A4	Formulating and revising scientific explanations and models using logic and evidence.
SI-H-A5	Recognizing and analyzing alternative explanations and models.

SI-H-A6	Communicating and defending a scientific argument.
SI-H-A7	Utilizing science safety procedures during scientific investigations.

### 2. Benchmark B: Understanding Scientific Inquiry

SI-H-B2	Communicating that scientists conduct investigations for a variety of reasons, such as: exploration of new areas; discovery of new aspects of the natural world; confirmation of prior investigations; evaluation of current theories; and comparison of models and theories.
SI-H-B3	Communicating that scientists rely on technology to enhance the gathering and manipulation of data.
SI-H-B4	Analyzing a proposed explanation of scientific evidence according to the following criteria: follow a logical structure; follow rules of evidence; allow for questions and modifications based on historical and current scientific knowledge.
SI-H-B5	Communicating that the results of scientific inquiry, new knowledge, and methods emerge from different types of investigations and public communication among scientists.

B. Physical Science Strand (PS). Students will develop an understanding of the characteristics and interrelationships of matter and energy in the physical world.

#### 1. Benchmark B: Atomic Structure

PS-H-B1	Describing the structure of the atom and identifying and characterizing the particles that compose it (including the structure and properties of isotopes).
PS-H-B2	Describing the nature and importance of radioactive isotopes and nuclear reactions (fission, fusion, radioactive decay).
PS-H-B3	Understanding that an atom's electron configuration, particularly that of the outer-most electrons, determines the chemical properties of that atom.

#### 2. Benchmark C: The Structure and Properties of Matter

PS-H-C1	Distinguishing among elements, compounds, and/or mixtures.
PS-H-C2	Discovering the patterns of physical and chemical properties found on the periodic table of the elements.
PS-H-C6	Recognizing that carbon atoms can bond to one another in chains, rings, and branching networks to form a variety of structures.
PS-H-C7	Using the kinetic theory to describe the behavior of atoms and molecules during the phase changes and to describe the behavior of matter in its different phases.

#### 3. Benchmark D: Chemical Reactions

PS-H-D1	Observing and describing changes in matter and citing evidence of chemical change.
PS-H-D6	Comparing and contrasting the energy changes that accompany changes in matter.
PS-H-D7	Identifying important chemical reactions that occur in living systems, the home, industry and the environment.

#### 4. Benchmark E: Forces and Motion

PS-H-E1	Recognizing the characteristics and relative strengths of the forces of nature (gravitational, electrical, magnetic, nuclear).
PS-H-E2	Understanding the relationship of displacement, time, rate of motion, and rate of change of motion; representing rate and changes of motion mathematically and graphically.

PS-H-E3	Understanding effects of forces on changes in motion as explained by Newtonian mechanics.
PS-H-E4	Illustrating how frame of reference affects our ability to judge motion.

### 5. Benchmark F: Energy

PS-H-F1	Describing and representing relationships among energy, work, power, and efficiency.
PS-H-F2	Applying the universal law of conservation of matter, energy, and momentum, and recognizing their implications.

### 6. Benchmark G: Interactions of Energy and Matter

PS-H-G1	Giving examples of the transport of energy through wave action.
PS-H-G2	Analyzing the relationship and interaction of magnetic and electrical fields and the forces they produce.
PS-H-G3	Characterizing and differentiating electromagnetic and mechanical waves and their effects on objects as well as humans.
PS-H-G4	Explaining the possible hazards of exposure to various forms and amounts of energy.

C. Earth Science Strand (ESS). Students will develop an understanding of the properties of Earth's materials, the structure of the Earth's system, the Earth's history, and the Earth's place in the universe.

[WARNING: Benchmarks for grades 9-12 need to be addressed if Earth Science is not offered at the high school level.]

#### 1. Benchmark A: Energy in the Earth System

ESS-H-A1	Investigating the methods of energy transfer and identifying the sun as the major source of energy for most of the Earth's systems.
ESS-H-A2	Modeling the seasonal changes in the relative position and appearance of the sun and inferring the consequences with respect to the Earth's temperature.
ESS-H-A3	Explaining fission and fusion in relation to the Earth's internal and external heat sources.
ESS-H-A5	Demonstrating how the sun's radiant energy causes convection currents within the atmosphere and the oceans.

#### 2. Benchmark B: Geochemical Cycles

ESS-H-B1	Illustrating how stable chemical atoms or elements are recycled through the solid earth, oceans, atmosphere, and organisms.
ESS-H-B2	Demonstrating Earth's internal and external energy sources as forces in moving chemical atoms or elements.

D. Science and the Environment Strand (SE). In learning environmental science, students will develop an appreciation of the natural environment, learn the importance of environmental quality, and acquire a sense of stewardship. As consumers and citizens, they will be able to recognize how our personal, professional, and political actions affect the natural world.

#### 1. Benchmark A: Ecological Systems and Interactions

SE-H-A1	Demonstrating an understanding of the functions of Earth's major ecological systems.
SE-H-A2	Investigating the flow of energy in ecological systems.
SE-H-A9	Demonstrating an understanding of influencing factors of biodiversity.
SE-H-A10	Explaining that all species represent a vital link in a complex web of interaction.
SE-H-A11	Understanding how pollutants can affect living systems.

### 2. Benchmark B: Resources and Resource Management

SE-H-B1	Explaining the relationship between renewable and nonrenewable resources.
SE-H-B2	Comparing and contrasting conserving and preserving resources.
SE-H-B3	Recognizing that population size and geographic and economic factors result in the inequitable distribution of the Earth's resources.
SE-H-B4	Comparing and contrasting long and short-term consequences of resource management
SE-H-B5	Analyzing resource management.
SE-H-B6	Recognizing that sustainable development is a process of change in which resource use, investment direction, technological development, and institutional change meet society's present as well as future needs.

### 3. Benchmark C: Environmental Awareness and Protection

SE-H-C1	Evaluating the dynamic interaction of land, water, and air and its relationship to living things in maintaining a healthy environment.
SE-H-C2	Evaluating the relationships between quality of life and environmental quality.
SE-H-C3	Investigating and communicating how environmental policy is formed by the interaction of social, economic, technological, and political considerations.
SE-H-C4	Demonstrating that environmental decisions include analyses that incorporate ecological, health, social, and economic factors.
SE-H-C5	Analyzing how public support affects the creation and enforcement of environmental laws and regulations.

### 4. Benchmark D: Personal Choices and Responsible Actions

SE-H-D1	Demonstrating the effects of personal choices and actions on the natural environment.
SE-H-D2	Analyzing how individuals are capable of reducing and reversing their impact on the environment through thinking, planning, education, collaboration, and action.
SE-H-D3	Demonstrating that the most important factor in prevention and control of pollution is education.
SE-H-D4	Demonstrating a knowledge that environmental issues should be a local and global concern.
SE-H-D5	Recognizing that the development of accountability toward the environment is essential for sustainability.
SE-H-D6	Developing an awareness of personal responsibility as stewards of the local and global environment.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, Trade and Industrial Education, LR 32:

#### §711. Arts

A. Creative Expression (CE). Students develop creative expression through the application of knowledge, ideas, skills, and organizational abilities.

CE-IVA-H1	Producing works of art that successfully convey a central thought based on ideas, feelings, and memories.
CE-IVA-H2	Applying a variety of media techniques, technologies, and processes for visual expression and communication.
CE-IVA-H3	Recognizing and utilizing individual expression through the use of the elements of design while exploring compositional problems.
CE-IVA-H4	Producing a visual representation of ideas derived through the study of various cultures, disciplines, and art careers.

CE-1VA-H5	Producing imaginative works of art generated from individual and group ideas.
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B. Aesthetic Perception (AP). Students develop aesthetic perception through the knowledge of art forms and respect for commonalities and differences.

AP-2VA-H1	Using an expanded art/design vocabulary when responding to the aesthetic qualities of a work of art.
AP-2VA-H2	Analyzing unique characteristics of art as it reflects the quality of everyday life in various cultures.
AP-2VA-H3	Using descriptors, analogies, and other metaphors to describe interrelationships observed in works of art, nature, and the total environment.
AP-2VA-H4	Assimilating the multiple possibilities and options available for artistic expression.

C. Historical and Cultural Perception (HP). Students develop historical and cultural perception by recognizing and understanding that the arts throughout history are a record of human experience with a past, present, and future.

HP-3VA-H1	Categorizing specific styles and periods of art as they relate to various cultural, political, and economic conditions.
HP-3VA-H2	Analyzing how works of art cross geographical, political, and historical boundaries.
HP-3VA-H4	Analyzing materials, technologies, media, and processes of the visual arts throughout history.
HP-3VA-H5	Identifying the roles of artists who have achieved recognition and ways their works have influenced the community.

D. Critical Analysis (CA). Students will make informed judgments about the arts by developing critical analysis skills through study of and exposure to the arts.

CA-4VA-H1	Translating knowledge of the design elements and principles to communicate individual ideas.
CA-4VA-H2	Working individually/collectively to compare and contrast symbols and images in the visual arts within historical periods and in other core curricula.
CA-4VA-H3	Comparing and contrasting the processes, subjects, and media of the visual arts.
CA-4VA-H4	Analyzing how specific works are created and how they relate to cultures and to historical periods.

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, Trade and Industrial Education, LR 32:

Subpart 3. Drafting

**Chapter 9. Drafting Program Rationale**

**§901. Introduction**

A. Refer to Subpart 1 of this Part XCIX for General Provisions applicable to this Drafting Program.

B. This course introduces the drafting trainee to the drafting trade, including the apprenticeship process and the opportunities within the trade.

C. Learning Objectives. Upon completion of this course, the trainee will be able to:

1. describe the history of the drafting occupation;
2. identify the stages of progress within the drafting occupation;
3. identify the responsibilities of a person working in the drafting profession;

4. state the personal characteristics of a professional;
5. explain the importance of safety in the drafting occupation.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**Chapter 11. Drafting Training Certification**

**Subchapter A. General Certification**

**§1101. Introduction**

A. The purpose of certification is to give recognition (certification) to schools whose curriculum in design/drafting meets the standards established and approved by the American Design Drafting Association (ADDA).

B. The program also provides a means of encouraging schools to develop and upgrade design/drafting curriculum in order to better prepare students to meet job requirements.

C. Request for Certification. A request for certification is implemented by a school official requesting the ADDA Certification Committee evaluate the curriculum. The evaluation is accomplished by examination of the school's curriculum; by interviews with faculty and graduates; by the use of references; by examination of data from catalogs, texts, courses, and other school publications; and by inspection of school facilities, if required.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**§1103. Eligibility for Certification**

A. The reliability of the following criteria depends upon establishing and adhering to an equitable procedure of evaluation.

B. General Requirements. A school that offers an organized curriculum of two or more years directed toward the preparation for employment of the designer and drafter may make application for certification. Certification may be requested when the curriculum has been in operation a minimum of two years.

C. Types of Schools Eligible. The types of schools eligible for certification are those offering courses leading to a diploma, certificate, or degree in design/drafting. These are:

1. colleges and universities, including branches or divisions;
2. technical institutes, including private, public, or endowed;
3. junior or community colleges;
4. trade schools, including private, public, or endowed;
5. post-secondary schools or vocational-technical schools;
6. high schools and vocational high schools;
7. vocational and training schools that supplement academic programs.

D. Ethical and Financial Status. The school must have a reputation for being fair and factual in all its dealings with students and the public, and maintain a high standard of ethics in all operations. The school shall give evidence of having adequate financial support for normal operation.

#### E. Physical Plant

1. Floor Space. Space should be adequate (classroom: approximately 22 square feet per student; drawing room: approximately 75 square feet per student) to accommodate all students, and should avoid the use of labs and drawing rooms by more than one class at the same time.

2. Equipment. Equipment in drawing labs should be equivalent to the minimum acceptable equipment used in industry, and should be supplied in sufficient quantity to permit usage by all students without "doubling up." All equipment should be in good condition, and provisions should be made for adequate storage. Laboratory and shop equipment should be adequate for student use and for demonstration.

3. Lighting. All classrooms and laboratories should be lit with a minimum of 100-foot candles.

4. Housekeeping. Work areas should be neat and clean. Premises should be cleaned daily. The students should be instructed and supervised in the proper care and usage of equipment and premises.

F. Types of Curriculum Certified. The curriculum may be certified for different levels and offered in any one of the various design/drafting fields, supported by specified related or background studies. The drafting courses shall be technological in nature, with emphasis placed on the graphical rather than analytical solutions of problems (See §7111 for ADDA Levels of Curriculum).

G. Length of Curriculum. The curriculum shall be at least two academic years of full-time residence work or equivalent in part-time or extension work. See "ADDA Levels of Curriculum" for credit/clock hour requirements (§7111).

#### H. Faculty Qualification

1. A desire to teach is an essential characteristic, but both the educational level of the faculty and their industrial or related experiences are additionally important. They should be experienced and competent, and should have proven ability in the subjects they teach.

2. Participation of faculty members in professional societies related to their field is a desirable practice. The ratio of instructors to students, as well as faculty teaching loads, should be such that quality instruction is enhanced.

#### I. Industry Advisory Committee

1. ADDA requires that the schools have or establish an advisory committee composed of three or more representatives of local industries. The committee shall assist the school in the promulgation of their design or drafting curriculum, and act as a continuing liaison between the educational institution and industry.

2. It shall be the responsibility of the school to report to ADDA the names of all members of this committee, with their addresses, business connections, and titles.

3. The committee should meet periodically at the school for observation, discussion, and advice. A written report from the advisory committee should be attached to the school's Annual Certification Renewal Form that contains the general condition of design/drafting curriculum, school facilities, faculty performance, and recommendations. Favorable yearly reports will have paramount importance in certification renewals.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### Subchapter B. Curriculum Evaluation

#### §1105. Basis for Evaluation

A. It is intended that the basis for evaluating curriculum be sufficiently broad and liberal in scope to permit evaluators to work within reasonable limits in determining value of curriculum and eligibility for certification. Since there is considerable diversity in design/drafting courses and variations of the many types of schools that offer them, it is necessary to set certain minimum requirements.

B. Statement of Purpose. For each curriculum the school shall prepare a definitive statement mentioning the types and levels of employment open to graduates of that curriculum. One basis for certification is the extent to which the curriculum enables the student to handle the type and level of employment.

#### C. Attainment of Employment

1. One indication of the quality and content of any curriculum may be found by examining the following factors:

- a. the percentage of graduates placed in jobs for which they are trained;
- b. the job level attained by graduates after a five-year period;
- c. the length of employment;
- d. passing the ADDA Drafter Certification Exam.

2. Each application for certification shall include an employment report indicating the type and level of employment obtained by graduates and the names and addresses of firms employing the graduates.

3. The examining committee is instructed to recognize the difficulty in obtaining complete records of graduates five years after graduation; therefore, the school should make records as complete as possible. A record of continuing education is accepted in lieu of employment record.

#### D. Curriculum Analysis

##### 1. Drafter—Community College or Vo-Tech

a. In view of the diversity of methods for evaluating credit, the following method shall be utilized as a basis for equitable evaluation and comparison.

i. Assuming that two hours of preparation or outside problem work by the student are required for each hour of lecture or recitation, the total workload may be gauged by the formula  $3T + L - C$ , where T is theory or recitation contact hours, L is lab contact hours (includes work on board and/or CAD in drafting room), and C is curriculum workload.

b. The application of the above formula cannot alone serve as a basis for conclusion, but it does produce a figure below which special consideration should be given with respect to quantity of content and academic level of courses included in the curriculum.

##### 2. Apprentice Drafter—Post-Secondary School or Vo-Tech

a. The evaluation for this program will be based on the training institute's ability to ensure the student is provided with instruction that covers subjects listed in the "ADDA Test Objectives." A recommended guide for instruction is to use the customary one-hour of lecture for each two hours of lab time.

3. Vocational/Training Schools that Supplement Academic Programs. The evaluation for this program will be based on the training institute's ability to provide the technical instruction recommended at the drafter and apprentice drafter levels. Specifically, at the drafter level for programs working with community colleges or vo-tech schools, a minimum of 900 clock hours of instruction in Technical Drawing should be provided. At the apprentice drafter level for programs working with post-secondary or vo-tech schools, a minimum of 800 clock hours of instruction in Technical Drawing should be provided. At the apprentice drafter level for programs working with high schools or vocational high schools, a minimum of 600 hours (50 percent theory, 50 percent lab) of instruction in the Disciplines of Drafting and Design and Drafting Production Techniques should be provided. These recommendations are outlined in the ADDA Levels of Curriculum section.

E. Academic Level. The academic level of approved curriculum shall include 2, 3, and 4-year curriculum.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### §1107. ADDA Levels of Curriculum

A. It is recognized that instruction and training in the field of drafting and/or design can be given in various degrees and levels of accomplishment. The following outline indicates the specifications applying to the levels of curriculum, ranging from secondary schooling to a university degree. It is not intended herein that the terms limit or establish industry classifications or identifications having similar designations.

1. Engineering Designer—Baccalaureate Degree University

a. The four-year degree must meet all the requirements defined below, in addition to those shown in the technical college or institute outline for design drafter.

Credits	Subjects
6 – 12	ADVANCED DESIGN COURSES (Advanced Machine Design, Dynamics, Fluid Mechanics, Kinematics, Special Departmental Design Project Courses)
3 – 12	MANAGEMENT DEVELOPMENT COURSES (Principles of Supervision, Industrial Organization, Management, Office Administration)
3 – 12	DESIGN GRAPHICS COURSES (Computer Graphics, Pipe Drafting, Structural Drafting, Highway Drafting, Civil Drafting)

2. Design Drafter—Technical College or Institute

a. Four or more semesters, 60-70 semester credits are recommended (60 credit minimum)

Credits	Subjects
10 – 15	TECHNICAL DRAWING (Basic, Machine Architectural, Electrical, Mapping, Piping, Structural, Technical Illustration, Technical/Sketching, Tool Detailing, Jig and Fixture, and Advanced Descriptive Geometry)
2 – 4	DESCRIPTIVE GEOMETRY
4 – 8	PHYSICAL SCIENCES (Physics*, Chemistry)

6 – 12	MATH – COLLEGE LEVEL (Algebra*, Trigonometry*, Analytic Geometry)
6 – 10	STATICS, STRENGTH OF MATERIALS, PROPERTIES OF MATERIALS
4 – 8	MANUFACTURING PROCESSES (Machine Shop, Welding, Foundry)
3 – 9	COMMUNICATIONS (English Composition*, Report Writing, Speech)
5 – 15	RELATED SPECIALTY COURSES (Electricity*, Survey, Business Machines, Elementary Machines Design, Computer Aided Drafting, Hydraulics, Economics, Accounting, Numerical Control)
0 - 3	INSTITUTIONAL ELECTIVES (subject matter to satisfy special institutional requirements, e.g., History, Government, P.E.)

\*Specifically recommended

3. Drafter—Community College or Vo-Tech (excludes apprentice drafter)

a. 50-60 semester credits are recommended (50 credit minimum-1,340 clock hours minimum)

Clocked Hours	Credits	Subjects
900-200	15-20	TECHNICAL DRAWING (Basic, Machine, Architectural, Electrical, Mapping, Piping, Structural, Technical Illustration, Technical/Sketching, Tool Detailing, Jig and Fixture, and Advanced Descriptive Geometry, Geometric Dimensioning and Tolerancing and CAD)
40 - 80	2-4	DESCRIPTIVE GEOMETRY
80 – 160	4 – 8	BASIC SCIENCES (Applied Physics, Mechanics, Chemistry)
40 – 120	4 – 8	MATH – COLLEGE LEVEL (Algebra*, Trigonometry*)
40 – 120	2 – 6	MANUFACTURING PROCESSES (Machine Shop*, Metal Shop, Foundry, Welding)
40 – 120	2 – 6	PROPERTIES OF MATERIALS
60 – 120	3 – 6	COMMUNICATIONS (English Composition, Business English, Report Writing)
100 - 200	5 – 10	RELATED SPECIALTY COURSES (Custom Menus, Plane and Solid Geometry, Computer Programming)

\*Specifically recommended

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### §1109. Vocational and Training Schools that Supplement Academic Programs

A. When a vocational or training school is used in conjunction with an academic program to provide instruction and training in the field of drafting and/or design, it is recognized that the Vocational/Training School will provide the required 900-1,200 clock hours of instruction and the student will receive the remaining coursework at the academic institution.

1. Apprentice Drafter—Post-Secondary School or Vo-Tech. It is recommended that a minimum of 400 clock hours in the core curriculum be required. The student's total curriculum should provide the opportunity to obtain the knowledge and skills required to successfully pass the ADDA Drafter Certification test.

Clocked Hours	Credits	Subjects
800-1000	15 – 20	TECHNICAL DRAWING (Care, Machine, Architectural, Electrical, Electromechanical, Mapping, Piping, Structural, Technical Illustration, Technical/ Sketching, Tool Detailing, Jig and Fixture, and Advanced Descriptive Geometry, Geometric Dimensioning and Tolerancing and CAD)

2. Apprentice Drafter – High School or Vocational High School Level. To qualify for certification at the high school/vocational high school level, the drafting program must include the following subjects.

<p><i>English:</i> four years  <i>Math:</i> three years minimum (i.e., Algebra, Geometry, Trigonometry)  <i>Science:</i> three years (i.e., Biology, Chemistry, Physics)            Disciplines of Drafting and Design:  <i>Architecture:</i> Residential, Commercial, Structural Steel, Design/Drafting Techniques  <i>Civil:</i> Basic civil design/drafting principles (i.e., site plans)  <i>Mechanical:</i> Basic mechanical design/drafting principles and techniques  <i>Electro/Mechanical:</i> Basic electro/mechanical design/drafting principles and techniques  <i>Drafting Production Techniques</i></p>
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a. The drafting program course of study must be at least two years in length (usually grades 11 and 12) with class contact of 150 hours per semester (300 hours per school year). Program evaluation will be based on the formula 50 percent theory/50 percent lab. When a vocational or training school is used to provide training and instruction in drafting or design in conjunction with the academic institution, it is recognized that the student will receive instruction in the Disciplines of Drafting and Design and Drafting Production Techniques at the vocational/training school.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### §1111. Subjects

#### A. Drawing Courses

1. For Engineering Designer or Design Drafter, the curriculum must be equally complete in the theory and technique of drafting, but must also extend into the field of engineering and design with which they are associated. They must encompass the ability to make use of graphic principles in the solution of problems relating to design/drafting.

2. The curriculum for Drafter and Apprentice Drafter should contain not only basic, but also advanced drawing courses in one or more specialized fields. The courses should provide the student with a complete foundation in the theory

and technique of drafting. They should offer training to develop:

- a. manual skill in the use of instruments;
- b. the ability to do neat, legible, free-hand lettering and sketching in the area of specialization; and
- c. computer-aided drafting (CAD) systems.

3. It is understood that drawing courses involve not only drawing board and CAD practice in a formal class, but also lecture, discussion and individual guidance, as may be suitable, from an instructor present in the class. It is recommended that, when applicable, “Design” courses include a finished drawing product, as well as computation and access to and use of catalogs, standard parts lists, commercial accessories, etc., as necessary.

#### B. Applied Technical Courses (includes basic sciences)

1. Courses that equip the drafting student with technical information directly related to his or her ultimate duties as a drafter, and without the use of which he or she could be no more than a copyist, are classified as applied technical specialties. In the area of machine drafting, courses falling under this heading include such subjects as:

- a. metallurgy;
- b. mechanics;
- c. materials and testing;
- d. metal shop;
- e. machine operations;
- f. production planning;
- g. chemistry;
- h. physics; and
- i. computer science.

C. Mathematics. The Drafter curriculum should include algebra, geometry, and trigonometry at the post-high school level. In the two higher classifications, analytic geometry and calculus should be required or integrated in design courses. It is expected the treatment will be oriented toward the needs of the profession.

D. General Subjects (English, Communications, Leadership, Humanities, and others). Subjects which contribute to the overall improvement of a student and to his/her development as a citizen, but which are not directly related to his/her activities as a designer or drafter, are included under this heading. All levels include an allowance for studies under this general heading.

NOTE: Subjects 2 through 4 are to be omitted from the curricular requirements for Apprentice Drafter, Post-Secondary School or Vo-Tech. Students are encouraged to continue their education for those subjects at a community college or university.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**Chapter 13. National Occupational Skills Standards**

**§1301. Competencies, Foundation Skills, and**

**Academic Cross-References**

**A. Standard 1: Fundamental Drafting Skills**

<b>Benchmarks</b>	<b>Louisiana Foundation Skills</b>	<b>Academic Cross-Reference Standard-Benchmark</b>
<p><b>A. DRAWING MEDIA AND RELATED DRAFTING MATERIALS</b></p> <p>(1) Identify the characteristics and types of vellum, mylar, paper, etc.</p> <p>(2) Select drawing media from among the following choices: mylar, vellum, paper, etc.</p> <p>(3) Identify the characteristics and types of vellum, mylar, plotting pens, plotting pencils, ink, and toner cartridges.</p> <p>(4) Select related drafting materials from among the following choices: plotting pens, plotting pencils, ink, and toner cartridges. Consider the following criteria: costs, equipment, use, compatibility, and accuracy.</p>	<p>1, 3</p> <p>1, 2, 3, 4</p> <p>1, 2, 3, 4</p> <p>1, 2, 3, 4</p>	<p><b>English Language Arts (ELA)</b></p> <p>ELA 1—H1, H3, H4, H5</p> <p>ELA 3—H1, H2, H3</p> <p>ELA 4—H2, H5</p> <p>ELA 5—H1, H2, H3, H4, H6</p> <p>ELA 7—H1</p> <p><b>Mathematics</b></p> <p>N – 1H, 2H, 3H, 4H, 5H</p> <p>M – 1H, 2H, 3H, 4H</p> <p>G – 2H, 3H, 6H</p> <p>D—None</p> <p>P—None</p>
<p><b>B. BASIC MEASUREMENT SYSTEMS</b></p> <p>(1) List the elements of the English/Imperial system and the metric system.</p> <p>(2) Identify basic measurement systems using: fractions, decimals, metric, English, degrees, and radians.</p> <p>(3) Evaluate each measuring system using the criteria of: length, mass (weight), area, perimeter, circumference, and volume.</p> <p>(4) Apply the elements of the English/Imperial system and the metric system.</p> <p>(5) Apply basic measurement systems' measurements to the mathematical operations of length, mass (weight), area, perimeter, circumference, and volume.</p>	<p>1, 3, 4</p> <p>1, 3, 4</p> <p>2, 3, 4</p> <p>1, 2, 3, 4</p> <p>1, 2, 3, 4</p>	<p><b>Science</b></p> <p>SI –H – A1, A2, A3, A4, A5, A6</p> <p><b>Arts</b></p> <p>CE – 1VA-H2, H7</p> <p>HP – 3VA-H4</p> <p>CA – 4VA-H1, H3</p> <p><b>English Language Arts</b></p> <p>ELA 1—H1, H3, H4, H5</p> <p>ELA 2—H4, H6</p> <p>ELA 3—H1, H2, H3</p> <p>ELA 4—H2, H5</p> <p>ELA 5—H1, H2, H3, H4, H6</p> <p>ELA 7—H1</p>
<p><b>C. ANNOTATING DRAWINGS</b></p> <p>(1) Identify notes, symbols, and the placement of notes and symbols.</p> <p>(2) Prepare notes and proportionately sized symbols for features requiring description (e.g., electrical symbols).</p> <p>(3) Apply annotation notes, symbols, and placement to correct the feature being described (e.g., electrical symbols).</p>	<p>1, 3,</p> <p>1, 2, 3, 4</p> <p>1, 2, 3, 4</p>	<p><b>Mathematics</b></p> <p>N – 1H, 2H, 3H, 4H, 5H, 6H, 7H</p> <p>A – 1H, 4H</p> <p>M – 1H, 2H, 3H, 4H</p> <p>G – 1H, 5H</p> <p>D—None</p> <p>P—None</p>
<p><b>D. LINE STYLES AND WEIGHTS</b></p> <p>(1) Identify line styles (e.g., center line, hidden line, phantom, object, section).</p> <p>(2) Identify line weights (e.g., center line, hidden line, phantom line, object line, section line).</p> <p>(3) Evaluate line styles and correct line style in order to represent/define features</p> <p>(4) Apply various line styles in accordance with industry-accepted standards.</p>	<p>1, 3, 4</p> <p>1, 3, 4</p> <p>1, 2, 3, 4</p> <p>1, 2, 3, 4</p>	<p><b>Science</b></p> <p>SI –H – A1, A2, A3, A5, A6, A7</p> <p><b>Arts</b></p> <p>CE – 1VA – H2, H7</p> <p>AP – 2VA – H4</p> <p>CA – 4VA—H1</p>
<p><b>E. PREPARING TITLE BLOCKS AND OTHER DRAFTING FORMATS</b></p> <p>(1) Identify title block components (e.g., sale, sheet, number, revision).</p> <p>(2) Evaluate the title block using the following criteria: location on the drawing, content, and appropriate letter height and justification.</p> <p>(3) Prepare a title block.</p> <p>(4) Identify the components of a bill of materials, parts list, and schedules.</p> <p>(5) Prepare a title block including bill of materials, parts list and schedule.</p> <p>(6) Identify/prepare a tolerance block.</p> <p>(7) Reference/information chart, identify the size, quantity, symbol, and location of each feature and proprietary information.</p> <p>(8) Evaluate the tolerance block using the following criteria: location on the drawing, content, and appropriate letter height and justification.</p> <p>(9) Identify/prepare a revision status of sheet blocks.</p> <p>(10) Identify/prepare a border, incorporating fold lines, microfilm, arrows and zones.</p> <p>(11) Evaluate the border using the following criteria: location on the drawing, content, and appropriate letter height and justification.</p> <p>(12) Identify and apply industry standard symbols, identify the finish mark, electrical/electronic, welding, GD&amp;T, machine tool, and architectural symbols</p>	<p>1, 3,</p> <p>1, 2, 3, 4</p> <p>1, 2, 3, 4</p> <p>1, 3, 4</p> <p>1, 2, 3, 4</p>	<p><b>English Language Arts</b></p> <p>ELA 1—H1, H3, H4, H5</p> <p>ELA 2—H4, H6</p> <p>ELA 3—H1, H2, H3</p> <p>ELA 4—H2, H5</p> <p>ELA 5—H1, H2, H3, H4, H6</p> <p>ELA 7—H1</p> <p><b>Mathematics</b></p> <p>N – 1H, 2H, 3H, 4H, 5H, 6H, 7H</p> <p>A – 1H</p> <p>M – 1H, 2H, 3H, 4H</p> <p>G – 1H, 5H</p> <p>D—None</p> <p>P—None</p> <p><b>Social Studies</b></p> <p>C – 1A –H1</p> <p>E – 1A – H3</p> <p><b>Science</b></p> <p>SI –H – A3</p> <p><b>Arts</b></p> <p>CE – 1VA – H1, H2, H7</p> <p>CA – 4VA—H1</p> <p><b>English Language Arts (ELA)</b></p> <p>ELA 1—H1, H3, H4, H5</p>

Benchmarks	Louisiana Foundation Skills	Academic Cross-Reference Standard-Benchmark
<b>F. REPRODUCTION OF ORIGINALS USING DIFFERENT METHODS</b> (1) Identify methods for reproduction of originals. (2) Evaluate the appropriate copying method with the cost and purpose of the drawing. (3) Create a first generation plot by developing a plotted drawing.	1, 3, 1, 2, 3, 4 1, 2, 3, 4	ELA 2—H4 ELA 3—H1, H2, H3 ELA 4—H2, H5 ELA 5—H1, H2, H3, H4, H6 ELA 7—H1  <b>Mathematics</b> N – 1H, 2H, 3H, 4H, 6H, 7H A – 3H M – 1H, 2H, 3H, 4H G – 1H, 2H, 3H, 4H, 5H, 6H D—None P—None
<b>G. CREATE FREEHAND TECHNICAL SKETCHES</b> (1) Identify the purpose of a freehand sketch. (2) Create freehand technical sketches.	1, 2, 3, 4 1, 2, 3, 4	 N – 1H, 2H, 3H, 4H, 6H, 7H A – 3H M – 1H, 2H, 3H, 4H G – 1H, 2H, 3H, 4H, 5H, 6H D—None P—None
<b>H. ORTHOGRAPHIC PROJECTIONS</b> (1) Identify appropriate orthographic views to completely describe an object. (2) Identify the proper size and location of necessary orthographic views. (3) Identify, create, and place appropriate orthographic views. (4) Create orthographic views utilizing the criteria: necessary views, surface and edge relationships, and hidden lines/surfaces. (5) Identify, create, and place appropriate section views. (6) Identify the purposes of section views. (7) Create section views with (e.g., full, rib, half). (8) Identify, create, and place appropriate auxiliary views. (9) Identify the purposes of primary and secondary auxiliary views. (10) Identify primary and secondary auxiliary purposes for use.	1, 2, 3, 4 1, 2, 3 1, 2, 3, 4  1, 2, 3, 4 1, 2, 3, 4	 C-1A—H1  <b>Social Studies</b>  <b>Science</b> SI –H – A1, A2, A3, A5, A6, A7  <b>Arts</b> CE – 1VA – H1, H2, H5, H7 AP – 2VA – H4 CA – 4VA—H1, H3  <b>English Language Arts (ELA)</b> ELA 1—H1, H3, H4, H5 ELA 4—H2, H5 ELA 5—H1, H2, H3, H4 ELA 7—H1
<b>I. PICTORIAL DRAWINGS</b> (1) Identify isometric, diametric, trimetric, and exploded drawings. (2) Identify and create axonometric drawings. (3) Create in detail axonometric; isometric, diametric, trimetric, and exploded drawings. Evaluate the drawings by the criteria: size and angle. (4) Identify cabinet and cavalier oblique drawings. (5) Identify and create oblique and cavalier drawings. (6) Create cabinet and cavalier oblique drawings, using proper size and angle. (7) Identify perspective drawings. (8) Identify 1, 2, and 3-point views, evaluating different types of perspective drawings.	1, 2, 3 1, 2, 3, 4  1, 2, 3, 4 1, 2, 3 1, 2, 3, 4 1, 2, 3 1, 2, 3, 4 1, 2, 3 1, 2, 3, 4	 N – 1H, 2H, 3H, 4H, 5H, 6H, 7H A – 1H, 2H, 3H, 4H M – 1H, 2H, 3H, 4H G – 1H, 2H, 3H, 4H, 5H, 6H D—None P—None  <b>Social Studies</b> C – 1A—H1, H2 C-1A—H1  <b>Science</b> SI –H – A1, A2, A3, A5, A6  <b>Arts</b> CE – 1VA – H1, H2, H3, H7 CA – 4VA—H1 AP – 2VA – H4  <b>English Language Arts (ELA)</b> ELA 1—H1, H3, H4, H5 ELA 2—H4 ELA 4—H2, H5 ELA 5—H1, H2, H3, H4, H6 ELA 7—H1
<b>J. DIMENSIONING</b> (1) Identify extension, dimension and leader lines from a drawing. (2) Identify and describe generally accepted dimensioning practices (e.g., spacing, crossing lines). (3) Apply dimensioning rules to extension, dimension, and leader lines. (4) Identify and outline the use of generally accepted dimension line terminators. (5) Identify the generally accepted practices of dimensioning a line, an angle, radii, and diameter. (6) Apply the proper size and location to: dimensions of lines, arcs, angles, radii, and diameters. (7) identify the generally accepted practices of dimensioning spheres, cylinders, tapers, pyramids, irregular objects, and pictorial drawings. (8) Apply the proper size and location to spheres, cylinders, tapers, pyramids, irregular objects, and pictorial drawings. (9) Identify the purpose of size and location of a center line for dimensioning symmetrical features. (10) Apply the symmetrical features of a center line to its proper size and location. (11) Identify and provide a use for different types of dimensioning style (e.g., Cartesian, polar, datum, coordinate). (12) Apply the proper size and location to Cartesian, polar, datum, and coordinate dimensioning methods. (13) Identify and place tolerance dimensioning and Geometric Dimensioning and Tolerance. (14) Apply the proper size and location to GD &T (tolerancing and datum) symbols.	1, 3  1, 2, 3 1, 2, 3  1, 3  1, 3  1, 2, 3, 4  1, 3, 4  1, 2, 3, 4  1, 3  1, 2, 3  1, 2, 3  1, 2, 3, 4  1, 2, 3, 4  1, 2, 3, 4	 SI –H – A1, A2, A3, A5, A6  <b>Arts</b> CE – 1VA – H1, H2, H3, H7 CA – 4VA—H1 AP – 2VA – H4  <b>English Language Arts (ELA)</b> ELA 1—H1, H3, H4, H5 ELA 2—H4 ELA 4—H2, H5 ELA 5—H1, H2, H3, H4, H6 ELA 7—H1  <b>Mathematics</b> N – 1H, 2H, 3H, 4H, 5H, 6H, 7H M – 1H, 2H, 3H, 4H G – 1H, 2H, 3H, 4H, 5H, 6H P – None D – None  <b>Social Studies</b> G – 1A—H1, H2 C – 1A—H1  <b>Science</b> SI –H – A1, A2, A3, A4, A5, A6  <b>Arts</b> CE – 1VA – H1, H2, H3, H7 AP-2VA—H4 CA – 4VA – H1  <b>English Language Arts (ELA)</b> ELA 1—H1, H2, H3, H4, H5 ELA 2—H4 ELA 3—H1, H2, H3

Benchmarks	Louisiana Foundation Skills	Academic Cross-Reference Standard-Benchmark
		ELA 4—H2, H5 ELA 5—H1, H2, H3, H4, H6 ELA 7—H1  <b>Mathematics</b> N – 1H, 2H, 3H, 4H, 5H, 6H, 7H A – 1H, 2H, 3H, 4H M – 1H, 2H, 3H, 4H G – 1H, 2H, 3H, 4H, 6H D – None P – None  <b>Social Studies</b> C – 1A—H1  <b>Science</b> SI –H – A1, A2, A3, A4, A5, A6  <b>Arts</b> CE – 1VA – H1, H2, H7 CA – 4VA – H1

B. Standard 2. Fundamental Computer Skills

Benchmarks	Louisiana Foundation Skills	Academic Cross-Reference Standard-Benchmark
<b>A. HARDWARE</b> (1) Demonstrate proper care of equipment for care of computer components. (2) Explain the standard procedures regarding care of equipment: keyboard, monitor, CPU, etc., based on the survey of operators' manuals. (3) Identify/explain standard procedures for input devices (mouse, keyboard, tablet/digitizer) based on the survey of the operators' manual. (4) Operate and interface with computers and software through the use of input devices (e.g., mouse, keyboard, tablet/digitizer). (5) Identify and explain output devices (printers/plotters) based on the standard procedures found in the survey of operators' manuals. (6) Operate and adjust output devices. (7) Identify different types if storage media and the proper operating methods/protection capabilities for each type. (8) Explain the standard techniques and procedures for the care and usage of storage media (e.g., diskettes, tapes, CDs). (9) Demonstrate power-up with system function intact and initialization/exit procedures. (10) Demonstrate the ability to adjust monitor controls. (e.g., brightness, contrast, etc.). (11) Recognize availability of information services. (12) Describe the purpose of e-mail, bulletin boards, internal/external computer networks, and online information services.	1, 3  1, 3  1, 2, 3  1, 2, 3  1, 2, 3  1, 3  1, 3  1, 3  1, 2, 3 1, 2, 3, 4  1, 3, 4	<b>English Language Arts (ELA)</b> ELA 1—H1, H3, H4, H5 ELA 2—H4 ELA 4—H2, H5 ELA 5—H1, H2, H3 ELA 7—H1, H2  <b>Mathematics</b> N – 4H, 5H A – 1H M – 4H G – 3H, 4H, 5H, 6H  <b>Social Studies</b> E – 1A—H3  <b>Science</b> SI –H – A3, A5  <b>Arts</b> CE – 1VA – H2  <b>English Language Arts (ELA)</b> ELA 1—H1, H3, H4, H5 ELA 2—H4, H6 ELA 3—H1, H2, H3 ELA 4—H2, H5 ELA 5—H1, H2 ELA 7—H1, H2  <b>Mathematics</b> N – 3H, 4H, 5H, 6H, 7H M – 1H, 2H, 3H, 4H G – 1H, 2H, 3H, 4H, 5H, 6H P – 4H  <b>Social Studies</b> C-1A—H1 E-1A—H3  <b>Science</b> SI-H—A1, A2, A3, A5, A6, A7 S1-H—B3, B5 PS-H—G4  <b>Arts</b>
<b>B. PHYSICAL AND SAFETY NEEDS</b> (1) Demonstrate an understanding of ergonomic considerations. (2) List and explain the importance of each feature of an ergonomic environment for a computer operator. (3) Identify/explain ergonomic applications (e.g., lighting, posture, keyboard position). (4) Demonstrate personal safety. (5) List safety standards and describe potential safety hazards that may affect a computer operator. (6) List and describe the OSHA and national Electrical Code safety standards, e.g., extension cords, daisy chaining, and watts usage for an outlet.	1, 2, 3, 4  1, 2, 3, 4  1, 2, 3, 4  1, 3, 4  1, 3, 4  1, 3, 4	N – 3H, 4H, 5H, 6H, 7H M – 1H, 2H, 3H, 4H G – 1H, 2H, 3H, 4H, 5H, 6H P – 4H  <b>Social Studies</b> C-1A—H1 E-1A—H3  <b>Science</b> SI-H—A1, A2, A3, A5, A6, A7 S1-H—B3, B5 PS-H—G4  <b>Arts</b>

Benchmarks	Louisiana Foundation Skills	Academic Cross-Reference Standard-Benchmark
<b>C. OPERATING SYSTEMS</b>		
(1) Start and exit software programs as required.	1, 3	CE – 1VA – H2, H7 AP-2VA—H4
(2) Demonstrate proper file management techniques.	1, 2, 3, 4	CA-4VA—H1
(3) List and describe the function of file management commands.	1, 3, 4	<b>English Language Arts (ELA)</b>
(4) Explain definitions and procedures for file management techniques: copying, deleting, finding, saving, and renaming.	1, 2, 3, 4	ELA 1—H1, H3, H4, H5 ELA 2—H4, H6
(5) Demonstrate definitions and procedures for file management techniques.	1, 3, 4	ELA 3—H1, H2, H3 ELA 4—H2, H5
(6) Explain and demonstrate formatting a floppy disk.	1, 2, 3	ELA 5—H1, H2, H3 ELA 7—H1
(7) Identify, create, and use directory structure and change paths.		<b>Mathematics</b>
(8) Identify the correct method to organize files on a particular workstation and recognize potential problems.	1, 2, 3	N – 2H, 3H, 4H, 5H, 6H, 7H M – 1H, 2H, 3H, 4H G – 1H, 2H, 3H, 5H, 6H D – 7H
(9) Create and apply a directory structure (e.g., directories, sub-directories, files) to organize files on a particular workstation.	1, 2, 3	
(10) Identify, explain, and demonstrate the file back-up procedure for files, directories, programs, etc., based on the operating/application system.	1, 2, 3, 4 1, 2, 3, 4	<b>Social Studies</b>
(11) Translate, import, and export data files between formats.	1, 2, 3	E-1A—H3
(12) Explain the procedure and limitations for data files and data types based on the application system (i.e., justification, advantages and disadvantages).	1, 3, 4 1, 2, 3, 4	<b>Science</b> S1-H—A1, A2, A3, A5, A6, A7
(13) Identify the location and purpose of online help.	1, 2, 3	<b>Arts</b>
(14) Use an online help tutorial based on the application system.		CE – 1VA – H7
(15) Save drawings to storage devices such as hard drives, floppy disks, CDs, etc., based on the application system.	1, 2, 3	

C. Standard 3. Basic CADD Skills

Benchmarks	Louisiana Foundation Skills	Academic Cross-Reference Standard-Benchmark
<b>A. CREATE</b>		
(1) Demonstrate the ability to open a drawing data file and create a drawing.	1, 2, 3	<b>English Language Arts (ELA)</b>
(2) Demonstrate the ability to perform a drawing setup (e.g., sheet size, border, title block).	1, 2, 3	ELA 1—H1, H3, H4, H5 ELA 2—H4 ELA 4—H2, H5 ELA 5—H1, H2, H3 ELA 7—H1
(3) Construct geometric figures through the use of multiple construction techniques. (e.g., lines, conics, circles, splines, arcs, polygons) given size, orientation, and location specifications.	1, 2, 3, 4 1, 2, 3	<b>Mathematics</b>
(4) Create text using appropriate style and size to annotate drawings.		N – 1H, 2H, 3H, 4H, 5H, 6H, 7H A – 3H, 4H M – 1H, 2H, 3H, 4H G – 1H, 2H, 3H, 4H, 5H, 6H
(5) Use and control accuracy enhancement tools such as snap, grid, construction plane, etc.	1, 2, 3	<b>Social Studies</b>
(6) Use and control entity positioning tools osnap, snap, grid, construction plane, etc.	1, 2, 3, 4	C-1A—H1
(7) Identify, create, store, and use appropriate symbols/libraries.		<b>Arts</b>
(8) Identify and differentiate between various symbol styles: ANSI standard, ISO standard, company standards, and discipline oriented symbols.	1, 2, 3, 4 1, 2, 3, 4 1, 2, 3, 4	CE – 1VA – H2, H7
(9) Demonstrate the ability to retrieve symbols from a defined location.		<b>English Language Arts (ELA)</b>
(10) Demonstrate the ability to locate, size, and orient documentation symbols.	1, 2, 3	ELA 1—H1, H3, H4, H5 ELA 2—H4 ELA 3—H1 ELA 4—H2, H5 ELA 5—H1, H2, H3, H4 ELA 7—H1
(11) Create accurate and proper 3D wireframe/solid representations for plane services.	1, 2, 3, 4 1, 2, 3, 4	<b>Mathematics</b>
(12) Create accurate and properly represented 3D solid models composed of primitives.	1, 2, 3, 4 1, 2, 3, 4	N – 2H, 3H, 4H, 5H, 6H, 7H A – 1H, 2H, 3H, 4H M – 1H, 2H, 3H, 4H G – 1H, 2H, 3H, 4H, 5H, 6H
(13) Extract an accurate 2D profile from a 3D wireframe model.		<b>Social Studies</b>
(14) Revolve a profile to create a 3D object.		C-1A—H1 E-1A—H3
(15) Create 3D wireframe models from 2D geometry using extrusions.		<b>Science</b>
<b>B. EDIT</b>		
(1) Identify and define the editing commands: mirror, trim, extend, scale, rotate, etc., which are used as techniques for construction.	1, 3, 4	SI-H – A1, A2, A3, A5, A6, A7 S1-H—B3
(2) Demonstrate an accurate and unambiguous representation of an object utilizing the editing commands: mirror, trim, extend, scale, rotate, etc.	1, 2, 3	<b>Arts</b>
(3) Identify non-geometric entities such as text, title blocks, fonts, attributes, annotations, color, and dimensions.	1, 2, 3	CE – 1VA – H2, H7 CA – 4VA – H1
(4) Demonstrate editing and sizing skill utilizing non-geometric commands: text sizing, editing, font, and orientation.	1, 2, 3, 4	

<p><b>C. MANIPULATE</b></p> <p>(1) Identify coordinate type, origin, scale, axis orientation, and origin locations.</p> <p>(2) Demonstrate the modification and selection of origin, scale, and axis orientation.</p> <p>(3) Identify line style properties and types such as color, thickness, style, etc.</p> <p>(4) Demonstrate the modification of entity properties (e.g., color type, line type, thickness type).</p> <p>(5) Demonstrate viewing commands (e.g., dynamic rotation, zooming, panning, change view, view names, multiview-view).</p> <p>(6) Define and apply the correct use for display commands (e.g., hidden line, no hidden, shading, meshing, wire frame, etc.).</p> <p>(7) Define and identify standard parts and symbol libraries (e.g., scale, location, entity properties).</p> <p>(8) Demonstrate the location, use, and creation of standard parts and symbol libraries (e.g., scale, location, entity properties).</p> <p>(9) Plot drawings on media using correct layout and scale.</p> <p>(10) Define and understand the various purposes and usage of layering techniques (e.g., freeze, visibility).</p> <p>(11) Demonstrate and apply the various laying techniques (e.g., freeze, visibility).</p> <p>(12) Define and understand the various purposes and the use of grouping techniques (e.g., ungroup, delete, regroup, create).</p> <p>(13) Demonstrate various grouping techniques.</p> <p>(14) Determine file size/extraneous entities and the need for file size reduction.</p> <p>(15) Demonstrate reduction of file size/extraneous entities.</p>	<p>1, 3</p> <p>1, 2, 3 1, 3</p> <p>1, 2, 3</p> <p>1, 2, 3</p> <p>1, 2, 3</p> <p>1, 2, 3, 4</p> <p>1, 2, 3, 4</p> <p>1, 2, 3, 4</p> <p>1, 2, 3</p> <p>1, 2, 3, 4</p> <p>1, 2, 3</p> <p>1, 2, 3, 4</p> <p>1, 2, 3</p> <p>1, 2, 3</p> <p>1, 2, 3, 4</p>	<p><b>English Language Arts (ELA)</b></p> <p>ELA 1—H1, H3, H4, H5</p> <p>ELA 2—H4</p> <p>ELA 3—H1</p> <p>ELA 4—H2, H5</p> <p>ELA 5—H1, H2, H3, H4</p> <p>ELA 7—H1</p> <p><b>Mathematics</b></p> <p>N – 1H, 2H, 3H, 4H, 5H, 6H, 7H</p> <p>A – 1H, 2H, 3H, 4H</p> <p>M – 1H, 2H, 3H, 4H</p> <p>G – 1H, 2H, 3H, 4H, 5H, 6H</p> <p><b>Social Studies</b></p> <p>C – 1A—H1</p> <p>E – 1A—H3</p> <p><b>Science</b></p> <p>SI-H – A1, A2, A3, A5, A6, A7</p> <p>SI-H – B3</p> <p><b>Arts</b></p> <p>CE – 1VA – H2, H7</p> <p>CA – 4VA—H1</p> <p><b>English Language Arts (ELA)</b></p> <p>ELA 1—H1, H3, H4, H5</p> <p>ELA 2—H4</p> <p>ELA 3—H1, H2, H3</p> <p>ELA 4—H2, H5</p> <p>ELA 5—H1, H2, H3</p> <p>ELA 7—H1</p>
<p><b>D. ANALYZE</b></p> <p>(1) Use query commands to interrogate database.</p> <p>(2) Apply the use of query commands (e.g., mass properties, geometric measure, system status, entity characteristics).</p>	<p>1, 2, 3, 4</p> <p>1, 2, 3</p>	<p><b>Mathematics</b></p> <p>N – 1H, 2H, 3H, 4H, 5H, 6H, 7H</p> <p>A – 1H, 2H, 3H, 4H</p> <p>M – 1H, 2H, 3H, 4H</p> <p>G – 1H, 2H, 3H, 4H, 5H, 6H</p>
<p><b>E. DIMENSIONING</b></p> <p>(1) Correctly identify and define the various descriptors of associative dimensioning (e.g., horizontal, vertical, ordinate).</p> <p>(2) Demonstrate the various descriptors of associative dimensioning (e.g., horizontal, vertical, ordinate).</p>	<p>1, 2, 3</p> <p>1, 2, 3, 4</p>	<p><b>Social Studies</b></p> <p>C-1A—H1</p> <p>E-1A—H3</p> <p><b>Science</b></p> <p>S1-H—A1, A2, A3, A5, A6, A7</p> <p><b>Arts</b></p> <p>CE – 1VA—H2, H7</p> <p>CA-4VA—H1</p>



<p>E. PRODUCTIVITY AND WORK HABITS</p> <ol style="list-style-type: none"> <li>(1) Identify the features that can be customized (e.g., menus, script files, macros, key assignments).</li> <li>(2) Identify the purposes, uses, and needs for customization techniques in menus, key assignments, scripts, and macros.</li> <li>(3) Perform customization to improve productivity (e.g., customize menus, function keys, script files, macros).</li> <li>(4) Demonstrate results from applying customization techniques to menus, key assignments, scripts, and macros.</li> <li>(5) Identify non-graphical data, then define the purpose and describe the techniques for inputting or extracting non-graphical data.</li> <li>(6) Identify the purpose and usage of non-graphical data.</li> <li>(7) Demonstrate skill by manipulating non-graphical data.</li> <li>(8) Define standard drawing defaults and identify the purpose of changing system defaults.</li> <li>(9) Identify the needs and purposes of drawing standard presets using template and library defaults.</li> <li>(10) Demonstrate skill by using template and library system defaults to create drawing standard presents.</li> <li>(11) Identify the need to construct geometry graphics using parametrically controlled programs.</li> <li>(12) Develop geometry using parametric programs.</li> </ol>	<p>1, 3 1, 3 1, 2, 3 1, 2, 3 1, 2, 3 1, 3 1, 2, 3 1, 3, 4 1, 3, 4 1, 2, 3, 4 1, 3, 4 1, 2, 3, 4</p>	<p>C-1A—H1 E-1A—H3 <b>Science</b> S1-H—A1, A2, A3, A5, A6, A7 <b>Arts</b> CE – 1VA—H2, H7 CA-4VA—H1</p>
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AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10) and R.S. 17:10.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**Subpart 5. Electricity**

**Chapter 15. Electrical Excellence Rationale**

**§1501. Introduction**

A. See Subpart 1 of this Part XCIX for General Provisions applicable to this Electricity Skills Program.

B. The purpose of this Subpart 11 is to provide Louisiana administrators, supervisors, and instructors with electrical standards and benchmarks that can be used to improve the quality of instruction in Louisiana's Secondary Electrical Trade and Industrial Education Programs. A requirement of this project was to incorporate and reference appropriate, nationally approved standards and benchmarks. The national standards and benchmarks referenced in this work were developed under the auspices of the U. S. Electrical Construction Industry Skill Standards Certification Project. The project was undertaken as a cooperative agreement between the U. S. Department of Labor and a coalition of organizations representing the electrical construction industry. Those organizations that chose to participate in the project included the National Electrical Contractors Association, the Independent Electrical Contractors Association, the International Brotherhood of Electrical Workers and the National Joint Apprenticeship Training Committee. The goal of the Skill Standards project was to preserve high standards for electrical workers and to encourage formal acceptance of the standards by the entire electrical industry. The Louisiana State Apprenticeship Council, Louisiana Department of Labor, adopted these standards on October 18, 1996.

C. Electrical trade training in Louisiana may be obtained through selected public education programs at the high school level and the Louisiana Technical and Community College System, and through organizations such as the International Brotherhood of Electrical Workers and the Associated Builders and Contractors. The National Joint Apprenticeship Training Council defines electrical construction workers as those who are "electrically wiring single family homes, duplexes, commercial buildings, high-

rise complexes, hospitals, schools, large factories, industries, even the huge electrical power generating plants that provide electric energy." Jobs within the electrical trades include both new construction and electrical maintenance and service.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**Chapter 17. U.S. Electrical Construction Industry Trades Skill Standards and Certification**

**§1701. Safety**

A. General Jobsite Safety Awareness:

1. list reasons why safety is important;
2. identify key factors involved with safe work practices;
3. develop respect for electricity:
  - a. be aware of dangers of shock;
  - b. describe locations of potential shock hazards;
  - c. demonstrate use of no contact voltage indicators and other devices to determine if system is energized;
  - d. demonstrate techniques for working on energized circuits;
4. identify on the job hazards created by poor housekeeping;
5. maintain safe work area and tool usage;
6. be aware of the dangers of falling objects;
7. respect and obey job safety.

B. Emergency Procedures:

1. first aide training;
  - a. general;
  - b. electrical shock situations;
2. CPR;
3. means to effect emergency rescues.

C. Compliance with OSHA and EPA Regulations:

1. attend and/or conduct regular safety meetings;
2. perform general OSHA requirements on the jobsite;
3. practice guidelines for OSHA Assured Equipment Grounding and GFCI usage;
4. use material safety data sheets (MSDS) to identify and properly handle hazardous materials (e.g., cleaning fluids, transformer oils).

D. Substance Abuse:

1. identify kinds and effects of drugs;
2. identify and explain situations concerning substance abuse;
3. identify sources of information and help.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**§1703. Tools, Materials and Handling**

A. Proper Tool Management:

1. identify common hand and power tools;
2. proper selection and application of hand tools;
3. proper selection and application of power tools;
4. proper care for tools;
5. safe techniques for using ladders;
6. defects that make tools unsafe to use;
7. use of meters to take readings

B. Proper Rigging Methods:

1. proper knots;
2. proper techniques for rigging and hoisting;
3. safe capacities for lifting arrangements.

C. Proper Digging Techniques:

1. depth and shape of holes for supporting poles;
2. proper techniques for digging, grading and leveling trenches for the installation of duct work.

D. Proper Use of Motorized Tools (Use of platform lifts, bucket truck, and truck mounted cranes)

E. Proper Material Management:

1. identify commonly used materials by name;
2. proper selection and application of materials.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**§1705. Math**

A. Appropriate Mathematical Calculations to Solve for Unknowns:

1. arithmetic cooperators;
2. solving word problems;
3. problems involving fractions;
4. reducing fractions to lowest terms;
5. converting decimals to fractions and back;
6. angles and sides of triangles;
7. unknown angles and sides of triangle;
8. metric prefixes and converting different prefixes;
9. using powers of ten to perform math functions;
10. converting from English to metric measurement systems;
11. algebraic formulas ;
12. square roots;
13. ratio, percentages, and proportion;
14. problems using direct and inverse relationships.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**§1707. Electrical Theory**

A. Basic Electrical Theory:

1. define terms, units of measure;
2. electron flow;
3. producing electrical current;
4. products (effects) of electrical current.

B. Ohm's Law, Kirchoff's Laws, Lenz's Law, Thevenin's And Nortons' Theorems

C. Series Circuits:

1. components;
2. resistance of circuits;
3. total resistance;
4. effects of changing voltage and resistance;
5. law of proportion for series voltage divider circuits;
6. power used in circuits:
  - a. by components;
  - b. wasted powers.

D. Parallel Circuits

1. components;
2. differences between series and parallel circuits;
3. Ohm's Law;
4. circuits;
5. total resistance using product-sum and reciprocal methods;
6. alternate current paths;
7. currents ;
8. law of proportion;
9. power requirements of components.

E. Combination Circuits:

1. combination circuits;
2. components;
3. equivalent resistance;
4. alternate current paths;
5. Ohm's Law;
6. power use and dissipation.

F. Characteristics of Voltages in Circuits:

1. polarity and flow of electrons;
2. distribution and voltage drops;
3. proper wire size needed to lower losses.

G. Characteristics of Magnetism/Electromagnetism

H. Theory of Superposition and Solving for Multiple Voltage Source Circuits

I. Operation and Characteristics of Three Wire Systems

J. Operation and Characteristics of Three Phase Systems:

1. identify differences between three wire single phase and three phase circuits;
2. identify differences between voltage drop and power loss.

K. AC Theory:

1. terms associated with AC theory;
2. currents and voltages for components and circuits;
3. conductor size using NEC;
4. current and voltage sine waves to demonstrate phase relationship;
5. maximum, effective (rms), average, and peak-to-peak voltage and current;
6. inductance:
  - a. factors that affect inductance;

- b. behavior of current when inductance is present;
- c. relationship between current, applied voltage, and counter electromotive force;
- d. inductive reactance when frequency and inductance are known;
- e. inductance, inductive reactance, and unknowns in various circuits;
- 7. capacitance:
  - a. effects on circuits of capacitance;
  - b. capacitance, capacitive reactance, and frequency;
- 8. relationships and behaviors of the following circuits:
  - a. series RL;
  - b. parallel RL;
  - c. series RC;
  - d. parallel RC;
  - e. series LC;
  - f. parallel LC;
  - g. series LCR; and
  - h. parallel LCR
- 9. function, operation and characteristics of rectifiers;
  - a. actions of full-wave and half-wave rectifiers;
  - b. schematics;
- 10. series resonance, parallel resonance and circuits;
- 11. filters;
- 12. power factor;
  - a. watts, vars and volt-amperes;
  - b. reactive power;
  - c. proper placement of power factor correction capacitors;
  - d. procedure to recognize and correct poor power factor arrangements;
- 13. power quality issues:
  - a. causes of poor power quality;
  - b. the effects of harmonics;
  - c. locating harmonics through observation and test equipment;
  - d. techniques to reduce or eliminate effects of harmonics.
- L. Use of Electronics:
  - 1. electron flow through solid-state components;
  - 2. precautions against electrostatic discharges around semiconductor devices;
  - 3. functions, operation and characteristics of diodes and zener diodes:
    - a. characteristic curves;
    - b. testing Procedures;
    - c. schematics including diodes;
  - 4. functions, operation and characteristics of transducers:
    - a. operation of transducers;
    - b. schematics including transducers;
  - 5. functions, operation and characteristics of various types of transistors (diacs, triacs, SCRs, etc.):
    - a. operation of transistors;
    - b. current and voltage values;
    - c. testing procedures;
    - d. schematics including transistors;
  - 6. functions, operations, characteristics and circuit configurations of amplifiers:
    - a. basic circuit configurations for various types of amplifiers;

- 7. functions, operations and characteristics of integrated circuits (ICs):
  - a. schematics of and including ICs;
  - b. information on data sheets for integrated circuits;
- 8. functions, operations and characteristics of three main categories of photo-operated devices;
- 9. digital and logic circuits:
  - a. terms associated with digital and logic circuits;
  - b. types of circuits;
  - c. the operative symbols for AND, OR, NOT operations;
  - d. the use of Boolean Algebra equations, laws, operations and theorems;
  - e. truth tables from Boolean equations and digital switching circuits;
  - f. gate functions and gate circuits;
  - g. BUFFER and INVERTER amplifiers and accompanying truth tables;
  - h. operation and characteristics of NAND and NOR logic and accompanying truth tables;
  - i. operation and characteristics of XOR and XNOR logic and accompanying truth tables;
  - j. positive and negative logic and its effect on gate operation;
  - k. digital logic equivalent circuits;
  - l. various optoelectronic devices.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

#### §1709. Code Requirements

- A. National Electrical Code and Local Codes:
  - 1. purpose and intent of electrical codes;
  - 2. scope of NEC and local codes;
  - 3. how local codes may differ from NEC;
  - 4. utilizing code book:
    - a. mandatory rules;
    - b. fine print rules;
    - c. "neat and workmanlike"
    - d. locate definitions;
    - e. interpretations;
    - f. recognize and use exceptions;
    - g. materials recognized by the NEC;
    - h. identify code markings;
    - i. distinguish wet, damp and dry locations;
    - j. determine if specific installations are acceptable to the Code;
    - k. requirements for special occupancies and special equipment;
      - 1. answer specific questions;
  - 5. use NEC to calculate various general job requirements:
    - a. service conductors, feeders, branch circuits;
    - b. permissible loads on various circuits;
    - c. allowable cable tray fills;
    - d. ampacity of various conductors and fill situations;
    - e. ampacity of various circuits and load types;
    - f. overload protection for motors, equipment and phase converters;
    - g. minimum ampacity for motor disconnecting means;

- h. horsepower ratings for motors and disconnecting means;
- i. grounding requirements;
- 6. use NEC for hazardous locations:
  - a. hazardous locations by Class;
  - b. equipment and wiring methods necessary for particular hazardous locations.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### §1711. Conductors

- A. Various Types of Conductors:
  - 1. types of conductors and insulators;
  - 2. why some materials are better conductors or insulators than others;
  - 3. effect of heat on insulators;
  - 4. sizing and typing of conductors:
    - a. use letter symbols to identify insulator types;
    - b. use American Wire Gauge chart and convert inches, mils, square mils, and circular mils from one to the other;
  - 5. differences between aluminum and copper conductors;
  - 6. properties of high voltage cable;
  - 7. effects of soil conditions on underground cable.
- B. Conductor Installation Techniques:
  - 1. different wiring methods for particular conductors and situations:
    - a. wire connectors;
    - b. types, installation, limitations;
  - 2. different methods of installing conductors in conduits, raceways and cable trays:
    - a. problems which may be encountered;
    - b. maximum tension allowed;
    - c. use of pulling machines to assist in installation of wire;
  - 3. proper splicing methods and techniques for various conductors and locations.
- C. Methods for Selecting Conductors:
  - 1. using Code to determine type of conductor to use in particular situation;
  - 2. using mathematical calculations to determine current carrying capacity of conductors;
  - 3. calculating or selecting cable ampacity from NEC tables;
  - 4. loads for sizing conductors;
  - 5. code requirements depending on types of circuits and loads (lighting, appliance, heating, service entrance).
- D. Cable Fault Situations:
  - 1. the types and causes of cable faults;
  - 2. methods and equipment for locating cable faults, including terminal, tracing and magnetic detection.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### §1713. Conduit, Raceways, Panelboards and Switchboards

- A. Terms Associated with Conduits and Raceways
- B. Conduit and Wiring Support Systems Recognized by Code:

- 1. select appropriate conduit type;
- 2. select and utilize appropriate connectors;
- 3. select and utilize appropriate fastening devices and reinforcements;
- 4. special considerations.

#### C Procedures for Laying out Various Types of Bends:

- 1. take-up and gain;
- 2. kicks and offsets;
- 3. calculate degrees;
- 4. back-to-back bends;
- 5. determine overall length of conduit for specific situations;
- 6. locating bending points;
- 7. four techniques for segment bending;
- 8. techniques and operations for making concentric bends;
- 9. radius of circle.

#### D. Procedures for Making Bends when Fabricating Conduits:

- 1. hand benders to make on small diameter conduit;
- 2. power benders to make bends on larger diameter pipe:
  - a. make offset using "constants" or "shrink" methods;
  - b. make bends in proper sequence, direction and with necessary accuracy.

#### E. Fabricating Raceways and Wiring Support Systems

- F. Cable Assembly Wiring Method Recognized By The Code:
  - 1. installation of panels;
  - 2. installation of components;
  - 3. wiring and connections;
  - 4. special considerations and occupancies.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### §1715. Lighting Systems

#### A. Function, Operation, and Characteristics of Various Lighting Systems:

- 1. incandescent;
- 2. florescent;
- 3. HID;
- 4. low voltage.

#### B. Lighting Distribution and Layout

#### C. Installation and Connection of Fixtures

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### §1717. Overcurrent Devices

#### A. Function, Operation, and Characteristics of Overcurrent Protection Devices:

1. purpose and location of devices;
2. three considerations necessary for electrical component protection;
3. interrupting ratings;
4. short circuit currents;
5. overload and overcurrent situations;
6. 10 and 25 foot tap rules;
7. operation and application of fuses:
  - a. dingle element and time delay;
  - b. the effects of heat;
8. operation and application of various types of circuit breakers (e.g., molded case, air break);
9. utilize Peak-Let-Thru charts and table;
10. function, operation, and characteristics of ground fault circuit interrupters;
11. function, operation, and characteristics of surge protectors;
12. appropriate devices for situation and according to Code.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### §1719. Grounding Systems

A. Function, Operation and Characteristics of Grounding Systems:

1. reasons for grounding systems;
2. general types of faults;
3. grounding electrode systems.

B. Sizing, Layout and Installation of Grounding Systems:

1. NEC requirements and interpretations;
2. size of conductors and electrodes;
3. installation of electrodes;
4. installation of conductors and connections to electrodes;
5. the impact of soil conditions on earth grounding systems and equipment;
6. principles and procedures of earth resistance testing;
7. determine when ground fault protection is required.

C. Difference between Insulation, Isolation, and Elevation

D. Difference between Grounding, Grounded, and Bonding

E. Special Circumstances:

1. systems over 1,000 volts;
2. separately derived systems;
3. buildings sharing service.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### §1721. Prints and Specifications

A. Creation of Blueprints, Plans, and Specifications:

1. utilize symbols used in electrical and related trades;
2. recognize functions of basic line types;
3. identify drawing tools and techniques:
  - a. orthographic views;
  - b. types of projections;
  - c. drafting scales;

4. recognize and apply dimensions;
5. prepare "as-built" drawings;
6. differences between wiring diagrams, line drawings, schematics and ladder diagrams:
  - a. given schematics complete wiring diagrams;
  - b. given panels and equipment layouts create drawings showing conduits and conductors using appropriate scale.

B. Use of Blueprints, Plans, and Specifications:

1. recognize function of various types of plots, sections, details, schedules, specification sheets, addenda, and revisions;
2. determine devices, locations, quantities, feeds, conduit types and sizes and conductor sizes:
  - a. parts of the electrical service;
  - b. identifying special purpose outlets and the loads they serve;
  - c. completing take-off sheets for ordering material;
  - d. determine costs for jobs;
  - e. how costs affect job;
3. interpret non-electrical dimensions and considerations;
4. relationships between architectural considerations and electrical installations;
5. correlate information from other trades plans with electrical plans to determine potential conflicts.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### §1723. Motors, Motor Controllers and Process Controllers

A. Function, Operation, and Characteristics of Various Types of Motors (AC, DC, Dual Voltage, Repulsion, Universal, 3-Phase, Squirrel Cage, Synchronous):

1. physical parts of various motors;
2. utilize information sheets, plans, schematics, and motor nameplates to gain information;
3. motor losses;
4. starting and operating characteristics;
5. methods to identify windings in DC motors;
6. means for providing for field failure, current limit, voltage and speed control;
7. block diagrams to demonstrate power supplies, armature, field and control features;
8. torque, locked rotor current, no-load speed, and slip;
9. reasons for low-voltage starting;
10. function, operation, and characteristics of stepping motors.

B. Proper Techniques for Motor Installations:

1. necessary calculations for electrical requirements per Code;
2. correct power factor;
3. proper wire type and size;
4. appropriate connections;
5. how various motors can be made to run at different speed or in reverse direction:
  - a. schematics;
  - b. connections to reverse or change speeds;

6. identify unmarked motor leads;
7. steps for proper handling of motors:
  - a. checks for mechanical defects;
  - b. factors to be checked when a motor arrives at jobsite;
  - c. methods for putting motor into storage.

C. Function, Operation, and Characteristics of Motor Controllers, Circuits and Devices:

1. ways and means of starting and stopping motors;
2. operation of magnetic coil;
3. use of magnetic starters and controllers;
4. correct sizing of magnetic starters and controllers;
5. difference between starters and controllers;
6. function, operation, and characteristics of overload protective devices:
  - a. thermal overload;
  - b. magnetic overload;
7. schematics for various control circuits;
8. two-wire control circuits;
9. three-wire control circuits;
10. interlocking methods;
11. reversing and sequential controllers;
12. jogging, inching, plugging;
13. multiple start-stop controls and selector switches;
14. phase failure relays;
15. various manual and automatic speed control techniques;
16. function, operation, and characteristics of variable frequency drives;
17. function, operation, characteristics, and installation procedures for programmable logic controls:
  - a. function of central processing unit;
  - b. memory types and sizes;
  - c. user and storage memory;
  - d. back-up batteries;
  - e. peripheral devices;

18. ladder diagrams;
19. function, operation, and characteristics of timers, counters, sequencers;
20. utilize appropriate manuals and information for start-up, maintenance and testing;
21. utilize schematics for manual starters, automatic starters, speed regulators and controllers.

D. Function, Operation, and Characteristics of Switches and Relays:

1. schematics including switches and relays;
2. installation and connection methods for various switch types;
3. installation and connection methods for various relays;
4. function, operation, and characteristics of electronic sensor and pilot devices;
5. function, operation, and characteristics of control transformers:

- a. leads of control transformers;
- b. proper sizing of control transformers.

E. Mechanical Connections to Utilize Motors:

1. operation of mechanical clutches and magnetic drives;
2. direct and offset drives;
3. proper pulley sizes required.

- F. Process Control System and Devices:
1. operating requirements followed by manual and automatic controllers;
  2. function, operation, characteristics, and installation of:

- a. closed loop and open loop systems;
  - b. feedback control;
  - c. proportional control;
  - d. integral control;
  - e. derivative control;
3. block diagrams including control systems and devices;
  4. function, operation, and characteristics of sensors and transmitters.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**§1725. Generators and Power Supplies**

- A. Principles of Electromotive Force
- B. Principles of Generating Electricity:
  1. the parts, functions, operation, and characteristics of the AC generator;
  2. the parts, functions, operation, and characteristics of the DC generator;
  3. the "left hand rule" for generators;
  4. RPM, frequency and number of poles in a given generator;
  5. three-phase generation;
  6. wye and delta windings;
  7. three-phase sine wave.

C. Types and Configurations of Uninterruptible Power Supplies (Ups)

D. Types and Configurations of Battery Systems Used for Ups Systems

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**§1727. Transformers**

A. Function, Operation, and Characteristics of Transformers:

1. electrical principles involved in transformer operation;
2. transformer classifications and applications;
3. transformer losses;
4. ratios for voltage and amperage with respect to turns.

B. Selection and Installation of Transformers:

1. nameplate information;
2. techniques for sizing transformers (one and three phase);
3. determining if given transformer meets voltage, current, and impedance requirements;
4. calculating voltages and currents for load and windings;
5. determining whether to use wye or delta wiring schemes;
6. steps for receiving and preparing transformer for installation;
7. necessary tests to assure proper operation;

8. proper techniques for connecting power and load conductors;
9. methods for determining proper types and values of electrical protective devices;
10. proper grounding procedures.

C. Distribution Systems:

1. functions, operations, and characteristics of various types of distribution systems;
2. criteria for selecting particular type of distribution system.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**§1729. Personal Development**

A. Orientation

1. Make up and organization of the industry:
  - a. jobsite chain of command;
    - i. owner/customer;
    - ii. architects/engineers;
    - iii. inspection authorities;
    - iv. construction managers;
    - v. general contractors;
    - vi. other contractors.

2. Organizations within industry:

- a. manufacturers;
- b. distributors;
- c. associations;
- d. unions.

B. Methods of working with others:

1. the three basic theories of motivation;
2. need levels of humans;
3. the role of supervisors:
  - a. leadership styles appropriate to certain situations;
  - b. need for competent supervisors;
4. effective communications:
  - a. importance of communications in the industry and on the job;
  - b. barriers to communications;
  - c. keys to effective communications.

C. Economic considerations:

1. why worker's future is tied to employer's;
2. responsibilities to employer:
  - a. keeping skills current;
  - b. managing your future;
3. costs of doing business;
4. importance of satisfying customers;
5. impact of job performance, behavior and appearance on prospects for future work;
6. functions of marketing.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**§1731. Jobsite Management**

- A. Coordinating Tool Needs with Offices of Other Jobs
- B. Coordinating Schedule with Other Crafts
- C. Developing Timetables and Progress Charts
- D. Completing Time Sheets, Logs and Other Necessary Documentation
- E. Clearances or Permits if Necessary

F. Inventory and Order Necessary Equipment According to Job Needs

G. Developing Alternative Solutions and Choosing the Best Alternative

H. Planning and Organizing Tasks to Meet Deadlines

I. Supervising and Monitoring Others

J. Picturing the Way the Project Will Appear When Completed

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**§1733. Testing**

A. Steps Used for Various Testing Processes:

1. acceptance testing of cables;
2. maintenance testing of generators;
3. insulation tests using megohmmeter.

B. Utilizing the Results of Testing Procedures:

1. special requirements for high voltage testing;
2. describe potential safety hazards;
3. characteristics and properties of high voltage cable and insulators;
4. appropriate tests methods, voltages and equipment.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**§1735. Specialty Systems**

A. Fire Alarms:

1. functions, operations, and characteristics of various types of fire alarm systems and components;
2. Code requirements and use of Code to answer specific questions;
3. functions, operations, and characteristics of alarm initiating and indicating devices;
4. multiplexing of system components;
5. various types of areas and methods to protect them;
6. appropriate wiring methods and devices;
7. utilize manuals to start-up and check out systems;
8. utilize proper manuals and techniques for system maintenance and troubleshooting.

B. Security Alarms:

1. functions, operations, and characteristics of various types of security systems and components;
2. Code requirements and use of Code to answer specific questions;
3. functions, operations, and characteristics of alarm initiating and indicating devices;
4. multiplexing of system components;
5. various types of areas and methods to protect them;
6. appropriate wiring methods and devices;
7. utilize manuals to start-up and check out systems;
8. utilize proper manuals and techniques for system maintenance and troubleshooting.

C. Voice, Data, TV, Signaling Systems:

1. functions, operations, and characteristics of various types of voice, data, TV, and signaling systems;
2. proper cabling systems required for various systems (telephone, data, Local Area Networks, etc.);
3. installation and connection techniques for cables and devices;

4. how cable defects and installation errors can degrade data transfer;

5. utilize manuals to install, test and start-up and check out systems;

6. utilize proper manuals and techniques for system maintenance and troubleshooting.

**D. Lightning Protection Systems:**

1. functions, operations, and characteristics of lightning protection systems;

2. the sizing, layout and installation of lightning protection systems;

3. NEC requirements and interpretations;

4. size of conductors and electrodes;

5. installation of electrodes;

6. installation of conductors and connections to electrodes.

**E. Fiber Optic Systems:**

1. functions, operations, and characteristics of fiber optic cable;

2. proper installation techniques:

a. minimum bend radius;

b. pulling techniques;

c. installation hardware;

d. splicing and termination;

3. utilize appropriate manuals and equipment to perform system tests and troubleshooting.

**F. Heating, Air Conditioning and Refrigeration:**

1. functions, operations, and characteristics of heating, air conditioning and refrigeration systems and components;

2. the characteristics of heat energy, transfer, and measurement;

3. space and process heating;

4. the properties and characteristics of refrigerants;

5. the appropriate piping techniques for refrigerants;

6. utilize appropriate manuals and equipment to perform system tests and troubleshooting.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**Chapter 19. National Skill Standards**

**§1901. Competencies, Foundation Skills, and Academic Cross-References**

A. Standard 1: Explain the importance of safety and demonstrate safe practices in all electrical work.

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
<b>I. GENERAL JOBSITE SAFETY AWARENESS</b>		I-A	<b>English Language Arts (ELA)</b>
A. Explain the importance of safety and the key factors involved in safe work practice.	1, 3, 4, 5	I-A1, IA2	ELA 1-H1, H3, H4, H5 ELA 2-H2, H3 ELA 3-H2, H3 ELA 4-H1, H2, H3, H4, H5, H6 ELA 5-H1, H2, H3, H6 ELA 7-H1, H2
B. Explain the dangers of electrical shock, describe potential shock hazard situations, use no contact voltage indicators and other devices to determine if the system is energized and demonstrate proper techniques for working on energized circuits.	1, 2, 3, 4	I-A3	
C. Identify and correct hazards created by poor housekeeping.	1, 5	I-A4	<b>Mathematics</b>
D. Maintain a safe work area and tools.	1, 4	I-A5	N-1H, 2H, 3H, 4H, 5H, 6H, 7H
E. Explain the dangers of falling objects.	1, 4	I-A6	A-1H, 2H, 3H, 4H
F. Demonstrate respect and observance job safety rules.	1, 4, 5	I-A7	M-1H, 2H, 3H, 4H D-7H, 9H G-1H, 2H, 3H, 4H, 5H, 6H
<b>II. EMERGENCY PROCEDURES</b>		I-B	<b>Social Studies</b>
A. Demonstrate competency in first aid training, particularly in the area of electrical shock.	1, 4, 5	I-B1	G-1D-H1, 1D-H2, 1D-H4
B. Demonstrate proper CPR procedures.	1, 4, 5	I-B2	C-1A-H1, 1A-H5
C. Explain the means to effect emergency rescues.	1, 4	I-B-3	E-1A-H1, 1A-H2, 1A-H3, 1A-H6
<b>III. COMPLIANCE WITH OSHA AND EPA REGULATIONS</b>		I-C	1B-H1, 1B-H2, 1B-H4, 1B-H5, 1B-H6
A. Participate in/conduct a regular safety meeting.	1, 2, 5	I-C1	<b>Science</b>
B. Explain the general OSHA jobsite requirements.	1, 4	I-C2	PS-H-B1, E1, F1, F2, G1, G2, G3, G4, G5 ESS-H-A1
C. Explain and apply the guidelines for OSHA Assured Equipment Grounding and CFCI usage.	1, 2, 4	I-C3	SE-H-A11, B1, B6, C2, C4, C5, D1, D2, D3,D4, D5, D6
D. Use material safety data sheets (MSDS) to identify and properly handle hazardous.	1, 2, 4	I-C4	
<b>IV. SUBSTANCE ABUSE</b>		I-D	
A. Identify common drugs and explain their effects.	1, 4	I-D1	
B. Identify the indicators of and explain how to handle substance abuse.	1, 4	I-D2	
C. Identify substance abuse sources of information and assistance.	1, 3, 4	I-D3	

B. Standard 2: Select and use appropriate tools and materials on the job.

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
I. GENERAL JOBSITE SAFETY AWARENESS		II-A	English Language Arts (ELA)
A. Select, use, and care for common hand and power tools.	1, 2	II-A1-4	ELA 1-H1, H3, H4, H5
B. Demonstrate ladder safety.	1, 2	II-A5	ELA 2-H2, H3
C. Explain tool defects.	1, 2, 3, 4	II-A6	ELA 3-H2, H3
D. Use various meters to read variables.	1, 2	II-A7	ELA 4-H1, H2, H3, H4, H5, H6
II. PROPER RIGGING METHODS		II-B	ELA 5-H1, H2, H3, H6
A. Explain the use of knots in electrical work and demonstrate knot making.	1, 2, 3	II-B1	ELA 7-H1, H2 Mathematics
B. Apply proper techniques for rigging and hoisting.	1, 2, 3	II-B2	N-1H, 2H, 3H, 4H, 5H, 6H, 7H
C. Explain the safe capacities for various lifting arrangements.	1, 2, 3	II-B3	A-1H, 2H, 3H, 4H M-1H, 2H, 3H, 4H D-7H, 9H
III. PROPER DIGGING TECHNIQUES			G-1H, 2H, 3H, 4H, 5H, 6H Social Studies
A. Explain the determination of depth and shape of holes for supporting poles.	1, 2, 3	II-C	G-1D-H1, 1D-H2, 1D-H4
B. Explain the proper techniques for digging, grading and leveling trenches for ductwork.	1, 2, 3	II-C1	C-1A-H1, 1A-H5
IV. EXPLAIN THE USE OF MOTORIZED TOOLS IN ELECTRICAL WORK	1, 2, 3	II-C2	E-1A-H1, 1A-H2, 1A-H3, 1A-H6 1B-H1, 1B-H2, 1B-H4, 1B-H5, 1B-H6
V. PROPER MATERIAL MANAGEMENT			Science
A. Identify the materials commonly used in electrical work.	1, 2, 3	II-D	PS-H-B1, E1, F1, F2, G1, G2, G3, G4, G5
B. Explain materials sections in terms of application.	1, 2, 3	II-E	ESS-H-A1
		II-E1	SE-H-A11, B1, B6, C2, C4, C5, D1, D2, D3, D4, D5, D6
		II-E2	

C. Standard 3: Perform mathematical computation common to the electrical trade.

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
I. APPLY ARITHMETIC OPERATIONS TO SOLVE ELECTRICAL PROBLEMS.	1, 2, 3	III-1-5, 9	English Language Arts (ELA)
II. SOLVE PROBLEMS AND DETERMINE THE ANGLES AND SIDES OF TRIANGLES.	1, 2, 3	III-6-7	ELA 1-H1, H3, H4, H5
III. PERFORM METRIC CALCULATIONS AND CONVERT METRIC TO THE ENGLISH SYSTEM AND VICE VERSA.	1, 2, 3	III-8, 10	ELA 2-H2, H3, H6
IV. PERFORM CALCULATIONS USING ALGEBRA TO SOLVE ELECTRICAL PROBLEMS.	1, 2, 3	III-11	ELA 3-H1, H3
V. USE SQUARE ROOT, RATIO, PERCENT, AND PROPORTION TO SOLVE PROBLEMS.	1, 2, 3	III-12-13	ELA 4-H2, H3, H4, H5, H6
VI. SOLVE PROBLEMS INVOLVING DIRECT AND INVERSE RELATIONSHIPS.	1, 2, 3	III-14	ELA 5-H1, H2, H3, H4, H5, H6
			ELA 7-H1, H2 Mathematics
			N-1H, 2H, 3H, 4H, 5H, 7H
			A-1H, 2H, 3H, 4H
			M-1H, 2H, 3H, 4H
			D-2H, 4H, 7H, 8H, 9H
			G-1H, 2H, 3H, 5H, 6H Social Studies
			G-1C-H2, 1D-H1, 1D-H2, 1D, H4
			E-1A-H1, 1A-H2, 1A-H3, 1A-H6
			1B-H1, 1B-H2, 1B-H4, 1B-H4, 1B-H6 Science
			PS-H-B1, PS-H-E1, PS-H-F1, PS-H-F2, PS-H-G2, PS-H-G3, PS-H-G4, SE-H-D2, SE-H-D6

D. Standard 4: Apply electrical theory in designing, construction, and trouble-diagnosing electrical circuits.

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
I. BASIC ELECTRICAL THEORY			English Language Arts (ELA)
A. Define the terms associated with electrical theory.	1, 2, 3	IV-A	ELA 1-H1, H3, H4, H5
B. Explain the generation of electricity.	1, 2, 3	IV-A-1	ELA 2-H2, H3
C. Explain the utilization of electricity.	1, 2, 3	IV-A-2, 3	ELA 3-H2, H3
II. OHM'S LAW, KIRCHOFF'S LAW, LENZ'S LAW, THEVENIN'S AND NORTON'S THEOREMS		IV-A-4	ELA 4-H1, H2, H3, H4, H5, H6
A. Explain the use of laws and theorems in electrical work.	1, 2, 3	IV-B	ELA 5-H1, H2, H3, H6
B. Solve problems involving the electrical laws and theories.	1, 2, 3	I	ELA 7-H1, H2
III. SERIES CIRCUITS			Mathematics
A. Explain the operation and construction of series circuits.	1, 2, 3	V-B-1	N-1H, 2H, 3H, 4H, 5H, 6H, 7H
B. Calculate resistance and total resistance in series circuits.	1, 2, 3	IV-B-2	A-1H, 2H, 3H, 4H
C. Explain the effects of charging voltage and resistance.	1, 2, 3		M-1H, 2H, 3H, 4H
D. Explain the law of proportion series voltage divider circuits.	1, 2, 3	IV-C	D-7H, 9H
E. Calculate power in series circuits.	1, 2, 3	IV-C-1	G-1H, 2H, 3H, 4H, 5H, 6H
IV. PARALLEL CIRCUITS			Social Studies
A. Explain the construction and operation of parallel circuits.	1, 2, 3	IV-C-2, 3	G-1D-H1, 1D-H2, 1D-H4
B. Explain the differences between series and parallel circuits.	1, 2, 3	IV-C-4	C-1A-H1, 1A-H5
C. Calculate Ohm's Law for parallel circuits.	1, 2, 3	IV-C-5	E-1A-H1, 1A-H2, 1A-H3, 1A-H6
D. Calculate total resistance in parallel circuits.	1, 2, 3	IV-C-6	1B-H1, 1B-H2, 1B-H4, 1B-H5, 1B-H6
E. Explain current/alternative current paths.	1, 2, 3	IV-D	Science
F. Explain the law of proportion.	1, 2, 3	IV-D-1, 4	PS-H-B1, E1, F1, F2, G1, G2, G3, G4, G5
G. Calculate power requirements of components.	1, 2, 3	IV-D-2	ESS-H-A1
V. COMBINATION CIRCUITS			SE-H-A11, B1, B6, C2, C4, C5, D1, D2, D3, D4, D5, D6
A. Explain the operation and construction of combination circuits.	1, 2, 3	IV-D-3	
B. Calculate equivalent resistance.	1, 2, 3	IV-D-5	
C. Explain alternate current paths.	1, 2, 3	IV-D-6, 7	
D. Calculate Ohm's Law.	1, 2, 3	IV-D-8	
E. Explain power use and dissipation.	1, 2, 3	IV-D-9	
VI. CHARACTERISTICS OF VOLTAGES IN CIRCUITS			
A. Explain polarity and the flow of electrons.	1, 2, 3	IV-E	
B. Explain distribution, calculate voltage drop, and determine wire size to reduce losses.	1, 2, 3	IV-E-1, 2	
VII. EXPLAIN THE CHARACTERISTICS OF MAGNETISM/ELECTROMAGNETISM.	1, 2, 3	IV-E-3	
VIII. EXPLAIN THE THEORY OF SUPERPOSITION AND SOLVING MULTIPLE VOLTAGE SOURCE CIRCUITS.	1, 2, 3	IV-E-4	
IX. EXPLAIN THE OPERATION AND CHARACTERISTICS OF THREE WIRE SYSTEMS.	1, 2, 3	IV-E-5	
X. EXPLAIN THE OPERATION AND CHARACTERISTICS OF THREE PHASE SYSTEMS.	1, 2, 3	IV-E-6	
A. Explain the differences between and construct three wire and three phase circuits.	1, 2, 3	IV-F	
B. Calculate voltage drop and power loss.	1, 4	IV-F-1	
XI. AC THEORY			
A. Define terms associated with AC theory.	1, 4	IV-F-2, 3	
B. Calculate currents and voltages for components and circuits.	2, 3	IV-G	

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
C. Determine conductor size using the NEC.	2, 3	IV-K-3	
D. Generate current voltage sine waves to demonstrate phase relationships.	2, 3	IV-K-4	
E. Define maximum, effective (rms), average, and peak-to-peak voltage and current.	2, 3	IV-K-5	
F. Define inductance.	2, 4	IV-K-6	
1. Explain factors that affect inductance.	3	IV-K-6a	
2. Explain the behavior of current when inductance is present.	3, 4	IV-K-6b	
3. Explain the relationship between current, applied voltage, and counter electromotive force.	2, 4	IV-K-6c	
4. Calculate inductive reactance when frequency and inductance are known.	2, 3, 4	IV-K-6d	
5. Calculate inductance, inductive reactance, and unknowns in various circuits.	2, 3, 4	IV-K-6e	
G. Define capacitance.	2, 3, 4	IV-K-7	
1. Explain the effects on circuits of capacitance.	2, 3, 4	IV-K-7a	
2. Explain the relationships between capacitance, capacitive reactance, and frequency.	2, 3, 4	IV-K-7b	
H. Explain the relationships and behaviors of series RL, parallel RL, series RC, parallel RC, series LC, parallel LC, series LCR and parallel LCR circuits.	2, 3, 4	IV-K-8	
I. Explain the function, operation, and characteristics of rectifiers.	2, 3, 4	IV-K-9	
1. Explain the actions of full wave and half rectifiers.	2, 4	IV-K-9a	
2. Interpret schematics.	2, 4	IV-K-9b	
J. Explain the series resonance, parallel resonance and circuits.	2, 4	IV-K-10	
K. Explain the use of filters in electrical circuits.	2, 4	IV-K-11	
L. Define power factor.	2, 3, 4	IV-K-12	
1. Calculate watts, vars and volt-amperes.	2, 3, 4	IV-K-12a	
2. Explain reactive power.	2, 4	IV-K-12b	
3. Explain the proper placement of power factor correction capacitors.	2, 4	IV-K-12c	
4. Explain the procedure to recognize and correct poor power factor arrangements.	2, 3, 4	IV-K-12d	
M. Define power quality.	2, 4	V-K-13	
1. Explain causes of poor power quality.	2, 3, 4	IV-K-13a	
2. Explain the effects of harmonics.	2, 4	IV-K-13b	
3. Explain the procedure of locating harmonics through observation and test equipment.	2, 3, 4	IV-K-13c	
4. Explain techniques to reduce or eliminate effects of harmonics.	2, 3, 4	IV-K-13d	

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
XII. USE OF ELECTRONICS		V-L	
A. Explain electron flow through solid-state components.	2, 4	IV-L-1	
B. Explain precautions to be taken against electrostatic discharges around semiconductor devices.	2, 4	IV-L-2	
C. Explain the functions, operations, characteristics, and testing of diodes.	2, 4	IV-L-3	
D. Explain the functions, operations, and characteristics of transducers.	2, 4	IV-L-4	
E. Explain the functions, operations, characteristics, and testing of various types of transistors (diacs, triacs, SCRs, etc.).	2, 3, 4	IV-L-5	
F. Explain the functions, operations, characteristics, and circuit configurations of amplifiers.	2, 4	IV-L-6	
G. Explain the functions, operations, and characteristics of integrated circuits (ICs).	2, 4	IV-L-7	
H. Explain the functions, operations, and characteristics of the three main categories of photo-operated devices.	2, 4	IV-L-8	
I. Explain the construction and operation of digital and logic circuits.	2, 4	IV-L-9	

E. Standard 5: Explain and apply code requirements.

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
I. EXPLAIN THE PURPOSE AND INTENT OF ELECTRICAL CODES.	1, 2, 3, 4, 5	V-1	English Language Arts (ELA) ELA 1-H1, H3, H4, H5
II. EXPLAIN THE SCOPE OF THE NATIONAL ELECTRIC CODE (NEC) AND LOCAL CODES.	1, 2, 3, 4, 5	V-2	ELA 2-H2, H3 ELA 3-H2, H3
III. EXPLAIN AND PROVIDE EXAMPLES OF HOW LOCAL CODES MAY DIFFER FROM THE NEC.	1, 2, 3, 4, 5	V-3	ELA 4-H1, H2, H3, H4, H5, H6 ELA 5-H1, H2, H3, H6 ELA 7-H1, H2
IV. EXPLAIN THE ORGANIZATION AND STRUCTURE OF THE NEC.	1, 2, 3, 4, 5	V-4	Mathematics N-1H, 2H, 3H, 4H, 5H, 6H, 7H
V. USE THE NEC TO CALCULATE VARIOUS GENERAL JOB REQUIREMENTS.	1, 2, 3, 4, 5	V-5	A-1H, 2H, 3H, 4H M-1H, 2H, 3H, 4H
VI. APPLY NEC REQUIREMENTS FOR HAZARDOUS LOCATIONS.	1, 2, 3, 4, 5	V-6	D-7H, 9H G-1H, 2H, 3H, 4H, 5H, 6H Social Studies G-1D-H1, 1D-H2, 1D-H4 C-1A-H1, 1A-H5 E-1A-H1, 1A-H2, 1A-H3, 1A-H6 1B-H1, 1B-H2, 1B-H4, 1B-H5, 1B-H6 Science PS-H-B1, E1, F1, F2, G1, G2, G3, G4, G5 ESS-H-A1 SE-H-A11, B1, B6, C2, C4, C5, D1, D2, D3, D4, D5, D6

F. Standard 6: Select and Install Conductors

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
I. TYPES OF CONDUCTORS		VI-A	English Language Arts (ELA)
A. Explain the use of the various types of conductors and insulators.	1, 2, 3	VI-A-1	ELA 1-H1, H3, H4, H5 ELA 2-H2, H3 ELA 3-H2, H3
B. Identify the common conductors materials and explain their advantages and disadvantages.	1, 2, 3	VI-A-2, 5	ELA 4-H1, H2, H3, H4, H5, H6
C. Explain the effects of heat on insulators.	1, 2, 3	VI-A-3	ELA 5-H1, H2, H3, H6 ELA 7-H1, H2
D. Determine the appropriate type and size of conductors for various jobs.	1, 2, 3	VI-A-4	Mathematics
E. Explain the properties of high voltage cable.	1, 2, 3	VI-A-6	N-1H, 2H, 3H, 4H, 5H, 6H, 7H
F. Explain the effects of varying soil conditions on underground cable.	1, 2, 3	VI-A-7	A-1H, 2H, 3H, 4H M-1H, 2H, 3H, 4H D-7H, 9H
II. CONDUCTOR INSTALLATION TECHNIQUES		VI-B	
A. Explain various wiring methods for particular types of conductors and situations.	1, 2, 3	VI-B-1	G-1H, 2H, 3H, 4H, 5H, 6H Social Studies
B. Demonstrate different methods of installing conductors in conduits, raceways and cable trays.	1, 2, 3	VI-B-2	G-1D-H1, 1D-H2, 1D-H4 C-1A-H1, 1A-H5
C. Demonstrate proper splicing methods and techniques for various conductors and locations.	1, 2, 3	VI-B-3	E-1A-H1, 1A-H2, 1A-H3, 1A-H6 1B-H1, 1B-H2, 1B-H4, 1B-H5, 1B-H6
III. METHODS FOR SELECTING CONDUCTORS		VI-C	Science
A. Use code requirements to determine the appropriate conductor selection for various jobs.	1, 2, 3	VI-C-1	PS-H-B1, E1, F1, F2, G1, G2, G3, G4, G5 ESS-H-A1
B. Perform mathematical calculation to determine current capacity of conductors.	1, 2, 3	VI-C-2	SE-H-A11, B1, B6, C2, C4, C5, D1, D2, D3, D4, D5, D6
C. Calculate or select cable ampacity from NEC tables.	1, 2, 3	VI-C-3	
D. Determine loads for sizing conductors.	1, 2, 3	VI-C-4	
E. Interpret code requirements for various types of circuits and loads (lighting, appliance, heating, service entrance).	1, 2, 3	VI-C-5	
IV. CABLE FAULT SITUATIONS		VI-D	
A. Explain the various types of cable faults and their cause.	1, 2, 3	VI-D-1	
B. Explain the various methods and equipment used to determine cable faults.	1, 2, 3	VI-D-2	



I. Standard 9: Explain the Use of Overcurrent Protection Devices and Reform Appropriate Calculations

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
I. FUNCTIONS, OPERATION, AND CHARACTERISTICS OF OVERCURRENT DEVICES			English Language Arts (ELA) ELA 1-H1, H3, H4, H5 ELA 2-H1, H3, H6 ELA 3-H1, H3 ELA 4-H2, H3, H4, H5, H6 ELA 5-H1, H2, H3, H4, H5, H6 ELA 7-H1, H2
A. Explain the purpose of over-current devices and their proper placement.	1, 3, 4	IX-1	
B. Name three considerations necessary for electrical component protection.	1, 2, 3, 4	IX-2	
C. Explain interrupting ratings.	1, 3, 4	IX-3	
D. Explain short circuit currents.	1, 2, 3, 4	IX-4	Mathematics N-1H, 2H, 3H, 4H, 5H, 7H A-1H, 2H, 3H, 4H M-1H, 2H, 3H, 4H
E. Explain overload and over current situations that might arise.	1, 3, 4	IX-5	D-2H, 4H, 7H, 8H, 9H G-1H, 2H, 3H, 5H, 6H
F. Explain the 10 and 25-foot tap rules.	1, 3, 4	IX-6	
G. Explain the operation and application of single element and time delay fuses, and the effects of heat.	1, 3, 4	IX-7	Social Studies G-1-C-H2, 1D-H1, 1D-H2, Id-H4 E-1A-H1, 1A-H2, 1A-H3, 1A-H6, 1B-H1, 1B-H2, 1B-H4, 1B-H6
H. Explain the operation and application of the various types of circuit breakers.	1, 3, 4	IX-8	
I. Explain the peak-let-thru charts and table to determine specifications.	1, 2, 3, 4	IX-9	Science PS-H-B1, PS-H-E1, PS-H-F1, PS-H-F2, PS-H-G2, PS-H-G3, PS-H-G4, SE-H-D2, SE-H-D6
J. Explain the function, operation, and characteristics of ground fault circuit interrupters.	1, 3, 4	IX-10	
K. Explain the function, operations, and characteristics of surge protectors.	1, 3, 4	IX-11	
L. Select appropriate devices for various situations according to code.	1, 3, 4	IX-12	

J. Standard 10: Installing Grounding Systems

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
I. FUNCTIONS, OPERATION, AND CHARACTERISTICS OF GROUNDING SYSTEMS		X-A	English Language Arts (ELA) ELA 1-H1, H3, H4, H5 ELA 2-H2, H3 ELA 3-H2, H3 ELA 4-H1, H2, H3, H4, H5, H6 ELA 5-H1, H2, H3, H6 ELA 7-H1, H2
A. Explain the necessity of grounding systems.	1, 2, 3, 4	X-A-1	
B. Name and explain the general types of faults.	1, 2, 3	X-A-2	
C. Explain the operations and characteristics of grounding electrode systems.	1, 2, 3	X-A-3	
II. SIZING, LAYOUT AND INSTALLATION OF GROUNDING SYSTEMS		X-B	Mathematics N-1H, 2H, 3H, 4H, 5H, 6H, 7H A-1H, 2H, 3H, 4H M-1H, 2H, 3H, 4H D-7H, 9H G-1H, 2H, 3H, 4H, 5H, 6H
A. Explain the NEC requirements and interpretations for installing grounding systems.	1, 2, 3, 4	X-B-1	
B. Determine the size of conductors and electrodes.	1, 2, 3, 4	X-B-2	
C. Install electrodes.	1, 2, 3	X-B-3	
D. Install conductors and make connections to electrodes.	1, 2, 3	X-B-4	
E. Explain the impact of soil conditions on earth grounding systems and electrodes.	1, 2, 3	X-B-5	Social Studies G-1D-H1, 1D-H2, 1D-H4 C-1A-H1, 1A-H5 E-1A-H1, 1A-H2, 1A-H3, 1A-H6 1B-H1, 1B-H2, 1B-H4, 1B-H5, 1B-H6
F. Explain the principles and the procedure of earth resistance testing.	1, 2, 3	X-B-6	
G. Determine applications where ground fault protection is required.	1, 2, 3	X-B-7	Science PS-H-B1, E1, F1, F2, G1, G2, G3, G4, G5
III. EXPLAIN THE DIFFERENCE BETWEEN INSULATION, ISOLATION, AND ELEVATION	1, 2, 3	X-C	
IV. EXPLAIN THE DIFFERENCE BETWEEN GROUNDING, GROUNDED, AND BONDING	1, 2, 3	X-D	ESS-H-A1 SE-H-A11, B1, B6, C2, C4, C5, D1, D2, D3, D4, D5, D6
V. EXPLAIN SPECIAL CIRCUMSTANCES WITH GROUNDING SYSTEMS	1, 2, 3, 4	X-E	
A. Explain requirements for grounding systems over 1,000-volt capacity.	1, 2, 3, 4	X-E-1	
B. Explain grounding requirements for separately derived systems.	1, 2, 3, 4	X-E-2	
C. Explain ground requirements for buildings that share service.	1, 2, 3, 4	X-E-3	

K. Standard 11: Reading and Interpreting Prints and Specifications

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
I. CREATION OF BLUEPRINTS, PLANS, AND SPECIFICATIONS			English Language Arts (ELA)
A. Use electrical symbols.	1, 2, 3, 4	XI-A	ELA 1-H1, H3, H4, H5
B. Distinguish between the basic types of lines and explain their use.	1, 2, 3	XI-A-1	ELA 2-H2, H3 ELA 3-H2, H3
C. Identify drawing instruments and types of drawings.	1, 2, 3	XI-A-2	ELA 4-H1, H2, H3, H4, H5, H6
D. Take-off dimensions and use them on the job.	1, 2, 3	XI-A-3	ELA 5-H1, H2, H3, H6
E. Prepare "as-built" drawings.	1, 2, 3	XI-A-4	ELA 7-H1, H2
F. Explain the differences between wiring diagrams, line drawings, schematics, and ladder diagrams.	1, 2, 3	XI-A-5	Mathematics N-1H, 2H, 3H, 4H, 5H, 6H, 7H
II. USE BLUEPRINTS, PLANS AND SPECIFICATIONS			
A. Explain the function of various types of plots, sections, details, schedules, specification sheets, addendums and revisions.	1, 2, 3, 4	XI-A-6 XI-B	A-1H, 2H, 3H, 4H M-1H, 2H, 3H, 4H D-7H, 9H G-1H, 2H, 3H, 4H, 5H, 6H
B. Determine devices, locations, quantities, feeds, conduit types and sizes and conductor sizes from prints.	1, 2, 3, 4	XI-B-1	Social Studies G-1D-H1, 1D-H2, 1D-H4
C. Interpret non-electrical dimensions and considerations from prints.	1, 2, 3	XI-B-2	C-1A-H1, 1A-H5 E-1A-H1, 1A-H2, 1A-H3, 1A-H6
D. Explain the relationships between architectural considerations and electrical installation.	1, 2, 3	XI-B-3	1B-H1, 1B-H2, 1B-H4, 1B-H5, 1B-H6
E. Correlate information from other trades plans with electrical plans to determine potential conflicts.	1, 2, 3, 4	XI-B-4 XI-B-5	Science PS-H-B1, E1, F1, F2, G1, G2, G3, G4, G5 ESS-H-A1 SE-H-A11, B1, B6, C2, C4, C5, D1, D2, D3, D4, D5, D6

L. Standard 12: Explain the Function, Operation and Characteristics of the Various Motors, Motor Controllers and Process Controllers

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
I. FUNCTIONS, OPERATIONS, AND CHARACTERISTICS OF VARIOUS TYPES OF MOTORS			English Language Arts
A. Explain the construction and operation of various motors.	1, 3, 4	XII-A	ELA-1-H1, H3, H4, H5
B. Use information sheets, plans, schematics and motor nameplates to gather information.	1, 3, 4	XII-A-1	ELA-2-H1, H3, H6 ELA-3-H1, H3
C. Explain motor losses.	1, 3, 4	XII-A-2	ELA-4-H2, H3, H4, H5, H6
D. Describe starting and operating characteristics of motors.	1, 3, 4	XII-A-3	ELA-5-H1, H2, H3, H4, H5, H6
E. Explain methods to identify windings in DC motors.	1, 2, 3, 4	XII-A-4	ELA-7-H1, H2
F. Explain means for providing for field failure, current limit, voltage, and speed control.	1, 2, 3, 4	XII-A-5	Mathematics N-1H, 2H, 3h, 4H, 5H, 7H
G. Explain block diagrams to demonstrate power supplies, armature field and control features.	1, 3, 4	XII-A-6	A-1H, 2H, 3H, 4H M-1H, 2H, 3H, 4H
H. Define torque, locked rotor current, no-load speed, and slip.	1, 3, 4	XII-A-7	G-1H, 2H, 3H, 5H, 6H D-2H, 4H, 7H, 8H, 9H
I. Explain reasons for low voltage starting.	1, 3, 4	XII-A-8	Social Studies G-1C-H2, 1D-H1, 1D-H2, 1D-H4
J. Explain the function, operation, and characteristics of stepping motors.	1, 3, 4	XII-A-9	E-1A-H1, 1A-H2, 1A-H3, 1A-H6, 1B-H1, 1B-H2, 1B-H4, 1B-H6
II. PROPER TECHNIQUES FOR MOTOR INSTALLATIONS			
A. Perform the necessary calculations for electrical requirements per code.	1, 3, 4	XII-A-10	Science PS-H-B1, PS-H-E1, PS-H-F1, PS-H-F2, PS-H-G2, PS-H-G3, PS-H-G4, SE-H-D2, SE-H-D6
B. Determine the correct power factor.	1, 3, 4	XII-B	
C. Select proper wire type and size.	1, 3, 4	XII-B-1	
D. Select appropriate connections.	1, 3, 4	XII-B-2	
E. Explain how various motors can be made to run at a different speed or reverse direction.	1, 2, 3, 4	XII-B-3	
F. Identify unmarked motor leads.	1, 2, 3, 4	XII-B-4	
G. Explain steps for proper handling of motors.	1, 3, 4	XII-B-5	
III. FUNCTIONS, OPERATIONS, AND CHARACTERISTICS OF MOTOR CONTROLLERS, CIRCUITS AND DEVICES			
A. Explain ways and means of starting and stopping motors.	1, 3, 4	XII-B-6	
B. Explain the operation of magnetic coil.	1, 3, 4	XII-B-7	
C. Explain the correct sizing use of magnetic starters and controllers.	1, 2, 3, 4	XII-C	
D. Explain the difference between starters and contactors.	1, 3, 4	XII-C-1	
E. Explain the function, operation, and characteristics of thermal and magnetic overload protective devices.	1, 3, 4	XII-C-2	
F. Interpret schematics for various control circuits.	1, 3, 4	XII-C-3, 4 XII-C-5	

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)	
G. Explain the use of two wire and three wire control circuits.	1, 3, 4	XII-C-8, 9	English Language Arts (ELA) ELA 1-H1, H3, H4, H5 ELA 2-H2, H3 ELA 3-H2, H3 ELA 4-H1, H2, H3, H4, H5, H6 ELA 5-H1, H2, H3, H6 ELA 7-H1, H2  Mathematics N-1H, 2H, 3H, 4H, 5H, 6H, 7H A-1H, 2H, 3H, 4H M-1H, 2H, 3H, 4H D-7H, 9H G-1H, 2H, 3H, 4H, 5H, 6H  Social Studies G-1D-H1, 1D-H2, 1D-H4 C-1A-H1, 1A-H5 E-1A-H1, 1A-H2, 1A-H3, 1A-H6 1B-H1, 1B-H2, 1B-H4, 1B-H5, 1B-H6  Science PS-H-B1, E1, F1, F2, G1, G2, G3, G4, G5 ESS-H-A1 SE-H-A11, B1, B6, C2, C4, C5, D1, D2, D3, D4, D5, D6	
H. Explain interlocking methods.	1, 3, 4	XII-C-10		
I. Explain the operation of reversing and sequential controllers.	1, 3, 4	XII-C-11		
J. Explain jogging, inching and plugging.	1, 3, 4	XII-C-12		
K. Explain the operation of multiple start stop controls and selector switches.	1, 3, 4	XII-C-13		
L. Explain the operation of phase failure relays.	1, 2, 3, 4	XII-C-14		
M. Explain various manual and automatic speed control techniques.	1, 3, 4	XII-C-15		
N. Explain the function, operation, and characteristics of variable frequency drives.	1, 2, 3, 4	XII-C-16		
O. Explain function, operation, characteristics and installation procedures for programmable logic controls.	1, 2, 3, 4	XII-C-17		
P. Interpret ladder diagrams.	1, 2, 3, 4	XII-C-18		
Q. Explain function, operation, and characteristics of timers, counters, and sequencers.	1, 2, 3, 4	XII-C-19		
R. Utilize appropriate manuals and information for start-up, maintenance and testing.	1, 2, 3, 4	XII-C-20		
S. Utilize schematics for manual starters, automatic starters, speed regulators and controllers.	1, 2, 3, 4	XII-C-21		
IV. FUNCTIONS, OPERATIONS, AND CHARACTERISTICS OF SWITCHES AND RELAYS		XII-D		
A. Interpret schematics that include switches and relays.	1, 2, 3, 4	XII-D-1		
B. Explain and perform installation and connection methods for various switch types.	1, 2, 3, 4	XII-D-2		
C. Explain and perform installation and connection for various relays.	1, 2, 3, 4	XII-D-3		
D. Explain the function, operation, and characteristics of electronic sensor and pilot devices.	1, 2, 3, 4	XII-D-4		
E. Explain the function, operation, and characteristics of control transformers.	1, 2, 3, 4	XII-D-5		
V. MECHANICAL CONNECTIONS TO UTILIZE MOTORS		XII-E		English Language Arts (ELA) ELA 1-H1, H3, H4, H5 ELA 2-H2, H3 ELA 3-H2, H3 ELA 4-H1, H2, H3, H4, H5, H6 ELA 5-H1, H2, H3, H6 ELA 7-H1, H2  Mathematics N-1H, 2H, 3H, 4H, 5H, 6H, 7H A-1H, 2H, 3H, 4H M-1H, 2H, 3H, 4H D-7H, 9H G-1H, 2H, 3H, 4H, 5H, 6H  Social Studies G-1D-H1, 1D-H2, 1D-H4 C-1A-H1, 1A-H5 E-1A-H1, 1A-H2, 1A-H3, 1A-H6 1B-H1, 1B-H2, 1B-H4, 1B-H5, 1B-H6  Science PS-H-B1, E1, F1, F2, G1, G2, G3, G4, G5 ESS-H-A1 SE-H-A11, B1, B6, C2, C4, C5, D1, D2, D3, D4, D5, D6
A. Explain the operation of mechanical clutches and magnetic drives.	1, 3, 4	XII-E-1		
B. Explain the function, operation, characteristics and installation of closed loop and open loop systems, feedback controls, proportional controls, integral controls, and derivative controls.	1, 3, 4	XII-E-2		
C. Interpret block diagrams including control systems and devices.	1, 3, 4	XII-E-3		
D. Explain the function, operation, and characteristics of sensors and transmitters.	1, 2, 3, 4	XII-E-4		
VI. PROCESS CONTROL SYSTEMS DEVICES		XII-F		
A. Determine operating requirements followed by manual and automatic controllers.	1, 2, 3, 4	XII-F-1		
B. Explain the function, operation, characteristics and installation of closed loop and open loop systems, feedback controls, proportional controls, integral controls, and derivative controls.	1, 2, 3, 4	XII-F-2		
C. Interpret block diagrams including control systems and devices.	1, 3, 4	XII-F-3		
D. Explain the function, operation and characteristics of sensors and transmitters	1, 2, 3, 4	XII-F-4		

M. Standard 13: Explain the Operation and Applications of Generators and Power Supplies

Benchmarks		Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
I.	EXPLAIN ELECTROMOTIVE FORCE	1, 3, 4	XIII-A	English Language Arts (ELA)
II.	PRINCIPLES OF GENERATING ELECTRICITY		XIII-B	ELA 1-H1, H3, H4, H5 ELA 2-H2, H3 ELA 3-H2, H3 ELA 4-H1, H2, H3, H4, H5, H6 ELA 5-H1, H2, H3, H6 ELA 7-H1, H2
	A. Explain the construction, function, operation, and characteristics of the AC generator.	1, 3, 4	XIII-B-1	
	B. Explain the construction, function, operation, and characteristics of the DC generator.	1, 3, 4	XIII-B-2	
	C. Explain the “left hand rule” for generators.	1, 3, 4	XIII-B-3	
	D. Determine the RPM, frequency and number of poles on a given generator.	1, 3, 4	XIII-B-4	Mathematics N-1H, 2H, 3H, 4H, 5H, 6H, 7H
	E. Explain three phase generator.	1, 3, 4	XIII-B-5	A-1H, 2H, 3H, 4H
	F. Explain wye and delta windings.	1, 3, 4	XIII-B-6	M-1H, 2H, 3H, 4H
	G. Explain three phase sine wave.	1, 2, 3, 4	XIII-B-7	D-7H, 9H G-1H, 2H, 3H, 4H, 5H, 6H
III.	EXPLAIN TYPES, CONFIGURATIONS, AND OPERATION OF UNINTERRUPTIBLE POWER SUPPLIES (UPS)	1, 2, 3, 4	XIII-C	Social Studies G-1D-H1, 1D-H2, 1D-H4 C-1A-H1, 1A-H5 E-1A-H1, 1A-H2, 1A-H3, 1A-H6 1B-H1, 1B-H2, 1B-H4, 1B-H5, 1B-H6
IV.	EXPLAIN THE TYPES, CONFIGURATIONS, AND OPERATION OF BATTERY SYTEMS USED FOR UPS SYSTEMS		XIII-D	Science PS-H-B1, E1, F1, F2, G1, G2, G3, G4, G5 ESS-H-A1 SE-H-A11, B1, B6, C2, C4, C5, D1, D2, D3, D4, D5, D6

N. Standard 14: Explain the Operation, Selection and Use of Transformers

Benchmarks		Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
I.	FUNCTION, OPERATION, AND CHARACTERISTICS OF TRANSFORMERS		XIV-A	English Language Arts (ELA)
	A. Explain the electrical principles governing transformer operation.	1, 2, 3, 4	XIV-A-1	ELA 1-H1, H3, H4, H5 ELA 2-H2, H3 ELA 3-H2, H3 ELA 4-H1, H2, H3, H4, H5, H6 ELA 5-H1, H2, H3, H6 ELA 7-H1, H2
	B. Explain the classification of transformer and application criteria.	1, 2, 3	XIV-A-2	
	C. Explain transformer losses.	1, 2, 3	XIV-A-3	
	D. Determine ratios for voltage and amperage with respect to turns.	1, 2, 3	XIV-A-4	Mathematics N-1H, 2H, 3H, 4H, 5H, 6H, 7H A-1H, 2H, 3H, 4H M-1H, 2H, 3H, 4H
II.	SELECTION AND INSTALLATION OF TRANSFORMERS		XIV-B	D-7H, 9H G-1H, 2H, 3H, 4H, 5H, 6H
	A. Interpret nameplate information.	1, 2, 3	XIV-B-1	Social Studies G-1D-H1, 1D-H2, 1D-H4 C-1A-H1, 1A-H5 E-1A-H1, 1A-H2, 1A-H3, 1A-H6 1B-H1, 1B-H2, 1B-H4, 1B-H5, 1B-H6
	B. Describe the techniques for sizing transformers (single and three phase).	1, 2, 3	XIV-B-2	
	C. Determine whether a transformer meets voltage, current, and impedance requirements.	1, 2, 3	XIV-B-3	
	D. Calculate voltages and currents for load and windings.	1, 2, 3	XIV-B-4	
	E. Determine the use of wye or delta wiring schemes.	1, 2, 3	XIV-B-5	Science PS-H-B1, E1, F1, F2, G1, G2, G3, G4, G5 ESS-H-A1 SE-H-A11, B1, B6, C2, C4, C5, D1, D2, D3, D4, D5, D6
	F. List and explain the steps for receiving and preparing transformers for installation.	1, 2, 3	XIV-B-6	
	G. Perform tests to assure proper operation.	1, 2, 3	XIV-B-7	
	H. Explain the proper techniques for connecting power and load conductors.	1, 2, 3	XIV-B-8	
	I. Explain the methods for determining the proper types and values of electrical protective devices.	1, 2, 3	XIV-B-9	
	J. Describe proper grounding procedures.	1, 2, 3	XIV-B-10	
III.	DISTRIBUTION SYSTEMS		XIV-C	
	A. Explain the function, operation, and characteristics of various types of distribution systems.	1, 2, 3	XIV-C-1	
	B. Explain the criteria for selecting distribution systems.	1, 2, 3	XIV-C-2	

O. Standard 15: Personal Development of Electricians

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
I. ORIENTATION		XV-A	English Language Arts (ELA)
A. Explain the organization of the industry from the customer to the contractor.	1, 2, 3	XV-A-1	ELA 1-H1, H3, H4, H5 ELA 2-H2, H3 ELA 3-H2, H3
B. Explain the various organizations within the industry, including those that represent manufacturers, distribution, associations, and unions.	1, 2, 3	XV-A-2	ELA 4-H1, H2, H3, H4, H5, H6 ELA 5-H1, H2, H3, H6 ELA 7-H1, H2
II. METHODS OF WORKING WITH OTHERS		XV-B	
A. Explain the three basis theories of motivation.	1, 2, 3, 4, 5	XV-B-1	Mathematics
B. Explain the need levels of humans.	1, 2, 3, 4, 5	XV-B-2	N-1H, 2H, 3H, 4H, 5H, 6H, 7H
C. Explain the role of the supervisors.	1, 2, 3, 4, 5	XV-B-3	A-1H, 2H, 3H, 4H M-1H, 2H, 3H, 4H
D. Explain the need for effective communication in electrical work.	1, 2, 3, 4, 5	XV-B-4	D-7H, 9H
III. ECONOMIC CONSIDERATIONS		XV-C	G-1H, 2H, 3H, 4H, 5H, 6H
A. Explain how the future of the worker is tied to that of the employer.	1, 2, 3	XV-C-1	Social Studies G-1D-H1, 1D-H2, 1D-H4
B. Explain the electrical workers responsibility to the employer.	1, 2, 3	XV-C-2	C-1A-H1, 1A-H5
C. Explain the costs of doing business.	1, 2, 3, 4	XV-C-3	E-1A-H1, 1A-H2, 1A-H3, 1A-H6
D. Explain the importance of satisfying the customers.	1, 2, 3	XV-C-4	1B-H1, 1B-H2, 1B-H4, 1B-H5, 1B-H6
E. Explain the impact of job performance, behavior, and appearance on the prospects for future work.	1, 2, 3	XV-C-5	Science PS-H-B1, E1, F1, F2, G1, G2, G3, G4, G5
F. Explain the function of marketing within the field.	1, 2, 3	XV-C-6	ESS-H-A1 SE-H-A11, B1, B6, C2, C4, C5, D1, D2, D3, D4, D5, D6

P. Standard 16: Explain Effective Jobsite Management Techniques

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
I. COORDINATE TOOL NEEDS WITH OFFICE OF OTHER JOBS.	1, 2, 3, 4	XVI-A	English Language Arts (ELA)
II. COORDINATE THE SCHEDULING OF JOBS WITH OTHER CRAFTS.	1, 2, 3	XVI-B	ELA 1-H1, H3, H4, H5 ELA 2-H2, H3 ELA 3-H2, H3
III. DEVELOP TIMETABLE AND PROGRESS CHART.	1, 2, 3, 4	XVI-C	ELA 4-H1, H2, H3, H4, H5, H6 ELA 5-H1, H2, H3, H6 ELA 7-H1, H2
IV. COMPLETE TIME SHEETS, LOG, AND OTHER FORM OF DOCUMENTATION.	1, 2, 3, 4	XV-D	
V. EXPLAIN THE PROECDURE OF OBTAINING CLEARANCE OR PERMITS.	1, 2, 3	XVI-E	Mathematics N-1H, 2H, 3H, 4H, 5H, 6H, 7H
VI. PERFORM INVENTORY AND COMPLETE ORDERS FOR EQUIPMENT ACCORDING TO JOB NEEDS.	1, 2, 3	XVI-F	A-1H, 2H, 3H, 4H M-1H, 2H, 3H, 4H
VII. DEVELOP ALTERNATIVE SOLUTION TO PROBLEMS AND CHOOSE THE MOST APPROPRIATE.	1, 2, 3	XVI-G	D-7H, 9H G-1H, 2H, 3H, 4H, 5H, 6H
VIII. PLAN AND ORGANIZE TASKS TO MEET DEADLINE.	1, 2, 3	XVI-H	Social Studies
IX. SUPERVISE AND MONITOR OTHERS ON THE JOBSITE.	1, 2, 3	XVI-I	G-1D-H1, 1D-H2, 1D-H4
X. PICTURE THE WAY A JOB WILL APPEAR WHEN COMPLETED	1, 2, 3	XVI-J	C-1A-H1, 1A-H5 E-1A-H1, 1A-H2, 1A-H3, 1A-H6 1B-H1, 1B-H2, 1B-H4, 1B-H5, 1B-H6
			Science PS-H-B1, E1, F1, F2, G1, G2, G3, G4, G5 ESS-H-A1 SE-H-A11, B1, B6, C2, C4, C5, D1, D2, D3, D4, D5, D6

Q. Standard 17: Explain and Perform Various Test Procedures with the Appropriate Equipment

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
I. STEPS USED FOR VARIOUS TEST PROCEDURES		XVII-A	English Language Arts (ELA)
A. Perform acceptance testing of cable.	1, 2, 3, 4	XVII-A-1	ELA 1-H1, H3, H4, H5
B. Perform maintenance tests on generators.	1, 2, 3, 4	XVII-A-2	ELA 2-H2, H3
C. Perform insulation tests using the megohmmeter.	1, 2, 3, 4	XVII-A-3	ELA 3-H2, H3
II. UTILIZING THE RESULTS OF TESTING PROCEDURES		XVII-B	ELA 4-H1, H2, H3, H4, H5, H6
A. Explain the special requirements for high voltage testing.	1, 3, 4	XVII-B-1	ELA 5-H1, H2, H3, H6
B. Describe the safety hazards encountered in testing.	1, 2, 3, 4, 5	XVII-B-2	ELA 7-H1, H2
C. Explain the characteristics and properties of high voltage cable and insulators.	1, 2, 3, 4	XVII-B-3	Mathematics
D. Perform appropriate test methods using various equipment.	1, 3, 4	XVII-B-4	N-1H, 2H, 3H, 4H, 5H, 6H, 7H A-1H, 2H, 3H, 4H M-1H, 2H, 3H, 4H D-7H, 9H G-1H, 2H, 3H, 4H, 5H, 6H
			Social Studies
			G-1D-H1, 1D-H2, 1D-H4 C-1A-H1, 1A-H5 E-1A-H1, 1A-H2, 1A-H3, 1A-H6 1B-H1, 1B-H2, 1B-H4, 1B-H5, 1B-H6
			Science
			PS-H-B1, E1, F1, F2, G1, G2, G3, G4, G5 ESS-H-A1 SE-H-A11, B1, B6, C2, C4, C5, D1, D2, D3, D4, D5, D6

R. Standard 18: Explain the Use of Electrical Specialty Systems

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
I. FIRE ALARMS		XVIII-A	English Language Arts (ELA)
A. Explain the function, operation, and characteristics of various types of fire alarm systems and components.	1, 2, 3	XVIII-A-1	ELA 1-H1, H3, H4, H5
B. Apply code requirements to fire alarm system design and construction.	1, 2, 3, 4	XVIII-A-2	ELA 2-H2, H3
C. Explain the function, operation, and characteristics of alarm initiating and indicating devices.	1, 2, 3, 4	XVIII-A-3	ELA 3-H2, H3
D. Explain multiplexing of system components.	1, 2, 3, 4	XVIII-A-4	ELA 4-H1, H2, H3, H4, H5, H6
E. Explain methods of providing fire protection for various types of areas.	1, 2, 3, 4	XVIII-A-5	ELA 5-H1, H2, H3, H6
F. Select appropriate wiring methods and devices for various jobs and make installation.	1, 2, 3, 4	XVIII-A-6	ELA 7-H1, H2
G. Use manuals and perform check out and start-up procedures.	1, 2, 3, 4	XVIII-A-7	Mathematics
H. Use manuals and determine system maintenance requirements and for troubleshooting.	1, 2, 3, 4	XVIII-A-8	N-1H, 2H, 3H, 4H, 5H, 6H, 7H
II. SECURITY SYSTEMS		XVIII-B	A-1H, 2H, 3H, 4H
A. Explain the function, operation, and characteristics of various types of security systems and components.	1, 2, 3, 4	XVIII-B-1	M-1H, 2H, 3H, 4H
B. Apply code requirements to security system design and construction.	1, 2, 3, 4	XVIII-B-2	D-7H, 9H
C. Explain the function, operation, and characteristics of alarm initiating and indicating devices.	1, 2, 3, 4	XVIII-B-3	G-1H, 2H, 3H, 4H, 5H, 6H
D. Explain multiplexing of system components.	1, 2, 3, 4	XVIII-B-4	Social Studies
E. Explain methods of providing security systems for various types of areas.	1, 2, 3, 4	XVIII-B-5	G-1D-H1, 1D-H2, 1D-H4
F. Select appropriate wiring methods and devices and make installation.	1, 2, 3, 4	XVIII-B-6	C-1A-H1, 1A-H5
G. Use manuals and perform check out and start-up procedures.	1, 2, 3, 4	XVIII-B-7	E-1A-H1, 1A-H2, 1A-H3, 1A-H6
H. Use manuals and determine system maintenance requirements and for troubleshooting.	1, 2, 3, 4	XVIII-B-8	1B-H1, 1B-H2, 1B-H4, 1B-H5, 1B-H6
III. VOICE, DATA, AND SIGNALING SYSTEMS		XVIII-C	Science
A. Explain the function, operation, and characteristics of various types of voice, data, TV and signaling systems.	1, 2, 3, 4, 5	XVIII-C-1	PS-H-B1, E1, F1, F2, G1, G2, G3, G4, G5
B. Explain the proper cabling systems required for various systems.	1, 3, 4	XVIII-C-2	ESS-H-A1
C. Perform installation and connection techniques for cables and devices.	1, 3, 4	XVIII-C-3	SE-H-A11, B1, B6, C2, C4, C5, D1, D2, D3, D4, D5, D6
D. Explain how cable defects and installation errors can degrade data transfer.	1, 2, 3, 4	XVIII-C-4	
E. Use manuals to install, test, start and check out systems.	1, 2, 3, 4	XVIII-C-5	
F. Use appropriate manuals and techniques for system maintenance and troubleshooting.	1, 2, 3, 4	XVIII-C-6	

Benchmarks	Louisiana Foundation Skills	National Skill Standard	Academic Cross-Reference (Standard-Benchmark)
IV. LIGHTNING PROTECTION SYSTEMS		XVIII-D	
A. Explain the function, operation, and characteristics of lightning protection systems.	1, 2, 3, 4	XVIII-D-1	
B. Determine the sizing, layout and installation protection systems.	1, 2, 3, 4	XVIII-D-2	
C. Apply Code requirements to lightning protection systems.	1, 2, 3, 4	XVIII-D-3	
D. Determine the size of conductors and electrodes.	1, 2, 3, 4	XVIII-D-4	
E. Install electrodes.	1, 2, 3, 4	XVIII-D-5	
F. Install conductors and make connections to electrodes.	1, 2, 3, 4	XVIII-D-6	
V. FIBER OPTIC SYSTEMS		XVIII-E	
A. Explain the function, operation, and characteristics of fiber optic cable.	1, 2, 3, 4	XVIII-E-1	
B. Demonstrate proper installation techniques such as the installation of hardware and splicing and termination.	2, 3, 4	XVIII-E-2	
C. Use appropriate manuals and equipment to perform systems tests and troubleshooting procedures.	1, 2, 4	XVIII-E-3	
VI. HEATING, AIR CONDITIONING, AND REFRIGERATION		XVIII-F	
A. Explain the function, operation, and characteristics of heating, air conditioning, and refrigeration systems and their components.	1, 2, 3, 4, 5	XVIII-F-1	
B. Explain the characteristics of heat energy, transfer and measurement.	1, 3, 4	XVIII-F-2	
C. Explain and contrast space and process heating.	1, 3, 4	XVIII-F-3	
D. Compare and contrast the properties and characteristics of refrigerant.	1, 3, 4	XVIII-F-4	
E. Explain the appropriate piping techniques for refrigerants.	1, 3, 4	XVIII-F-5	
F. Use appropriate manuals and equipment to perform system tests and troubleshooting procedures.	1, 2, 3, 4	XVIII-F-6	

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**Subpart 7. Heating, Ventilating, Air-Conditioning, and Refrigeration (HVACR)**

**Chapter 21. Introduction**

**§2101. Heating, Ventilating, Air-Conditioning, and Refrigeration (HVACR) Excellence Rationale**

NOTE: All references to HVACR include refrigeration throughout this Subpart 13.

A. See Subpart 1 of this Part XCIX for General Provisions applicable to this Heating, Ventilating, Air Conditioning, and Refrigeration (HVACR) Program.

B. Heating, Ventilating, Air-Conditioning, and Refrigeration (HVACR) Excellence Certification provides national recognition of a technician's skill levels. It is a comprehensive series of exams built around a universally accepted benchmark of technical expertise. Various levels of certification allow HVACR Excellence to be very specific in fulfilling the demand for qualified personnel and in projection of a professional image.

C. Industry records reflect that over 85 percent of all service calls and troubleshooting scenarios involve electrical problems. For this reason, the electrical certification examination is a prerequisite to all other HVACR Excellence certifications. Each advancing level of certification builds on the foundation established by the electrical exam.

D. A technician who has achieved electrical certification may advance to the heating examinations or to the air conditioning exam.

E. Air conditioning certification is prerequisite to the commercial air conditioning, commercial Refrigeration, and to the heat pump exams. (The heat pump certification covers the competencies necessary for servicing air-to-air heat pumps, and is a prerequisite to the geo-thermal exam.)

F. Due to regional and climatic variations, and in order to make the exams more detailed, heating systems certifications are not packaged as one test. Heating exams are divided into five types. Technicians may choose any or all of the five categories:

1. Gas Heat;
2. Electric Heat;
3. Oil Heat;
4. Hydronics I (Hot Water); and
5. Hydronics II (Steam).

G. By providing a multi-tiered program, a technician is both rewarded for accomplishments and is also motivated to advance. Each level of certification covers the skills necessary to instill confidence in the technician's competencies, improve his/her proficiency on each job assignment, and project an image of professionalism to customers.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**Chapter 23. Certification**

**§2301. Technician Certification—"The Benchmark of Technical Excellence"**

A. HVACR Excellence is a nonprofit organization established by a grant from the ESCO Institute. The two primary responsibilities of HVACR Excellence are:

1. technician competency certification; and
2. program accreditation.

B. The HVACR Excellence Technician Competency Certification Program is designed to reflect the competencies set forth by various organizations such as the National Skills Standards Board, the Manufacturers Skills Standards Council and Vocational Technical Education Consortium of States (VTECHS).

C. ESCO Institute supports online testing services through its worldwide network of more than 6,000 test administrators. ESCO Institute works with manufacturers, skilled technicians, contractors, and educators to develop programs that support national recognition and certification standards for schools and HVACR professionals. The HVACR Excellence exams are designed to establish a universally accepted benchmark of technical excellence.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### **§2303. Electrical Certification**

A. This certification has been designed to directly address the needs of the HVACR technician who has the responsibility of installing, servicing, troubleshooting, and repairing the various electrical circuits and components of today's HVACR systems. Because the vast majority of service calls involve electrical repairs, Electrical Certification has been selected as the prerequisite over all other certifications in the HVACR Excellence Program. Other certifications may contain electrical questions specific to that exam.

B. Who Should Be Certified. With an extreme emphasis on safety, anyone responsible for the installation, service or maintenance of HVACR equipment must have a working knowledge of electrical systems.

C. Competencies covered:

1. circuit fundamentals;
2. electrical materials;
3. magnetism;
4. circuit protection;
5. types of electric motors;
6. troubleshooting basic controls;
7. troubleshooting electric motors;
8. motor controls;
9. application of motors;
10. automatic controls components and applications.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### **§2305. Air Conditioning Certification**

A. Air conditioning (A/C) certification establishes a basis for all other certifications involving the vapor compression refrigeration system. Today's systems use new refrigerants and oils compared to units built just a few years ago. A properly maintained system should deliver years of trouble-free operation. However, improper service techniques or failure of one simple component will almost always lead to catastrophic failure of the system.

B. Who Should Be Certified. Any technician responsible for diagnosis and repair must possess a strong background in refrigeration systems.

C. Competencies covered:

1. theory of heat, temperature, and pressure;
2. physical states of matter and change of state;
3. refrigeration and refrigerants;
4. refrigerant and oil management;
5. refrigeration applied to air conditioning;
6. system evacuation;

7. leak detection;
8. tubing and piping practices;
9. tool usage and calibration;
10. equipment maintenance;
11. system charging;
12. safety.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### **§2307. Commercial Refrigeration Certification**

A. Electrical and air conditioning certification is a prerequisite to commercial refrigeration. The commercial refrigeration technician will be faced with a variety of equipment and an equal variety of troubleshooting and service situations. It is important to remember that all of the equipment has certain components and functions that are common to all refrigeration and A/C devices. Knowing how a system or component is supposed to function under typical conditions will greatly aid in solving malfunctions.

B. Who Should Be Certified. Technician servicing and maintaining commercial or industrial refrigeration systems should be certified.

C. Competencies covered:

1. refrigeration components;
2. commercial evaporators;
3. commercial condensing units;
4. head pressure controls;
5. charging commercial systems;
6. grocery (reach-in) cabinets;
7. walk-in cabinets;
8. industrial applications;
9. pressure regulating valves;
10. ice maker controls;
11. defrost timers;
12. refrigerant controls;
13. dispensing freezers;
14. frozen food storage;
15. display cases.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### **§2309. Commercial Air Conditioning Certification**

A. Electrical and air conditioning certification is a prerequisite to commercial air conditioning. Commercial air conditioning technicians will be faced with a variety of equipment and systems. It is important to remember that all of the equipment has certain components and functions that are common to all refrigeration and A/C devices. Commercial buildings may experience high occupancy and contain a variety of equipment leading to indoor air quality (IAQ) concerns. This certification addresses the unique issues involved in the service and maintenance of commercial air conditioning systems.

B. Who Should be Certified. Anyone servicing commercial air conditioning systems should be certified.

C. Competencies covered:

1. commercial evaporators;
2. commercial condensing units;
3. head pressure controls;

4. filtration;
5. HEPA filters;
6. electronic air filters;
7. activated charcoal air purifiers;
8. charging commercial systems;
9. air distribution;
10. fresh air intake and exchange;
11. ion generators;
12. humidity control;
13. controlling indoor contamination;
14. duct cleaning.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### §2311. Heat Pump Certification

A. This certification will demonstrate the technician's competencies in all areas of service and troubleshooting air-to-air heat pump systems. Technicians seeking the heat pump certification will have satisfactorily completed the electrical and air conditioning certifications prior to taking this test. The heat pump certification is a prerequisite for geo-thermal certification.

B. Who Should Be Certified. Any technician responsible for the installation, service and maintenance of air-to-air heat pump systems should be heat pump certified.

C. Competencies covered:

1. theory, operations and components of a reverse cycle heat pump;
2. four way valves;
3. heat sources for heat pumps;
4. co-efficiency of performance;
5. safety;
6. heat pump efficiency ratings;
7. auxiliary heat for heat pumps;
8. control sequences;
9. maintenance procedures.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### §2313. Geothermal Certification

A. The geothermal certification concentrates on open loop (water source), and closed loop (earth-coupled) systems. Electrical, air conditioning, and the heat pump certifications are required prior to taking this exam.

B. Who Should be Certified. Any technician responsible for the installation, service and maintenance of geothermal heat pump systems should be geothermal certified.

C. Competencies covered:

1. open loop and closed loop geothermal systems;
2. water quality requirements;
3. ground loop configurations;
4. series and parallel flow configurations;
5. formulas for calculation of absorption and rejection of heat;
6. well types and water sources;
7. system fluids and heat exchanger materials;
8. maintenance procedures;
9. safety.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### §2315. Gas Heat Certification

A. Gas heat systems have changed dramatically in the past few years. Many of the new high efficiency gas-heating units employ electronic ignition systems, variable speed motors, and a myriad of electronic controls. In addition to a solid foundation in the theory and operations of older existing systems, today's technician must possess the skills to service these newer systems to ensure safe and trouble-free operation. Gas heat certification indicates that a technician possesses an in-depth knowledge of all types of gas heat units and their control systems.

B. Who Should Be Certified. Electrical certification is prerequisite to the gas heat exam. Any technician who installs, services, or maintains gas heat systems should be certified.

C. Competencies covered:

1. types of furnaces;
2. gas fuels;
3. natural gas/LP gas;
4. combustion;
5. gas valve;
6. gas furnace wiring diagrams;
7. manifold;
8. orifice;
9. burners;
10. pilots;
11. automatic combination gas valve;
12. troubleshooting techniques.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### §2317. Electric Heat Certification

A. Electric heat certification demonstrates the technician's competencies in all aspects of service and troubleshooting electric heat systems. Electric heat is commonly used as a supplemental heat supply for heat pump systems and therefore makes an excellent supporting certification.

B. Who Should Be Certified. Electrical certification is a prerequisite to the electric heat exam. A technician who services electric heat systems or heat pump systems should be electric heat certified.

C. Competencies covered:

1. principles of electric resistance heating;
2. central forced air electric furnaces;
3. controlling multiple stages;
4. contactors for electric furnaces;
5. thermostats;
6. wiring diagrams;
7. fan motor circuits;
8. airflow.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### §2319. Oil Heat Certification

A. Oil heat requires more consistent regular service than any other heat system. The fuel oil must be properly metered and burned for best efficiency. Improper burning efficiency will cause soot to form, which will slow down the heat exchange process and decrease the burning efficiency. Yearly preventive maintenance procedures, from the oil tank to the flue, must be performed.

B. Who Should Be Certified. Electrical certification is a prerequisite to the oil heat exam. Any technician responsible for service or maintenance of oil heat systems should be certified.

C. Competencies covered:

1. fuel oils;
2. combustion products and byproducts;
3. combustion efficiency;
4. gun type oil burners;
5. nozzles;
6. preventative maintenance;
7. basic service procedures;
8. ignition system;
9. oil burner components;
10. fuel oil pumps.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### §2321. Hydronics I and II Certification

A. Hydronic heating systems use hot water (Hydronics I) or steam (Hydronics II) to carry heat to occupied spaces. Such systems have been in use for many years. Today's systems employ various piping arrangements to allow for zoned heat controls. Many of these zoned systems use microprocessor controls to allow different heat level to the areas being heated. The heat exchange units vary from the old stand-up radiators, to baseboard units or in-floor radiant heat systems.

B. Who Should Be Certified. Electrical Certification is a prerequisite to the Hydronics Heat Certifications. Technicians who service or maintain hot water heating systems should be certified in Hydronics I. Technicians who service or maintain steam heating systems should be certified in Hydronics II. It is highly recommended, but not required, that technicians have at least one other heat certification such as gas, electric, or oil) before advancing to hydronic certification.

C. Competencies covered:

1. Hydronics I
  - a. hydronic heating systems;
  - b. gas fired boilers;
  - c. electric boilers;
  - d. oil fired boilers;
  - e. circulating pumps;
  - f. piping arrangements;
  - g. temperature control devices;
  - h. zone controls;
  - i. Operating sequence.
2. Hydronics II
  - a. steam heating systems;
  - b. gas fired boilers;
  - c. electric boilers;
  - d. oil fired boilers;

- e. piping arrangements;
- f. temperature control devices;
- g. zone controls;
- h. operating sequence.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

## Chapter 25. National Skills Standards

### §2501. Safety and Environment

A. Understand and apply safety regulations and procedures.

B. Understand and apply federal, state, and local regulations for disposing of hazardous materials.

C. Understand and apply United States Environmental Protection Agency (EPA) regulations on venting, recovery, reclaiming, and recycling refrigerants.

D. Understand and apply the U.S. Department of Transportation (DOT) regulations in the transportation and handling of hazardous materials.

E. Understand and apply U.S. Occupational Safety and Health Administration (OSHA) regulations.

F. Understand and apply Environmental Protection Agency (EPA) regulations on indoor air quality and nitrous oxide.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### §2503. Electrical Principles

A. General

1. Understand and apply the principles of alternating and direct current.

2. Understand and recognize the common single-and three-phase voltage system including 231v, 60hz, single phase; 208v, 60hz, three-phase; and 460v, 60hz, three-phase systems.

3. Understand and apply the principles of series-parallel and compound circuits.

4. Understand and apply the principles and relationships of Ohm's, Kirchoff's, and Watt's Laws as they apply to series-parallel and compound circuits.

5. Read and interpret voltage, ampere, ohm, megohm, and wattmeters.

6. Read and interpret schematic drawings.

7. Develop schematics from electrical label/line diagrams.

8. Read and interpret electrical codes.

9. Understand and apply the properties and behaviors of electrical conductors and insulators.

10. Understand and apply the principles of electrical circuit protection including fuses, circuit breakers, and disconnect switches.

11. Understand and apply the principles of single-and three-phase transformers.

12. Understand and apply electrical grounding principles.

13. Understand and apply the principles of electrical measurement.

14. Troubleshoot electrical circuits.

15. Install electrical power and control circuits.

16. Install and connect the components of electrical circuits.

B. Electric Motors

1. Understand and apply the operating principles of electric motors.

2. Understand and recognize the application of various types of electric motors.

3. Understand and recognize the application of various types of capacitors.

4. Understand the principles and operation of electric motor protection devices.

5. Understand and interpret electric motor specifications.

6. Install and connect electric motors.

7. Perform electrical motor maintenance.

8. Troubleshoot electric motors.

C. Controls

1. Understand and apply the principles of safety and operating control devices (e.g., pressure switches, thermostats).

2. Understand and apply the principles of electromechanical control devices (e.g., relays, contactors, magnetic starters, timers, sequences).

3. Understand and apply the principles of electronic control devices (e.g., ignition modules, electronic timers).

4. Understand and apply the principles of safety and control circuits.

5. Install/service mechanical control devices.

6. Install/service electromechanical control devices.

7. Troubleshoot mechanical control devices.

8. Troubleshoot electromechanical control devices.

9. Troubleshoot electronic control devices.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**§2505. Refrigeration Principles and Practices**

A. General

1. Understand and apply the theory of heat.

2. Understand and apply the properties of refrigerants.

3. Understand and apply the mechanical refrigeration cycle.

4. Understand and apply pressure/temperature curves and charts.

5. Understand and apply the principles and the operation of compressors.

6. Understand and apply the principles and operation of condensers.

7. Understand and apply the principles and operation of metering devices.

8. Understand and apply the principles and operation of evaporators.

9. Understand the operation of refrigeration system accessories (e.g., receivers, accumulators, filter/dryers, sight glasses, valves).

10. Perform leak tests.

11. Evacuate and measure the vacuum level of refrigeration systems.

12. Recover refrigerants.

13. Charge refrigeration systems.

14. Recycle refrigerants.

15. Troubleshoot mechanical refrigeration systems.

B. Piping

1. Understand and apply the principles of piping systems, including the factors that affect pipe selection, pipe size, and system design.

2. Understand and select the proper fitting or valve for specific applications e.g.:

a. globe valves;

b. gate valves;

c. angle valves;

d. check valves;

e. elbows, tees;

f. unions;

g. couplings;

h. half unions.

3. Understand and apply the principles of pipe accessories e.g.:

a. flanges;

b. isolators;

c. hangers;

d. expansion joints;

e. expansion loops;

f. supports;

g. insulation.

4. Perform copper tubing operations, including:

a. cutting;

b. flaring;

c. soldering;

d. brazing;

e. bending;

f. swaging; and

g. etc.

5. Perform steel pipe operations, to include:

a. cutting;

b. reaming;

c. threading;

d. connecting; and

e. etc.

6. Perform PVC pipe operations, including:

a. cutting;

b. connecting; and

c. etc.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**§2507. Air Conditioning Principles**

A. Understand and apply the principles of air-conditioning, including temperature, humidity, and air movements, etc.

B. Understand and apply the principles of air distribution and delivery systems.

C. Understand and apply the principles of condensate drain systems.

D. Understand and apply the principles of air filtration systems.

E. Design air distribution systems.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### **§2509. Heating Principles**

- A. Understand and apply the principles of fuel system design.
- B. Understand and apply the principles of air and hydronic distribution and delivery system design.
- C. Understand and apply the principles and operation of electric resistance heat systems.
- D. Understand and apply the principles and operation of gas-fired, forced-air heating systems.
- E. Understand and apply the principles and operation of oil-fired, forced-air heat systems.
- F. Understand and apply the principles of electric heat pump systems.
- G. Understand and apply the principles and operation of gas-fired hydronic heat systems.
- H. Understand and apply the principles and operation of oil-fired hydronic heat systems.
- I. Understand and apply the principles of venting and drain systems.
- J. Understand and apply the principles of pipe sizing and layout for both fuel and heat distribution.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### **§2511. Residential and Light Commercial Heating**

- A. Understand and apply the principles of fuel system design.
- B. Understand and apply the principles of air distribution system design.
- C. Understand and apply the principles and operation of electrical resistance heat systems.
- D. Understand and apply the principles and operation of gas-fired, forced-air heating systems.
- E. Understand and apply the principles and operation of oil-fired, forced-air heating systems.
- F. Understand and apply the principles and operation of gas-fired hydronic heat systems.
- G. Understand and apply the principles and operation of oil-fired hydronic heat systems.
- H. Understand and apply the principles of venting and drain systems.
- I. Understand and apply the principles of pipe sizing and layout, including liquid propane and natural gas and oil.
- J. Understand and apply the principles of humidification.
- K. Install/service gas-fired forced-air heating systems.
- L. Install/service oil-fired forced-air heating systems.
- M. Install/service hydronic heat systems.
- N. Fabricate/install/service venting and drain systems.
- O. Install/service humidifiers.
- P. Troubleshoot gas-fired forced-air heating systems.
- Q. Troubleshoot oil-fired forced-air heating systems.
- R. Troubleshoot hydronic heat systems.
- S. Troubleshoot venting and drain systems.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### **§2513. Heat Pump**

- A. Understand and apply the principles of vapor compression heat pump cycles.
- B. Understand and apply the principles of supplementary heat.
- C. Understand and apply the relationship of outdoor ambient temperature to heating capacity.
- D. Understand and apply the electrical circuitry of air-to-air, and group-to-air heat pumps.
- E. Understand and apply the principles and operation of defrost controls in heat pump systems; e.g:
  - 1. electronic demand defrost;
  - 2. pressure;
  - 3. time/temperature;
  - 4. time; and
  - 5. etc.

F. Understand and apply the principles of the balance point of heat pumps.

G. Interpret the balance chart and plot the balance point of a heat pump.

H. Design air distribution and delivery systems.

I. Fabricate and insulate air distribution systems.

J. Install/service vapor compression heat pump systems.

K. Troubleshoot vapor compression heat pump systems.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

### **§2515. Residential and Light Commercial Air Conditioning**

- A. Understand and apply the principles of air-conditioning including:
  - 1. temperature;
  - 2. humidity;
  - 3. air-movement; and
  - 4. etc.
- B. Understand and apply the principles of air distribution systems.
- C. Understand and apply the principles of condensate drain systems.
- D. Understand and apply the principles of air filtration systems.
- E. Design air distribution and delivery systems.
- F. Fabricate and insulate air distribution systems.
- G. Install air distribution systems.
- H. Install/service condensate drain systems.
- I. Install/service air filtration systems.
- J. Install/service split air-conditioning systems.
- K. Install/service packaged air-conditioning systems.
- L. Install/service evaporative coolers.
- M. Troubleshoot air-conditioning systems.
- N. Troubleshoot evaporative coolers.
- O. Troubleshoot condensate drain systems.
- P. Troubleshoot air filtration systems.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

## **§2517. Commercial Air Conditioning Systems**

A. Understand and apply the principles of cooling towers.

B. Understand and apply the principles of pneumatic control devices, e.g.:

1. thermostats;
2. pneumatic actuators;
3. pneumatic switches; and
4. pneumatic relays.

C. Understand and apply the principles of pumps and circulators.

D. Understand and apply the principles of low and high-pressure gas-fired boilers.

E. Understand and apply the principles of low and high-pressure oil-fired boilers.

F. Understand and apply the principles of steam condensers and traps.

G. Understand and apply the principles of water-cooled condensers and accessories.

H. Understand and apply the principles of desiccant cooling and dehumidification systems.

I. Understand and apply the principles of liquid chillers and accessories.

J. Understand and apply the principles of air distribution and delivery systems.

K. Understand and apply the principles of water distribution systems.

L. Understand and apply the principles of commercial conditioned-air control systems.

M. Install/maintain/service pneumatic control devices.

N. Install/service pumps and circulators.

O. Install/align shafts in fans, pumps, and open-type compressors.

P. Install/service cooling towers and accessories.

Q. Install/service water-cooled condensers and accessories.

R. Install/service liquid chillers and accessories.

S. Install/service air distribution systems and accessories.

T. Install/service water distribution systems and accessories.

U. Install/service commercial conditioned-air control systems.

V. Perform scheduled monitoring/testing procedures of commercial conditioned-air systems.

W. Perform preventive inspection and maintenance procedures of commercial conditioned-air systems.

X. Perform commercial conditioned-air system start-up procedures.

Y. Perform commercial conditioned-air system shut-down procedures

Z. Troubleshoot pneumatic control devices.

AA. Troubleshoot pumps and circulators.

AB. Troubleshoot cooling towers and accessories.

AC. Troubleshoot water-cooled condensers and accessories.

AD. Troubleshoot liquid chillers and accessories.

AE. Troubleshoot air distribution systems and accessories.

AF. Troubleshoot water distribution systems and accessories.

AG. Troubleshoot commercial conditioned-air control systems

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

## **§2519. Commercial Refrigeration**

A. Understand and apply the principles of high, medium, low, and ultra-low temperature control refrigeration and their applications.

B. Understand and apply the principles of mechanical refrigeration systems in commercial refrigeration, e.g.:

1. walk-in coolers;
2. walk-in freezers;
3. reach-in cases;
4. multiple evaporator systems;
5. packaged refrigeration systems.

C. Understand and apply the principles of electric and hot gas defrost systems in commercial refrigeration systems.

D. Understand and apply the principles of flake and cube icemakers.

E. Understand and apply the principles of water coolers.

F. Understand and apply the principles of specific refrigeration system components used in commercial refrigeration, e.g.:

1. low ambient controls;
2. evaporator pressure regulators;
3. crankcase pressure regulators.

G. Understand and apply the principles of load calculation and piping designs in commercial refrigeration systems.

H. Calculate the load, design the piping system, and design the control system of a commercial refrigeration system.

I. Install/service commercial refrigeration systems.

J. Install/service ice makers.

K. Install/service water coolers.

L. Troubleshoot high temperature commercial refrigeration systems.

M. Troubleshoot medium temperature commercial refrigeration systems.

N. Troubleshoot low temperature commercial refrigeration systems.

O. Troubleshoot ultra-low temperature commercial refrigeration systems.

P. Troubleshoot icemakers.

Q. Troubleshoot coolers.

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

## **Chapter 27. Program Standards**

### **§2701. HVACR Excellence Program Standards**

A. Standard 1. Mission of Program

1. Mission for Program Students
2. Program Mission and Description

B. Standard 2. Administration Responsibilities

1. Competency of Student upon Completion
2. Backing of the Institution's administration
3. The Institution's Requirements
4. Lab/Work Projects
5. HVACR Program Advisory Committee

- C. Standard 3. Finances and Funds
  - 1. Student's Fees
  - 2. Annual Budget for HVACR Program
  - 3. Formulation of Budget
- D. Standard 4. Teaching/Learning Materials
  - 1. Maintenance and Repair Reference Materials
  - 2. References and Periodicals
  - 3. Multimedia Materials and Equipment
- E. Standard 5. Student Services
  - 1. Pre-admission Procedures
  - 2. Counseling
  - 3. Student Transcripts
  - 4. The School-to-Work Transition
  - 5. Student Follow-up Information
- F. Standard 6. Plan of Instruction
  - 1. Over-all Program Design
  - 2. Students per Instructor Ratio
  - 3. Specialized Training Plan
  - 4. Safety
  - 5. Work Habits
  - 6. Basic Skills
  - 7. Worker Characteristics
  - 8. Performance Standards
  - 9. Student Progress
  - 10. Evaluations
  - 11. Articulation Agreements

- G. Standard 7. Physical Facilities
  - 1. Safety
  - 2. Classroom and Office
  - 3. Maintenance and Housekeeping
  - 4. Shop/Lab Area
  - 5. Tool Room and Storage Area
  - 6. Restrooms
- H. Standard 8. Equipment and Tools
  - 1. Shop/Lab Equipment
  - 2. Hand Tools for Students
  - 3. Supplies
  - 4. Parts Replacement/Repairs
- I. Standard 9. Cooperative Training
  - 1. Performance Standards
- J. Standard 10. Instructor Qualifications
  - 1. Qualifications

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**§2703. Competencies, Foundation Skills, Academic Cross References**

A. Standard: Heating, Ventilating, Air Conditioning, and Refrigeration Competencies (National Skills Standards: Air Conditioning, Heating and Refrigeration Technician. Consortium of States, 1996.)

Benchmarks	Louisiana Foundation Skills	Academic Cross-Reference (Standard-Benchmark)
A. SAFETY		English Language Arts (ELA)
(1) Identify types, purposes, and operation of fire extinguishers.	1, 3, 5	ELA 1 – H1, H3, H4, H5
(2) Inspect shop for hazards.	1, 2, 3	ELA 2 – H1, H2, H3, H4, H5, H6
(3) Work cautiously and safely, using appropriate tools.	1, 3, 5	ELA 3 – H1, H2, H3
(4) Demonstrate victim removal procedures from an electrical conductor.	1, 2	ELA 4 – H1, H2, H3, H4, H5, H6
(5) Demonstrate safe handling of refrigerants.	1, 2	ELA 5 – H1, H2, H3, H4, H5, H6
(6) Demonstrate safe handling of pressurized gases.	1, 2	ELA 7 – H1, H2
(7) Demonstrate safe handling of combustibles.	1, 2	
(8) Apply MSDS (Material Safety Data Sheet) information to material use.		Mathematics
(9) Adhere to applicable local, state and federal regulations (EPA [environmental], DOT [moving vehicle] and OSHA [worker safety]).		N – 1H, 2H, 3H, 4H, 5H, 6H, 7H D – 7H, 9H
(10) Demonstrate first aid for occupational hazards.		A – 1H, 2H, 3H, 4H M – 1H, 2H, 3H, 4H G – 1H, 2H, 3H, 4H, 5H, 6H
B. BASIC ELECTRICITY (General)		Social Studies
(1) Apply the principles of alternating and direct current.	1, 2, 3	G – 1A-H1, 1A-H2, 1D-H1, 1D-H2, 1D-H4, 1D-H5
(2) Differentiate between common single- and three-phase voltage systems, including 240V, 60Hz, three-phase; and 480V, 0 Hz, three-phase systems.	1, 2, 3	
(3) Read and interpret voltage, ampere, ohm and wattmeters.	1, 2	E – 1A-H1, 1A-H2, 1A-H3, 1A-H5, 1B-H1, 1B-H2, 1B-H4, 1B-H5, 1B-H6
(4) Read and interpret electrical schematic and wiring diagrams.	1, 2	
(5) Install electrical power and control circuits.	1, 2	H – 1A-H1, 1A-H2, 1A-H5, 1A-H6
(6) Apply the principles and relationship of Ohm's Law as it applies to series, parallel, and series-parallel circuits.	1, 2	
(7) Apply the principles of electrical circuit protection, including fuses, circuit breakers, disconnect switches and grounds.	1, 2	Science SI-H – A1, A2, A3, A4, A5, A6, A7, B3, B4, B5 PS-H – C1, C2, D1, D6, D7, E1, E2, E3, E4, F1, F2, G1, G2, G3, G4 ESS-H – A1, A2, A3, A5, A6, A7, B1, D7 SE-H – A1, A2, A11, B1, B2, B3, B4, B5, B6, C1, C2, C3, C4, C5, D1, D2, D3, D4, D5, D6

Benchmarks	Louisiana Foundation Skills	Academic Cross-Reference (Standard-Benchmark)
<p>BASIC ELECTRICITY (Electric Motors)</p> <ol style="list-style-type: none"> <li>(1) Apply the operating principles of electric motors.</li> <li>(2) the application of various types of electric motors.</li> <li>(3) Recognize the application of various types of capacitors.</li> <li>(4) Test capacitors.</li> <li>(5) Explain the principles and operation of electric motor protection devices.</li> <li>(6) Interpret electric motor specifications (e.g., horsepower, voltage).</li> <li>(7) Install and connect electric motors.</li> </ol>	<p>1, 3, 5 2, 3 3, 4</p>	
<p>BASIC ELECTRICITY (Controls)</p> <ol style="list-style-type: none"> <li>(1) The principles of safety and operating control devices (e.g., pressure switches, thermostats).</li> <li>(2) Apply the principles of electromechanical control devices (e.g., relays, contactors, magnetic starters, timers, sequencers).</li> <li>(3) Apply the principles of electronic control devices (e.g., ignition modules, electronic timers).</li> <li>(4) Apply the principles of safety and control circuits.</li> <li>(5) Install/service mechanical control devices (e.g., pneumatic and water controls).</li> <li>(6) Install/service electromechanical control devices.</li> <li>(7) Install/replace transformers.</li> </ol>	<p>3, 4 2, 3, 4 2, 3, 4 1, 3, 5 2, 3 3, 4 2, 3, 4</p>	
<p>C. REFRIGERATION PRINCIPLES AND PRACTICES</p> <ol style="list-style-type: none"> <li>(1) Explain principles of refrigeration.</li> <li>(2) Explain heat transfer theory.</li> <li>(3) Identify refrigerant and oil types, characteristics and uses.</li> <li>(4) Use gauge manifold set.</li> <li>(5) Leak-test system.</li> <li>(6) Evacuate and measure vacuum level to 500 microns.</li> <li>(7) Recover refrigerants.</li> <li>(8) Charge system to manufacturer's specifications.</li> <li>(9) Describe the operation of refrigeration system accessories (e.g., receivers, accumulators, filter/dryers, sight glasses, valves).</li> </ol>	<p>2, 3, 4 2, 3, 4 2, 3, 4</p>	
<p>REFRIGERATION PRINCIPLES AND PRACTICES (Piping)</p> <ol style="list-style-type: none"> <li>(1) Identify different types of tubing and fittings.</li> <li>(2) Perform copper tubing operations, including cutting, flaring, soldering, brazing, bending, swaging, etc.</li> <li>(3) Install, repair and replace aluminum tubing.</li> <li>(4) Install and replace PVC tubing and pipe.</li> <li>(5) Perform gas pipe operations (e.g., cutting, reaming, threading and connecting).</li> </ol>	<p>1, 3, 5 2, 3 3, 4</p>	
<p>D. AIR CONDITIONING</p> <ol style="list-style-type: none"> <li>(1) Understand and apply the principles of air-conditioning, including temperature, humidity, and air movement, etc.</li> <li>(2) Understand and apply the principles of air distribution and delivery systems.</li> <li>(3) Understand and apply the principles of condensate drain systems.</li> <li>(4) Understand and apply the principles of air filtration systems.</li> <li>(5) Design air distribution systems.</li> </ol>	<p>2, 3, 4 2, 3, 4 2, 3, 4</p>	
<p>E. HEATING</p> <ol style="list-style-type: none"> <li>(1) Understand and apply the principles of fuel systems design.</li> <li>(2) Understand and apply the principles of air and hydronic distribution and delivery system design.</li> <li>(3) Understand and apply the principles and operation of electric resistance heat systems.</li> <li>(4) Understand and apply the principles and operation of gas-fired forced-air heat systems.</li> <li>(5) Understand and apply the principles and operation of oil-fired forced-air heat systems.</li> <li>(6) Understand and apply the principles of electric heat pump systems.</li> </ol>	<p>1, 3, 5 2, 3</p>	
<p>F. RESIDENTIAL/LIGHT COMMERCIAL COOLING/HEATING</p> <ol style="list-style-type: none"> <li>(1) Install or replace compressor.</li> <li>(2) Install or replace condensing unit.</li> <li>(3) Install or replace condenser.</li> </ol>	<p>1, 3, 5 2, 3 3, 4</p>	

Benchmarks	Louisiana Foundation Skills	Academic Cross-Reference (Standard-Benchmark)
(4) Repair or replace evaporator. (5) Replace, repair and adjust metering devices. (6) Perform cleanup of a contaminated system. (7) Describe operation of a heat pump. (8) Start and check residential heating and cooling systems. (9) Measure and adjust conditioned airflow. (10) Repair, replace and service electronic air cleaner. (11) Pump down unit.	2, 3, 4 2, 3, 4 2, 3, 4	
G. HEAT PUMPS		
(1) Understand and apply the principles of vapor compression heat pump cycles. (2) Understand and apply the principles of supplementary heat. (3) Understand and apply the relationship of outdoor ambient temperature to heating capacity. (4) Understand and apply the electrical circuitry of air-to-air, and ground-to-air heat pumps. (5) Understand and apply the principles and operation of defrost controls in heat pump systems (e.g., electronic demand defrost, pressure, time/temperature, time).	1, 3, 5 2, 3	
H. RESIDENTIAL/LIGHT COMMERCIAL AIR CONDITIONING		
(1) Understand and apply the principles of air-conditioning, including temperature, humidity, and air movement, etc. (2) Understand and apply the principles of air distribution systems. (3) Understand and apply the principles of condensate drain systems. (4) Understand and apply the principles of air filtration systems. (5) Design air distribution and delivery systems. (6) Fabricate and insulate air distribution systems.	3, 4 2, 3, 5	
I. COMMERCIAL AIR CONDITIONING SYSTEMS		
(1) Understand and apply the principles of cooling towers. (2) Understand and apply the principles of pneumatic control devices (e.g., thermostats, pneumatic actuators, pneumatic switches, pneumatic relays). (3) Understand and apply the principles of pumps and circulators. (4) Understand and apply the principles of low and high pressure gas-fired boilers. (5) Understand and apply the principles of low and high-pressure oil-boilers. (6) Understand and apply the principles of steam condensers and traps. (7) Understand and apply the principles of water-cooled condensers and accessories. (8) Understand and apply the principles of desiccant cooling and dehumidification systems. (9) Understand and apply the principles of liquid chillers and accessories. (10) Understand and apply the principles of air distribution and delivery systems. (11) Understand and apply the principles of water distribution systems. (12) Understand and apply the principles of commercial conditioned-air control systems.	1, 3, 5 2, 3 3, 4 2, 3, 4 2, 3, 4 2, 3, 4 2, 3 2, 3, 4 2, 3 1, 3, 5 2, 3	
J. COMMERCIAL REFRIGERATION		
(1) Understand and apply the principles of high, medium, low, and ultra-low temperature control refrigeration and their applications. (2) Understand and apply the principles of mechanical refrigeration systems in commercial refrigeration (e.g., walk-in coolers, walk-in freezers, reach-in cases, multiple evaporator systems, packaged refrigeration systems). (3) Understand and apply the principles of electric and hot gas defrost systems in commercial refrigeration systems. (4) Understand and apply the principles of flake and cube icemakers. (5) Understand and apply the principles of water coolers.	2, 3, 4 2, 3, 4 2, 3, 4 2, 3, 4	

Benchmarks	Louisiana Foundation Skills	Academic Cross-Reference (Standard-Benchmark)
(6) Understand and apply the principles of specific refrigeration system components used in commercial refrigeration (e.g., low ambient controls, evaporator pressure regulators, crankcase pressure regulators).	2, 3, 4	
(7) Understand and apply the principles of load calculation and piping designs in commercial refrigeration systems.	2, 3, 4	
(8) Calculate the load, design the piping system, and design the control system of a commercial refrigeration system.	2, 2, 4	

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

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Trade and Industrial Education, LR 31:

**Family Impact Statement**

In accordance with Section 953 and 974 of Title 49 of the Louisiana Revised Statutes, hereby submitted is a Family Impact Statement on the Rule proposed for adoption, repeal or amendment. All Family Impact Statements shall be kept on file in the State Board Office, which has adopted, amended, or repealed a Rule in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.
2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No.
3. Will the proposed Rule affect the functioning of the family? No.
4. Will the proposed Rule affect family earnings and family budget? No.
5. Will the proposed Rule affect the behavior and personal responsibility of children? No.
6. Is the family or a local government able to perform the function as contained in the proposed Rule? Lacks sufficient information to determine.

Interested persons may submit written comments until 4:30 p.m., February 8, 2006, to Nina A. Ford, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

Weegie Peabody  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

**RULE TITLE: Bulletin 115—Trade and Industrial Education Content Standards Framework Drafting, Electricity, Heating, Ventilating, Air Conditioning, and Refrigeration**

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

It is estimated that the proposed content standards and framework for Drafting, Electricity Trades, and Heating, Ventilating, Air Conditioning and Refrigeration (HVACR) will involve printing costs of \$2,922.50, which will be funded with Federal Carl D. Perkins funds.

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

There will be no effect on revenue collections by state or local governmental units.

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

There are no expected costs associated with these standards. Economic benefits to persons directly affected or non-governmental groups cannot be determined. Individuals trained to higher standards may compete more effectively for available jobs.

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

The proposed content standards offer rigorous and challenging standards that require students to apply their knowledge to real-life work situations. These increased capabilities should result in individuals becoming more competitive for trade and industrial opportunities.

Maryllyn J. Langley  
Deputy Superintendent  
Management and Finance  
0512#032

H. Gordon Monk  
Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Board of Elementary and Secondary Education**

Bulletin 741—Louisiana Handbook for School Administrators—General Career and Technical Education (LAC 28: CXV.2377)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education approved for advertisement revisions to *Bulletin 741—Louisiana Handbook for School Administrators*, §2377. General Career and Technical Education (LAC 28: CXV). The proposed changes of the Career and Technical course offerings will revise current course offerings, bringing them in-line with current industry standards. In updating these course offerings, Louisiana's Career and Technical Program of Studies will be more aligned with national standards.

**Title 28**

**EDUCATION**

**Part CXV. Bulletin 741—Louisiana Handbook for School Administrators**

**Chapter 23. Curriculum and Instruction §2377. General Career and Technical Education**

A. General Career and Technical Education course offerings shall be as follows.

Course Title(s)	Recommended Grade Level	Units
CTE Internship I	11-12	2
CTE Internship II	12	2
General Cooperative Education I	11-12	3
General Cooperative Education II	12	3
Education for Careers	9-12	1/2-1
Teacher Cadet I	11-12	1
Teacher Cadet II	12	1
Advanced Television Broadcasting I	10-12	1-3
Advanced Television Broadcasting II	11-12	1-3
Digital Media I	10-12	1-3
Digital Media II	11-12	1-3
Oracle Internet Academy		
Database Design and Programming	11-12	1
Java Programming	11-12	1
Finance Academy		
Economics and the World of Finance	11-12	1/2
Banking and Credit	11-12	1/2
Financial Planning	11-12	1/2
Securities	11-12	1/2
Insurance	11-12	1/2
International Finance	11-12	1/2
Introduction to Financial Services	11-12	1/2-1
Hospitality and Tourism Academy		
Introduction to Travel and Tourism	11-12	1/2
Travel and Tourism II	11-12	1/2
Travel Destinations I, II	11-12	1/2
Systems Applications	11-12	1/2
Economics for Travel and Tourism	11-12	1/2
Information Technology Academy		
Introduction to Information Technology	11-12	1/2
Digital Networks	11-12	1/2
Advanced Web Tools	11-12	1/2
Databases	11-12	1/2
Introduction to the Internet	11-12	1/2
Logic for Programming	11-12	1/2

B. General Cooperative Education courses shall be limited to students who meet the specific prerequisites and requirements of one of the specialized cooperative education programs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7; R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1299 (June 2005), amended LR 32:

#### Family Impact Statement

In accordance with Section 953 and 974 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on the Rule proposed for adoption, repeal or amendment. All Family Impact Statements shall be kept on file in the state board office which has adopted, amended, or repealed a Rule in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.
2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No.
3. Will the proposed Rule affect the functioning of the family? No.
4. Will the proposed Rule affect family earnings and family budget? No.
5. Will the proposed Rule affect the behavior and personal responsibility of children? No.
6. Is the family or a local government able to perform the function as contained in the proposed Rule? Yes.

Interested persons may submit written comments until 4:30 p.m., February 8, 2006, to Nina A. Ford, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

Weegie Peabody  
Executive Director

### FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: **Bulletin 741—Louisiana Handbook for School Administrators General Career and Technical Education**

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

The proposed revision will change Career and Technical course offerings. It is estimated that there will be no additional costs to state governmental units. It is unknown at this time if there are any costs to local governmental units. The LEA may choose to offer new courses to students that may require purchasing items such as new textbooks, instructional materials or equipment. Each LEA will make its determination.

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

There will be no effect on revenue collections by state/local governmental units.

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

The proposed changes are being requested to bring current Career and Technical course offerings in-line with industry demands. In aligning our course offerings with national standards, it will strengthen the link between secondary and postsecondary institutions. It will assist Career and Technical students in attaining vocational skills for the workplace.

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

Employers could have a larger, trained qualified pool from which to select employees.

Marlyn Langley  
Deputy Superintendent  
Management and Finance  
0512#033

H. Gordon Monk  
Legislative Fiscal Officer  
Legislative Fiscal Office

#### NOTICE OF INTENT

#### Board of Elementary and Secondary Education

Bulletin 741—Louisiana Handbook for School Administrators—Compulsory Attendance  
(LAC 28: CXV.1103)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education approved for advertisement revisions to *Bulletin 741—Louisiana Handbook for School Administrators*, §1103. Compulsory Attendance (LAC 28: CXV). Hospital/Homebound instruction is provided to students who are enrolled in regular or special education and who, as a result of health care treatment, physical illness, accident, or the treatment thereof, are temporarily unable to attend school; these students shall be provided instructional services in the home

or hospital environment. A minimum of 4 hours/week shall be provided in core academic subjects by a properly certified regular or special education teacher or through a consultative model, when appropriate. Based on an expressed need for guidance on hospital/homebound instruction from the local education agencies, parental concerns, and the department's effort to establish state procedures, a survey was conducted and policies and procedures were developed.

**Title 28  
EDUCATION**

**Part CXV. Bulletin 741—Louisiana Handbook for  
School Administrators**

**Chapter 11. Student Services**

**§1103. Compulsory Attendance**

A. - D.1.b.ii. ...

E. A student who is enrolled in regular or special education and who, as a result of health care treatment, physical illness, accident, or the treatment thereof, is temporarily unable to attend school, shall be provided instructional services in the home or hospital environment. (Homebound Instruction).

1. Homebound instruction shall be provided by, a properly certified teacher, on the eleventh school day following an absence of more than 10 consecutive school days for a qualifying illness.

a. After a student has been absent for 10 days, for one of the above identified reasons, the student shall be referred for review by the SBLC, to determine need for referral for Section 504 services if the student has not previously been identified as a student with a disability.

2. Homebound instruction, at a minimum, shall be provided in the core academic subjects: English, Mathematics, Science and Social Studies.

3. A minimum of four hours of homebound instruction shall be provided per week, unless the student's health as determined by a physician requires less.

a. Consideration shall be given to the individual need for services beyond the core academic subjects for students with disabilities.

4. Homebound services may be provided via a consultative model (properly certified regular or special education teacher when appropriate, consults with the homebound teacher delivering instruction) for students needing such services less than 20 days during a school year.

F. - M. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:221; R.S. 17:226; R.S. 17:233.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1273 (June 2005), amended LR 32:

**Family Impact Statement**

In accordance with Section 953 and 974 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on the Rule proposed for adoption, repeal or amendment. All Family Impact Statements shall be kept on file in the state board office which has adopted, amended, or repealed a Rule in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.

2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No.

3. Will the proposed Rule affect the functioning of the family? No.

4. Will the proposed Rule affect family earnings and family budget? No.

5. Will the proposed Rule affect the behavior and personal responsibility of children? No.

6. Is the family or a local government able to perform the function as contained in the proposed Rule? No.

Interested persons may submit written comments until 4:30 p.m., February 8, 2006, to Nina A. Ford, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

Weegie Peabody  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Bulletin 741—Louisiana Handbook for  
School Administrators—Compulsory Attendance**

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

Hospital/Homebound instruction shall be provided in the home or hospital environment to any student enrolled in regular or special education who is temporarily unable to attend school as a result of health, care treatment, physical illness, accident, or the treatment thereof. A minimum of 4 hours/week shall be provided in core academic subjects by a properly certified regular or special education teacher or through a consultative model, when appropriate.

There is an anticipated cost to local governmental units to implement the proposed hospital/homebound policy. This policy may require LEAs to hire/contract on an average 2 additional highly qualified teachers. The yearly cost is projected to be approximately \$37,683 per teacher.

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

These changes will have no impact on revenue collections of state or local government units as a result of this measure.

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

There are no cost or economic benefits to non-governmental groups affected by this rule.

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

There is no estimated impact on competition and employment.

Marlyn Langley  
Deputy Superintendent  
Management and Finance  
0512#059

H. Gordon Monk  
Legislative Fiscal Officer  
Legislative Fiscal Office

## NOTICE OF INTENT

### Board of Elementary and Secondary Education

Bulletin 746—Louisiana Standards for State Certification of School Personnel—Educational Leader Certification Policy (LAC 28:I.903)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education approved for advertisement an amendment to *Bulletin 746—Louisiana Standards for State Certification of School Personnel*, referenced in LAC 28:I.903.A. This change in policy will delete the ISLCC School Leaders Portfolio as a requirement to move from a Level 1 to a Level 2 Educational Leadership certificate. A change was also made in the policy to delete the requirement for an Educational Leader Level 2 and Level 3 to continue to update the educational leader portfolio to renew this certification. At present, there has been no development of the ISLCC School Leaders Portfolio.

#### Title 28

#### EDUCATION

#### Part I. Board of Elementary and Secondary Education

#### Chapter 9. Bulletins, Regulations, and State Plans

#### Subchapter A. Bulletins and Regulations

#### §903. Teacher Certification Standards and Regulations

##### A. Bulletin 746

\* \* \*

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 1:183, 311, 399, 435, 541 (April, July, September, October, December 1975), LR 28:2505-2508 (December 2002), LR 29:117-119 (February 2003), LR 29:119-121 (February 2003), LR 29:121-123 (February 2003), LR 32:

#### Educational Leadership

##### Overarching Requirements

All graduate competency-based degree preparation programs, graduate alternative certification programs, assessments, and continuing learning units shall be aligned with the following state and national standards:

1. the standards for School Principals in Louisiana;
2. the Interstate School Leaders License Consortium (ISLLC) Standards for School Leaders; and
3. the Educational Leadership Constituent Council (ELCC) Standards for Advanced Programs in Educational Leadership, the standards used by the National Council for the Accreditation of Colleges of Teachers Evaluation (NCATE) for university program reviews.

#### Teacher Leader Endorsement (Optional)

Teachers who hold a valid Type B or Level 2 or higher Louisiana teaching certificate may add a Teacher Leader Endorsement to their teaching certificate by completing a state-approved Teacher Leader Institute that:

1. requires, at minimum, the equivalent of six graduate hours (90 contact hours);
2. includes a combination of face-to-face and field-based professional development activities which may include the use of a cohort approach;

3. provides support from and monitoring by current outstanding administrators serving as mentors and/or facilitators;

4. includes an electronic component (on-line and/or compressed video) to ensure each participant's access to key resources and to build a statewide network of qualified administrator candidates that could include the development of cohorts; and

5. requires the development and presentation of a culminating portfolio that provides evidence that knowledge gained and skills acquired are aligned with national and state leader standards.

#### Renewal Guidelines

The Teacher Leader Endorsement requires a completion of a minimum of 150 continuing learning units of professional development every five years that are consistent with the leader's Individual Professional Growth Plan (IPGP).

Certification Levels—All educational leaders will progress through two levels of educational leader certification. An additional level of certification (Superintendent) is required for employment as a local district superintendent.

#### Educational Leader Certificate—Level 1

All candidates for school and district educational leadership positions (e.g., assistant principal, principal, parish or city supervisor of instruction, supervisor of child welfare and attendance, or comparable school district leader positions) must meet the following requirements in order to receive an entry-level certificate in educational leadership.

Candidates for Level 1 Educational Leader Certification shall meet the following criteria:

1. hold or be eligible to hold a valid Louisiana Type A or Level 3 teaching certificate;
2. have completed a competency-based graduate degree preparation program in the area of educational leadership from a regionally accredited institution of higher education;
3. earn a passing score on the School Leaders Licensure Assessment (SLLA) in accordance with state requirements;
4. persons who have met the requirements of 1-3 above are eligible for a Level 1 Educational Leader Certificate. Upon employment as a school district educational leader, an individual with Level 1 Educational Leader endorsement must enroll in the two-year Educational Leader Induction Program under the direction of the Louisiana Department of Education;
5. any individual, with Level 1 Educational Leader endorsement, employed as a school district educational leader shall have three years to complete the two-year Educational Leader Induction Program under the direction of the Louisiana Department of Education.

#### Educational Leader—Level 1 (Alternative Path)

All candidates for school and district educational leadership positions (e.g., assistant principal, principal, parish or city supervisor of instruction, supervisor of child welfare and attendance, or comparable school district leader positions) must meet the following requirements in order to receive an entry-level certificate in educational leadership.

The alternative path to Level 1 certification is for those persons who hold a master's degree and are seeking to add

an Educational Leader certification shall meet the following criteria:

1. hold or be eligible to hold a valid Louisiana Type A or Level 3 teaching certificate;
2. have previously completed a graduate degree program from a regionally accredited institution of higher education;
3. have met competency-based requirements as demonstrated by completion of an individualized program of educational leadership from a regionally accredited institution of higher education. An individualized program will be developed based on a screening of each candidate's competencies upon entering into the graduate alternative certification program;
4. earn a passing score on the School Leaders Licensure Assessment (SLLA) in accordance with state requirements;
5. persons who have met the requirements of 1-4 above are eligible for a Level 1 Educational Leader Certificate. Upon employment as a school district educational leader, an individual with Level 1 Educational Leader endorsement must enroll in the two-year Educational Leader Induction Program under the direction of the Louisiana Department of Education;
6. any individual, with Level 1 Educational Leader endorsement, employed as a school district educational leader shall have three years to complete the two-year Educational Leader Induction Program under the direction of the Louisiana Department of Education.

**Educational Leader Certificate—Level 2**

All candidates must meet the following requirements in order to receive a five-year renewable professional certificate in education leadership.

Candidates for initial Level 2 Educational Leader (Professional) Certification shall meet the following criteria:

1. hold a valid Level 1 Educational Leader Certificate;
2. complete a two-year induction program under the guidance of the mentor trained in accordance with standards set by the Louisiana Department of Education and outlined in Bulletin 741, *Louisiana Handbook for School Administrators*. The induction period begins upon the individual's first full-time administrative appointment (whether permanent or acting) as a assistant principal, principal, parish or city supervisor of instruction, supervisor of child welfare and attendance, or comparable school district leader positions; and is to be completed within a three year period.

**Renewal Requirements**

Level 2 Educational Leaders must complete a minimum of 150 continuing learning units of professional development over a five-year time period that are consistent with the leader's Individual Professional Growth Plan (IPGP).

**Education Leader Certificate—Level 3 (Superintendent)**

All candidates must meet the following requirements in order to receive a five-year Level 3 Educational Leader Certificate to become a Superintendent. The five-year certification period is activated with the candidate's first full-time appointment as a Superintendent.

Candidates for initial Level 3 Educational Leader (Professional) Certification shall meet the following criteria:

1. hold a valid Louisiana Level 2 Educational Leader Certificate;
2. have had five years of successful administrative or management experience in education at the level of principal or above;
3. earn a passing score on the School Superintendent Assessment (SSA) in keeping with state requirements.

**Renewal Requirements**

Level 3 Educational Leaders must complete a minimum of 150 continuing learning units of professional development over a five-year time period that are consistent with the leader's Individual Professional Growth Plan (IPGP).

\* \* \*

**Family Impact Statement**

In accordance with Section 953 and 974 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on the rule proposed for adoption, repeal or amendment. All Family Impact Statements shall be kept on file in the state board office which has adopted, amended, or repealed a rule in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.
2. Will the proposed Rule affect the authority and rights or parents regarding the education and supervision of their children? No.
3. Will the proposed Rule affect the functioning of the family? No.
4. Will the proposed Rule affect family earnings and family budget? No
5. Will the proposed Rule affect the behavior and personal responsibility of children? No.
6. Is the family or a local government able to perform the function as contained in the proposed Rule? No.

Interested persons may submit written comments until 4:30 p.m., February 8, 2006, to Nina A. Ford, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

Weegie Peabody  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Bulletin 746—Louisiana Standards for  
State Certification of School Personnel  
Educational Leader Certification Policy**

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

This change in policy will delete the ISLCC School Leaders Portfolio as a requirement to move from a Level 1 to a Level 2 Educational Leadership certificate. A change was also made in the policy to delete the requirement for an Educational Leader Level 2 and Level 3 to continue to update the educational leader portfolio to renew this certification. The adoption of this policy will cost the Department of Education approximately \$700 (printing and postage) to disseminate the policy.

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

This policy will have no effect on revenue collections.

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

There are no estimated costs and/or economic benefits to directly affected persons or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This policy will have no effect on competition and employment.

Marlyn Langley  
Deputy Superintendent  
Management and Finance  
0512#034

H. Gordon Monk  
Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Board of Elementary and Secondary Education**

**Bulletin 746—Louisiana Standards for State Certification of School Personnel—Out-of-State Certification Policy (LAC 28:I.903)**

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education approved for advertisement an amendment to *Bulletin 746—Louisiana Standards for State Certification of School Personnel*, referenced in LAC 28:I.903.A. This policy will require an individual coming from another state, who is applying for a Louisiana teaching certificate, to have the completion of a teacher preparation program in another state. This individual must also be certified or eligible for certification in the state where his/her teacher preparation program was completed. At present, for an individual from another state to receive a Louisiana certificate they may either have the completion of a teacher preparation program or have been issued a certificate from another state gained by some other alternate route. This individual also may not have been certified in the state where the preparation program was completed.

**Title 28**

**EDUCATION**

**Part I. Board of Elementary and Secondary Education**

**Chapter 9. Bulletins, Regulations, and State Plans**

**Subchapter A. Bulletins and Regulations**

**§903. Teacher Certification Standards and Regulations**

**A. Bulletin 746**

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 1:183, 311, 399, 435, 541 (April, July, September, October, December 1975), LR 28:2505-2508 (December 2002), LR 29:117-119 (February 2003), LR 29:119-121 (February 2003), LR 29:121-123 (February 2003), LR 32:

**Out-of-State (OS) Certificate**

An Out-of-State (OS) Certificate, valid for a three-year period, is not renewable. It is issued to a teacher who has completed an out-of-state teacher preparation program and either holds or is eligible for a certificate in the state in which the program was completed. The teacher is not initially eligible for a Level 1, 2, or 3 Louisiana certificate but meets Louisiana certification requirements with the

exception of the Praxis/National Teacher Exam requirements. It provides a transition period that permits the holder to be employed in Louisiana K-12 schools while he/she complies with Louisiana Praxis/NTE requirements or meets Praxis exclusion eligibility requirements. For continued employment as a teacher in a Louisiana school system after the three-year period has elapsed, the OS certificate holder must fulfill guidelines for a Level 1 or higher-level certificate.

**A. Eligibility Requirements**

1. baccalaureate degree from a regionally accredited college or university;
2. completed a teacher preparation program in another state;
3. standard teaching certificate issued by the state in which the teacher preparation program was completed; or if no certificate was issued, a letter from the State Department of Education verifying eligibility in that state for a certificate in the certification area(s);
4. completed student teaching or internship in a certification area, or in lieu of student teaching or internship has three years of successful teaching experience in a certification area;
5. if applicant earned a degree five or more years prior to the date of application, he/she must have been a regularly employed teacher for at least one semester, or 90 consecutive days, within the five-year period immediately preceding first employment in Louisiana or application for a Louisiana certificate. Lacking this experience, he/she must earn six semester hours of credit in state-approved courses (see Appendix C) during the five-year period immediately preceding application.

**B. Advancing from OS to Professional Level 1, 2, or 3 Certificate**

1. Pass all parts of Praxis exam(s) required for Louisiana certification.
  - a. Applicant must present the appropriate scores on the NTE core battery (common exams) or the corresponding Praxis exams (Pre-Professional Skills Tests in reading, writing, and mathematics); the Principles of Learning and Teaching (PLT) or other pedagogy exam required for the area(s) of certification; and the specialty area exam in the certification area in which the teacher preparation program was completed or in which the initial certificate was issued.
  - b. If applicant has obtained National Board Certification (NBC) in corresponding areas for which certification is being sought as well as certification/licensure in the state of origin, the examination required for NBC will be accepted to fulfill the testing requirements for certification.
  - c. A candidate who is certified in another state can qualify for exclusion from the Praxis exam(s) required for Louisiana certification under these criteria.

1). He/she meets all requirements for Louisiana certification except the Praxis exam requirements; has at least four years of successful teaching experience in another state, as determined by the board; and teaches on an OS certificate for one year in a Louisiana public school system.

2). The teacher's Louisiana employing authority verifies that he/she has completed one year of successful teaching experience in a Louisiana public school and that he/she has been recommended for further employment.

3). The employing authority requests that he/she be granted a valid Louisiana teaching certificate.

2. Louisiana Teacher Assistance and Assessment Program (LaTAAP) Exclusion Options

a. For an out-of-state teacher to be considered for LaTAAP exclusion, the Request for Exclusion and Release of Evaluation Information Form must be completed, signed, and returned to the employing school system within six-weeks of employment. The teacher's signature indicates willingness to release the results of previous evaluation information to the Louisiana Department of Education. An unsigned form will automatically deny a request for exclusion.

b. Out-of-state teachers who provide NBC or appropriate evaluation results from their immediate previous teaching assignment will be exempt from participation in LaTAAP. Appropriate evaluation results shall be defined as satisfactory annual evaluation results identified by and certified by the immediate previous out-of-state school district(s).

\* \* \*

**Family Impact Statement**

In accordance with Section 953 and 974 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on the Rule proposed for adoption, repeal or amendment. All Family Impact Statements shall be kept on file in the State Board Office which has adopted, amended, or repealed a Rule in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.
2. Will the proposed Rule affect the authority and rights or parents regarding the education and supervision of their children? No.
3. Will the proposed Rule affect the functioning of the family? No.
4. Will the proposed Rule affect family earnings and family budget? No.
5. Will the proposed Rule affect the behavior and personal responsibility of children? No.
6. Is the family or a local government able to perform the function as contained in the proposed Rule? No.

Interested persons may submit written comments until 4:30 p.m., February 8, 2006, to Nina A. Ford, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

Weegie Peabody  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

**RULE TITLE: Bulletin 746—Louisiana Standards for State Certification of School Personnel—Out-of-State Certification Policy**

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

This policy will require an individual coming from another state, who is applying for a Louisiana teaching certificate, to have the completion of a teacher preparation program in another state. This individual must also be certified or eligible

for certification in the state where his/her teacher preparation program was completed. The adoption of this policy will cost the Department of Education approximately \$700 (printing and postage) to disseminate the policy.

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

This policy will have no effect on revenue collections.

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

There are no estimated costs and/or economic benefits to directly affected persons or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This policy will have no effect on competition and employment.

Marlyn Langley  
Deputy Superintendent  
Management and Finance  
0512#035

H. Gordon Monk  
Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Board of Elementary and Secondary Education**

**Bulletin 746—Louisiana Standards for State Certification of School Personnel—Practitioner Teacher Program Policy (LAC 28:I.903)**

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education approved for advertisement an amendment to *Bulletin 746—Louisiana Standards for State Certification of School Personnel*, referenced in LAC 28:I.903.A. This policy adds the Early Childhood PK-3 certification through the Practitioner Teacher Program alternate program structure. There is a need in both public and private schools for teachers with Early Childhood PK-3 certification. At this time, PK-3 alternate certification is available only through the Non-Master's or the Master's Degree alternate certification program structure. Providers are interested in expanding alternate certification opportunities to include a PK-3 option through the Practitioner Teacher Program alternate program structure.

**Title 28  
EDUCATION**

**Part I. Board of Elementary and Secondary Education  
Chapter 9. Bulletins, Regulations, and State Plans  
Subchapter A. Bulletins and Regulations  
§903. Teacher Certification Standards and Regulations  
A. Bulletin 746**

\* \* \*

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 1:183, 311, 399, 435, 541 (April, July, September, October, December 1975), LR 28:2505-2508 (December 2002), LR 29:117-119 (February 2003), LR 29:119-121 (February 2003), LR 29:121-123 (February 2003), LR 32:

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## II. The Practitioner Teacher Program Alternative Path to Certification (Minimum Requirements)

State-approved private providers and Louisiana colleges or universities with an approved teacher education program may choose to offer a Practitioner Teacher Program for certification in Grades PK-3,1-5, 4-8, 6-12, All-Level K-12 (art, dance, foreign language, health and physical education, and music), or Mild/Moderate Special Education. The Practitioner Teacher Program is a streamlined certification path that combines intensive coursework and full-time teaching.

A. ADMISSION TO THE PROGRAM: Program providers work with district personnel to identify Practitioner Teacher Program candidates who will be employed by districts during fall and spring. For admission, candidates must:

1. possess a baccalaureate degree from a regionally accredited university;

2. have 2.50 or higher grade point average (GPA) on a 4.00 scale to enter a private provider program;

3. have 2.20 or higher grade point average (GPA) on a 4.00 scale to enter a college or university program;

4. pass the Praxis Pre-Professional Skills Tests (PPSTs) in reading, writing, and mathematics. Candidates who already possess a graduate degree will be exempted from this requirement;

5. pass the Praxis content specific examinations:

a. candidates for Grades PK-3: Pass Elementary Education: Content Knowledge (#0014);

b. candidates for Grades 1-5 (regular education and mild/moderate): Pass Elementary Education: Content Knowledge (#0014);

c. candidates for Grades 4-8 (regular education and mild/moderate): Pass the middle school subject-specific licensing examination(s) for the content area(s) to be certified;

d. candidates for Grades 6-12 (regular education and mild/moderate): Pass the secondary subject-specific examination(s) for the content area(s) to be certified. If no examination has been adopted for Louisiana in the certification area, candidates must present a minimum of 31 semester hours of coursework specific to the content area;

NOTE: Special education mild/moderate certification candidates must qualify for admission to alternate programs by passing a Praxis specialty area exam. Secondary education candidates (grades 6-12) must pass a Praxis core subject area exam. If there is no content Praxis exam adopted by the State in the specific secondary core subject area, candidates must demonstrate content mastery by presenting 31 semester credit hours in the core subject area;

e. candidates for All-Level K-12 areas of art, dance, foreign language, health and physical education, and music: Pass the subject-specific examination for content area(s) to be certified. If no examination has been adopted for Louisiana in the certification area, candidates must present a minimum of 31 semester hours of coursework specific to the content area. Provider must develop a process to assure that candidates demonstrate necessary performance skills in the all-level certification area.

6. Meet other non-course requirements established by college or university.

## B. TEACHING PREPARATION (Summer)

1. All teachers will participate in field-based experiences in school settings while completing the summer courses (or equivalent contact hours).

2. Grades PK-3 practitioner teachers will successfully complete courses or equivalent contact hours that focus on child development or psychology, family and community relationships, the diverse learner, classroom management/organization, assessment, instructional design, and instructional strategies before starting their teaching internships. (12 Credit hours or equivalent 180 contact hours)

3. Grades 1-5, 4-8, and 6-12 practitioner teachers will successfully complete courses or equivalent contact hours that focus on child or adolescent development or psychology, the diverse learner, assessment, instructional design, and instructional strategies before starting their teaching internships. (9 Credit hours or equivalent 135 contact hours)

4. Mild/Moderate Special Education practitioner teachers will successfully complete courses or equivalent contact hours that focus on special needs of the mild/moderate exceptional child, classroom management, behavioral management, assessment and evaluation, methods and materials for mild/moderate exceptional children, and vocational and transition services for students with disabilities. (9 Credit hours or equivalent 135 contact hours)

5. All-Level K-12 practitioner teachers will successfully complete courses or equivalent contact hours that focus on child and adolescent psychology, the diverse learner, classroom management and organization, assessment, instructional design, and instructional strategies across grade levels K-12 before starting their teaching internships. (9 Credit hours or equivalent 135 contact hours)

C. TEACHING INTERNSHIP AND FIRST-YEAR SUPPORT: 12 credit hours or equivalent 180 contact hours.

1. Practitioner teachers assume full-time teaching positions in districts. During the school year, these individuals participate in two seminars (one seminar during the fall and one seminar during the spring) that address immediate needs of the Practitioner Teacher Program teachers, and receive one-on-one supervision through an internship provided by the program providers.

2. Practitioner teachers participating in the LaTAAP will receive support from school-based mentor teachers provided by the Louisiana Teacher Assistance and Assessment Program (LaTAAP) and principals. Practitioner teachers who are not participating in the LaTAAP or who have successfully completed the LaTAAP will be provided a mentor by the program provider.

3. For all-level areas (art, dance, foreign language, health and physical education, and music), field experiences should be provided across grades K-12.

D. TEACHING PERFORMANCE REVIEW (End of First Year)

1. Program providers, principals, mentors, and practitioner teachers form teams to review first-year teaching performance of practitioner teachers and determine the

extent to which the practitioner teachers have demonstrated teaching proficiency.

2. If weaknesses are cited, teams will identify additional types of instruction to address areas of need. Prescriptive plans that require from one to nine credit hours of instruction, or 15 to 135 equivalent contact hours, will be developed for practitioner teachers.

E. **PRESCRIPTIVE PLAN IMPLEMENTATION (Second Year)**—One to Nine credit hours, or 15 to 135 contact hours. Candidates who demonstrate areas of need will complete 30 prescriptive plans.

F. **TOTAL HOURS REQUIRED IN THE PROGRAM**

1. Grades PK Program 24-33 credit hours (or equivalent 360-495 contact hours)

2. Grades 1-5, 4-8, 6-12, All-Level (K-12) and Mild/Moderate Special Education 21-30 credit hours (or equivalent 315-450 contact hours)

G. **PRAXIS REVIEW (Second Year)**. Program providers will offer review sessions to prepare practitioner teachers to pass remaining components of the Praxis.

H. **PROGRAM REQUIREMENTS** must be met within a three-year time period. For certification purposes, private providers and colleges or universities will submit signed statements to the Department of Education indicating that the student completing the Practitioner Teacher Program alternative certification path met the following requirements:

1. passed the PPST components of the Praxis (Note: This test was required for admission).

2. completed the teaching preparation and teaching internship segments of the program with a 2.50 or higher GPA on a 4.00 scale.

3. completed prescriptive plans (if weaknesses were demonstrated).

4. passed the Praxis specialty examination for the area(s) of certification. (Note: This test was required for admission):

a. Grades PK-3: Elementary Education: Content Knowledge (#0014);

b. Grades 1-5 (regular and special education): Elementary Education: Content Knowledge (#0014);

c. Grades 4-8 (regular and special education): Middle school subject-specific licensing examination(s) for the content area(s) to be certified;

d. Grades 6-12 (regular and special education): Secondary subject-specific examination(s) for the content area(s) to be certified. If no examination was adopted for Louisiana in the certification area, candidates were required to present a minimum of 31 semester hours of coursework specific to the content area for admission to the program;

e. All-Level K-12 areas (art, dance, foreign language, health and physical education, and music): Subject-specific examination(s) for content area(s) to be certified. If no examination was adopted for Louisiana in the certification area, candidates were required to present a minimum of 31 semester hours of coursework specific to the content area for admission to the program;

5. Passed the pedagogy examination (Praxis):
  - a. Grades PK-3: Early Childhood Education (#0020);
  - b. Grades 1-5: Principles of Learning and Teaching K-6;
  - c. Grades 4-8: Principles of Learning and Teaching 5-9;
  - d. Grades 6-12: Principles of Learning and Teaching 7-12;
  - e. All-Level K-12 Certification: Principles of Learning and Teaching K-6, 5-9, or 7-12;
  - f. Mild/Moderate Special Education: Education of Exceptional Students: Core Content Knowledge (#0353) and Education of Exceptional Students: Mild to Moderate Disabilities (#0542);

6. All candidates entering an alternate certification program after May 1, 2004, must demonstrate proficiency in the Reading Competencies as adopted by the BESE through either of the following:

a. Successfully complete the same number of semester hours in reading as required for undergraduate teacher preparation programs, as follows:

1). Early Childhood PK-3 or Elementary 1-5 programs, nine (9) hours;

2). Middle Grades 4-8 programs, 6 hours;

3). Secondary 6-12 or All-Level K-12 programs, 3 hours; or

b. Pass a reading competency assessment.

I. **Ongoing Support (Second and Third Year)**: Program providers will give support services to practitioner teachers during their second and third years of teaching. Support types may include on-line support, internet resources, special seminars, etc.

J. **Professional License**: A practitioner teacher will be issued a Practitioner License upon entrance to the program, and will be issued a Level 1 Professional License upon successful completion of all program requirements. After three years of teaching in the area of certification and successful completion of the Louisiana Teacher Assistance and Assessment Program, he/she will be eligible for a Level 2 license.

### **Family Impact Statement**

In accordance with Section 953 and 974 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on the Rule proposed for adoption, repeal or amendment. All Family Impact Statements shall be kept on file in the state board office which has adopted, amended, or repealed a Rule in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.

2. Will the proposed Rule affect the authority and rights or parents regarding the education and supervision of their children? No.

3. Will the proposed Rule affect the functioning of the family? No.

**NOTICE OF INTENT**

**Board of Elementary and Secondary Education**

Bulletin 746—Louisiana Standards for State Certification of School Personnel  
Louisiana Requirements—PRAXIS/NTE Scores (LAC 28:1.903)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education approved for advertisement an amendment to *Bulletin 746—Louisiana Standards for State Certification of School Personnel*, referenced in LAC 28:1.903.A. This policy specifies the exam and passing score for the following certification area: Educational Leader—Level 3 (Superintendent). A PRAXIS exam will be available for the first time for certification as a superintendent. The board periodically reviews new exams for certification in Louisiana and sets the cut scores for these exams. The School Superintendent Assessment (SSA) will be available for the first time for individuals seeking certification as an Educational Leader—Level 3. Adoption of this score will allow the new educational leader certification policy to be implemented.

**Title 28**

**EDUCATION**

**Part I. Board of Elementary and Secondary Education  
Chapter 9. Bulletins, Regulations, and State Plans  
Subchapter A. Bulletins and Regulations  
§903. Teacher Certification Standards and Regulations**

A. Bulletin 746

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

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 1:183, 311, 399, 435, 541 (April, July, September, October, December 1975), LR 28:2505-2508 (December 2002), LR 29:117-119 (February 2003), LR 29:119-121 (February 2003), LR 29:121-123 (February 2003), LR 32:

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4. Will the proposed Rule affect family earnings and family budget? No.

5. Will the proposed Rule affect the behavior and personal responsibility of children? No.

6. Is the family or a local government able to perform the function as contained in the proposed Rule? No.

Interested persons may submit written comments until 4:30 p.m., February 8, 2006, to Nina A. Ford, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

Weegie Peabody  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Bulletin 746—Louisiana Standards for State Certification of School Personnel Practitioner Teacher Program Policy**

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

This policy adds the Early Childhood PK-3 certification through the Practitioner Teacher Program alternate program structure. The adoption of this policy will cost the Department of Education approximately \$700 (printing and postage) to disseminate the policy.

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

This policy will have no effect on revenue collections.

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

There are no estimated costs and/or economic benefits to directly affected persons or non-governmental groups.

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

This policy will have no effect on competition and employment.

Marlyn Langley  
Deputy Superintendent  
Management and Finance  
0512#036

H. Gordon Monk  
Legislative Fiscal Officer  
Legislative Fiscal Office

**Louisiana Requirements—PRAXIS/NTE SCORES**

**PRE-PROFESSIONAL SKILLS TESTS**

(Required for all Louisiana candidates to enter teacher preparation programs.)

PRE-PROFESSIONAL SKILLS TEST	Test #	Score	PRE-PROFESSIONAL SKILLS TEST	Test #	Score
PPST:R – Pre-Professional Skills Test: Reading	0710	172	Computer-Based Tests (prior to 1/16/02): CBT Reading CBT Writing CBT Mathematics	0711 0721 0731	319 316 315
PPST:W – Pre-Professional Skills Test: Writing	0720	171			
PPST:M – Pre-Professional Skills Test: Mathematics	0730	170			
Computerized PPST (1/16/02 and after)—same passing scores as written PPST:					
Reading	5710	172			
Writing	5720	171			
Mathematics	5730	170			

**CONTENT AND PEDAGOGY REQUIREMENTS**

Certification Area	Name of Praxis Test	Content Exam Score	Pedagogy: Principles of Learning & Teaching			
			PLT K-6 (#0522)	PLT 5-9 (#0523)	or	PLT 7-12 (#0524)
<b>Early Childhood PK-3</b>	Elementary Content Knowledge (0014) Prior to 5/31/04 Effective 6/1/04	147 150	Prior to 6/1/04: PLT K-6 or ECE 0020; After 5/31/04: Early Childhood Education 0020 (Score 510)			
Grades 1-5	Elementary Content Knowledge (0014) Prior to 5/31/04 Effective 6/1/04	147 150	161	---		---
Grades 4-8 Generic	Middle School: Content Knowledge (0146) Effective 6/1/04, this exam not available for certification purposes; middle grades candidates required to pass one or more content specific middle grades exams.	150	---	154		---
Grades 4-8 Mathematics	Middle School Mathematics (0069)	148	---	154		---
Grades 4-8 Science	Middle School Science (0439) Prior to 5/31/2006 Effective 6/1/2006 Effective 6/1/2009	140 145 150	---	154		---
Grades 4-8 Social Studies	Middle School Social Studies (0089)	149	---	154		---
Grades 4-8 English/Language Arts	Middle School English/Language Arts (0049)	160	---	154		---
<b>Grades 6-12 Certification Areas</b>						
Agriculture	Agriculture (0700) Effective 7/1/05	510	---	---		161
Biology	Biology & General Science (0030) Prior to 6/30/05 Biology: Content Knowledge (0235) Effective 7/1/05	580 150	---	---		161
Business	Business Education (0100) Prior to 5/31/04 Effective 6/1/04	540 570	---	---		161
Chemistry	Chemistry/Physics/General Science (0070) Chemistry: Content Area (0245) Effective 7/1/06	530 151				161
English	English Language, Literature, & Composition: Content Knowledge (0041) Pedagogy (0043)	160 130	---	---		161
Family & Consumer Sciences (formerly Home Economics)	Family & Consumer Sciences (0120)	510	---	---		161
French	French (0170) Prior to 5/31/04 French: Content Knowledge (0173) Effective 6/1/04	520 156	---	---		161

General Science	Biology & General Science (0030) –OR– Chemistry/Physics/General Science (0070) Prior to 6/30/05 General Science: Content Knowledge (0435) Effective 7/1/05	580 530 156	---	---		161
German	German (0180) German: Content Knowledge (0181) Effective 7/1/06	500 151	---	---		161
Mathematics	Mathematics (0060) Prior to 5/31/04 Mathematics: Content Knowledge (0061) Effective 6/1/04 Effective 6/1/07 Effective 6/1/10	550 125 130 135	---	---		161
Physics	Chemistry/Physics/General Science (0070) Physics: Content Knowledge (0265) Effective 7/1/06	530 141				161
School Librarian	Library Media Specialist (0310)	560	---	---		---
Social Studies	Social Studies: Content Knowledge (0081) Interpretation of Materials (0083)	149 152	---	---		161

Spanish	Spanish (0190) Prior to 5/31/04 Spanish: Content Knowledge (0191) Effective 6/1/04	540 160	---	---		161
Speech	Speech Communications (0220) Effective 7/1/05	575	---	---		161
Technology Education (formerly Industrial Arts)	Technology Education (0050) Effective 7/1/05	600	---	---		161
Computer Science Earth Science Environmental Science Journalism Latin Marketing (formerly Distributive Education)	A content area exam is not required for certification in Louisiana.	---	---	---		161
<b>ALL-LEVEL K-12 AREAS</b>						
Grades K-12 Art	Art: Content Knowledge (0133) Effective 7/1/05	155	161	or	154	or 161
Grades K-12 Dance	None Available**	---	161	or	154	or 161
Grades K-12 Foreign Languages	French (0170) Prior to 5/31/04 French: Content Knowledge (0173) Effective 6/1/04	520 156	161	or	154	161
	German (0180) German: Content Knowledge (0181) Effective 7/1/06	500 TBA				
	Spanish (0190) Prior to 5/31/04 Spanish: Content Knowledge (0191) Effective 6/1/04	540 160				
Grades K-12 Music	Music Education (0110) Prior to 5/31/04 Music: Content Knowledge (0113) Effective 6/1/04	530 151	161	or	154	or 161
Grades K-12 Health and Physical Education	Physical Education (0090) Prior to 5/31/04 Phys. Education: Content Knowledge (0091) Effective 6/1/04	550 146	161	or	154	or 161

\*\*At this time, a content area exam is not required for certification in Louisiana.

### SPECIAL EDUCATION AREAS

Area	Content Exam	Score	Pedagogy Requirement	Score
Special Education (All Areas)	Prior to 6/1/04, required only for entry into new Mild /Moderate alternate certification programs		Prior to 6/1/04: PLT K-6 (161), PLT 5-9 (154) OR PLT 7-12 (161)	
Early Interventionist	Elementary Education: Content Knowledge (0014) Effective 7/1/05	150	Educ. of Exceptional Students: Core Content Knowledge (0353) Effective 6/1/04 Educ. of Exceptional Students: Core Content Knowledge (0353) & Early Childhood Education (0020) Effective 7/1/05	143 510
Hearing Impaired	Elementary Education: Content Knowledge (0014) Effective 7/1/05	150	Educ. of Exceptional Students: Core Content Knowledge (0353) & Educ. of Deaf and Hard of Hearing Students (0271) Effective 6/1/04	143 160
Mild to Moderate Disabilities	Candidate must pass content area exam appropriate to certification level 1-5, 4-8, 6-12 Effective 6/1/04		Educ. of Exceptional Students: Core Content Knowledge (0353) & Educ. of Exceptional Students: Mild Moderate Disabilities (0542) Effective 6/1/04	143 141
Significant Disabilities	Elementary Education: Content Knowledge (0014) Effective 7/1/05	150	Educ. of Exceptional Students: Core Content Knowledge (0353) & Educ. of Exceptional Students: Severe to Profound Disabilities (0544) Effective 6/1/04	143 147
Visual Impairments/Blind	Elementary Education: Content Knowledge (0014) Effective 7/1/05	150	Educ. of Exceptional Students: Core Content Knowledge (0353) Effective 6/1/04	143

### ADMINISTRATIVE AREAS

Certification Area	Name of Praxis Test	Area Test Score
Principal	Educational Leadership: Administration & Supervision (0410)	620
Educational Leader – Level 1	School Leaders Licensure Assessment (1010) Effective 7/1/06	168
Educational Leader – Level 3	School Superintendent Assessment (SSA) Effective 7/1/06	154

All Praxis scores used for certification must be sent directly from ETS to the State Department of Education electronically, or the original Praxis score report from ETS must be submitted with candidate's application.

\* \* \*

**Family Impact Statement**

In accordance with Section 953 and 974 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on the Rule proposed for adoption, repeal or amendment. All Family Impact Statements shall be kept on file in the State Board Office which has adopted, amended, or repealed a Rule in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.
2. Will the proposed Rule affect the authority and rights or parents regarding the education and supervision of their children? No.
3. Will the proposed Rule affect the functioning of the family? No.
4. Will the proposed Rule affect family earnings and family budget? No.
5. Will the proposed Rule affect the behavior and personal responsibility of children? No.
6. Is the family or a local government able to perform the function as contained in the proposed Rule? No.

Interested persons may submit written comments until 4:30 p.m., February 8, 2006, to Nina A. Ford, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

Weegie Peabody  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

**RULE TITLE: Bulletin 746—Louisiana Standards for State Certification of School Personnel Louisiana Requirements—PRAXIS/NTE Scores**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)  
This policy specifies the exam and passing score for the following certification area: Educational Leader—Level 3 (Superintendent). A PRAXIS exam will be available for the first time for certification as a superintendent. The adoption of this policy will cost the Department of Education approximately \$700 (printing and postage) to disseminate the policy.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)  
This policy will have no effect on revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)  
The only costs are those for testing fees applicable to the specific certification area affected by this change, and only individuals pursuing credentials as a superintendent would be affected.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)  
This policy will have no effect on competition and employment.

Marlyn J. Langley  
Deputy Superintendent  
0512#037

H. Gordon Monk  
Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Education  
Board of Regents**

Insurance; Surety Bonds  
(LAC 28:IX.Chapters 1-5)

In accordance with the Administrative Procedure Act, R.S. 17:1808 et seq., notice is hereby given that the State Board of Regents for advertisement an amendment to LAC 28:IX, Regents.

R.S. 17:1808 of Louisiana requires all postsecondary, academic degree-granting institutions to be registered with the Board of Regents. Institutions that are not exempt through certain provisions of R.S. 17:1808 are also required to be licensed by the Board of Regents. Currently, there are approximately 40 institutions licensed by the Board of Regents. These institutions include 2-year and 4-year colleges, public, in-state, and out-of-state institutions operating programs in Louisiana. Louisiana's public institutions and members of the Louisiana Association of Independent Colleges and Universities (LAICU) are exempt from Board of Regents' licensure.

There will be two substantial changes to the Rule.

1. The license application fee will increase from \$750 to \$1,000 per year.
2. Accredited institutions will be exempt from being required to purchase a \$10,000 surety bond.

**Title 28  
EDUCATION  
Part IX. Regents**

**Chapter I. Rules for Registration and Licensure  
§101. Definition of Terms**

A. Terms used in these regulations such as *Board of Regents*, *Postsecondary*, *Academic Degree-granting Institution*, *Registration*, *Licensure*, and *Fees* shall be interpreted in accordance with R.S. 17:1808.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 19:1551 (December 1993), repromulgated LR 32:

**§103. Registration and License Applications**

A. All public and private postsecondary, academic degree-granting institutions offering instruction in the state of Louisiana must register annually with the Board of Regents. Regular licenses are reviewed every two years. Requests for registration forms and license applications should be made in writing and addressed to:

Commissioner of Higher Education  
Louisiana Board of Regents  
P.O. Box 3677  
Baton Rouge, LA 70821-3677

B. Completed registration forms and license applications should be returned to the address shown above.

C. License applications must be accompanied by a nonrefundable license application fee of \$1,000. The license application fee must be paid by company or institutional check or by money order, and should be made payable to the Louisiana Board of Regents.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 19:1551 (December 1993), amended LR 21:168 (February 1995), LR 32:

#### **§105. License Fees**

A. The license application fee shall be \$1,000. Those institutions granted a license to operate will be required to pay an additional \$1,000 at the start of the second year of the two-year licensing period. License renewal fees are required during each subsequent two-year licensing period and are nonrefundable.

B. If a request for license renewal is not received at the Board of Regents' offices at least 30 days prior to its expiration date, the institution can be subject to a delinquent fee of \$500 in addition to the renewal fee.

C. The Board of Regents may authorize assessment of special or supplemental fees to be paid by registered institutions pursuant to special actions or requests.

D. Institutions seeking licensure shall submit all required materials and the nonrefundable license fee to the Board of Regents. If a final determination concerning the institution's qualifications for licensure is not reached within 180 days of receipt of the complete license application, a provisional license will be issued to the institution. The provisional license will remain in effect pending a final licensing decision by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 19:1551 (December 1993), amended LR 21:168 (February 1995), LR 32:

#### **§107. Information Requirements for Registration<sup>1</sup>**

A. All postsecondary, academic degree-granting institutions are required to provide the following information on an annual basis:

1. name and in-state address of the institution;
2. location of its main campus or office;
3. a role, scope, and mission statement;
4. degrees offered in Louisiana;
5. courses offered in Louisiana;
6. the name of the institution's chief executive officer and chief financial officer;
7. names and addresses of the institution's governing board members, if applicable;
8. description of its physical facilities in Louisiana;
9. information relative to the institution's accreditation or official candidacy status from a regional or professional accrediting agency recognized by the United States Department of Education;
10. for institutions domiciles in Louisiana, total enrollment at institution. For institutions domiciles outside of Louisiana, enrollment of Louisiana residents at institution;
11. other information as specified by the Board of Regents.

<sup>1</sup>Registration with the Board of Regents shall in no way constitute state approval or accreditation of any institution and shall not be used in any form of advertisement by any institution.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 19:1551 (December 1993), amended LR 32:

### **Chapter 3. Criteria and Requirements for Licensure**

#### **§301. General Standards**

A. General standards for public and private academic degree-granting institutions offering similar degrees and titles must be as close as possible.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 19:1552 (December 1993), amended LR 21:168 (February 1995), repromulgated LR 32:

#### **§302. Accreditation**

A. Institutions must hold accreditation through an association recognized by the U.S. Department of Education. Institutions domiciled outside the state of Louisiana must be fully accredited by an accrediting body recognized by the U.S. Department of Education prior to making an application for licensure with the Board of Regents. Institutions domiciled in the state of Louisiana must either hold recognized accreditation or must make formal application and obtain accreditation from a U.S. Department of Education recognized accrediting association by a date determined by the Board of Regents as a requirement for licensure.

B. Institutions seeking accreditation that have been found to meet other requirements set forth by the Board of Regents will be granted a conditional license until such time that they are accredited, or at a minimum, receive candidacy status from a recognized accrediting association. An institution that does not receive accreditation within the specified time frame may have its conditional license revoked by the Board of Regents.

C. The Board of Regents will consider a possible waiver of the accreditation requirement in the case of single purpose institutions. This consideration will be given in circumstances where the board determines that it would be educationally impractical for an institution to reorganize its programs and operations in order to become eligible for consideration by a U.S. Department of Education recognized accrediting association.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 21:168 (February 1995), repromulgated LR 32:

#### **§303. Faculty**

A. Qualifications of Faculty

1. Faculty shall be qualified by education and experience in the fields in which they teach. Faculty must meet the following minimum requirements.

a. Faculty shall possess no less than the degree awarded to a graduate of the program in which they are teaching.

b. The faculty shall be sufficient in number to establish and maintain the effectiveness of the educational program.

B. Institutions offering advanced degrees must employ only faculty who hold advanced degrees in appropriate fields from institutions accredited by recognized agencies.<sup>1</sup> It is required that faculty credentials be verifiable.

1. If any institution wishes to employ a faculty member whose highest earned degree is from a non-regionally-accredited institution within the United States or

an institution outside the United States, the institution must show evidence that the faculty member has appropriate academic preparation.

2. It is the responsibility of the institution to keep on file for all full-time and part-time faculty members documentation of academic preparation, such as official transcripts, and if appropriate for demonstrating competency, official documentation of professional and work experience, technical and performance competency, records of publications, and certifications and other qualifications.<sup>2</sup>

<sup>1</sup> Recognized accrediting agencies are those approved by the United States Department of Education.

<sup>2</sup> Source: Southern Association of Colleges and Schools.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 19:1552 (December 1993), amended LR 21:169 (February 1995), LR 32:

### **§305. Academic Program Standards**

A. All curricula leading to academic credits, certification, and degrees shall be formulated and evaluated by qualified faculty with appropriate education and experience acceptable to public postsecondary, academic degree-granting institutions in Louisiana and elsewhere in the nation.

B. Institutions shall provide prospective students and other interested persons with the following information:

1. admissions policies;
2. program descriptions and objectives;
3. schedule of tuition, fees, and other charges;
4. cancellation and refund policies;
5. schedule of classes;
6. other material information about the institution and its programs which may impact a student's enrollment decision.

C. Institutions must provide programs of sufficient quality and content to achieve stated learning objectives. Curricula offered by the institutions must be formulated and evaluated by faculty with appropriate earned degrees from institutions with U.S. Department of Education recognized accreditation. Institutions are also required to establish procedures for evaluating program effectiveness.

D. Institutions must indicate the means for determining satisfactory academic progress and have available data on student retention, graduation rates, job placement, and passing rates on licensure or certification exams, where appropriate.

E. Currently licensed institutions seeking to implement new academic degree programs must first advise the Board of Regents of the proposed change. New programs will be included as part of the regular license renewal process.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 19:1552 (December 1993), amended LR 21:169 (February 1995), LR 32:

### **§307. Physical Plant Standards**

A. Library

1. The institution shall maintain and/or provide student access to an appropriate library collection with adequate support staff, services, and equipment. Any contractual agreements with libraries not directly affiliated with the institution shall be available in writing to the Board of Regents.

B. Facilities and Equipment

1. The institution shall maintain or provide access to appropriate administrative, classroom, and laboratory space, and appropriate equipment and instructional materials to support quality education based on the type and level of program being offered. Facilities must comply with all health and safety laws and ordinances, including the American with Disabilities Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 19:1552 (December 1993), amended LR 21:169 (February 1995), LR 32:

### **§309. Financial Operations**

A. The business and financial management of the institution shall be directed by a qualified and bonded business officer responsible to the institution's chief executive officer.

B. Institutions are required to maintain adequate insurance to protect the operation of the institution and to guard against any personal or public liability.

C. All institutions shall provide the Board of Regents with a financial review prepared in accordance with standards established by the American Institute of Certified Public Accountants. However, any institution accredited by an agency recognized by the United States Department of Education may, at its discretion, submit financial statements prepared in accordance with rules and guidelines established by the accrediting agency.

D. Institutions shall maintain and update a long-range financial development plan for the institution.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 19:1553 (December 1993), repromulgated LR 32:

### **§311. Maintenance of Records**

A. Institutions are required to keep records for a minimum of three years which detail:

1. the composition and background of students, faculty, and administrative staff;
2. the institution's physical plant including land, buildings, library, and research facilities;
3. copies of brochures, catalogs, and advertising which describe student admissions, programs, and scholarships.

B. A student's records must be available for review by that student at the institution's central office.

C. Individual student records must contain:

1. the student's application for admission;
2. academic records;
3. all obligations incurred and all funds paid by the student to the institution;
4. student attendance information;
5. counseling records;
6. financial aid records.

D. Student records shall be available and readily accessible for use and review by authorized officials of the institution and authorized representatives of the Board of Regents.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 19:1553 (December 1993), amended LR 21:169 (February 1995), LR 32:

### **§313. Student Services<sup>1</sup>**

A. Institutions shall provide orientation and counseling services throughout enrollment. Special services including financial aid, employment placement for graduates, and student housing, if appropriate, must be evaluated periodically by the institution to determine effectiveness in meeting student needs and contribution to the educational purpose of the institution.

<sup>1</sup>The Board of Regents recommends that prospective students seek independent job/career counseling prior to enrollment in an academic degree-granting postsecondary institution and encourages such institutions to promote this recommendation.

AUTHORITY NOTE: Promulgated in accordance with 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 19:1553 (December 1993), repromulgated LR 32:

### **§315. Organization and Administration**

A. An institution shall establish a governing structure which delineates responsibility for institutional operations, policy formation, and the selection of the institution's chief executive officer. If the institution is governed by a board or group of officers, the role and responsibilities of that body must be clearly defined.

B. Administrative personnel must possess qualifications which support the institution's stated purpose and effective operation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 19:1553 (December 1993), amended LR 21:169 (February 1995), repromulgated LR 32:

### **§317. Procedures for Tuition and Fee Refunds**

#### **A. Pricing and Refund Policy**

1. The institution must fully disclose the cost of attendance, including all charges, tuition and fees in writing to prospective students. The parent or guardian of prospective students under legal adult age must be notified in writing of the costs of attendance prior to enrollment.

2. Prospective students shall not be required to make a nonrefundable tuition payment until it has been determined that the prospective student has been accepted for enrollment.

3. The institution's refund policy must be disclosed in the institution's catalog and other informational materials.

4. Institutions are required to follow the minimum standards for tuition refunds as set forth herein. These guidelines are:

a. students who withdraw prior to the first day of classes are entitled to a full refund of tuition and fees. Institutions may, however, require a nonrefundable application fee;

b. any administrative fees retained by the institution upon the early withdrawal of a student shall not exceed 15 percent of the total cost of tuition and fees paid by the student;

c. institutions which financially obligate students on a quarter, semester, or similar basis will be subject to the following tuition and fee refund policy:

i. students withdrawing during the first 10 days of classes shall receive a minimum refund of 75 percent of total tuition and fees paid, excluding any nonrefundable application fees, less the maximally-allowable administrative fees retained by the institution;

ii. students withdrawing from day 11 through day 24 of classes shall receive a minimum refund of 50 percent of total tuition and fees paid, excluding any nonrefundable application fees, less the maximally-allowable administrative fees retained by the institution;

iii. students withdrawing from day 25 through the end of the quarter, semester, or similar time period are ineligible to receive a refund;

d. institutions which financially obligate students for longer periods of time, i.e., periods exceeding six months, shall be subject to the following tuition and fee refund policy:

i. students completing up to 25 percent of the course of study shall receive a minimum refund of 50 percent of total tuition and fees paid, excluding any nonrefundable application fees, less the maximally-allowable administrative fees retained by the institution;

ii. students completing more than 25 percent but less than 50 percent of the course of study shall receive a minimum refund of 25 percent of total tuition and fees paid, excluding any nonrefundable application fees, less the maximally-allowable administrative fees retained by the institution;

iii. students withdrawing after at least half the program of study has been completed are ineligible to receive a refund;

iv. refund policies for programs offering tuition/fee payments on an installment plan may be examined by the Board of Regents on an individual basis. Refund policies for installment programs are expected to conform generally to refund policies which appear in Clauses A.4.c.i through iii and d.i through iv of this Section;

e. refunds must be paid within 30 days of the date of withdrawal of the student from the institution.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 19:1553 (December 1993), amended LR 21:169 (February 1995), amended LR 32:

### **§319. Surety Bonding**

A. Institutions which do not hold regional or nationally recognized accreditation are required to post a surety bond issued by a surety authorized to do business in the state of Louisiana in the amount of \$10,000 to cover the period of the license. These bonds are intended to protect students in the event of a sudden closure of the institution. Institutions that are also licensed and bonded under R.S. 17:3141 need not seek additional bonding.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 19:1554 (December 1993), amended LR 32:

### **§321. Rules and Guidelines on Advertising<sup>1</sup>**

A. Registration with the Board of Regents shall in no way constitute state approval or accreditation of any institution and shall not be used in any form of advertising by any institution.

B. Licensed institutions may use the state name and licensing agency as follows.

1. (*Name of Institution*) is currently licensed by the Board of Regents of the State of Louisiana. Licenses are renewed by the State Board of Regents every two years. Licensed institutions have met minimal operational standards set forth by the state, but licensure does not constitute accreditation, guarantee the transferability of credit, nor signify that programs are certifiable by any professional agency or organization.

2. Any licensed institution wishing to use the state name and licensing agency in any promotion or advertising is restricted to the language which appears above. The statement must appear in its entirety and any modifications are not permissible under these rules or the law.

3. Advertising shall not include false or misleading statements with respect to the institution, its personnel, courses, or services, or the occupational opportunities of its graduates.

4. Institutions claiming accreditation by agencies not recognized by the United States Department of Education must clearly state in all advertising and promotional literature that the institutions' accreditation is not recognized by either the United States Department of Education or the State of Louisiana.

<sup>1</sup>Neither the institution nor its agents shall engage in false advertising or other misleading practices.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 19:1554 (December 1993), repromulgated LR 32:

### **§323. Hearings and Appeals**

A. Institutional hearings and appeals are handled in accordance with guidelines set forth in R.S. 17:1808, §1(E)(F).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 19:1554 (December 1993), repromulgated LR 32:

### **§325. Sale of Ownership and Transfer of License**

A. In the event that an institution sells all or a majority interest in its ownership, it is required to notify the Board of Regents of both expected and final sale. A review of the institution's operations and objectives will be required upon final sale to determine if the institution's operating license should be transferred to the new ownership. Any and all costs associated with the Board of Regents' review will be borne by the new ownership of the institution.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 21:170 (February 1995), repromulgated LR 32:

### **§327. Licensure Denial**

A. Any institution denied licensure by the Board of Regents that wishes to seek reconsideration by the board is required to wait a minimum of 24 months before resubmitting its license application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 21:170 (February 1995), repromulgated LR 32:

## **Chapter 5. Consumer Protection**

### **§501. General Provisions**

A. Individuals must make reasonable effort to solve disputes directly with the institution. If a solution cannot be reached, an individual may file a written complaint with the Board of Regents. Board of Regents' staff will review the facts and intervene where appropriate. Such intervention shall not include legal action on behalf of the party, but may include additional investigation of the institution including a site visit to determine if the institution's license should be revoked.

#### **B. Disciplinary Provisions and Administrative Penalties**

1. The Board of Regents may institute disciplinary proceedings against a licensed agent who engages in false or misleading advertising. The Board of Regents may also require an institution to submit all advertising for approval prior to use.

2. It is illegal for institutions which come under the jurisdiction of the Board of Regents to advertise, recruit students for, and/or operate educational programs in the state of Louisiana unless properly registered and licensed.

3. Penalties may be assessed for the following violations:

- a. operating an institution without a license;
- b. deceptive or fraudulent advertising;
- c. offering an unapproved program;
- d. other violations as determined by the Board of Regents.

4. Violations may result in suspension of student enrollments where patterns of abuse and willful misconduct have been established.

#### **C. Meetings, Site Visits, and Reports**

1. The Board of Regents, at its discretion, may conduct preliminary conferences with institutional officers and board members to discuss standards and procedures for implementing licensure.

2. The Board of Regents may require a site visit and examiner's report at the cost of the institution. The cost shall not exceed the actual dollar amount incurred by the Board of Regents.

3. Site visits could include an inspection of facilities, books, school files and records, as well as interviews with administrators, faculty, and students.

4. Examiners would submit a report following the site visit with recommendations pertaining to the licensure of the institution.

#### **D. Enforcement**

1. The attorney general is authorized to seek injunctive relief against an institution operating in noncompliance with the law. All costs incurred by the state of Louisiana in connection with such action shall be borne by the institution if it is found to be operating illegally.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 19:1554 (December 1993), repromulgated LR 32:

### **Family Impact Statement**

In accordance with Section 953 and 974 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on the Rule proposed for adoption, repeal or amendment. All Family Impact Statements shall be kept on file in the state board office which has adopted,

amended, or repealed a Rule in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.

2. Will the proposed Rule affect the authority and rights or parents regarding the education and supervision of their children? No.

3. Will the proposed Rule affect the functioning of the family? No.

4. Will the proposed Rule affect family earnings and family budget? No.

5. Will the proposed Rule affect the behavior and personal responsibility of children? No.

6. Is the family or a local government able to perform the function as contained in the proposed Rule? No.

Interested persons may submit written comments until 4:30 p.m., January 9, 2006, to Larry Tremblay, Board of Regents, P. O. Box 3677, Baton Rouge, LA 70821-3677.

E. Joseph Savoie, Ed.D.  
Commissioner

## FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

### RULE TITLE: Insurance; Surety Bonds

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

Increased costs to administer R.S. 17:1808 have been absorbed by the administering agency since the license application fee was last increased in 1995. Since, data systems have also been updated and site visits have increased. The implementation of the proposed rule change will not cost the state any additional dollars. The increase in fees (which is part of the proposed rule change) will provide additional revenue to administer the program which has become more reliant on state general funds in the absence of any increased revenues over the past ten years.

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

It is anticipated that the license application fee increase will increase self-generated revenues by an estimated amount of \$10,000 per year.

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

Each licensed institution will have an additional cost of \$250 per year for the license application fee. Accredited institutions will accrue savings accrued as they will no longer have to purchase a \$10,000 surety bond. Many licensed out of state institutions are state supported. Purchasing a surety bond is burdensome for self-insured states which do not typically deal with insurance agencies.

The surety bond is estimated to cost institutions approximately \$1000 annually. Therefore, the net savings to each institution from this rule change will be approximately \$750 annually, leaving Louisiana's fees still amongst the lowest in the United States.

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

Not applicable.

E. Joseph Savoie, Ed. D.  
Commissioner  
0512#114

Robert E. Hosse  
Staff Director  
Legislative Fiscal Office

## NOTICE OF INTENT

### Department of Health and Hospitals Board for Hearing Aid Dealers

Conduct and Licensing  
(LAC 46:XXXIX.301, 501, 503, 901, and 903)

Under the authority of R.S. 37:2457, and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Health and Hospitals, Board for Hearing Aid Dealers, proposes to amend the LAC 46:XXXIX.301, 501, 503, 901, and 903, to determine which evidence and testimony is relevant for revocation or suspension of a hearing aid dealer's license.

#### Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS

#### Part XXXIX. Hearing Aid Dealers

#### Chapter 3. Ethics

#### §301. Unethical Conduct

A. It shall be the responsibility of each holder of a license, temporary training permit, or certificate of endorsement under R.S. 37:2441-2465 to be familiar with and to avoid commission of any of the acts regarded as unethical practices by the Act. Full responsibility for the ethical conduct of a temporary training permit holder shall rest with the license or certificate holder who sponsored his application for a temporary training permit; provided, however, that such sponsoring license or certificate holder may relieve himself of such responsibility by discharging the holder of the temporary training permit, returning said license by registered mail, to the board, together with a letter explaining fully the circumstances under which the temporary training permit holder was separated from the employment of the sponsor. If the certificate cannot be returned, full explanation shall be included in same letter.

AUTHORITY NOTE: Adopted in accordance with R.S. 37:2457.

HISTORICAL NOTE: Adopted by the Department of Health and Human Resources, Board for Hearing Aid Dealers, July 1969, amended by the Department of Health and Hospitals, Board for Hearing Aid Dealers, LR 32:

#### Chapter 5. Application for License

#### §501. Application Forms; Fee

A. Every person requesting an application for a license or certificate of endorsement under this act shall be furnished the necessary form.

B. The application forms shall be designed to provide the board with the information necessary to satisfy itself that all requirements pertaining to Act 302 of 1968 of the legislature of the state of Louisiana are being fulfilled.

C. Failure to complete all forms and provide all information required may be just cause for the application to be rejected by the board and returned to the applicant.

D. The application shall be accompanied by a cashiers check or postal money order in the amount specified by this act. It shall be understood by the applicant that the application fee is to cover the cost of administration and shall not be refunded.

AUTHORITY NOTE: Adopted in accordance with R.S. 37:2445 and R.S. 37:2457.

HISTORICAL NOTE: Adopted by the Department of Health and Human Resources, Board for Hearing Aid Dealers, July 1969, amended by the Department of Health and Hospitals, Board for Hearing Aid Dealers, LR 32:

**§503. Applications, Temporary Training Permit Notarized**

A. All applications shall be subscribed by the applicant and sworn to by him before a notary public, and in the case of a temporary training permit, the sponsor's statement shall also be notarized.

AUTHORITY NOTE: Adopted in accordance with R.S. 37:2448, R.S. 37:2449 and R.S. 37:2457.

HISTORICAL NOTE: Adopted by the Department of Health and Human Resources, Board for Hearing-Aid Dealers, July 1969, amended by the Department of Health and Hospitals, Board for Hearing Aid Dealers, LR 32:

**Chapter 9. License**

**§901. Display of License**

A. - C. ...

D. In any case where a temporary training permit holder is separated from the employment of his sponsor for any cause, he shall surrender his identification card to his sponsor for return to the board with his temporary permit. Upon application of a new sponsor, a new identification card will be issued to the temporary training permit holder and his certificate shall be forwarded to his new sponsor.

AUTHORITY NOTE: Adopted in accordance with R.S. 37:2443 and R.S. 37:2457.

HISTORICAL NOTE: Adopted by the Department of Health and Human Resources, Board for Hearing Aid Dealers, July 1969, amended by the Department of Health and Hospitals, Board for Hearing Aid Dealers, LR 32:

**§903. Revocation or Suspension of License**

A. - B.1. ...

2. After due consideration of the written complaint, the written answer to the complaint, if any, all evidence offered, the written report of the Ethics Committee, and any additional investigation by the board, the Louisiana Board for Hearing Aid Dealers may:

- a. dismiss the complaint as unjustified;
- b. take action under R.S. 37:2461; and/or R.S. 37:2462, in accordance with the decision of the board.
- c. repealed.

C. In the event that the board should seek the suspension or revocation of the license or temporary license of the accused party, the board shall:

1. set a time, date and location for a public hearing on the merits of the complaint;
2. notify the accused party of the time, date and location of such public hearing, in writing, and furnish him with the specific charges of the complaint at least 30 days before such hearing;
3. subpoena, compel the attendance and testimony of witnesses;
4. employ a public stenographer to transcribe all testimony adduced at the hearing;
5. any and all evidence and testimony relevant to the complaint may be presented to the board. The board will determine which evidence and testimony is relevant and make it's consideration thereupon;
6. a majority of the board will preside;
7. obtain the services of legal counsel to assist the board at the hearing;

8. within 60 days after the hearing render its decision and reasons in writing, a copy of which is to be mailed to the complainant and the accused licensed hearing aid dealers.

AUTHORITY NOTE: Adopted in accordance with R.S. 37:2453 and R.S. 37:2457.

HISTORICAL NOTE: Adopted by the Department of Health and Human Resources, Board for Hearing Aid Dealers, July 1969, amended by the Department of Health and Hospitals, Board for Hearing Aid Dealers, LR 32:

**Family Impact Statement**

The proposed amendment should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. The implementation of this proposed Rule will have no known or foreseeable effect on:

1. the stability of the family;
2. the authority and rights of parents regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budgets;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform this function.

Any interested person may submit written data, views, arguments or comments regarding this proposed Rule to Gerald Cockerham, Chairman, P.O. Box, Monroe, LA 71211. All comments must be submitted no later than 4:30 p.m., Monday, January 9, 2006.

Gerald Cockerham  
Chairman

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Conduct and Licensing**

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

Other than the rule publication costs, which are estimated to be \$2,000 in FY 05, it is anticipated that the proposed rule amendments will result in any material costs or savings to the Board of Hearing Aid Dealers or any state or local governmental unit.

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

No estimated effect on revenue collections of state or local governmental units.

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

The proposed rule clarifies existing rules relative to payment for licensure and changes temporary license to training permit. The proposed rule clarifies that the Board will determine which evidence and testimony is relevant for revocation or suspension of a hearing aid dealer's license.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule amendments are not anticipated to have any material impact on competition and employment in either the public or private sector.

Resa Brady  
Administrative Secretary  
0512#066

Robert E. Hosse  
Staff Director  
Legislative Fiscal Office

## NOTICE OF INTENT

### Department of Health and Hospitals Board of Optometry Examiners

Optometry Regulations (LAC 46:LI, Chapters 1-8)

Notice is hereby given, in accordance with the Administrative Procedures Act, R.S. 49:950 et seq., that the Louisiana State Board of Optometry Examiners, pursuant to authority vested in the Louisiana State Board of Optometry Examiners by the Optometry Practice Act, R.S. 37:1041-1068, intends to amend Title 46, Part LI by repealing Chapters 1-7 thereof and in place of the repealed rules, adopting the following proposed Rule set forth below.

#### Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS

#### Part LI. Optometrists

#### Chapter 1. General Provisions

##### §101. Preamble

A. The Louisiana State Board of Optometry Examiners governs the practice of optometry in accordance with the Optometry Practice Act (the "act"), R.S. 37:1041 et seq.

1. The act is incorporated herein by references, as though copied in full.

2. The act is the source of the board's authority. Primary reference should be made to the act in determining the rules governing the operation of the board. The following rules supplement and further the purposes of the act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

##### §103. Rulemaking Procedure

A. The board shall be governed by the provisions of the Optometry Practice Act, R.S. 37:1041 et seq., and the Administrative Procedure Act, R.S. 49:950 et seq., in adopting rules for the operation of the board and the practice of optometry.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

##### §105. Legislative History

A. The practice of optometry in Louisiana was initially governed by Act 193 of 1918, which was amended by Act 181 of 1920.

B. Act 172 of 1921 revised the law as it then existed.

C. In 1950, Louisiana adopted the Revised Statutes which codified existing legislation. The practice of optometry is currently governed by Chapter 12, Title 37 of the Revised Statutes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

##### §107. Organization of the Board

A. Introduction. See the provision of the act relative to the organization of the board, in particular, R.S. 37:1041-1048.

#### B. Definitions

1. As used in this Chapter, the following terms have the meaning ascribed to them in this Section, unless the context clearly indicates otherwise.

2. Masculine terms shall include the feminine and, when the context requires, shall include partnership and/or professional corporations.

3. Where the context requires, singular shall include the plural or plural shall include the singular.

*Act*—the Optometry Practice Act, R.S. 37:1041 et seq.

*Board*—the Louisiana State Board of Optometry Examiners.

*Diagnostic and Therapeutic Pharmaceutical Agent*—any chemical in solution, suspension, emulsion, or ointment base, when applied topically that has the property of assisting in the diagnosis, prevention, treatment, or mitigation of abnormal conditions and pathology of the human eye and its adnexa, or those which may be used for such purposes, or oral antibiotics, and oral antihistamines, and certain approved narcotics, only when used in treatment of disorders or diseases of the eye and its adnexa. Licensed pharmacists of this state shall fill prescriptions for such pharmaceutical agents of licensed optometrists certified by the board to use such pharmaceutical agents.

i. Any *diagnostic and therapeutic pharmaceutical agent* as defined above listed in Schedules III, IV and V of the Uniform Controlled Dangerous Substances Law shall be limited to use or to be prescribed by a licensed optometrist for a maximum of 48 hours when used in treatment or disorders or diseases of the eye and its adnexa.

ii. *Diagnostic and therapeutic pharmaceutical agent* shall not include any drug or other substances listed in Schedules I and II of the Uniform Controlled Dangerous Substances Law provided in R.S. 40:963 and 964 which shall be prohibited from use by a licensed optometrist.

iii. A licensed optometrist may prescribe one additional 48 hour prescription only if warranted by a follow-up exam.

*Licensed Optometrist*—a person licensed and holding a certificate issued under the provisions of the act.

*Optometry*—that practice in which a person employs primary eye care procedures or applies any means other than ophthalmic surgery for the measurement of the power and testing the range of vision of the human eye, and determines its accommodative and, refractive state, general scope of function, and the adaptation of frames and lenses, including contact lenses in all their phases, to overcome errors of refraction and restore as near as possible normal human vision. Optometry also includes the examination and diagnosis, and treatment, other than by ophthalmic surgery, of abnormal conditions and pathology of the human eye and its adnexa, including the use and prescription of diagnostic and therapeutic pharmaceutical agents. Optometrists shall issue prescriptions, directions and orders regarding medications and treatments which may be carried out by other health care personnel including optometrists, physicians, dentists, osteopaths, pharmacists, nurses, and others.

i. *Ophthalmic surgery* means a procedure upon the human eye or its adnexa in which in vivo human tissue is injected, cut, burned, frozen, sutured, vaporized, coagulated, or photodisrupted by the use of surgical instrumentation such as, but not limited to, a scalpel, cryoprobe, laser, electric cautery, or ionizing radiation. Nothing in this Optometry Practice Act shall limit an optometrist's ability to use diagnostic instruments utilizing laser or ultrasound technology in the performance of primary eye care. Only persons licensed to practice medicine by the Louisiana State Board of Medical Examiners under the laws of this state may perform ophthalmic surgery.

ii. Nothing in the Optometry Practice Act shall prohibit the dilation and irrigation of lacrimal ducts, insertion and removal of lacrimal plugs, foreign body removal from superficial ocular tissue, suture removal, removal of eyelashes, incision and drainage of superficial lesions of the eye, or corneal shaping with external ophthalmic devices such as contact lenses by optometrists.

C. Purpose. The purpose of the board is to regulate the practice of optometry in Louisiana and to carry out the purposes and enforce the provision of the law of Louisiana relating thereto. The laws of Louisiana relating to the practice of optometry are set forth, in part, in the Optometry Practice Act, R.S. 37:1041 et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

#### **§109. Employment Restrictions**

A. An optometrist, duly licensed under the provisions of the Louisiana Optometry Law as set forth in R.S. 37:1041 et seq., is prohibited from accepting employment as an optometrist from:

1. a corporation other than a professional optometric corporation or professional medical corporation organized pursuant to Title 12 of the Louisiana Revised Statutes and domiciled in the State of Louisiana;

2. a partnership or limited liability company, unless such partnership or limited liability company is domiciled in the state of Louisiana and each partner or member, as the case may be, is:

a. an optometrist or physician duly licensed as an optometrist or physician in the State of Louisiana; or

b. a professional optometric corporation or professional medical corporation described above in Paragraph A.1 of this Section; or

c. an individual, unless such individual is duly licensed as an optometrist or physician in the state of Louisiana.

B. An employer of an optometrist, whether a professional optometric or medical corporation, partnership, limited liability company or individual described above in Subsection A of this Section, shall exert no influence over the employee optometrist in regards to professional judgment, patient care, or any matter affecting the health and well being of the patient, or the ability of the optometrist to provide such care.

C. An optometrist, duly licensed under the provisions of the Louisiana Optometry Law as set forth in R.S. 37:1041 et seq., shall not enter into a contract, agreement or other arrangement with any individual or entity, other than an individual or entity described above in Section A of this

§105, which allows such individual or entity to dictate to or influence the fees charged by the optometrist for patient care.

D. Violation of the provisions of this §105 by an optometrist shall be considered a violation of provisions of R.S. 37:1061, and as such the board may refuse to renew the license of any such optometrist on its annual renewal date of March 1 of each year (R.S. 37:1056) and/or subject such optometrist to suspension or revocation of his or her license to practice optometry upon due notice and hearing as provided in R.S. 37:1062.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

#### **§111. Prohibition of Fee-Splitting.**

A. An optometrist shall be prohibited from sharing or splitting fees with any person, corporation, partnership or other entity, other than through an affiliation with a person or entity described above in §109.A.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

#### **§113. Referrals**

A. No optometrist shall offer, make, solicit, or receive payment, directly or indirectly, overtly or covertly, in cash or in-kind, for referring or soliciting patients.

B. No optometrist shall make referrals outside the same group practice as that of the referring optometrist to any other health care provider, licensed health care facility, or provider of health care goods and services including but not limited to medical suppliers, and therapeutic services when the referring optometrist has a financial interest served by such referral, unless in advance of any such referral the referring optometrist, discloses to the patient, in writing, the existence of such financial interest.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

#### **§115. Patient Records**

A. All medical records of a patient, including but not limited to prescriptions, files, patient records and business records, maintained in the office of an optometrist are the property and business records of the optometrist.

B. An optometrist shall furnish each patient, upon request of the patient, or his or her legal representative, a copy of any information related in any way to the patient which the optometrist has transmitted to any company, or any public or private agency, or any person in accordance with R.S. 40:1299.96.

C. A patient, or his or her legal representative, shall have a right to obtain a copy of any medical records relating to the patient's medical treatment, history, or condition, including but not limited to any unexpired prescription, in accordance with R.S. 40:1299.96, provided, however, a patient shall not be entitled to obtain business records of the optometrist.

D. A patient, or his or her legal representative, shall be entitled to obtain a copy of such patient's medical records in accordance with Subsections B and C of this Section, upon furnishing a signed authorization and upon payment of a reasonable copying charge, not to exceed \$1 per page for the

first 25 pages, \$0.50 cents per page for 26 to 500 pages, and \$0.25 cents per page thereafter, a handling charge not to exceed \$5, and actual postage in accordance with R.S. 40:1299.96. A patient shall have a right to obtain copies of patient X-rays upon payment of reasonable reproduction costs.

E. In the event medical records furnished to a patient pursuant to this Section are not complete, the copy of the records furnished hereunder may indicate, through a stamp, coversheet, or otherwise, that the record is incomplete in accordance with R.S. 40:1299.96.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

### **§117. Hearings and Investigations**

A. The board may summon witnesses and compel the attendance of witnesses, as well as conduct hearings on proceedings to revoke, limit or suspend a license or certificate to practice optometry in Louisiana as provided in R.S. 37:1048.

B. Witnesses shall cooperate with the board in investigating any matter before the board and shall respond to any lawful demand for information, except for an openly expressed claim of a constitutional privilege.

C. Failure to cooperate with the board in investigating any matter before the board, or to respond to any lawful demand for information, except for an openly expressed claim of a constitutional privilege, may be considered a violation of R.S. 37:1063 and grounds for suspension or revocation of a Louisiana optometry license or certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

## **Chapter 3. License**

### **§301. Continuing Education**

A. Each licensed optometrist shall comply with the following continuing education requirements.

1. Standard optometry license holders and diagnostic pharmaceutical certificate holders shall complete between January 1 and December 31 of each calendar year at least 12 classroom hours of continuing education courses approved by the Louisiana State Board of Optometry Examiners.

2. License holders authorized to diagnose and treat pathology and use and prescribe therapeutic pharmaceutical agents shall complete between January 1 and December 31 of each calendar year at least 16 classroom hours of continuing education courses approved by the Louisiana State Board of Optometry Examiners, of which at least eight classroom hours shall consist of matters related to ocular and systemic pharmacology and current diagnosis and treatment of ocular disease. Such certificate holders will be entitled to apply the CPR continuing education to their required annual continuing education, provided that such CPR continuing education shall not count toward the required eight classroom hours related to ocular and system pharmacology and current diagnosis and treatment of ocular disease, and provided further that no more than four hours of CPR continuing education may be applied to the continuing education requirement in any two calendar year periods. The eight hours of continuing education relating to ocular and systemic pharmacology and/or current diagnosis and

treatment of ocular disease shall be obtained solely from the following sources:

- a. the American Optometric Association;
- b. any state optometric association affiliated with the American Optometric Association;
- c. Great Western Council of Optometry, Mountain West Council of Optometrists, The New England Council of Optometrists, North Central States Optometric Council, North East Regional Council of Optometry, Optometric Council of the National Capital Region, Southern Council of Optometrists, and Southwest Council of Optometry;
- d. the American Academy of Optometry; or
- e. schools and colleges of Optometry accredited by the American Optometric Association Accreditation Council on Optometric Education.

3. All classroom hours shall be computed on a 60 minute basis.

4. Failure to submit acceptable continuing education hours and pay the applicable annual renewal fee required by R.S. 37:1056(1).

a. On or before March 1 of each year shall require payment of the delinquency fee, in addition to the applicable annual renewal fee, set forth in §801.

b. On or before July 1 shall be cause for the temporary suspension of a Louisiana optometry license as provided below and shall require payment of the both the delinquency fee and reinstatement fee, in addition to the applicable annual renewal fee, as set forth in §801. Payment of the renewal fee, delinquency fee and reinstatement fee where the license has been suspended shall be accompanied by any costs or expenses, including attorney fees, which may be caused by the need for the institution of disciplinary or other proceedings, fines imposed in disciplinary or other proceedings, and all other applicable fees.

c. On or before January 1 of the year following the delinquency shall be cause for the board to revoke a Louisiana optometry license as provided below.

5. The procedure for temporary suspension or revocation of a Louisiana license for failure to timely submit acceptable continuing education hours and pay the applicable renewal fee required by R.S. 37:1056(1) shall be as follows.

a. Before the board temporarily suspends or revokes any Louisiana optometry license, the board shall schedule a public hearing:

i. on or after July 1 in the case of a temporary suspension; or

ii. on or after January 1 of the year following the delinquency in the case of revocation.

b. The holder of a Louisiana optometry license shall be given written notice of the hearing at least 15 days prior to the date of the hearing, the date of which shall be specified in the written notice, and shall be given an opportunity to produce testimony in his or her favor and to cross examine any witnesses against him.

6. A holder of a Louisiana optometry license in good standing may voluntarily surrender his or her license or certificate without penalty upon acceptance of such voluntary surrender by the board, provided, however, a holder of a Louisiana optometry license may not surrender his or her license or certificate while such individual is under investigation or while charges are pending.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

## **Chapter 5. Practicing Optometry**

### **§501. Minimum Standards for an Optometric Examination**

A. The optometrist shall keep the visual welfare of the patient uppermost at all times, promote the best care of the visual needs of mankind, strive continuously to develop educational, professional, clinical and technical proficiency and keep informed as to the new developments within his profession.

B. The optometrist shall conduct his or her practice in a decorous, dignified and professional manner and in keeping with the rules, regulations and ethics as promulgated by this board.

C. Conduct which endangers the public health or renders the licensee unable to practice optometry with safety to the public, including inability to practice optometry with reasonable skill or safety to patients because of mental illness or deficiency or physical illness, including but not limited to deterioration through the aging process or loss of motor skills, shall be grounds for suspension or revocation of any optometry license.

D. In the initial examination of the patient, the optometrist shall make and record the following findings of the condition of the patient:

1. complete case history (ocular, physical, occupational, medical and other pertinent information);
2. chief ocular complaint;
3. aided and/or unaided visual acuity;
4. external examination (lids, cornea, sclera, etc.);
5. internal ophthalmoscopic examination (media, fundus, etc.);
6. neurological integrity (e.g. pupillary reflexes, direct, consensual);
7. far point subjective refraction;
8. near point subjective refraction;
9. tests of accommodation and binocular coordination at far and near, test preferably made with Phoropter;
10. tonometry.

E. The minimum standards for examination and fitting of contact lenses are necessary in order to insure an adequate examination of a patient for whom an optometrist signs or causes to be signed a prescription for a contact lens and are as follows:

1. all items contained in the minimum standards for an optometric examination;
2. ophthalmometry or keratometry;
3. slit lamp evaluation;
4. fluorescein examination (for rigid lenses);
5. diagnostic evaluation for soft lenses;
- 6.a. re-examination and re-evaluation within the following periods of time:
  - i. rigid lenses—six months;
  - ii. soft lenses—six months;
- b. if the patient does not return for this re-examination and re-evaluation, this requirement is waived.

F. In the event that the examining optometrist is not able, at the time of the examination, for any reason, to make the record of each of the points set forth herein, he shall

record in writing his professional judgment for not making and recording same.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

### **§503. License to Practice Optometry**

A. Introduction. See the provisions of the act relative to the license to practice optometry, in particular, R.S. 37:1049 et seq.

B. Graduate of Approved School. Optometric educational programs that are duly accredited by the Accreditation Council of Optometric Education of the American Optometric Association and recommended to the board by the Association of Regulatory Boards of Optometry as worthy of approval will meet the statutory requirement of R.S. 37:1049(3).

C.1. Application for Licensure by Endorsement. The waiver provided for by R.S. 37:1054 (endorsement) is within the discretion of the board. The board shall refer to the laws provided for the regulation of the practice of optometry, the public interest, the interest of licensed optometrists and the interest of the applicant in the exercise of this discretion.

2. The board may require satisfactory performance on the Clinical/Practical examination given by the board for licensure by endorsement pursuant to R.S. 37:1054.

D. Duplicate License. The secretary of the board, subject to prior board approval, may issue a duplicate certificate upon application of a licensed optometrist in good standing if all provisions of the act applicable to the licensed optometrist have been satisfied and the applicant has paid the fee prescribed in §801.

E. Beginning Practice. Upon beginning practice, a licensee shall notify the secretary of the board as to the address of his office and the telephone number. If any time any office has relocated, the licensee involved shall notify the secretary of his new office address and telephone number. If, for any reason, he ceases to practice, he shall so notify the secretary.

F. Continuing Education. In order to qualify for the annual license renewal required by R.S. 37:1057, the following information shall be presented to the secretary of the board.

1. Written certification that the doctor requesting license renewal has completed 12 hours of continuing education between January 1 and December 31 of each year immediately preceding the March 1 renewal date set forth in R.S. 37:1057; by attendance and completion of courses approved by the Louisiana State Board of Optometry Examiners.

2. Education hours will not qualify unless they are completed within the above stated calendar period.

3. While the education hours shall be accomplished within the calendar dates set forth in Paragraph 1 hereof, the written evidence of attendance shall be submitted on or before the first day of March of each calendar year provided that same is in the office of the secretary of the board on or before the first day of March of each calendar year in which license renewal is sought.

4. The requirement shall only be waived in cases of certified illness, certification by the commanding officer of those in the military that due to his military assignment it was impossible for him to comply or upon evidence

satisfactory to the board that the applicant for renewal was unable to meet the requirement because of undue hardship.

5. Pay to the board the annual renewal fee provided in R.S. 37:1058 and Rule 801 herein on or before the first day of March of each year.

G. Certification to Use Diagnostic and Therapeutic Drugs and to Treat Ocular Pathology. An optometrist may be certified to use ocular diagnostic and therapeutic pharmaceutical agents and to diagnose and treat ocular pathology. In order to obtain such certification, an optometrist shall comply with the following requirements.

1. Certification to Use Diagnostic Drugs

a. In order to be approved as an optometrist authorized to use diagnostic drugs, as set forth in Act 123 of the 1975 Session of the Louisiana Legislature, an optometrist shall present to the secretary of the Louisiana State Board of Optometry Examiners for approval by the board, the following:

i. evidence that the applicant is a licensed Louisiana optometrist, holding a current license in compliance with all license and renewal requirements of the Louisiana Optometry Practice Act for the year in which he applies for certification;

ii. transcript credits, in writing, evidencing that the applicant has completed a minimum of five university semester hours in pharmacology from an accredited university or college of optometry, subsequent to December 31, 1971. The pharmacology hours shall consist of a minimum of two hours in general pharmacology and a minimum of three hours in ocular pharmacology.

b. Upon submission of the above, the secretary shall present same to the board for approval at the next regular meeting. Upon approval by the board, the secretary shall cause to be issued to the optometrist a certificate indicating compliance with the legislative requirement and intent.

c. The certificate issued by the secretary shall be over the secretary's signature and bear a number identical to the number on the license originally issued by the board to the optometrist.

2. Certification to Treat Pathology and to Use and Prescribe Therapeutic Pharmaceutical Agents

a. Definitions. For purposes of this Paragraph 2 the following definitions shall apply:

*Application Date*—the date the board receives in its office by certified mail an application for certification under this Paragraph 2.

*Approved Educational Institution*—an educational institution providing education in optometry that is approved by the board and is accredited by a regional or professional accrediting organization which is recognized or approved by the Council of Post-Secondary Accreditation of the United States Department of Education.

*Board*—the Louisiana State Board of Optometry Examiners.

*Therapeutic Pharmaceutical Agents*—any chemical in solution, suspension, emulsion, or ointment base that has the property of assisting in the prevention, treatment, or mitigation of abnormal conditions and pathology of the human eye and its adnexa, or those which may be used for such purposes, or oral antibiotics, or oral antihistamines and certain approved narcotics when used in

the treatment of disorders or diseases of the eye and its adnexa.

*Treatment and Management of Ocular Disease (TMOD)*—test administered by the National Board of Examiners in Optometry.

b. Requirements for Certification. In order to be approved as an optometrist authorized to treat pathology and use and prescribe Therapeutic Pharmaceutical Agents, an optometrist shall present to the secretary of the Louisiana State Board of Optometry Examiners for approval by the board, the following:

i. a certified transcript from an approved educational institution evidencing satisfaction of the educational prerequisites for certification to use diagnostic pharmaceutical agents as set forth in LAC 46:LI.503.G.1.a.ii or evidence of current certification by the board for the use of diagnostic pharmaceutical agents under LAC 46:LI.503.G.1; and

ii. certification from a source acceptable to the board evidencing current qualification to perform cardiopulmonary resuscitation (CPR) or basic life support; and

iii. a signed statement from the applicant stating that he or she possesses child and adult automatic epinephrine injector kits in every office location in which the applicant practices; and

iv. a certified transcript from an approved educational institution evidencing satisfactory completion after January 1, 1985 of the course requirements set forth in R.S. 37:1051(c), which include 46 clock hours of classroom education and 34 clock hours of supervised clinical training which are equivalent to at least five semester hours of postgraduate education in the examination, diagnosis and treatment of abnormal conditions and pathology of the human eye and its adnexa. The board shall obtain such written certification as it deems appropriate to satisfy itself that the courses reflected on the transcript satisfy the statutory course requirements set forth in R.S. 37:1051(C). Inability of the board to obtain satisfactory written certification as set forth in the preceding sentence shall result in rejection of the optometrist's application under this Section; and

(a) if the applicant's transcript reflects graduation from an accredited school of optometry and completion of the required five semester hours in the examination, diagnosis, and treatment of abnormal conditions and pathology of the human eye and adnexa:

(i) between January 1, 1989 and December 31, 1992, the applicant shall also provide written evidence of satisfactory completion, within the previous year of the application date, of at least 12 clock hours of board approved update training in recent ocular and systemic pharmacology and current diagnosis and treatment of ocular disease; or

(ii) between January 1, 1985 and December 31, 1988, the applicant shall also provide written evidence of satisfactory completion, within the previous year of the application date, of at least 20 clock hours of board approved update training in recent ocular and systemic pharmacology and current diagnosis and treatment of ocular disease; or

(b.) the applicant's transcript reflects graduation from an accredited school of optometry after January 1, 1993, the applicant shall be deemed to have met the educational requirements and upon submission of evidence of current CPR certification and possession of the appropriate epinephrine injector kits the applicant shall be certified; or

v. in lieu of the requirements of LAC 46:LI.503.G.2.b.iv above, written proof of having passed the TMOD and a certified transcript from an approved educational institution evidencing successful completion of 34 clock hours of supervised clinical training after January 1, 1985 which are equivalent to at least two semester hours of postgraduate clinical education in the examination, diagnosis and treatment of abnormal conditions and pathology of the human eye and its adnexa.

#### H. Prescriptions for Eyeglasses or Contact Lenses

1. Every written prescription shall contain an expiration date and the signature of the optometrist issuing the prescription. The expiration date may not exceed 18 months, unless the optometrist documents a valid medical reason in the chart for doing so.

2. Contact lenses may not be sold or dispensed without a written, signed, unexpired prescription. Every contact lens prescription shall contain information specifying the curvature, diameters, refractive power, pertinent measurement, and the number of lenses to be dispensed. An optometrist, when filling a prescription for contact lenses, shall issue to the patient a notice that states the number of refills allowed and the expiration date of the prescription.

3. An optometrist, when filling a prescription for eyeglasses or contact lenses, shall be required to keep the original prescription. An optometrist may not refuse to release to a patient a copy of the patient's prescription if requested by the patient; provided, however, an optometrist shall not be required to release a prescription that has expired.

4. A spectacle prescription shall not be construed to be or substituted for a contact lens prescription nor shall a contact lens prescription be construed to be or substituted for a spectacle prescription.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

### Chapter 6. Dispensation of Medication

#### §601. Scope of Chapter

A. The Sections of this Chapter govern the prescription and dispensation of drugs, chemicals, and medications by optometrists. These Sections are not intended to alter or modify the effect or applicability of state and federal laws and regulations governing the acquisition, possession, maintenance, prescription, dispensation, or administration of, or accounting for, legally controlled substances and other drugs and medications, but are complimentary and supplementary to such laws and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

#### §603. Definitions

A. As used in this Chapter, the following terms and phrases shall have the meanings specified.

*Administer*—with respect to a medication provided or dispensed by an optometrist for use by a patient, the term *administered* means directly or through an agent to give, provide, or supply for immediate oral ingestion, insertion, or topical application by the patient, or to insert or apply topically.

*Board*—the Louisiana State Board of Optometry Examiners.

*Controlled Substance*—any medication or other substance which is defined, enumerated or designated as a controlled substance and regulated as such under Louisiana or federal statute or regulations 21 CFR §§1308.11-15 or R.S. 40:964, or any substance hereafter designated as a controlled substance by amendment or supplementation of such regulations and statute.

*Drug*—synonymous with medication, as defined herein.

*Optometrist*—a person lawfully entitled to engage in the practice of optometry in the state of Louisiana, as evidenced by a current license or permit duly issued by the board.

*Medication*—any chemical, potion, compound, mixture, suspension, solution, or other substance or material, natural or synthetic, recognized and listed in the official United States Pharmacopoeia, which is lawfully produced, manufactured, sold, or provided and intended and approved for medical, diagnostic, therapeutic, or preventative use in and by humans.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

#### §605. Prohibitions

A. No optometrist shall prescribe, dispense, administer, supply, sell, give or otherwise use for the purpose of treating a patient, any controlled substance or other medication, except in strict compliance with the Louisiana and federal law and regulations applicable thereto and with the rules of this Chapter.

B. No optometrist shall prescribe, dispense or administer any medication except in the usual and ordinary course of his optometry practice for a legitimate medical purpose.

C. No optometrist shall dispense any medication upon the prescription of another practitioner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

#### §607. Use of Controlled Substances; Limitations

A. Requisite Prior Conditions. In utilizing any controlled substances, an optometrist shall comply with the following.

1. Evaluation of the Patient. Evaluation of the patient shall initially include a full history, including complete medical, pain, alcohol and substance abuse histories.

2. Medical Diagnosis. A medical diagnosis shall be established and fully documented in the patient's medical record, which indicates the nature of the underlying disease, presence of pain and pain mechanism if such are determinable.

3. Treatment of Pain. An individual treatment plan shall be formulated and documented in the patient's medical record, which includes medical justification for controlled substance therapy.

4. Patient Information. An optometrist shall ensure that the patient and/or his guardian is informed of the benefits and risks of controlled substance therapy.

B. Controlled Substance Therapy. Upon completion and satisfaction of the conditions prescribed in §607.A, and upon an optometrist's judgment that the prescription of a controlled substance is medically warranted, an optometrist shall adhere to the following.

1. Treatment Records. An optometrist shall document and maintain in the patient's medical record, accurate and complete records of all history, physical and other examinations and evaluations, consultations, laboratory and diagnostic reports, treatment plans and objectives, controlled substance and other medication therapy, informed consents, periodic assessments and reviews.

2. Any optometrist qualified to prescribe controlled substances shall maintain complete records on any controlled substances he or she prescribes, which records shall clearly identify the controlled substances prescribed, the individual to whom each controlled substance was prescribed, the date of each prescription and the amount of the controlled substance prescribed.

3. An optometrist shall not dispense or administer controlled substances in their optometry practice and shall not keep an inventory of controlled substances on hand for purposes of dispensation or administration by an optometrist in their optometry practice.

4. The controlled substances records required by this Chapter shall be readily retrievable and available for examination, inspection, copying, and verification of accuracy, currency and completeness by the board or its designated employee or agent, immediately upon the request of the board, its agents, or employees, at any reasonable time, but without the necessity of prior notice by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

### **§609. Action against Optometry License**

A. Violation or failure to comply with the provisions set forth in §605 or 607, or providing false or misleading statements in connection with any application required by this Chapter, shall be deemed to constitute just cause for the suspension, revocation, refusal to issue, or the imposition of probationary or other restrictions on any license or permit to practice optometry in the state of Louisiana held or applied for by an optometrist culpable of such violation, or for other administrative action as the board may in its discretion determine to be necessary or appropriate, under the act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

## **Chapter 7. Examinations**

### **§701. Written Examination**

A. A graduate of an approved school or college of optometry may, in lieu of taking the written examination administered by the Louisiana State Board of Optometry Examiners, submit evidence of having reached the

recommended levels of acceptable performance on all written parts designated as required by the board of the examination administered by the National Board of Examiners in Optometry and shall cause to be furnished a true written copy of the score report of such national board examinations to the secretary of the board prior to approval by the board of his or her application to take the clinical-practicum examination administered by the board; provided, however, applicants who graduated from an approved school or college of optometry prior to 1989 or who have not reached the recommended levels of performance on all written parts designated as required by the board may, in the discretion of the board, be given a written examination by the board.

B. Beginning with the graduating classes of 1989, every new graduate of an approved school or college of optometry making application to this board for examination and licensure shall submit evidence of having reached the recommended levels of acceptable performance on all written parts designated as required by the board of the examination administered by the National Board of Examiners in Optometry and shall cause to be furnished a true written copy of the score report of such national board examinations to the secretary of the board prior to approval by the board of his or her application to take the clinical-practicum examination administered by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

## **Chapter 8. Fees and Expenses**

### **§801. Fees**

A. The board shall charge and collect the following fees, consistent with R.S. 37:1058.

1. Application for Examination—\$100
2. Original License Fee—\$150
3. Duplicate License Fee—\$50
4. Annual License Renewal Fee—\$100
5. License Delinquency Fee—\$150
6. License Reinstatement Fee—\$150
7. Original Therapeutic Pharmaceutical Agent Certificate Fee—\$150
8. Duplicate Therapeutic Pharmaceutical Agent Certificate Fee—\$50
9. Therapeutic Pharmaceutical Agent Certificate renewal Fee—\$100
10. Therapeutic Pharmaceutical Agent Certificate delinquency Fee—\$150
11. Therapeutic Pharmaceutical Agent Certificate reinstatement Fee—\$150

B. Notwithstanding the foregoing, the board may, by a majority vote, reduce the amount of and/or waive the collection of any such fees.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

### **§803. Expenses**

A. Prior to issuance of a subpoena to any witness, the board shall require that the party (other than the board) who wishes to subpoena such witness deposit a sum of money sufficient to pay all fees and expenses to which a witness in

a civil case is entitled pursuant to R.S. 13:3661 and R.S. 13:3671 in accordance with R.S. 49:956.

B. The board shall have discretion, but shall not be required, to pay any witness compelled by the board (and not another party) to attend a hearing conducted by the board fees or expenses pursuant to R.S. 49:956, and shall further have the discretion to pay any witness fees and expenses in excess of the amount required pursuant to R.S. 49:956; provided, however, no party who wishes to subpoena a witness shall be required to pay fees or expenses in excess of the amount required to be paid to a witness in a civil case pursuant to R.S. 13:3661 and R.S. 13:3671 in accordance with R.S. 49:956.

C. Each member of the board shall be reimbursed when actually in attendance of a board meeting or when required to travel for the official authorized business of the board, not more than \$75 per day, plus actual expenses unlimited by any rate or reimbursement set by the Division of Administration, as well as mileage to and from their domicile to the place of the meeting, provided, however, mileage shall be reimbursed at the same rate of reimbursement set by the division of administration for state employees under the provisions of R.S. 39:231.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:

Interested persons may submit written data, views, arguments, information or comments on the proposed Rule until 11 a.m., January 10, 2006, to Dr. James D. Sandefer, O.D., Louisiana State Board of Optometry Examiners, 115-B North 13th Street, Oakdale, LA 71463. He is responsible for responding to inquiries regarding the proposed Rule.

Dr. James D. Sandefer, O.D.  
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Optometry Regulations**

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

Other than the rule publication costs, which are estimated to be \$500 in FY 06, it is not anticipated that the proposed rule amendments will result in any material costs or savings to the Board of Optometry Examiners, any state unit or local governmental unit. Notification of these rule changes will be included in a mass mailing to all licenses, which has already been budgeted for notification of such rule changes.

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

The revenues of the Board are not anticipated to increase materially (a maximum of \$675.00 in fiscal year 06 and subsequent fiscal years). All fees remain the same, except that a License Reinstatement Fee of \$150.00 and Therapeutic Pharmaceutical Agent Certificate Reinstatement Fee of \$150.00 are proposed. There were no optometrists in 2005 that were required to reinstate their license following a period of delinquency and the trend has been less than two per year historically. Accordingly, the revenues are not expected to increase more than \$600.00 annually as a result of the

reinstatement fees. The rules would also require that optometrists pay \$25.00 more per year for a duplicate license fee and would impose a \$50.00 duplicate Therapeutic Pharmaceutical Agent Certificate Fee. The revenues of the Board are not currently anticipated to increase by more than \$75.00 in FY 06 and subsequent fiscal years as a result of increase in the Duplicate License Fee and adoption of the duplicate Therapeutic Pharmaceutical Agent Certificate Fee.

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

The proposed rule will increase delinquency fees and duplicate license fees as state above, which will impact optometrists. Additionally, the proposed rule would add certain record keeping requirements pertaining to the prescription of certain controlled substances. The impact of these additional record keeping requirements is anticipated to be negligible. Additionally, the proposed rule clarifies optometry board rules relative to existing policies and procedures.

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

There is no estimated effect on competition and employment.

Dr. James D. Sandefer, O.D.  
Secretary/Treasurer  
0512#057

Robert E. Hosse  
Staff Director  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health and Hospitals  
Board of Pharmacy**

Pharmacy Interns—Practical Experience (LAC 46:LIII.705)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and the Louisiana Pharmacy Practice Act (R.S. 37:1161 et seq.), the Louisiana Board of Pharmacy hereby gives notice of intent to amend the referenced rule.

The text of this proposed Rule may be viewed in its entirety in the Emergency Rule section of this issue of the *Louisiana Register*.

Interested persons may submit written comments to Malcolm J. Broussard, Louisiana Board of Pharmacy, 5615 Corporate Boulevard, Suite 8-E, Baton Rouge, LA 70808-2537. He is responsible for responding to inquiries regarding this proposed Rule. A public hearing on this proposed Rule is scheduled for Wednesday, January 25, 2006 at 9 a.m. in the board office. At that time, all interested persons will be afforded an opportunity to submit data, views, or arguments, either orally or in writing. The deadline for receipt of all comments is 12 noon that same day.

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. This proposed Rule has no known impact on family functioning, stability, or autonomy as described in R.S. 49:972.

Malcolm J. Broussard  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Pharmacy Interns  
Practical Experience**

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

It is estimated that implementation of the proposed Rule will cost the agency \$3,200 (\$1,200 for printing Emergency Rule, Notice of Intent, and final Rule, plus \$2,000 for printing and postage costs for updates to the pharmacy law book) during FY 05-06. The agency has sufficient self-generated funds budgeted to implement the proposed Rule.

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

The proposed change relates to the professional experience requirements for pharmacy interns. No change in revenue collection is anticipated as a result of the proposed Rule.

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

The proposed amendment will remove the restrictions on the nature of the practical experience requirements for pharmacy interns. The change will facilitate the return of displaced pharmacy interns to achieve pharmacist licensure. It will also facilitate the recruiting of pharmacy graduates from other states to accept pharmacy residency positions in this state. These pharmacy residents will supplement the pharmacy faculty at our colleges of pharmacy that have lost faculty due to recent hurricane activity.

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

This proposal may facilitate the return of pharmacy interns as well as the acceptance of graduates from other states to accept employment positions in this state.

Malcolm J. Broussard  
Executive Director  
0512#048

Robert E. Hosse  
Staff Director  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health and Hospitals  
Office of the Secretary  
Bureau of Health Services Financing**

CommunityCARE Program  
(LAC 50:I.2901, 2903, 2907, 2911)

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing proposes to amend LAC 50:I.2901, 2903, 2907 and 2911 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This proposed rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing implemented CommunityCARE under the authority of a 1915(b)(1) waiver as Primary Care Case Management (PCCM) services in designated parishes of the state to provide access to health care for eligible Medicaid recipients, particularly those residing in rural communities. The CommunityCARE Program provided Medicaid recipients in the designated parishes with a primary care physician, osteopath, or family

doctor to serve as their primary care provider (*Louisiana Register*, Volume 19 Number 5). Recipients are given the opportunity to select a participating doctor, federally qualified health center, or rural health clinic in their parish of residence or in a contiguous parish to be their primary care provider. In June 2003, a rule was promulgated to adopt the provisions governing CommunityCARE in LAC 50:I.Chapter 29 (*Louisiana Register*, Volume 29, Number 6).

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing proposes to amend the provisions governing CommunityCARE in LAC 50:I.2901, 2903, 2907 and 2911. These revised provisions would establish CommunityCARE as an optional statewide covered service under the Medicaid State Plan instead of a waiver service, and provide for the exclusion of certain additional Medicaid recipients from mandatory participation in the program. The goal of this statewide managed care program is to improve accessibility, continuity and quality of care for certain groups of Medicaid recipients.

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed rule will have no impact on family functioning, stability, or autonomy as described in R.S. 49:972.

**Title 50**

**PUBLIC HEALTH—MEDICAL ASSISTANCE**

**Part I. Administration**

**Subpart 3. Medicaid Managed Care**

**Chapter 29. CommunityCARE**

**§2901. Introduction**

A. CommunityCARE is a statewide Medicaid managed care program designed to provide improved access to health care for eligible Medicaid recipients. The goal of the CommunityCARE program is to improve the accessibility, continuity and quality of care for certain Medicaid recipients.

B. The CommunityCARE program provides certain Medicaid recipients statewide with a medical home through linkage to a primary care provider (PCP) who is responsible for providing care coordination for most Medicaid covered services, as well as treatment, referrals/authorizations for specialty services which the PCP does not provide and patient education.

C. repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:908 (June 2003), amended LR 32:

**§2903. Recipient Participation**

A. The following groups of Medicaid recipients are required to enroll in the CommunityCARE program:

1. LIFC and LIFC-related recipients; and
2. SSI and SSI-related, non-Medicare recipients from age 19 up to age 65.

B. The following groups of recipients are excluded from participating in the CommunityCARE program:

1. residents of:
  - a. long term care nursing facilities;
  - b. intermediate care facilities for the mentally retarded (ICF/MR); and
  - c. psychiatric facilities;

2. recipients who are age 65 or older;
3. Medicare (Part A or B) recipients, including dual eligibles;
4. refugees;
5. recipients in the Medicaid physician/pharmacy Lock-In program (pharmacy only lock-in recipients are not exempt from participation);
6. recipients with other primary health insurance that has physician benefits, including health management organizations (HMOs);
7. Hospice recipients;
8. recipients with eligibility less than three months or retroactive only eligibility;
9. Native American Indians who reside in a parish with a Reservation;
10. recipients in pregnant woman eligibility categories;
11. recipients in the PACE program;
12. recipients in foster care, other out-of-home placement or receiving adoption assistance; and
13. clients of the Office of Youth Development (in state custody).

C. The following groups of recipients who were previously required to enroll in CommunityCARE may now choose to enroll voluntarily:

1. children under age 19 who are:
  - a. eligible for SSI under Title XVI;
  - b. eligible under Section 1902(e)(3) of the Social Security Act (NOW Waiver and Children's Choice recipients); or
  - c. receiving services through a family-centered, community-based, coordinated care system that receives grant funds under Section 501(a)(1)(D) of Title V, and is defined by the state in terms of either program participation or special health care needs.

D. Requests for medical exemptions shall be reviewed for approval on a case-by-case basis for certain medically high risk recipients that may warrant the direct care and supervision of a non-primary care specialist.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:908 (June 2003), amended LR 32:

#### **§2907. Provider Qualifications**

A. The following primary care providers who are currently enrolled Medicaid providers in good standing and meet CommunityCARE standards for participation are eligible to participate in the CommunityCARE program as primary care providers (PCPs). Primary care providers enrolling in CommunityCARE must meet all of the general Medicaid enrollment conditions. The providers who may participate as PCPs are:

1. general practitioners;
2. family practitioners;
3. pediatricians;
4. gynecologists;
5. internists;
6. obstetricians; or

7. other physician specialists or nurse practitioners who meet the program standards for participation may be approved by the department under certain circumstances.

B. - F. repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:909 (June 2003), amended LR 32:

#### **§2911. PCP Referral/Authorization**

A. The following Medicaid covered services do not require written referral/authorization by the recipient's PCP:

1. chiropractic services resulting from KIDMED referrals/authorizations for children under age 21;
2. dental services for children under age 21 and certain pregnant women ages 21-59;
3. higher level emergency room visits and associated physician services (CPT codes 99283, 99284 and 99285);
4. pre-certified inpatient care, including hospital, physician and ancillary services (This is applicable to public hospitals even though they are not required to obtain pre-certification for inpatient stays.);
5. EPSDT health services—rehabilitative type services such as occupational, physical and speech/language therapy delivered to EPSDT recipients through schools, early intervention centers or the Early Steps program;
6. family planning services;
7. prenatal/obstetrical services, including neonatology inpatient services;
8. targeted case management services;
9. pharmacy services;
10. transportation services;
11. inpatient psychiatric services;
12. home and community-based waiver services;
13. ophthalmology and optometry services;
14. mental health services;
15. hemodialysis services;
16. hospice services;
17. specific outpatient laboratory and radiology services;
18. immunizations for children under age 21 through the Office of Public Health and their affiliates;
19. services provided through the Office of Public Health's Women, Infants, and Children (WIC) program; and
20. services provided by school based health centers to recipients age ten and older.

B. All other Medicaid services require a written referral/authorization from the recipient's assigned PCP prior to rendering services except the following:

1. lower level emergency room visits and associated physician services do not require authorization prior to rendering services, but post authorization from the recipient's PCP is required (CPT codes 99281, 99282 and equivalent).

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:909 (June 2003), amended LR 32:

Implementation of the provisions of this proposed Rule shall be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services.

Interested persons may submit written comments to Ben A. Bearden, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030. He is responsible for responding to inquiries regarding this proposed Rule. A public hearing on this proposed Rule is scheduled for Thursday, January 26, 2006 at 9:30 a.m. in the Department of Transportation and Development Auditorium, First Floor, 1201 Capitol Access Road, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing. The deadline for the receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Frederick P. Cerise, M.D., M.P.H.  
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: CommunityCARE Program**

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

It is anticipated that the implementation of this proposed Rule will result in estimated cost avoidance to the state of \$99,022 for FY 05-06, \$402,360 for FY 06-07 and \$402,360 for FY 07-08. It is anticipated that \$612 (\$306 SGF and \$306 FED) will be expended in FY 05-06 for the state's administrative expense for promulgation of this proposed Rule and the final Rule.

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

It is anticipated that the implementation of this proposed Rule will reduce revenue collections by \$232,566 for FY 05-06, \$926,437 for FY 06-07 and \$926,437 for FY 07-08. It is also anticipated that \$306 will be expended in FY 05-06 for the federal share of the expense for promulgation of this proposed Rule and the final Rule.

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

This Rule proposes to adopt provisions which would establish the CommunityCARE program as an optional covered service under the Medicaid State Plan, expand CommunityCARE services statewide and provide for the exclusion of certain Medicaid recipients (approximately 29,400 children under 19 years of age) from mandatory participation in the program. It is anticipated that implementation of this proposed Rule will result in an estimated cost avoidance of \$332,200 for FY 05-06 and \$1,328,797 for FY 06-07 and \$1,328,797 for FY 07-08.

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

This Rule has no known impact on competition and employment.

Ben A. Bearden  
Director  
0512#098

H. Gordon Monk  
Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health and Hospitals  
Office of the Secretary  
Bureau of Health Services Financing**

Early and Periodic Screening,  
Diagnosis and Treatment Program  
Extended and/or Multiple Daily Skilled Nursing  
(LAC 50:XV.7501)

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing proposes to repeal LAC 50:XV.7501 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This proposed Rule is repealed in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing promulgated a Rule to adopt the provisions governing extended and/or multiple daily skilled nursing services under the Early and Periodic Screening, Diagnosis and Treatment Program (*Louisiana Register*, Volume 30, Number 3). As a result of a policy clarification received from the Centers for Medicare and Medicaid Services, the bureau proposes to repeal the provisions contained in Chapter 75 of the March 20, 2004 Rule regarding extended and/or multiple daily skilled nursing services and amend these services under separate Rule in the Home Health Program (LAC 50:XIII.305).

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability, or autonomy as described in R.S. 49:972.

**Title 50**

**PUBLIC HEALTH—MEDICAL ASSISTANCE**

**Part XV. Services for Special Populations**

**Subpart 5. Early and Periodic Screening, Diagnosis, and Treatment**

**Chapter 75. Extended and/or Multiple Daily Skilled Nursing**

**§7501. Medically Fragile**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 30:254 (February 2004), repromulgated LR 30:429 (March 2004), repealed LR 32:

Interested persons may submit written comments to Ben A. Bearden, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030. He is responsible for responding to inquiries regarding this proposed Rule. A public hearing on this proposed Rule is scheduled for Thursday, January 26, 2006 at 9:30 a.m. in the Department of Transportation and Development Auditorium, First Floor, 1201 Capitol Access Road, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to

submit data, views or arguments either orally or in writing. The deadline for the receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Frederick P. Cerise, M.D., M.P.H.  
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**  
**RULE TITLE: Early and Periodic Screening, Diagnosis  
and Treatment Program—Extended and/or Multiple  
Daily Skilled Nursing**

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

It is anticipated that the implementation of this proposed Rule will have no programmatic fiscal impact to the state other than cost of promulgation for FY 05-06. It is anticipated that \$136 (\$68 SGF and \$68 FED) will be expended in FY 05-06 for the state's administrative expense for promulgation of this proposed Rule and the final Rule.

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

It is anticipated that the implementation of this proposed Rule will not affect federal revenue collections other than the federal share of the promulgation costs for FY 05-06. It is anticipated that \$68 will be expended in FY 04-05 for the federal share of the expense for promulgation of this proposed Rule and the final Rule.

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

This Rule proposes to repeal provisions contained in Chapter 75 of Early and Periodic Screening, Diagnosis and Treatment Program, Extended and/or Multiple Daily Skilled Nursing Services rule regarding medically fragile individuals. The provisions of this chapter will be repromulgated under the Home Health Program. It is anticipated that implementation of this proposed Rule will not have estimable cost or economic benefits for FY 05-06, FY 06-07 and FY 07-08.

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

This Rule has no known impact on competition and employment.

Ben A. Bearden  
Director  
0512#099

Robert E. Hosse  
Staff Director  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health and Hospitals  
Office of the Secretary  
Bureau of Health Services Financing**

**Home Health—Extended Nursing Services  
(LAC 50:XIII.305)**

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing proposes to adopt LAC 50:XIX.305 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing adopted LAC 50:XV.7501 to repromulgate the provisions governing extended and multiple daily nursing visits for Medicaid recipients up to age 21 under the Early and Periodic Screening, Diagnosis and Treatment Program (*Louisiana Register*, Volume 30, Number 3). As a result of a policy clarification received from the Centers for Medicare and Medicaid Services, the bureau under separate rule, has initiated the rule making process to repeal the provisions contained in Chapter 75 of the March 20, 2004 rule and hereby proposes to adopt revised provisions governing extended and multiple daily nursing visits for recipients up to age 21 under the Home Health Program in LAC 50:XIII.305.

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability, or autonomy as described in R.S. 49:972.

**Title 50  
PUBLIC HEALTH—MEDICAL ASSISTANCE  
Part XIII. Home Health  
Subpart 1. Home Health Services  
Chapter 3. Medical Necessity  
§305. Extended Nursing Services for Ages 0-21**

A. Extended nursing services may be provided to a Medicaid recipient who is age birth through 21 when it is determined to be medically necessary for the recipient to receive a minimum of three hours per day of nursing services. Medical necessity for extended nursing services exists when the recipient has a medically complex condition characterized by multiple, significant medical problems that require nursing care as defined by the Louisiana Nurse Practice Act.

B. Multiple nursing visits on the same date of service may be provided to a recipient who is age birth through 21 when the medical necessity criteria for extended nursing services are met and these services cannot be provided during the course of one visit.

C. Extended and multiple daily nursing services must be prior authorized in accordance with the certifying physician's orders and home health plan of care. All nursing services shall be provided in accordance with the Louisiana Nurse Practice Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 32:

Implementation of the provisions of this proposed Rule shall be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services.

Interested persons may submit written comments to Ben A. Bearden, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030. He is responsible for responding to inquiries regarding this proposed Rule. A public hearing on this proposed Rule is scheduled for Thursday, January 26, 2006 at 9:30 a.m. in the Department of Transportation and Development Auditorium, First Floor,

1201 Capitol Access Road, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing. The deadline for the receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Frederick P. Cerise, M.D., M.P.H.  
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Home Health  
Extended Nursing Services**

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

It is anticipated that the implementation of this proposed rule will have no programmatic fiscal impact to the state other than cost of promulgation for FY 05-06. It is anticipated that \$272 (\$136 SGF and \$136 FED) will be expended in FY 05-06 for the state's administrative expense for promulgation of this proposed rule and the final rule.

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

It is anticipated that the implementation of this proposed rule will not affect federal revenue collections other than the federal share of the promulgation costs for FY 05-06. It is anticipated that \$136 will be expended in FY 05-06 for the federal share of the expense for promulgation of this proposed rule and the final rule.

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

This rule proposes to repeal extended nursing services provisions contained in the Early and Periodic Screening, Diagnosis and Treatment Program and to adopt revised provisions under the Home Health Program (Extended Nursing Services). It is anticipated that implementation of this proposed rule will not have estimable cost or economic benefits for FY 05-06, FY 06-07 and FY 07-08.

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

This rule has no known impact on competition and employment.

Ben A. Bearden  
Director  
0512#115

Robert E. Hosse  
Staff Director  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health and Hospitals  
Office of the Secretary  
Bureau of Health Services Financing**

Third Party Liability  
Provider Billing and Recovery  
(LAC 50:I.8323)

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing proposes to adopt LAC 50:I.8323 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing proposes to adopt provisions governing provider billing and recovery from third parties in LAC 50:I.8323. These provisions would mandate that providers make a good faith effort to determine whether the services being provided to a Medicaid recipient are a result of injuries caused by a person who is, or may be liable for payment of the services and allow providers to seek payment of full charges from potentially liable third parties after Medicaid payment has been received.

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability, or autonomy as described in R.S. 49:972.

**Title 50**

**PUBLIC HEALTH—MEDICAL ASSISTANCE**

**Part I. Administration**

**Subpart 9. Recovery**

**Chapter 83. Third Party Liability**

**Subchapter B. Provider Billing and Recovery**

**§8323. Provider Responsibilities**

A. At the time services are delivered or at any time thereafter, providers must make a good faith effort to determine if services being provided to the recipient are a result of injuries caused by a person who is, or may be, liable for payment for the services.

1. The good faith effort required by this §8323 may be satisfied by examination and verification of the recipient's Medicaid eligibility card for third party resources and making reasonable written inquiry of the recipient and/or the recipient's representative at the time services are provided.

2. Providers must submit information relating to the existence or possible existence of third party liability obtained from the recipient or the representative of the recipient at the time a claim is submitted to Medicaid for payment.

B. Providers are required to pursue recovery from third parties whose liability have been established or are undisputed before submitting a claim for payment to Medicaid.

C. Providers who identify a third party within 12 months from the date of service and wish to submit a bill, or other written demand for payment, or collection of debt to a third party after a claim for payment has been submitted and paid by Medicaid, must:

1. provide written notice to the Medicaid Third Party Liability Recovery Unit. The notice must be in writing, signed and dated. Required information includes, but is not limited to:

- a. name, address, and appropriate identification number of the provider of services and/or supplies;
- b. the date of the claim;
- c. the name, address, identification number, and date of birth of the individual who received the services and/or supplies;
- d. the date(s) each service and/or supplies were provided;
- e. the amounts of each charge for the various types of services and/or supplies;
- f. the total charge for services and/or supplies; and

g. the date of the recipient's death, if applicable;

2. give written notice to the recipient, or the representative of the recipient, that the provider may or will pursue a third party for payment of the claim. The notice must contain a prominent disclosure that the provider is prohibited from billing the recipient or a representative of the recipient for any Medicaid-covered services, regardless of whether there is an eventual recovery or lack of recovery from the third party or Medicaid; and

3. refund any amounts paid by Medicaid within 30 days of the date of the notice of intent and prior to submitting a bill or other written demand for payment or collection of debt to the third party for payment.

D. A provider who avails himself of Subsection C may only do so if:

1. the provider establishes its right to payment separate of any amounts claimed and established by the recipient; and

2. the provider obtains a settlement or award in its own name separate from a settlement obtained by or on behalf of the recipient, or award obtained by or on behalf of the recipient; or

3. there is a written agreement between the recipient or attorney, or representative of the recipient and the provider, that specifies the amount which will be paid to the provider after a settlement or award is obtained by the recipient.

E. Providers who pursue a third party payment, but do not receive payment from the third party within 12 months from the date of service, may submit a claim to Medicaid as long as it is received by Medicaid within 12 months from the date of service. Upon receipt of payment from Medicaid, the provider must withdraw, relinquish and waive its claim, privilege, and demand for payment from the third party. If payment is received from the third party and payment has been made by Medicaid, the provider must refund to Medicaid the amount paid by Medicaid within 30 days of receipt of payment from the third party. If the provider does not make an effort to bill the third party, or the failure to pay by the third party is the result of an error by the provider, then no claim can be submitted to Medicaid.

F. Providers are limited to the Medicaid payable amount and the provider is required to accept the amount paid by Medicaid as payment in full if a claim for payment is submitted and paid by Medicaid and the provider failed to comply with each of the requirements under Subsection C.

G. Except as provided by Subsection C of this §8323, payments made by third parties to a provider, after the provider has been paid by Medicaid, must be forwarded by the provider to Medicaid.

H. Any provider who accepts Medicaid payment for services and retains any amount from a third party and fails to reimburse Medicaid within 30 days of receipt of third party funds resulting in excessive or duplicate payment for the same service, shall be referred for investigation and prosecution for violations of state and/or federal Medicaid or false claims laws.

I. Providers are prohibited from submitting a bill or other written demand for payment or collection of debt for any Medicaid-covered service from an individual who the provider knows or should know is a Medicaid recipient or

from the representative of a recipient, regardless of whether a claim for payment for the service is submitted to Medicaid.

1. If a provider attempts to recover any amount from a recipient for a Medicaid covered service, Medicaid may provide for a reduction of an amount otherwise payable to the provider in addition to referring the provider for investigation and prosecution for violations of state and/or federal Medicaid or false claims laws. The amount of the reduction may be up to three times the amount the provider sought.

2. If a Medicaid recipient or representative does acquiesce to the provider's demand or the provider otherwise collects on the demand for payment, the amount of the reduction may be up to five times the amount paid by the recipient or representative.

3. In addition to the amount of any reduction in Paragraphs 1 and 2 of this Subsection I, the provider may be terminated from the Medicaid Program and the provider shall be referred for investigation and prosecution for violations of state and federal Medicaid or false claims laws.

J. A provider shall not be prohibited from submitting reasonable requests for information to a recipient, or representative of a recipient, to assist the provider in identifying a third party. However, any inquiry which would lead a reasonable person to believe that the provider was making a demand for payment, or attempting to collect an unpaid debt, will bring the provider within the limitations and prohibitions under Subsection I above.

K. Medicaid will not accept and cannot pay any claim for payment submitted after 12 months from the date of service.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 32:

Interested persons may submit written comments to Ben A. Bearden, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030. He is responsible for responding to inquiries regarding this proposed Rule. A public hearing on this proposed Rule is scheduled for Thursday, January 26, 2006 at 9:30 a.m. in the Department of Transportation and Development Auditorium, First Floor, 1201 Capitol Access Road, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing. The deadline for the receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Frederick P. Cerise, M.D., M.P.H.  
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Third Party Liability  
Provider Billing and Recovery**

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

It is anticipated that the implementation of this proposed Rule will have no programmatic fiscal impact to the state other than cost of promulgation for FY 05-06. It is anticipated that

\$544 (\$272 SGF and \$272 FED) will be expended in FY 05-06 for the states administrative expense for promulgation of this proposed rule and the final Rule.

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

It is anticipated that the implementation of this proposed Rule will not affect federal revenue collections other than the federal share of the promulgation costs for FY 05-06. It is anticipated that \$272 will be expended in FY 05-06 for the federal share of the expense for promulgation of this proposed Rule and the final Rule.

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

This Rule proposes to adopt provisions for provider billing and recovery from third parties which would mandate that providers make a good faith effort to determine whether the services being provided to a Medicaid recipient are a result of injuries caused by a person who is or may be liable for payment of the services and allow providers to seek payment of full charges from potentially liable third parties after Medicaid payment has been received (approximately 8,000 cases). It is anticipated that implementation of this proposed Rule will not have estimable cost or economic benefits for FY 05-06, FY 06-07 and FY 07-08.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This Rule has no known impact on competition and employment.

Ben A. Bearden  
Director  
0512#100

Robert E. Hosse  
Staff Director  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Public Safety and Corrections  
Corrections Services**

Visitation: Adult Inmates (LAC 22:I.316)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.), the Louisiana Department of Public Safety and Corrections, Corrections Services, amends the contents of §316. Visitation: Adult Inmates.

The purpose of this amendment is to update the secretary's policy to maintain an inmate's family ties while also maintaining adequate control and supervision of the visiting process. In this matter, as in all others affecting institutional operations, safety, and security are primary considerations.

**Title 22**

**CORRECTIONS, CRIMINAL JUSTICE AND LAW  
ENFORCEMENT**

**Part 1. Corrections**

**Chapter 3. Adult Services**

**Subchapter A. General**

**§316. Visitation: Adult Inmates**

A. Purpose. To establish the secretary's policy regarding inmate visiting at all adult secure institutions.

B. Applicability. Deputy secretary, chief of operations, assistant secretary and wardens. The warden is responsible for implementing this regulation and conveying its content to all inmates, affected employees and visitors.

C. General. The department recognizes the importance of visitation in the maintenance of an inmate's family ties. However, there must be approved rules and procedures so that the visiting process does not overtax the institution's ability to process visitors and so that adequate control and supervision of the visiting process can be maintained. In this matter, as in all others affecting institutional operations, safety and security are primary considerations.

**D. Inmate Visiting**

1.a. When an inmate is received at an institution, written information regarding visiting procedures will be made available to him within 24 hours after arrival at the facility. Such information should include but is not limited to: institution address and phone number; directions to the institution and information regarding local transportation; days and hours of visitation; approved dress code and identification requirements; authorized items; rules for children; and special visits.

b. The inmate will be afforded the opportunity to choose no more than 10 individuals (subject to the provisions of this regulation) to be placed on his visiting list. An inmate participating in a special recognition program may, at the warden's discretion, be allowed to have up to 15 visitors placed on his visiting list. Specific criteria for such programs will be developed by the warden. Legal advisors, one approved religious advisor, and children 14 years and younger may be allowed to visit without being included in this number. It is the inmate's responsibility to provide the correct name, address, birth date, race, and sex of the visitor. A record shall be maintained of approved visitors, as well as a confirmation of their actual visits. When an inmate is transferred to another institution, all visiting information will be sent with the inmate for use at the receiving institution. This includes transfers to work release programs. The inmate's current visiting information should be utilized by the work release program to allow for visitation.

EXCEPTION: Inmates housed at the Louisiana Correctional Institute for Women shall have visitors placed on their visiting list in accordance with LCIW Regulation No. 4-02-002 "Resident Classification Plan/Classification Status Review."

2.a. All proposed visitors will be checked for criminal history. The methods of obtaining this history are:

- i. Sending out requests for a police check to local law enforcement agencies (see Appendix A-"Police Questionnaire");
- ii. CAJUN 2;
- iii. NCIC; or
- iv. LACCH.

b. While the use of LACCH is considered optimum, the warden retains the option of choosing the method of obtaining the police record that best meets the needs of the institution. Each institution may honor the criminal history check of another institution.

3.a. The approval of ex-inmates as visitors is at the discretion of the warden. Notwithstanding this, any person who has been convicted of a felony and who has not been finally discharged from an institution or from probation or parole supervision more than two years without an intervening criminal record should be denied approval to visit. In addition, any person who in the previous five years has three or more felony charges (regardless of disposition) should be denied approval to visit, or approved visiting should be revoked.

b. These restrictions may be waived if the visitor is an identifiable parent, legal spouse, sibling, grandparent, or child of the inmate and the warden approves such visitation.

4. An ex-employee of the department may be denied approval to visit if such denial is deemed by the warden to be in the best interest of the institution.

5.a. All minors (under the age of 17) must be accompanied by an adult who is on the approved visiting list and who is either:

- i. a family member of the minor; or
- ii. the minor's legal guardian.

b. Visitors who are 15 or 16 will be counted on the inmate's visiting list even though they must be accompanied by an approved adult.

c. Exceptions to being accompanied by an adult may be made in the following cases:

- i. minor spouse;
- ii. emancipated minors (Judgment of Emancipation required as proof); or
- iii. minors visiting as part of approved institutional programs such as school groups, church groups, parenting groups, etc.

#### 6. Restrictions on Visiting

a. An inmate may refuse to see a visitor but he will be asked to sign a statement to that effect (or documentation will be placed in his file that he refuses to do so);

b. A person may be removed from the approved visiting list at his own request or at the request of the inmate;

c. Any person may be denied permission to visit during the time of a disturbance at the institution. All visiting may be suspended during an emergency;

d. A visitor can be on only one inmate's visiting list unless that visitor is an immediate family member of more than one inmate. The burden of proof and documentation will be the responsibility of the inmate and his family.

7. All visitors (except minors) must have picture identification in order to visit an inmate.

8. When an inmate requests a visitor be added to his visiting list, it shall be the inmate's responsibility to send the attached questionnaire (see Appendix B) to the proposed visitor. By signing the questionnaire, the visitor is agreeing to be on the inmate's list and to obey the institution's rules. The information received from the questionnaire will be used to run the criminal history check prior to final approval.

9. It is the institution's responsibility to develop and post procedures regarding the notification of visitors of their approval or disapproval.

10. Grandfather Clause. All approved visitors who were on an adult inmate's visiting list on May 31, 1993, will remain approved (unless removed for cause). If the inmate has more than 10 approved visitors, the inmate may not add or substitute an additional visitor without bringing his visiting list into compliance with the regulation.

E. Changing the Visiting List. Each inmate shall be allowed to request changes (additions, deletions, substitutions) to his approved visiting list every four months.

1. When an inmate enters an institution and has no established visiting record, tentative approval to visit should be given to the inmate's parents, legal spouse, grandparents, siblings, and children upon request of the inmate. Some preliminary verification of relationship may be required.

Exceptions must be approved by the warden or his designee and be based upon legitimate security considerations.

2. When an inmate transfers to another institution, his approved visitors should be approved at the receiving institution, unless it is demonstrated that the requirements/restrictions of this policy were not previously adhered to in the approval process or unless the warden at the receiving institution identifies the need to apply restrictions based upon current security considerations. An inmate shall be allowed to request a change in his visiting list when he first arrives and at four month intervals thereafter.

#### F. Number, Duration, and Conditions of Visits

1. Approved visitors should be allowed to visit the inmate at least two times per month.

2. While a two hour visit is optimum, each warden or designee retains the discretion to determine the duration of visits, as well as the days and hours on which they may occur. Available space and staff will determine visiting lengths.

3. Each warden or his designee retains the discretion to determine the number of visitors who may visit an inmate at one time. Family visiting and contact visits are to be permitted to the extent possible.

4. All visitors are to be informed in writing of the rules governing visiting. Rules will be conspicuously posted in the visiting areas.

5. Any visit may be terminated if the inmate or visitor violates the rules governing visiting.

6. Dress Code for Visitors. All visitors must be dressed appropriately. Institutional policy should allow the wearing of shorts, skorts, or culottes where the length and appearance are acceptable. See through clothing and seductive garments are not allowed. All visitors must wear full-length shirts. Tanks tops are not allowed. Blue chambray shirts and gray or white sweatshirts are not allowed to be worn by visitors where they are allowed to be worn by the inmate population. Shoes should be appropriate (house slippers, thongs, or shower shoes are not allowed). Individuals improperly dressed may be refused permission to visit.

7. Institutions that have the capability of conducting non-contact/screened visitation may restrict contact visiting privileges of inmates who are housed in segregation and disciplinary units or who have been found guilty of a contraband-related violation relative to the visiting process. Contact visiting privileges shall be restricted for inmates who have been found guilty of drug related disciplinary charges including but not limited to contraband for possession of drugs and/or a positive reading on a urinalysis or breathalyzer test as defined in the Disciplinary Rules and Procedures for Adult Inmates, or who have refused to be tested or to cooperate in testing. Such restriction must be formally reviewed every six months at a minimum. Restriction of contact visiting is not a disciplinary penalty.

8. Picnic visits are authorized as approved by the warden or designee.

#### G. Suspension of Visiting Privileges

1. Any person may be refused approval to visit an inmate and removed from the approved visiting list if the visitor does not comply with the rules of the institution.

(Such removal may be temporary or permanent, depending upon the severity of the violation and should be in accordance with Paragraph C of this Section.)

2. Any person may be refused approval to visit an inmate if the conduct of the visitor amounts to a violation of State and/or Federal law, such as assault, battery, disturbing the peace, introduction or attempted introduction of contraband, lewd behavior, etc. (Such removal may be temporary or permanent, depending upon the severity of the violation and should be in accordance with Paragraph C of this Section.)

3. If an offense is such that it is the warden's desire to remove the visitor from the visitor list (either indefinitely or for a fixed period of time), the following procedure must be used:

a. The warden or his designee must notify the visitor in writing that he has been removed from all applicable visiting lists, the reason why, and that the removal will be reviewed after a specified amount of time. The visitor shall also be notified that he may appeal the warden's decision to the secretary by sending a letter within fifteen days of the date of the notice;

b. If the visitor exercises this appeal right, the secretary or his designee will review the appeal and investigate, as appropriate, within thirty days of notice. If necessary, a hearing will be scheduled and the visitor will be notified of the time, date and location of the hearing;

c. The warden or his designee may submit a report to the secretary setting forth any information that he feels may assist in making the decision. If a hearing is held, the secretary or his designee may determine that the warden or his designee should attend this hearing, in which event the warden shall be so advised. Otherwise, the hearing shall consist of a meeting between the visitor and the secretary or his designee, and shall be preserved by minutes.

d. The secretary shall render a written decision granting or denying the appeal and shall notify the visitor and the warden of the decision without undue delay. Brief reasons for the decision shall be given.

H. Treatment of Visitors

1. There will be no discrimination in visiting. All visitors and inmates should be provided equal opportunities in visiting, in accordance with the inmate's security class and housing assignment.

2. Visitors will be treated with courtesy at all times and will not be subjected to unnecessary delay or inconvenience in accomplishing a visit.

3. All visitors with disabilities will have readily accessible facilities and will be reasonably accommodated as appropriate and to the extent possible within the context of the department's fundamental mission to preserve the safety of the public, staff, and inmates.

I. Special Visits

1. The warden or designee may approve "special visits" on a case-by-case basis including:

2. Persons who are unable to visit on regular visiting days, friends and relatives from out of state, persons visiting for business purposes;

3. Additional visitors or extended visiting periods (in addition to those allowed by institutional procedures);

4. A person otherwise restricted from visiting.

J. Appendices

1. Law Enforcement Form

Appendix A

UNIT:

RE:  
DOC#

Dear:

We are establishing an approved visitors list for the above referenced inmate. He has requested that he be permitted to receive visits from the persons named below:

It would be appreciated if you would furnish the following information:

C. Does this person possess an arrest record?

If so, what are the specific offenses and dispositions?

D. We would greatly appreciate any additional information you feel would be beneficial to us.

Comments \_\_\_\_\_

Thank you for your cooperation. Any information furnished will be treated confidentially.

Sincerely,

\_\_\_\_\_  
Visiting Officer

2. Facility Form

UNIT: RE: \_\_\_\_\_ DOC# \_\_\_\_\_

Dear:

The above referenced inmate has requested that you be approved to visit this facility. However, prior to approval, it is imperative that we have the information below: (Your reply will be treated confidentially).

NOTE: THIS FORM MUST BE COMPLETED IN ITS ENTIRETY AND RETURNED TO THIS FACILITY WITHIN \_\_\_\_\_ DAYS IF YOU DESIRE TO VISIT.

Do you wish to visit this inmate? \_\_\_\_\_

Your Name \_\_\_\_\_ Social Security Number \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Birth Date \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Phone Number \_\_\_\_\_ Marital Status \_\_\_\_\_

Relationship to Inmate \_\_\_\_\_  
Name Any Other Inmate(s) You Are Presently Visiting and Where \_\_\_\_\_

Have you or a family member been the victim of a crime committed by this inmate?  
\_\_\_\_\_  
\_\_\_\_\_

Have you ever been employed by the Department of Public Safety and Corrections, Correction Services? If yes, dates of employment and location? \_\_\_\_\_

Have you ever been arrested for a felony? \_\_\_\_\_ If yes, give offense, location, date and disposition. It is not necessary to list misdemeanors or a 1st offense DWI.

If you are under age 17, your parent or legal guardian must complete the following: I, \_\_\_\_\_, give permission for \_\_\_\_\_ to visit the above named inmate at this facility. I realize that all visitors are subject to personal and computer search by Department personnel.

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Visiting Officer

\_\_\_\_\_  
For Office Use Only

Computer Operator \_\_\_\_\_ Date \_\_\_\_\_

Results: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:833(A).

HISTORICAL NOTE: Promulgated by the Department of Corrections, Office of Adult Services, LR 5:2 (January 1979), amended LR 11:1096 (November 1985), repromulgated LR 29:2851 (December 2003), LR 32:

**Family Impact Statement**

In accordance with the Administrative Procedure Act, R.S. 49:953(A)(1)(a)(viii) and R.S. 49:972, the Department of Public Safety and Corrections, Corrections Services, hereby provides the Family Impact Statement.

Amendment of the current LAC 22:I.316, Visitations:Adult Inmates, by the Department of Public Safety and Corrections, Corrections Services, will have no effect on the stability of the family, on the authority and rights of parents regarding the education and supervision of their children, on the functioning of the family, on family earnings and family budget, on the behavior and personal responsibility of children or on the ability of the family or a local government to perform the function as contained in the proposed Rule amendment.

Interested persons may submit written comments until 4:30 p.m., December 6, 2005, to Melinda L. Long, Department of Public Safety and Corrections, Office of Adult Services, 504 Mayflower Street, Baton Rouge, LA 70804.

Richard L. Stalder  
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Visitation: Adult Inmates**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)  
There are no estimated costs or savings to state or local governmental units.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)  
There is no estimated effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)  
There is no estimated costs and/or economic benefits to directly affected persons or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)  
There is no estimated effect on competition and employment.

Trey Boudreaux  
Undersecretary  
0512#085

Robert E. Hosse  
Staff Director  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Revenue  
Policy Services Division**

Computation of Net Allocable Income from  
Louisiana Sources  
(LAC 61:I.1130)

Editor's Note: The following Notice of Intent, originally published in the September 2005 *Louisiana Register* on page 2285, is being republished to provide the public an extended time period for comment.

Under the authority of R.S. 47:287.81, R.S. 47:287.92, R.S. 47:287.93, R.S. 47:287.785, R.S. 47:1511, and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Policy Services Division, proposes to amend LAC 61:I.1130 relative to the computation of net allocable income from Louisiana sources.

The primary purpose of this regulation is to update the corporation income tax regulation relating to the allocation of items of income and expense and to make the regulation easier to understand. Changes resulting from the enactment of the Louisiana Headquarters and Growth Act of 2005 are included. This regulation has not been revisited in depth since the corporate income tax statutes were enacted in 1986. This regulation will provide more guidance on the treatment of intangible assets than the current regulation.

## Title 61

### REVENUE AND TAXATION

#### Part I. Taxes Collected and Administered by the Secretary of Revenue

#### Chapter 11. Income: Corporation Income Tax

#### §1130. Computation of Net Allocable Income from Louisiana Sources

A. Allocation of Items of Income and Loss. R.S. 47:287.93 provides that items of gross allocable income or loss shall be allocated directly to the state or states within which such items of income are earned or derived. The statute attributes every item of gross allocable income to a location and does not allow for any unallocated items of income. The principles embodied in the statute and this regulation are that items of allocable income from the use of tangible assets are allocated to the location of the tangible asset at the time of the use; income from the use of intangible assets is allocated to the business situs of the intangible asset, or in the absence of a business situs, to the commercial domicile of the corporation; and items of allocable income from services are allocated to the location at which the service was performed.

##### 1. Rents and Royalties from Immovable or Corporeal Movable Property

a. Rents and royalties from immovable or corporeal movable property shall be allocated to the state where such property is located at the time the income is derived.

b. Rents or royalties from incorporeal immovables, such as mineral interests, are allocated to the state in which the property subject to the interest is located.

##### 2. Interest from Controlled Corporation

a. Under the provisions of R.S. 47:287.738(F)(2), a corporation may elect to pay tax on interest income from a corporation that is controlled by the former through direct ownership of 50 percent or more of the voting stock of the latter.

b. The election is made for each taxable period by employing the method on the return or amended return.

c. If the election is made, interest from securities and credits that is received by the electing corporation from another corporation controlled by the former through the direct ownership of 50 percent or more of the voting stock of the latter, shall be allocated to the state or states in which the real and tangible personal property of the controlled corporation is located. The allocation shall be made on the basis of the ratio of the value of such property located in Louisiana to the value of such property within and without the state, as follows.

i. Real and tangible personal property includes all such property of the controlled corporation regardless of whether the property is idle or productive and regardless of the nature of the income that it produces.

ii. The value of Louisiana real and tangible property and real and tangible property within and without the state shall be the average value of such property at the beginning and close of the taxable period, determined on a comparable basis. If the average value does not fairly represent the average of the property owned during the year, the average value shall be obtained by dividing the sum of the monthly balances by the number of months in the taxable period.

##### iii. Value of Property to Be Used

(a). For purposes of this Subsection, the value of property to be used shall be determined using one of the following methods. The taxpayer will choose which valuation method to use on the first return filed following the effective date of this regulation on which a R.S. 47:287.738(F)(2) election is made by employing the chosen valuation method on the tax return. Once a valuation method is chosen, this valuation method must be used on all future returns upon which the R.S. 47:287.738(F)(2) election is made and cannot be changed without the approval of the secretary upon the showing of good cause:

(i). the value of property is cost to the taxpayer, less a reasonable reserve for depreciation, amortization, depletion, and obsolescence, or

(ii). the value of property is cost to the taxpayer, so long as the property continues to be used in the taxpayer's trade or business;

(iii). the value of property is the value reflected on the taxpayer's books, so long as the value is not below zero.

(b). The secretary may require a different method of valuation or adjust reserves if the method elected by the taxpayer does not reflect the fair value of the property.

##### 3. Royalties or Similar Revenue Received for the Use of Patents, Trademarks, Copyrights, Secret Processes, and Other Similar Intangible Rights

a. Royalties or similar revenue received for the use of patents, trademarks, copyrights, secret processes, and other similar intangible rights shall be allocated to the state or states in which such rights are used. The use referred to is that of the licensee rather than that of the licensor.

i. Example: X Company, Inc., a Delaware corporation with its commercial domicile in California, owns certain patents relating to the refining of crude oil, which at all times were kept in its safe in California. During 2006, the X Company, Inc. entered into an agreement with the Y Corporation whereby that company was given the right to use the patents at its refineries in consideration for the payment of a royalty based upon units of production. The Y Corporation used the patents exclusively at its Louisiana refinery and paid the X Company, Inc. the amount of \$100,000.00 for such use. The entire royalty income of \$100,000.00 is allocable to Louisiana.

ii. Example: ABC Company, Inc. is a trademark holding company incorporated in Delaware that owns certain trademarks relating to the sale of retail goods and/or services. In 2005, ABC entered into a licensing agreement with XYZ Retail Co. in which XYZ was authorized to use the trademark in exchange for consideration of royalty payments. In 2006, XYZ used the trademark to promote the sale of retail goods and/or services in Louisiana. The royalty payment attributable to the Louisiana stores was \$250,000. ABC must allocate the royalty income of \$250,000 to Louisiana.

b. Income from a mineral lease, royalty interest, oil payment, or other mineral interest shall be allocated to the state or states in which the property subject to such mineral interest is situated.

##### 4. Income from Construction, Repair, or Other Similar Services

a. Income from construction, repair, or other similar services is allocable to the state or states in which the work is done.

b. The phrase other similar services means any work that has as its purpose the improvement of immovable property belonging to a person other than the taxpayer where a substantial portion of such work is performed at the location of such property.

i. It is not necessary that the services rendered actually result in the improvement of the immovable property.

ii. Mineral Properties. For the purpose of this Section, mineral properties, whether under lease or not, constitute immovable properties. Thus, the drilling of a well on a mineral lease is considered to have as its purpose the improvement of such property notwithstanding the fact that the well may have been dry.

c. Examples of other similar services include, but are not limited to:

- i. landscaping services;
- ii. the painting of houses;
- iii. the removal of stumps from farmland; and
- iv. the demolition of buildings.

B. Deduction of Expenses, Losses and Other Deductions. From the total gross allocable income from all sources and from the gross allocable income allocated to Louisiana there shall be deducted all expenses, losses, and other deductions, except federal income taxes, allowable under the Louisiana income tax law that are directly attributable to such income plus a ratable portion of the allowable deductions, except federal income taxes, that are not directly attributable to any item or class of gross income.

#### 1. Interest Expense

a. The method of allocation and apportionment for interest set forth in these regulations is based on the approach that money is fungible and that interest expense is attributable to all activities and property regardless of any specific purpose for incurring an obligation on which interest is paid. Exceptions to the fungibility method are set forth in LAC 61:I.1130.B.1.b. The fungibility approach recognizes that all activities and property require funds and that management has a great deal of flexibility as to the source and use of funds and that the creditors of the taxpayer look to its general credit for repayment and thereby subject the money loaned to the risk of all of the taxpayer's activities. When money is borrowed for a specific purpose, such borrowing will free other funds for other purposes, and it is reasonable under this approach to attribute part of the cost of borrowing to such other purposes. Consistent with the principles of fungibility, except as otherwise provided, the aggregate of deductions for interest in all cases shall be considered related to all income producing activities and assets of the taxpayer and, thus, allocable to all the gross income that the assets of the taxpayer generate, have generated, or could reasonably have been expected to generate.

b. Exceptions to the fungibility method are allowed in the same circumstances that exceptions are allowed by IRC §861 and the regulations promulgated thereunder. These exceptions include:

i. the direct allocation of interest expense to the income generated by certain assets that are subject to qualified nonrecourse indebtedness;

ii. the direct allocation of interest expense to income generated by certain assets that are acquired in integrated financial transactions.

c. Interest Expense Applicable to Louisiana Gross Allocable Income. Interest expense that is applicable to assets that produce or that are held for the production of Louisiana gross allocable income shall be an item of deduction in determining net allocable income or loss from Louisiana.

i. Except as otherwise provided, the amount of interest that is applicable to such assets shall be determined by multiplying the amount of interest expense applicable to total allocable assets, determined without reference to the income limitation in the case of investments in U.S. government bonds and notes held as temporary cash investments, by a ratio, the numerator of which is the average value of assets that produce or that are held for the production of Louisiana allocable income and the denominator of which is the average value of assets that produce or that are held for the production of allocable income within and without Louisiana.

ii. When Louisiana net apportionable income is determined on the separate accounting method, refer to LAC 61:I.1132.C.2 for rules pertaining to the determination of the amount of interest expense applicable to Louisiana allocable income.

d. Interest Expense Applicable to Total Allocable Assets

i. Interest expense applicable to total allocable assets is interest expense that is applicable to assets that produce or that are held for the production of allocable income within and without Louisiana.

ii. When a R.S. 47:287.738(F)(2) election is made, assets that produce or that are held for the production of allocable income will include direct investments in 50 percent or more owned subsidiaries (other than normal trade accounts receivable) whether or not such investments, advances, or loans produce any income.

iii. The amount of interest that is applicable to assets producing or held for the production of allocable income shall be determined by multiplying the total amount of interest expense by a ratio, the numerator of which is the average value of assets that produce or that are held for the production of allocable income, and the denominator of which is the average value of all assets of the taxpayer.

iv. Although income exempt from Louisiana income tax, such as interest, is not taxable and is therefore not included in allocable income, the adjustment for the amount of interest expense applicable to assets producing such income is computed in the same manner as in the case of assets producing allocable income.

(a). For convenience of computation such assets are grouped with assets producing or held for the production of allocable income.

(b). Whenever interest expense applicable to U.S. government bonds and notes that are held as temporary cash investments determined as provided above, exceeds the amount of income derived from such investments, the

interest expense that is attributable to such investments shall be limited to the amount of income derived from such investments.

(c). The amount of interest expense applicable to U.S. government bonds and notes that are held as temporary cash investments, determined without reference to the income therefrom, is that portion of the interest expense applicable to assets that produce or that are held for the production of allocable income, that the ratio of the average value of U.S. government bonds and notes held as temporary cash investments bears to the average value of all assets that produce or that are held for the production of allocable income.

e. Investments in Stock of Controlled Corporations. When a corporation holds stock in corporations controlled by direct ownership of 50 percent or more of the voting stock of the latter, the stock shall be included in the numerator of the Louisiana interest expense computation as Louisiana assets based on the following allocation.

i. This stock is to be attributed as Louisiana assets on the basis of the proportion of the respective amounts of income upon which Louisiana income tax has been paid to all income, including exempt income, earned everywhere of the controlled corporation.

ii. Stock held in corporations exempt from Louisiana income tax shall not be included as a Louisiana asset for the purpose of this computation.

f. Loans to Controlled Corporations

i. When a R.S. 47:287.738(F)(2) election is made and the electing corporation loans interest-bearing funds to corporations controlled by direct ownership of 50 percent or more of the voting stock of the controlled corporation, the receivable shall be included in the numerator of the Louisiana interest expense computation as Louisiana assets based on the following allocation.

(a). These receivables are to be attributed as Louisiana assets on the basis of the ratio of the value of the controlled corporation's real and tangible personal property located in Louisiana to the value of such property within and without Louisiana.

(b). For the purpose of the allocation, real and tangible personal property includes all such property of the controlled corporation regardless of whether the property is idle or productive and regardless of the nature of the income that it produces.

ii. Receivables Resulting from Loans of Non-Interest Bearing Funds. When a R.S. 47:287.738(F)(2) election is made:

(a). receivables resulting from loans of non-interest bearing funds to controlled corporations are deemed to be assets producing or held for the production of allocable income for the purpose of determining the amount of interest expense applicable to assets that produce or that are held for the production of allocable income from sources within and without Louisiana;

(b). when receivables resulting from loans of non-interest bearing funds to controlled corporations have a Louisiana business situs, or, in the absence of a business situs, the lending corporation has a Louisiana commercial domicile, such receivables shall not be included in the

numerator of the interest expense allocation formula for the purpose of LAC 61:I.1130.B.1.c., unless the secretary, in order to clearly reflect Louisiana apportionable and allocable net income, imputes interest income on such receivables.

g. Average Value

i. Except as otherwise provided in this Section, average value shall mean the value at the beginning of the taxable period plus the value at the end of the taxable period, the sum of which is divided by two.

ii. If the average value as calculated above does not fairly represent the average of the property owned during the year, the average value shall be obtained by dividing the sum of the monthly balances by the number of months in the taxable period.

h. Value of Property to Be Used

i. For purposes of this Subsection, the value of property to be used shall be determined using one of the following methods. The taxpayer will elect which method to use on the first income tax return filed for the taxable period following the taxable period in which these regulations take effect by employing the elected method on the tax return. Once made, the election is irrevocable, without the approval of the secretary upon the showing of good cause:

(a). the value of property is cost to the taxpayer, less a reasonable reserve for depreciation, amortization, depletion, and obsolescence, or

(b). the value of property is cost to the taxpayer, so long as the property continues to be used in the taxpayer's trade or business, or

(c). the value of property is the value reflected on the taxpayer's books, so long as the value is not below zero.

ii. The secretary may require a different method of valuation or adjust reserves if the method elected by the taxpayer does not reflect the fair value of the property.

iii. Intangible assets that produce or that are held for the production of allocable income within and without Louisiana may acquire a business situs in more than one state. The percentage of the value of the asset that is to be attributed to Louisiana is a factual determination required to be made with respect to each asset and will take into consideration such factors as:

(a). the number of locations at which the asset is used;

(b). the number of days during the taxable period the asset is used within and without Louisiana;

(c). the amount of income that the asset generated within and without Louisiana; and

(d). the earning power of the asset at the time the interest expense is generated.

i. Examples. The following examples are applicable for both foreign and domestic corporations.

(a). Example 1. The XYZ Corporation has incurred interest expense in the amount of \$150,000.00 during the year 2006 and has not elected to treat interest income from 50 percent or more owned subsidiaries as taxable income. The subsidiary of XYZ Corporation earns no income in Louisiana. During 2006 XYZ Corporation derived total allocable and exempt income and Louisiana allocable income as follows:

	Louisiana	Total
*Interest from 80% owned Subsidiary	\$ -0-	\$ 10,000
*Interest (interest bearing checking)	-0-	5,000
Dividends	-0-	5,000
Net rent income	10,000	10,000
Trademark royalty income	<u>4,000</u>	<u>10,000</u>
Total	\$ <u>14,000</u>	\$ <u>40,000</u>

\*Exempt but included with allocable income only for convenience in computing the applicable expense.

(i). Its assets, liabilities, and net worth as of January 1, 2006, and December 31, 2006, were as follows:

	1-1-06		12-31-06	
Assets:				
Cash (currency on hand)	\$	10,000	\$	10,000
Cash (non-interest bearing checking)		90,000		140,000
Cash (interest bearing checking)		110,000		220,000
Accounts receivable		780,000		800,000
Inventories		600,000		1,000,000
Stocks – 80% owned subsidiary		100,000		100,000
Trademark		80,000		80,000
Loan to 80% owned subsidiary		310,000		430,000
Real estate (rental property)	\$	100,000	\$	100,000
Less depreciation reserve		<u>20,000</u>		<u>25,000</u>
Net		80,000		75,000
Real estate		5,000,000		5,125,000
Less depreciation reserve		<u>1,080,000</u>		<u>1,300,000</u>
Net		<u>3,920,000</u>		<u>3,825,000</u>
Total Assets	\$	<u><u>6,080,000</u></u>	\$	<u><u>6,680,000</u></u>
Liabilities and Net Worth:				
Accounts payable	\$	400,000	\$	1,000,000
Bonds		<u>3,000,000</u>		<u>3,000,000</u>
Total Liabilities	\$	3,400,000	\$	4,000,000
Capital stock	\$	2,080,000	\$	2,080,000
Earned surplus		<u>600,000</u>		<u>600,000</u>
Net worth	\$	2,680,000	\$	2,680,000
Total Liabilities and Net Worth	\$	<u><u>6,080,000</u></u>	\$	<u><u>6,680,000</u></u>

(ii). The amount of interest that is applicable to the assets that produce or are held for the production of allocable or exempt income within and without Louisiana is \$18,633, determined as follows:

	Allocable Investments		Total Assets	
	1-1-06	12-31-06	1-1-06	12-31-06
Loan to 80% owned subsidiary	\$ 310,000	\$ 430,000	\$ 310,000	\$ 430,000
Cash (interest bearing checking)	\$ 110,000	220,000	110,000	220,000
Rental property (net)	80,000	75,000	80,000	75,000
Stock – 80% owned subsidiary	100,000	100,000	100,000	100,000
Trademark asset	80,000	80,000	80,000	80,000
Other assets	0	0	5,400,000	5,775,000
Totals	\$ 680,000	\$ 905,000	\$ 6,080,000	\$ 6,680,000
1-1-06 totals		<u>680,000</u>		<u>6,080,000</u>
Totals		\$ <u>1,585,000</u>		\$ <u>12,760,000</u>
Average		\$ <u>792,500</u>		\$ <u>6,380,000</u>
Ratio				.12422
Interest expense allocated to total allocable assets (.12422 x \$150,000)				\$ <u>18,633</u>

(iii). The amount of interest expense that is applicable to the assets that produce or are held for the production of Louisiana allocable income is \$2,668 determined as follows:

Louisiana Allocable Assets:	
January 1, 2006—Rental property	\$ 80,000
**January 1, 2006—Trademark asset	32,000
December 31, 2006—Rental property	75,000
**December 31, 2006—Trademark Asset	40,000
Total	<u>\$ 227,000</u>
Average Louisiana allocable assets	\$ 113,500
Average total allocable assets	792,500
Ratio of Louisiana average to total average allocable assets	.14322
Interest expense attributed to total allocable or exempt assets	\$ 18,633
Interest expense allocated to Louisiana allocable assets (.14322 x \$18,633)	\$ 2,668

\*\*For purposes of this example, it has been assumed that the ratio of trademark royalties for the prior month from Louisiana sources to total trademark royalties for the prior month is representative of the value of the asset attributable to Louisiana at balance sheet date. In December 2005, Louisiana trademark royalties were \$480 and total trademark royalties were \$1,200. In December 2006, Louisiana trademark royalties were \$550 and total trademark royalties were \$1,100.

(b). Example 2. Assume the same facts as Example 1 except that XYZ Corporation has elected under R.S.47:287.738(F)(2) to treat interest income from its 50 percent or more owned subsidiary as taxable allocable income. The ratio of the value of real and tangible personal property of the controlled corporation located in Louisiana to the value of such property within and without Louisiana is 10 percent for both the beginning and ending balance sheets. Therefore, 10 percent of the interest from the subsidiary is allocated to Louisiana and 10 percent of the receivable is attributed to Louisiana. In addition, the ratio of the subsidiary's income earned within Louisiana upon which Louisiana income tax has been paid to income earned everywhere of the subsidiary in the prior and current years is five percent. Therefore 5 percent of XYZ's investment in the subsidiary is attributed to Louisiana. Example 1 would change as follows:

(i). Total allocable and exempt income and Louisiana allocable income would be:

	Louisiana	Total
*Interest from 80% owned Subsidiary	\$1,000	\$10,000
**Interest (interest bearing checking)	0	\$5,000
**Dividends	0	\$5,000
Net rent income	\$10,000	\$10,000
Trademark royalty income	\$4,000	\$10,000
Total	<u>\$15,000</u>	<u>\$40,000</u>

(ii). The amount of interest that is applicable to the assets that produce or are held for the production of allocable or exempt income within and without Louisiana remains \$18,633, calculated in the same manner. The only difference is that the loan to the subsidiary is now an allocable asset. The amount of interest expense that is applicable to the assets that produce or are held for the production of Louisiana allocable income or to the portion of the investment in a 50 percent or more owned

subsidiary that has produced income that has been taxed by Louisiana is \$3,656 determined as follows:

Louisiana Allocable Assets:	
January 1, 2006—Rental property	\$ 80,000
January 1, 2006—Trademark asset	32,000
**January 1, 2006—Stock of subsidiary	5,000
January 1, 2006—Loan to subsidiary	31,000
December 31, 2006—Rental property	75,000
December 31, 2006—Trademark Asset	40,000
**December 31, 2006—Stock of subsidiary	5,000
December 31, 2006—Loan to subsidiary	43,000
Total	<u>\$ 227,000</u>
Average Louisiana allocable assets	\$ 155,500
Average total allocable assets	792,500
Ratio of Louisiana average to total average allocable assets	.19621
Interest expense attributed to total allocable or exempt assets	\$ 18,633
Interest expense attributed to Louisiana (.19621 x \$18,633)	<u>\$ 3,656</u>

\*Taxpayer has elected to be taxed on certain interest income.

\*\*Exempt but included only for convenience in computing the applicable expense.

## 2. Overhead Expense

a. Overhead Expense Attributable to Total Gross Allocable Income Derived from Rent of Immovable or Corporeal Movable Property or from Construction, Repair, or Other Similar Services

i. Overhead expense attributable to Louisiana gross allocable income derived from rent of immovable or corporeal movable property and from construction, repair, or other similar services shall be deducted from such income for the purposes of determining Louisiana net allocable income or loss from such items of income. The amount of overhead expense attributable to such income shall be determined by multiplying overhead expense attributed to total gross allocable income derived from rent of immovable or corporeal movable property and from construction, repair, or other similar services by the arithmetical average of two ratios, as follows:

(a). the ratio of the amount of Louisiana gross allocable income derived from rent of immovable or corporeal movable property and from construction, repair, or other similar services to total gross allocable income from such sources;

(b). the ratio of the amount of direct cost incurred in the production of Louisiana gross allocable income derived from rent of immovable or corporeal movable property and from construction, repair, or other similar services to total direct cost incurred in the production of such income.

ii. Overhead expense attributable to total gross allocable income derived from rent of immovable or corporeal movable property or from construction, repair, or other similar services shall be deducted from such income for the purposes of determining total net allocable income or loss from such items of income. The amount of overhead expense attributable to such income shall be determined by multiplying total overhead expense by the arithmetical average of two ratios, as follows:

(a). the ratio of the amount of total gross allocable income derived from rent of immovable or corporeal movable property and from construction, repair, or

other similar services to total gross income derived from all sources;

(b). the ratio of the amount of direct cost incurred in the production of total gross allocable income derived from rent of immovable or corporeal movable property and from construction, repair, or other similar services to total direct cost incurred in the production of gross income from all sources.

iii. If the taxpayer has not maintained documents or records sufficient to compute the ratios required by this Subparagraph, the secretary shall, upon examination, determine the method by which to attribute overhead expense.

b. Overhead Expense Attributable to All Other Items of Gross Allocable Income. Overhead expense attributable to items of gross allocable income derived from sources within and without Louisiana, except gross allocable income from rent of immovable or corporeal movable property or from construction, repair or other similar services, may be determined by any reasonable method that clearly reflects net allocable income from such items of income.

3. Generally, direct and indirect expenses, other than interest expenses, attributed to allocable income from foreign sources for federal purposes are deductible in arriving at total net allocable income. Expenses, other than interest expenses, sourced pursuant to federal law and regulations to allocable income from foreign sources are presumed to be actual expenses attributed to such income.

C. This regulation shall not restrict the authority of the secretary to adjust the allocation of items of income and expense when the secretary determines that such adjustments are necessary in order to clearly reflect the taxpayer's Louisiana income.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:287.81, R.S. 47:287.92, R.S. 47:287.93, R.S. 47:287.785, and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Income Tax Section, LR 14:101 (February 1988), repromulgated by the Department of Revenue, Policy Services Division, LR 30:477 (March 2004), amended LR 32:

#### **Family Impact Statement**

The proposed amendment of LAC 61:I.1130, regarding the computation of net allocable income from Louisiana sources should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. The implementation of this proposed Rule will have no known or foreseeable effect on:

1. the stability of the family;
2. the authority and rights of parents regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budgets;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform this function.

Any interested person may submit written data, views, arguments or comments regarding this proposed Rule to Michael D. Pearson, Senior Policy Consultant, Policy Services Division, Office of Legal Affairs by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098. All comments

must be submitted no later than 4:30 p.m., Wednesday, January 25, 2006. A public hearing will be held on Thursday, January 26, 2006, at 9 a.m. in the Calcasieu Room located on the second floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802.

Cynthia Bridges  
Secretary

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: **Computation of Net Allocable Income from Louisiana Sources****

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

The implementation of this proposed regulation, which updates the corporation income tax regulation relating to the allocation of items of income and expense, will have no impact on the agency's costs.

The implementation of this proposed regulation will have no impact upon any local governmental units.

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

Proposed regulatory changes related to updating corporate income tax regulations will have no effect on revenue collections of state or local governmental units.

The proposed regulations also implement portions of Act 401 of the 2005 Regular Legislative Session (HB 679). Act 401, in its entirety, is estimated to reduce State General Fund revenues by \$4.8 million in FY 2006-07, \$4.4 million in FY 2007-08, \$3.9 million in FY 2008-09, and \$3.5 million in FY 2009-10. The portions of these total fiscal effects associated with these specific proposed regulations implementing that Act is indeterminable.

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

Statutory changes related to Act 401 of the 2005 Regular Legislative Session will decrease the tax payments of affected businesses by an estimated \$4.8 million in FY 2006-07. Tax reductions for affected businesses associated with these specific proposed regulations implementing that Act are indeterminable.

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

This proposed regulation should have no effect on competition or employment.

Cynthia Bridges  
Secretary  
0512#039

Robert E. Hosse  
Staff Director  
Legislative Fiscal Office

### **NOTICE OF INTENT**

#### **Department of Revenue Policy Services Division**

#### **Corporation Franchise Tax—Allocation of Taxable Capital (LAC 61:I.306)**

Under the authority of R.S. 47:606, R.S. 47:1511, and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Policy Services Division, proposes to amend LAC 61:I.306 relative to the allocation of taxable capital.

This proposed regulation updates the corporation franchise tax regulation relating to the changes to the general

allocation formula resulting from the enactment of the Louisiana Headquarters and Growth Act of 2005, provides an example to clarify the attribution of revenue from sales transported by public carrier pipelines, and notifies taxpayers of changes in the secretary's interpretation of the attribution of revenue from sales of services.

#### **Title 61**

### **REVENUE AND TAXATION**

#### **Part I. Taxes Collected and Administered by the Secretary of Revenue**

#### **Chapter 3. Corporation Franchise Tax**

#### **§306. Allocation of Taxable Capital**

A. General Allocation Formula. Every corporation subject to the corporation franchise tax must determine the extent to which its entire franchise taxable base is employed in the exercise of its franchise within this state. For all taxpayers other than those in the business of manufacturing, the extent of such use of total taxable base in the state is determined by multiplying the total taxable capital by the ratio obtained through the arithmetical average of the ratio of net sales made to customers in the regular course of business and other revenues attributable to Louisiana to total net sales made to customers in the regular course of business and total other revenues, and the ratio that the value of all of the taxpayer's property and assets situated or used by the taxpayer in Louisiana bears to all of the taxpayer's property and assets wherever situated or used. For taxpayers in the business of manufacturing, the extent of such use of total taxable base in the state is determined by multiplying the total taxable capital by the ratio of net sales made to customers in the regular course of business and other revenues attributable to Louisiana to total net sales made to customers in the regular course of business and total other revenues.

1. Net Sales and Other Revenue. Net sales to be combined with other revenue in determining both the numerator and denominator of the revenue ratio for purposes of calculating the portion of the taxpayer's total taxable capital to be allocated to Louisiana are only those sales made to customers in the regular course of the taxpayer's business. In transactions in which raw materials, products, or merchandise are transferred to another party at one location in exchange for raw materials, products, or merchandise at another location in agreements requiring the subsequent replacement with similar property on a routine, continuing, or repeated basis, all such transactions shall be carefully analyzed to determine whether they constitute sales made to customers that should be included in the revenue ratio or whether they constitute exchanges that are not sales and should be excluded from the revenue ratio. Sales of scrap materials and by-products are construed to meet the requirements for inclusion in the revenue ratio. Sales made other than to customers, such as, but not limited to, sales of stocks, bonds, futures, options, derivatives, and other evidence of investment on the open market, regardless of the frequency or volume of those sales, shall not be included in the revenue ratio. Similarly, revenues and/or gains on the sale of property other than stock in trade shall not be included in the revenue ratio since they generally do not meet the specific requirements that only sales made to customers in the regular course of business of the taxpayer should be included. Whenever a transaction is not a sale to

customers in the regular course of business, the amount does not constitute other revenue so as to qualify for inclusion in either the numerator or the denominator of the allocation ratio.

a. Sales attributable to Louisiana are those sales where the goods, merchandise, or property are received in Louisiana by the purchaser. Where goods are delivered into Louisiana by public carrier, or by other means of transportation, including transportation by the purchaser, the place at which the goods are ultimately received after all transportation has been completed shall be considered as the place at which the goods are received by the purchaser. The transportation in question is the initial transportation relating to the sale by the taxpayer.

i. Transportation by Taxpayer or by Public Carrier. Where the goods are delivered by the taxpayer in his own equipment, it is presumed that such transportation relates to the sale. Where the goods are delivered by a common or contract carrier, whether shipped F.O.B. shipping point and whether the carrier be a pipeline, trucking line, railroad, airline, or some other type of carrier, the place where the goods are ultimately received by the purchaser after the transportation incident to the sale has ended is deemed to be the place where the goods are received by the purchaser.

ii. Transportation by Purchaser

(a). Where the transportation involved is transportation by the purchaser, it is recognized that it is more difficult to determine whether or not the transportation is related to the sale by the taxpayer. To be related to the initial sale, the transportation should be commenced immediately. However, before a lapse of time is conclusive, consideration must be given to the nature and character of the goods purchased, the availability of transportation, and other pertinent economic and natural circumstances occurring at the time.

(b). The intent of the parties to the sale must also be considered. The intent and purpose of the purchaser may be determined directly, or by an evaluation of the nature and scope of his operation, customs of the trade, customary activities of the purchaser, and all pertinent actions and words of the purchaser at the time of the sale.

(c). In order for the transportation by the purchaser to be related to the initial sale by the taxpayer to the purchaser, such transportation must be generally the same in nature and scope as that performed by the vendor or by a carrier. There is no difference between a case where a taxpayer in Houston ships F.O.B. Houston to a purchaser in Baton Rouge, by common carrier, and a case where all facts are the same except that the purchaser goes to Houston in his own vehicle and returns with the goods to Baton Rouge.

iii. Transportation of Natural Resources by a Public Carrier Pipeline. Generally, transportation by public carrier pipelines is accorded the same treatment as transportation by any other type of public carrier. However, because of the nature and character of the property, the type of carrier, and the customs of the trade, the natural resources in the pipeline may become intermixed with other natural resources in the pipeline and lose their particular identity. Where delivery is made to a purchaser in more than one state, or to different purchasers in different states, peculiar problems of attribution arise. In all cases possible,

attribution will be made in accordance with the rules applicable to all public carrier transportation, that is, where it can be shown that a taxpayer in one state sold a quantity of crude oil to a purchaser in another state, and the oil was transported to the purchaser by public carrier pipeline, the sale will be attributed to the state where the crude oil is received by the purchaser, even though the crude oil delivered might not be the identical oil sold because of commingling in the pipeline. Custom of the trade indicates the purchaser buys a quantity of oil of certain quality, but not any specific oil.

iv. Storage of Property after Purchase

(a). In determining the place of receipt by the purchaser after the initial transportation has ended, peculiar problems may be created by the storage of the property purchased immediately upon purchase and at a place other than the place of intended use. The primary problem created by such storage is in determining whether or not the storage is of a temporary nature.

(b). In cases where the storage is permanent or semipermanent, delivery to the place of storage concludes the initial transportation, and the sale is attributed to the place of storage. However, where the storage is of a temporary nature, such as that necessitated by lack of transportation or by change from one means of transportation to another, or by natural conditions, the place of such storage is of no significance.

b. Revenue from Air Transportation. All revenues derived from the transportation of cargo or passengers by air shall be attributed within and without this state based on the point at which the cargo shipment or passenger journey originates.

c. Revenue from Transportation Other Than Air Travel. Revenue attributable to Louisiana from transportation other than air includes all such revenue derived entirely from sources within Louisiana plus a portion of revenue from transportation performed partly within and partly without Louisiana, based upon the ratio of the number of units of transportation service performed in Louisiana to the total of such units. Revenue from transportation exclusively without Louisiana shall not be included in the revenue attributed to Louisiana. Revenue attributable to Louisiana shall be computed separately for each of the four classes enumerated below.

i. A unit of transportation shall consist of the following:

(a). in the case of the transportation of passengers, the transportation of one passenger a distance of 1 mile;

(b). in the case of the transportation of liquid commodities, including petroleum or related products, the transportation of one barrel of the commodities a distance of 1 mile;

(c). in the case of the transportation of property other than liquids, the transportation of 1 ton of the property a distance of 1 mile;

(d). in the case of the transportation of natural gas, the transportation of 1 MCF or 1 MBTU a distance of 1 mile.

ii. In any case where another method would more clearly reflect the gross apportionable income attributable to

Louisiana, or where the above information is not readily available from the taxpayer's records, the secretary, in his discretion, may permit or require the use of any method deemed reasonable by him.

iii. Example: ABC Corporation is in the business of transporting natural gas as a common carrier. During the year 2005, ABC entered into five transactions. In the first transaction 1 million MMCF was transported from Texas, through Louisiana, to Mississippi. The total distance transported was 500 miles, of which 200 miles was in Louisiana. The charge for the transportation was \$250,000.00. In the second transaction 1 million MMCF was transported from one point in Louisiana to another point in Louisiana, a distance of 150 miles, for a charge of \$150,000.00. In the third transaction 1 million MMCF was transported from one point in Texas to another point in Texas, a distance of 500 miles, for a charge of \$250,000.00. In the fourth transaction 1 million MMCF was transported from a point in Louisiana to a point in another state for a charge of \$500,000.00. The total distance transported was 1,000 miles, of which 100 miles were in Louisiana. In the fifth transaction 1 million MMCF was transported from a point in Louisiana to a point in another state for a charge of \$250,000.00. The distance transported was 500 miles, of which 100 was in Louisiana. The portion of the gross apportionable income attributed to Louisiana would be computed as follows:

	Louisiana Amount
First Transaction— $200/500 \times \$250,000 =$	\$100,000
Second Transaction—entirely from Louisiana =	150,000
Third Transaction—neither entirely nor partially in Louisiana	-0-
Fourth Transaction— $100/1,000 \times \$500,000 =$	50,000
Fifth Transaction— $100/500 \times \$250,000 =$	50,000
Louisiana Income from Transportation of Natural Gas	<u>\$350,000</u>

d. Revenue from Services Other Than from Transportation

i. For purposes of R.S. 47:606(A), in addition to any other revenue attributed to Louisiana, the following revenue from providing telephone, telecommunications, and similar services shall be attributed to Louisiana:

(a). revenue derived from charges for providing telephone "access" from a location in this state. Access means that a call can be made or received from a point within this state. An example of this type of receipt is a monthly subscriber fee billed with reference to a service address located in the state and without regard to actual usage;

(b). revenue derived from charges for unlimited calling privileges, if the charges are billed by reference to a service address located in this state;

(c). revenue from intrastate telephone calls or other telecommunications, except for mobile telecommunication services, beginning and ending in Louisiana;

(d). revenue from interstate or international telephone calls or other telecommunications, except for mobile telecommunication services, either beginning or ending in Louisiana if the service address charged for the call or telecommunication is located in Louisiana, regardless of where the charges are billed or paid;

(e). revenue from mobile telecommunications service:

(i). revenue from mobile telecommunications services shall be attributed to the place of primary use, which is the residential or primary business street address of the customer;

(ii). if a customer receives multiple services, such as multiple telephone numbers, the place of primary use of each separate service shall determine where the revenue from that service is attributed;

(iii). revenue from mobile telecommunications services shall be attributed to Louisiana if the place of primary use of the service is Louisiana.

(f). Definitions. For the purpose of this Subparagraph, the following terms have the following meanings unless the context clearly indicates otherwise.

(i). *Call*—a specific telecommunications transmission.

(ii). *Customer*—any person or entity that contracts with a home service provider or the end user of the mobile telecommunications service if the end user is not the person or entity that contracts with the home service provider for mobile telecommunications service.

(iii). *Home Service Provider*—the facilities-based carrier or reseller with which the customer contracts for the provision of mobile telecommunications services.

(iv). *Place of Primary Use of Mobile Telecommunications Service*—the street address representative of where the customer's use of mobile telecommunications service primarily occurs. This address must be within the licensed service area of the home service provider and must be either the residential or the primary business street address of the customer. The home service provider shall be responsible for obtaining and maintaining the customer's place of primary use as prescribed by R.S. 47:301(14)(i)(ii)(bb)(XI).

(v). *Service Address*—the address where the telephone equipment is located and to which the telephone number is assigned.

(vi). *Telecommunications*—the electronic transmission, conveyance or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points, by or through the use of any medium such as wires, cables, satellite, microwave, electromagnetic waves, light waves or any combination of those or similar media now in existence or that might be devised, by telecommunications does not include the information content of any such transmission.

(vii). *Telecommunication Service*—providing telecommunications including service provided by telecommunication service resellers, for a charge and includes telephone service, telegraph service, paging service, personal communication services and mobile or cellular telephone service, but does not include electronic information service or Internet access service.

ii. Revenue derived from services, other than from transportation, or telephone, telecommunications, and similar services, shall be attributed to the state in which the services are rendered. Services are rendered where they are received by the customer.

iii. In any case in which it can be shown that charges for services constitute a pure recovery of the cost of

performing the services and do not include a reasonable rate of profit, amounts received in reimbursement of such costs shall not be construed to be revenues received and shall be omitted from both the numerator and denominator of the attribution ratio.

e. Rents and Royalties from Immovable or Corporeal Movable Property

i. Rents and royalties from immovable or corporeal movable property shall be attributed to the state where the property is located at the time the revenue is derived, which is construed to be the place at which the property is used resulting in the rental payment. Rents, royalties, and other income from mineral leases, royalty interests, oil payments, and other mineral interests shall be allocated to the state or states in which the property subject to such interest is located.

ii. In the case of movable property which is used in more than one state or when the lessor has no knowledge of where the property is located at all times, application of the general rule for attributing the revenue from rental of the property may be sufficiently difficult so as to require use of a formula or formulas to determine the place of use for which the rents were paid. The specific formula to be used must be determined by reference to the basis on which rents are charged, the basis of which is usually set forth in the rental agreement. In those cases in which time of possession in the hands of the lessee is the only consideration in calculating rental charges, time used by the lessee in each state will be used as the basis for attributing the revenue to each state. Where miles traveled is the basis for the rental charge, revenue shall be attributed on that basis; where ton miles or traffic density in combination with miles traveled is the basis for the rental charges, revenue will be attributed to each state on that basis. In the case of drilling equipment where rentals are based on the number of feet drilled, income will be attributed to each state based on the ratio of the number of feet drilled within that state to the total number of feet drilled in all states by the rented equipment during the taxable period covered by the rental agreement.

f. Interest on Customers' Notes and Accounts

i. Interest on customers' notes and accounts can generally be associated directly with the specific credit instrument or account upon which the interest is paid and shall be attributed to the state at which the goods were received by the purchaser or services rendered. Interest is construed to include all charges made for the extension of credit, such as finance charges and carrying charges.

ii. When the records of the taxpayer are not sufficiently detailed so as to enable direct attribution of the revenue, interest, as defined herein, shall be attributed to each state on the basis of a formula or formulas which give due consideration to credit sales in the various states, outstanding customer accounts and notes receivable, and variances in the rates of interest charged or permitted to be charged in each of the states where the taxpayer makes credit sales.

g. Other Interest and Dividends

i. Interest, other than on customers' notes and accounts, and dividends shall be attributed to the state in which the securities producing such revenue have their situs, which shall be at the business situs of such securities if they have been so used in connection with the taxpayer's business

as to acquire a business situs, or, in the absence of such a business situs, shall be at the commercial domicile of the taxpayer.

ii. Used in connection with the taxpayer's business is construed to mean use of a continuing nature in the regular course of business and does not include the mere holding of the instrument at a location or the use of the property as security for credit. Business situs must be established on the basis of facts, indicating precisely the use to which the securities have been put and the manner in which the taxpayer conducts its business.

iii. Commercial Domicile is in that state where management decisions are implemented which is presumed to be the state where the taxpayer conducts its principal business and thereby benefits from public facilities and protection provided by that state. The location of board of directors' meetings is not presumed to create commercial domicile at the location.

iv. Interest and dividends from a parent or subsidiary corporation shall be attributed as provided in R.S. 47:606(B) and the regulations issued thereunder.

h. Royalties or Similar Revenue from the Use of Patents, Trademarks, Secret Processes, and Other Similar Intangible Rights

i. Royalties or similar revenue received for the use of patents, trademarks, secret processes, and other similar intangible rights shall be attributed to the state or states in which such rights are used by the licensee from whom the income is received.

ii. In those cases where the rights are used by the licensee in more than one state, royalties and similar revenue will be attributed to the states on the basis of a ratio which gives due consideration to the proportion of use of the right by the licensee within each of the states. When the royalty is based on a measurable unit of production, sales, or other measurable unit, the attribution ratio shall be based on such units within each state to the total of such units for which the royalties were received. When the royalty or similar revenue is not based on measurable units, the attribution ratio will be based on the relative amounts of income produced by the licensee in each state or on such other ratio as will clearly reflect the proportion of use of the rights by the licensee in each state.

i. Revenue from a Parent or Subsidiary Corporation. Revenue from a parent or subsidiary corporation shall be allocated as provided in R.S. 47:606(B) and the regulations issued thereunder.

j. All Other Revenues

i. All revenues which are not specifically described in §306.A.1.a-i shall be attributed within and without Louisiana on the basis of such ratio or ratios as may be reasonably applicable to the type of revenue and business involved.

ii. In the case of revenue from construction, repairs, and similar services, generally, all of the work will be performed at a specific geographical location and the total revenue, including all billings by the taxpayer without regard to the method of reporting gain for purpose of the income tax statutes, shall be attributed to the place where the work is performed. In the case of contracts wherein a material part or parts of the work may have been performed in another state, such as the design, engineering, manufacture, fabrication, or

preassembly of component parts, total revenue from the specific elements will be attributed to the place at which that segment of the work was performed on the basis of segregated charges contained in the performance contract. In the absence of segregated charges in the contract, revenues shall be allocated on the basis of a formula or formulas which give due consideration to such factors as direct cost, time devoted to the separate elements, and relative profitability of the specific function. Such ratios may be based on estimates of costs compiled during calculation of bid amounts for purposes of securing the contract in the absence of sufficient contract segregation of the charges between functions or sufficient records necessary to determine direct cost.

iii.(a). Revenues from partnerships shall be attributed within and without Louisiana based on the proportion of the partnership's capital employed in Louisiana. The proportion of the partnership's capital employed in Louisiana is the allocation ratio, also known as the franchise tax apportionment ratio, that would be computed for the partnership if the partnership were a corporation subject to franchise tax.

(b). Revenues from a partnership are the partner's distributive share of partnership net income when the partner's distributive share of partnership net income is a positive amount. Losses from a partnership are not revenues from a partnership.

(c). Revenue from a partnership should be revenue from the partnership as reflected on the taxpayer's books. However, if there is no difference in the proportions of incomes, expenses, gains, losses, credits and other items accruing to the taxpayer from the partnership for book purposes and tax purposes the taxpayer may use tax basis revenue from a partnership. Once a taxpayer uses either book basis revenue or tax basis revenue, that basis must be used for all future tax periods.

iv. The term partnership includes a syndicate, group, pool, joint venture, limited liability company, or other unincorporated organization through or by means of which any business, financial operation, or venture is carried on.

2. Property and Assets. For the purpose of calculating the ratio of the value of property situated or used by a corporation in Louisiana to the value of all property wherever situated, both tangible and intangible property must be considered. The minimum value to be included in both the numerator and denominator is the value recorded on the books of the taxpayer. Both the cost recorded on the books of the corporation and the reserves applicable thereto are subject to examination and revision by the secretary when such revision is found to be necessary in order to reflect properly the extent to which capital of the corporation is employed in the exercise of its charter; in no event, however, shall the revision by the secretary to any asset value or applicable reserve result in a net valuation which exceeds actual cost of the asset to the taxpayer. Assets will be allocated as follows.

a. Cash on hand shall be allocated to the state in which the cash is physically located.

b. Cash in banks and temporary cash investments shall be allocated to the state in which they have their business situs if they have been so used as to have acquired a business situs. In the absence of a business situs for such

assets, cash in banks and temporary cash investments shall be allocated to the state in which the commercial domicile of the taxpayer is located.

c. Trade accounts and trade notes receivable are construed to mean only those accounts and notes receivable resulting from the sale of merchandise or the performance of services for customers in the regular course of business of the taxpayer. Such accounts and notes shall be allocated to the location at which the merchandise was delivered or at which the services were performed resulting in the receivable. In the absence of sufficient recorded detail upon which to base the allocation of specific accounts and notes receivable to the various states, such accounts and notes may, by agreement between the secretary and the corporation, be allocated to the separate states based upon the ratio of credit sales within any particular state to the total of all credit sales.

d. Investments in and advances to a parent or subsidiary corporation shall be allocated as provided in R.S. 47:606(B) and the regulations issued thereunder.

e. Notes and accounts receivable other than temporary cash investments, trade notes and accounts, and advances to a parent or subsidiary, shall be allocated to the state in which they have their business situs if they have been so used as to have acquired a business situs. In the absence of a business situs for such assets, notes and accounts receivable other than temporary cash investments, trade notes and accounts, and advances to a parent or subsidiary shall be allocated to the state in which the commercial domicile of the taxpayer is located. See §306.A.1.g relative to business situs and commercial domicile.

f. Stocks and bonds other than temporary cash investments and investments in or advances to a parent or subsidiary corporation shall be allocated to the state in which they have their business situs if they have been so used as to have acquired a business situs. In the absence of a business situs for such assets, stocks and bonds other than temporary cash investments and advances to a parent or subsidiary corporation shall be allocated to the state in which the commercial domicile of the corporation is located.

g. Immovable property and corporeal movable property which is used entirely within a particular state shall be allocated to the state in which the property is located. Movable property which is not limited in use to any particular state shall be allocated among the states in which used on the basis of a ratio which gives due consideration to the extent of use in each of the states. For the purpose of determining the amount to be included in the numerator of the property ratio with respect to corporeal movable property used both within and without Louisiana, the following rules shall apply.

i. The value of diesel locomotives shall be allocated to Louisiana on the basis of the ratio of diesel locomotive miles traveled in Louisiana to total diesel locomotive miles.

ii. The value of other locomotives shall be allocated to Louisiana on the basis of the ratio of other locomotive miles traveled in Louisiana to total other locomotive miles.

iii. The value of freight train cars shall be allocated to Louisiana on the basis of the ratio of freight car miles traveled in Louisiana to total freight car miles.

iv. The value of railroad passenger cars shall be allocated to Louisiana on the basis of the ratio of passenger car miles traveled in Louisiana to total passenger car miles.

v. The value of passenger buses shall be allocated to Louisiana on the basis of the ratio of passenger bus miles traveled in Louisiana to total passenger bus miles.

vi. The value of diesel trucks shall be allocated to Louisiana on the basis of the ratio of diesel truck miles traveled in Louisiana to total diesel truck miles.

vii. The value of other trucks shall be allocated to Louisiana on the basis of the ratio of other truck miles traveled in Louisiana to total other truck miles.

viii. The value of trailers shall be allocated to Louisiana on the basis of the ratio of trailer miles traveled in Louisiana to total trailer miles.

ix. The value of towboats shall be allocated to Louisiana on the basis of the ratio of towboat miles traveled in Louisiana to total towboat miles. In the determination of Louisiana towboat miles, one-half of the mileage of navigable rivers or streams bordering on both Louisiana and another state shall be considered Louisiana miles.

x. The value of tugs shall be allocated to Louisiana on the basis of the ratio of tug miles traveled in Louisiana to total tug miles. In the determination of Louisiana tug miles, one-half of the mileage of navigable rivers or streams bordering on both Louisiana and another state shall be considered Louisiana miles.

xi. The value of barges shall be allocated to Louisiana on the basis of the ratio of barge miles traveled in Louisiana to total barge miles. In the determination of Louisiana barge miles, one-half of the mileage of navigable rivers or streams bordering on both Louisiana and another state shall be considered Louisiana miles.

xii. The value of work and miscellaneous equipment shall be allocated to Louisiana in the following manner:

(a) in the case of a railroad, on the basis of the ratio of track miles in Louisiana to total track miles;

(b) in the case of truck and bus transportation, on the basis of the ratio of route miles operated in Louisiana to total route miles; and

(c) in the case of inland waterway transportation, on the basis of the ratio of bank miles in Louisiana to total bank miles. In the determination of bank mileage of navigable rivers or streams bordering on both Louisiana and another state, one-half of such mileage shall be considered Louisiana miles.

xiii. The value of other floating equipment shall be allocated to Louisiana on the basis of the ratio of operating equipment miles within Louisiana to total operating equipment miles for the particular equipment to be allocated. In the determination of Louisiana operating equipment miles, one-half of the mileage of navigable rivers or streams bordering on both Louisiana and another state shall be considered Louisiana miles.

xiv. The value of flight equipment shall be allocated to Louisiana on the basis of the ratio of ton miles

flown within Louisiana to total ton miles. For the purpose of determining Louisiana ton miles, a passenger and his luggage shall be assigned a weight factor of 1/10 of 1 ton.

xv. The value of inventories of merchandise in transit shall be allocated to the state in which their delivery destination is located in the absence of conclusive evidence to the contrary.

xvi. All other corporeal movable property shall be allocated to Louisiana on the basis of such ratio or ratios as will reasonably reflect the extent of their use within this state. In any case where the information necessary to determine the prescribed ratio is not readily available from the taxpayer's records, the secretary may require the allocation of the value of the property on the basis of any method deemed reasonable by the secretary.

h. All other assets shall be allocated within or without Louisiana on such basis as may be reasonably applicable to the particular asset and the type of business involved. Investments in or advances to a partnership shall be attributed within and without Louisiana based on the proportion of the partnership's capital employed in Louisiana. The proportion of the partnership's capital employed in Louisiana is the allocation ratio, also known as the franchise tax apportionment ratio, that would be computed for the partnership if the partnership were a corporation subject to franchise tax.

#### B. Allocation of Intercompany Items

1. Without regard to the legal or commercial domicile of a corporation subject to the corporation franchise tax, and without regard to the business situs of investments in or advances to a subsidiary or parent corporation by a corporation subject to the corporation franchise tax, all such investments in, advances to, and revenue from such parent or subsidiary shall be allocated to Louisiana on the basis of the percentage of capital employed in Louisiana by the parent or subsidiary corporation for franchise tax purposes. The corporation franchise tax ratio of the parent or subsidiary shall be the measure of the extent to which the investment in, advances to, and revenues from the parent or subsidiary are attributable to Louisiana for purposes of determining the revenue and property ratios to be used in allocating the total taxable base of any corporation subject to the corporation franchise tax.

2. A subsidiary corporation is any corporation the majority of the capital stock of which is actually, wholly, or substantially owned by another corporation and whose management, business policies, and operations are, howsoever, actually, wholly, or substantially controlled by another corporation. Such latter corporation shall be termed the parent corporation.

3. In general, the ownership, either directly or indirectly, of more than 50 percent of the voting stock of any corporation constitutes control of that corporation's management, business policies, and operations, whether such control is documented by formal directives from the owner of such stock or not.

4. Other criteria which will be construed to constitute control of the management, business policies, and operations of a corporation are:

a. the filing of a consolidated income tax return in which operations of the corporation are included with operations of the corporation owning more than 50 percent of its stock for purposes of determining its federal income tax liability, foreign tax credits, investment credits, other credits against its tax, and the alternative minimum tax; or

b. the requirement or policy that the purchase of a majority of the merchandise, equipment, supplies, or services required for operations be made from the corporation owning more than 50 percent of its stock, its designee, or from another corporation in which the owning corporation owns more than 50 percent of the stock; or

c. the requirement or policy that a majority of sales of merchandise, products, or service be made to the corporation owning more than 50 percent of its stock, its designee, or to another corporation in which the owning corporation owns more than 50 percent of the stock; or

d. the participation in a retirement, profit-sharing, or stock option plan administered by or participating in the profits or purchase of stock of the corporation owning more than 50 percent of its stock; or

e. the filing of reports with the Securities and Exchange Commission or other regulatory bodies in which its operations, assets, liabilities, and other financial information are reflected as a part of similar information of the corporation owning more than 50 percent of its stock; or

f. the presence on its board of directors of a majority of members who are directors, officers, or employees of the corporation owning more than 50 percent of its stock.

5. In the case of a corporation that owns more than 50 percent of a corporation, the burden of proving that control of the management, business policies, and operations of the latter does not exist shall rest with the taxpayer.

6. Accounts receivable which may be considered to be advances resulting from normal trading between the companies in the regular course of business and the sales of merchandise, products, or services in such transactions shall not be included in advances to or revenue from a parent or subsidiary under this provision, but shall be allocated and attributed as provided in R.S. 47:606(A) and the regulations issued thereunder.

C. Minimum Allocation; Assessed Value of Real and Personal Property. The minimum amount of taxable capital upon which the corporation franchise tax is calculated shall be the total assessed value of all real and personal property of a corporation in this state. Total assessed value is construed to be the value, after any and all exemptions, upon which the ad valorem tax is based. The assessed value to be used as the basis for the minimum tax calculation is the value upon which the ad valorem tax was calculated for the calendar year preceding the year in which the corporation franchise tax is due.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:606.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Income and Corporation Franchise Taxes Section, Office of Group III, LR 6:25 (January 1980), amended LR 11:108 (February 1985), repromulgated by the Department of Revenue, Policy Services Division, LR 30:453 (March 2004), amended LR 31:696 (March 2005), LR 32:

### Family Impact Statement

The proposed amendment of LAC 61:I.306, regarding the allocation of taxable capital should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. The implementation of this proposed Rule will have no known or foreseeable effect on:

1. the stability of the family;
2. the authority and rights of parents regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budgets;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform this function.

Any interested person may submit written data, views, arguments or comments regarding this proposed Rule to Michael D. Pearson, Senior Policy Consultant, Policy Services Division, Office of Legal Affairs by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098. All comments must be submitted no later than 4:30 p.m., January 25, 2006. A public hearing will be held on January 26, 2006, at 9 a.m. in the Calcasieu Room located on the second floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802.

Cynthia Bridges  
Secretary

### FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Corporation Franchise Tax Allocation of Taxable Capital

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

The implementation of this proposed regulation, which updates the corporation income tax regulation relating to the allocation of items of income and expense, will have no impact on the agency's costs.

The implementation of this proposed regulation will have no impact upon any local governmental units.

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

Proposed regulatory changes related to updating corporate income tax regulations will have no effect on revenue collections of state or local governmental units.

The proposed regulations also implement portions of Act 401 of the 2005 Regular Legislative Session (HB 679). Act 401, in its entirety, is estimated to reduce State General Fund revenues by \$4.8 million in FY 2006-07, \$4.4 million in FY 2007-08, \$3.9 million in FY 2008-09, and \$3.5 million in FY 2009-10. The portions of these total fiscal effects associated with these specific proposed regulations implementing that Act is indeterminable.

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

Statutory changes related to Act 401 of the 2005 Regular Legislative Session will decrease the tax payments of affected businesses by an estimated \$4.8 million in FY 2006-07. Tax reductions for affected businesses associated with these specific proposed regulations implementing that Act are indeterminable.

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

This proposed regulation should have no effect on competition or employment.

Cynthia Bridges  
Secretary  
0512#042

Robert E. Hosse  
Staff Director  
Legislative Fiscal Office

### NOTICE OF INTENT

#### Department of Revenue Policy Services Division

#### Determination of Louisiana Apportionment Percent (LAC 61:I.1134)

Under the authority of R.S. 47:287.95, R.S. 47:287.785, R.S. 47:1511, and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Policy Services Division, proposes to amend LAC 61:I.1134 relative to the determination of the Louisiana apportionment percent.

The primary purpose of this regulation is to update the corporation income tax regulation relating to the changes in the determination of the apportionment percent resulting from the enactment of the Louisiana Headquarters and Growth Act of 2005. The regulation also provides an example to clarify the attribution of revenue from sales transported by public carrier pipelines.

#### Title 61

#### REVENUE AND TAXATION

#### Part I. Taxes Collected and Administered by the Secretary of Revenue

#### Chapter 11. Income: Corporation Income Tax §1134. Determination of Louisiana Apportionment Percent

A. General. R.S. 47:287.95 provides for an apportionment percent that is to be applied to the taxpayer's total net apportionable income in determining the Louisiana net apportionable income. Specific formulas are prescribed for air, pipeline, other transportation businesses, and certain service enterprises. A general formula is prescribed for manufacturing, merchandising and any other business for which a formula is not specifically prescribed. The statute contemplates that only one specific formula be used in determining the apportionment percent, that being the formula prescribed for the taxpayer's primary business. As a general rule, where a taxpayer is engaged in more than one business, the taxpayer's primary business shall be that which is the primary source of the taxpayer's net apportionable income. When the numerator and denominator are zero in any one or more ratios in the apportionment formula, such ratio shall be dropped from the apportionment formula and the arithmetical average determined from the total remaining ratios.

#### B. Property Ratio

1. The value of immovable and corporeal movable property owned by the taxpayer and used in the production of net apportionable income is included in each formula except those provided for certain service businesses and those using the single sales ratio under the general formula. Where only a part of the property is used in the production

of apportionable income, only the value of that portion so used shall be included in the property ratio. However, where the entire property is used in the production of both allocable and apportionable income the value of the entire property shall be included in the property ratio. Idle property and property under construction, during such construction and prior to being placed in service, shall not be included in the property ratio. Property held as reserve or standby facilities, or property held as a reserve source of materials shall be considered used. For example, a taxpayer who purchases a lignite deposit that is held as a reserve source of fuel should include the value of such deposits in the property ratio. Non-productive mineral leases are considered to be held for such use and should be included in the property ratio. The value of inventories of merchandise in transit shall be allocated to the state in which their delivery destination is located in the absence of conclusive evidence to the contrary. R.S. 47:287.95(A)(1) provides that aircraft owned by a taxpayer whose net apportionable income is derived primarily from air transportation should not be included in the property ratio.

2. Proration of Rolling Stock and Other Mobile Equipment. The average value of rolling stock and other mobile equipment owned by the taxpayer shall be prorated within and without Louisiana as set forth below.

a. The value of diesel locomotives shall be allocated to Louisiana on the basis of the ratio of diesel locomotive miles in Louisiana to total diesel locomotive miles.

b. The value of other locomotives shall be allocated to Louisiana on the basis of the ratio of other locomotive miles in Louisiana to total other locomotive miles.

c. The value of freight train cars shall be allocated to Louisiana on the basis of the ratio of freight car miles in Louisiana to total freight car miles.

d. The value of passenger cars shall be allocated to Louisiana on the basis of the ratio of passenger car miles in Louisiana to total passenger car miles.

e. The value of passenger buses shall be allocated to Louisiana on the basis of the ratio of bus miles in Louisiana to total bus miles.

f. The value of diesel trucks shall be allocated to Louisiana on the basis of the ratio of diesel truck miles in Louisiana to total diesel truck miles.

g. The value of other trucks shall be allocated to Louisiana on the basis of the ratio of other truck miles in Louisiana to total other truck miles.

h. The value of trailers shall be allocated to Louisiana on the basis of the ratio of trailer miles in Louisiana to total trailer miles.

i. The value of towboats shall be allocated to Louisiana on the basis of the ratio of towboat miles in Louisiana to total towboat miles. In the determination of Louisiana towboat miles, one half of the mileage of all navigable rivers or streams bordering on both Louisiana and another state shall be considered Louisiana miles.

j. The value of tugs shall be allocated to Louisiana on the basis of the ratio of tug miles in Louisiana to total tug miles. In the determination of Louisiana tug miles, one half of the mileage of all navigable rivers or streams bordering on both Louisiana and another state shall be considered Louisiana miles.

k. The value of barges shall be allocated to Louisiana on the basis of the ratio of barge miles in Louisiana to total barge miles. In the determination of Louisiana barge miles, one half of the mileage of all navigable rivers or streams bordering on both Louisiana and another state shall be considered Louisiana miles.

l. The value of work and miscellaneous equipment shall be allocated to Louisiana on the basis of the ratio of track miles in Louisiana to total track miles in the case of a railroad, on the basis of the ratio of bank miles operated in Louisiana to total bank miles operated in the case of inland waterway transportation and on the basis of the ratio of route miles operated in Louisiana to total route miles operated in the case of truck and bus transportation. In the determination of bank miles, one half of the bank mileage of navigable rivers or streams bordering on both Louisiana and another state shall be considered Louisiana bank miles.

m. The value of other floating equipment shall be allocated to Louisiana on the basis of the ratio of operating equipment miles within Louisiana to the total operating equipment miles, for the particular equipment to be allocated. In the determination of Louisiana operating equipment miles, one half of the mileage of all navigable rivers or streams bordering on both Louisiana and another state shall be considered Louisiana operating equipment miles.

3. Insufficient Records. In any case where the information necessary to determine the ratios listed above is not readily available from the taxpayer's records, the secretary, in his discretion, may permit or require the allocation of such equipment by any method deemed reasonable by him.

C. Wage Ratio. Salaries, wages and other compensation for personal services as used in R.S. 47:287.95 includes only compensation paid to employees or to a deferred plan for the benefit of employees of the taxpayer for services rendered in connection with the production of net apportionable income.

D. Revenue Ratio. This ratio is generally composed of sales, charges for service, and other gross apportionable income. Neither allocable income nor income excluded from gross income, such as interest and dividends, is included in the ratio. For all formulas except that provided by R.S. 47:287.95(F), the revenue ratio consists of the ratio of the gross apportionable income of the taxpayer from Louisiana sources to the total gross apportionable income of the taxpayer. For the formula provided by R.S. 47:287.95(F), the revenue ratio consists of the ratio of net sales made in the regular course of business and other gross apportionable income attributable to this state to the total net sales made in the regular course of business and other gross apportionable income of the taxpayer. Sales not made in the regular course of business are not included in the formula provided by R.S. 47:287.95(F).

1. Revenue from Transportation other than Air Travel. Gross apportionable income attributable to Louisiana from transportation other than air includes all such revenue derived entirely from sources within Louisiana plus a portion of revenue from transportation performed partly within and partly without Louisiana, based upon the ratio of the number of units of transportation service performed in Louisiana to the total of such units. Revenue from transportation exclusively without Louisiana shall not be

included in gross apportionable income attributed to Louisiana. Gross apportionable income attributable to Louisiana shall be computed separately for each of the four classes enumerated below:

a. A unit of transportation shall consist of the following:

i. in the case of the transportation of passengers, the transportation of one passenger a distance of 1 mile;

ii. in the case of the transportation of liquid commodities, including petroleum or related products, the transportation of one barrel of the commodities a distance of 1 mile;

iii. in the case of the transportation of property other than liquids, the transportation of 1 ton of the property a distance of 1 mile;

iv. in the case of the transportation of natural gas, the transportation of one MCF or one MBTU a distance of 1 mile.

b. In any case where another method would more clearly reflect the gross apportionable income attributable to Louisiana, or where the above information is not readily available from the taxpayer's records, the secretary, in his discretion, may permit or require the use of any method deemed reasonable by him.

c. Example: ABC Corporation is in the business of transporting natural gas as a common carrier. During the year 2005, ABC entered into five transactions. In the first transaction 1 million MMCF was transported from Texas, through Louisiana, to Mississippi. The total distance transported was 500 miles, of which 200 miles was in Louisiana. The charge for the transportation was \$250,000. In the second transaction 1 million MMCF was transported from one point in Louisiana to another point in Louisiana, a distance of 150 miles, for a charge of \$150,000. In the third transaction 1 million MMCF was transported from one point in Texas to another point in Texas, a distance of 500 miles, for a charge of \$250,000. In the fourth transaction 1 million MMCF was transported from a point in Louisiana to a point in another state for a charge of \$500,000. The total distance transported was 1,000 miles, of which 100 miles were in Louisiana. In the fifth transaction 1 million MMCF was transported from a point in Louisiana to a point in another state for a charge of \$250,000. The distance transported was 500 miles, of which 100 was in Louisiana. The portion of the gross apportionable income attributed to Louisiana would be computed as follows:

	Louisiana Amount
First Transaction— $200/500 \times \$250,000 =$	\$100,000
Second Transaction—entirely from Louisiana =	150,000
Third Transaction—neither entirely nor partially in Louisiana	-0-
Fourth Transaction— $100/1,000 \times \$500,000 =$	50,000
Fifth Transaction— $100/500 \times \$250,000 =$	50,000
Louisiana Income From Transportation of Natural Gas	\$350,000

## 2. Revenue from Telephone, Telecommunications, and Other Similar Services

a. Gross apportionable income attributable to Louisiana from providing telephone, telecommunications, and similar services shall include, but is not limited to:

i. revenue derived from charges for providing telephone "access" from a location in this state. "Access" means that a call can be made or received from a point

within this state. An example of this type of receipt is a monthly subscriber fee billed with reference to a service address located in the state and without regard to actual usage;

ii. revenue derived from charges for unlimited calling privileges, if the charges are billed by reference to a service address located in this state;

iii. revenue from intrastate telephone calls or other telecommunications, except for mobile telecommunication services, beginning and ending in Louisiana;

iv. revenue from interstate or international telephone calls or other telecommunications, except for mobile telecommunication services, either beginning or ending in Louisiana if the service address charged for the call or telecommunication is located in Louisiana, regardless of where the charges are billed or paid;

v. revenue from mobile telecommunications service:

(a) revenue from mobile telecommunications services shall be attributed to the place of primary use, which is the residential or primary business street address of the customer;

(b) if a customer receives multiple services, such as multiple telephone numbers, the place of primary use of each separate service shall determine where the revenue from that service is attributed;

(c) revenue from mobile telecommunications services shall be attributed to Louisiana if the place of primary use of the service is Louisiana.

b. Definitions. For the purposes of this paragraph, the following terms have the following meanings unless the context clearly indicates otherwise.

i. *Call*—a specific telecommunications transmission.

ii. *Customer*—any person or entity that contracts with a home service provider or the end user of the mobile telecommunications service if the end user is not the person or entity that contracts with the home service provider for mobile telecommunications service.

iii. *Home Service Provider*—the facilities-based carrier or reseller with which the customer contracts for the provision of mobile telecommunications services.

iv. *Place of Primary Use of Mobile Telecommunications Service*—the street address representative of where the customer's use of mobile telecommunications service primarily occurs. This address must be within the licensed service area of the home service provider and must be either the residential or the primary business street address of the customer. The home service provider shall be responsible for obtaining and maintaining the customer's place of primary use as prescribed by R.S. 47:301(14)(i)(ii)(bb)(XI).

v. *Service Address*—the address where the telephone equipment is located and to which the telephone number is assigned.

vi. *Telecommunications*—the electronic transmission, conveyance or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points, by or through the use of any medium such as wires, cables, satellite, microwave, electromagnetic waves, light waves or any combination of those or similar media now in existence or that might be

devised, but telecommunications does not include the information content of any such transmission.

vii. *Telecommunications Service*—providing telecommunications, including service provided by telecommunication service resellers, for a charge and includes telephone service, telegraph service, paging service, personal communication services and mobile or cellular telephone service, but does not include electronic information service or Internet access service.

### 3. Attribution of Sales Made in the Regular Course of Business

a. Sales made in the regular course of business attributable to Louisiana under R.S. 47:287.95 are those sales where the goods, merchandise or property are received in Louisiana by the purchaser. Similarly, where the goods, merchandise or property are received in some other state, the sale is attributable to that state. Sales made in the regular course of business include all sales of goods, merchandise or product of the business or businesses of the taxpayer. They do not include the sale of property acquired for use in the production of income. Where a taxpayer under a contract performs essentially a management or supervision function and receives a reimbursement of his costs plus a stipulated amount, the amounts received as reimbursed costs are not sales although the contract so designates them. The stipulated amount constitutes other gross apportionable income and shall be attributed to the state where the contract was performed. Where goods are delivered into Louisiana by a public carrier, or by other means of transportation, including transportation by the purchaser, the place at which the goods are ultimately received after all transportation has been completed shall be considered as the place at which the goods are received by the purchaser. The transportation in question is the initial transportation relating to the sale by the taxpayer, and not the transportation relating to a sale or subsequent use by the purchaser.

b. Where the goods are delivered by the seller in his own equipment, it is presumed that such transportation relates to the sale. Where the goods are delivered by a common or contract carrier, whether shipped F.O.B. shipping point, and whether the carrier be a pipeline, trucking line, railroad, airline or some other type of carrier, the place where the goods are ultimately received by the purchaser after the transportation by the carrier has ended is deemed to be the place where the goods are received by the purchaser.

c. Where the transportation involved is transportation by the purchaser, in determining whether or not the transportation relates to the sale by the taxpayer, consideration must be given to the following principles.

i. To be related to the initial sale, the transportation should be commenced immediately. However, before a lapse of time is conclusive, consideration must be given to the nature and character of the goods purchased, the availability of transportation, and other pertinent circumstances.

ii. The intent of the parties to the sale must also be considered. The intent and purpose of the purchaser may be determined directly, or by an evaluation of the nature and scope of his operation, customs of the trade, customary activities of the purchaser, and all pertinent actions and words of the purchaser at the time of the sale.

iii. In order for the transportation by the purchaser to be related to the initial sale by the taxpayer to the purchaser, such transportation must be generally the same in nature and scope as that performed by the taxpayer or by the carrier. There is no difference between a case where a taxpayer in Houston ships F.O.B., Houston, to a purchaser in Baton Rouge, by common carrier, and a case where all facts are the same except that the purchaser goes to Houston in his own vehicle and returns with the goods to Baton Rouge.

d. Generally, transportation by public carrier pipelines is accorded the same treatment as transportation by any other type of public carrier. However, because of the nature and character of the property, the type of carrier, and customs of the trade, the natural resources in the pipeline may become intermixed with other natural resources in the pipeline and lose their particular identity. Where delivery is made to a purchaser in more than one state, or to different purchasers in different states, peculiar problems of attribution arise. In solving such problems consideration must be given to the following principles.

i. Where it can be shown that a taxpayer in one state sold a quantity of crude oil to a purchaser in another state, and the oil was transported to the purchaser by pipeline carrier, the sale will be attributed to the state where the crude oil is received by the purchaser, even though the crude oil delivered might not be the identical oil sold because of commingling in the pipeline. Custom of the trade indicates the purchaser buys a quantity of oil of certain quality rather than any specific oil.

ii. In situations involving several deliveries in several different states to one or more purchasers, the general rules should be applied with logic and common sense.

e. In determining the place of receipt by the purchaser after the initial transportation has ended, peculiar problems may be created by the storage of the property purchased immediately upon purchase at a place other than the place of intended use. The primary problem created by such storage is in determining whether or not the transportation after storage relates to the sale by the taxpayer. Generally, the rules and principles set forth above will control where the storage is of temporary nature, such as that necessitated by lack of transportation, by change from one means of transportation to another, or by natural conditions. In cases where the storage is permanent or semi-permanent, delivery to the place of storage concludes the initial transportation, and the sale is attributed to the place of storage.

### 4. Attribution of Gains from Sales Not Made in the Regular Course of Business

a. The net profit from sales not made in the regular course of business shall be included in the ratios provided by R.S. 47:287.95(C) and (D).

b. The net profit from the sale of a mineral lease, royalty interest, oil payment, or other mineral interest shall be attributed to the state or states in which the property subject to such mineral interest is located.

c. The net profit from the sale of other intangibles shall be attributed to the state or states in which the intangible has acquired a business situs if the intangible has been so used in connection with a business as to acquire a

business situs, or, in the absence of such a business situs, shall be at the commercial domicile of the taxpayer.

d. The net profit from the sale of the tangibles shall be attributed to the state or states in which the tangible is located at the time of sale.

5. Exchanges. In transactions in which raw materials, products, or merchandise are transferred to another party at one location in exchange for raw materials, products, or merchandise at another location in agreements requiring the subsequent replacement with similar property on a routine, continuing, or repeated basis, all such transactions shall be carefully analyzed in order to determine whether they constitute sales that should be included in the sales ratio or whether they constitute exchanges which are not sales and should be excluded from the sales ratio.

6. Recoveries and Reductions of Expense. Transactions that are actually recoveries of expenses or transactions that are part of a sequence of transactions for the purpose of managing risk, preventing loss, securing product, securing market or protecting profit shall not be considered gross apportionable income for purposes of determining the Louisiana apportionment percent. Examples of such transactions include, but are not limited to:

a. Corporation A rents retail space in a shopping mall. The glass in the front door of the shop has broken and Corporation A is unable to immediately contact the building owner. Corporation A has the glass replaced and is later reimbursed by the building owner. The reimbursement is not gross apportionable income for purposes of determining the Louisiana apportionment percent.

b. Corporation B buys and sells wheat. As part of securing a supply of wheat at the best possible price Corporation B will, when it believes prices will be rising in the future, purchase options to buy a fixed quantity of wheat at a fixed price on a fixed date in the future. At times market conditions will change subsequent to the purchase of an option and, believing that prices will fall and the wheat can be bought even cheaper than the option price in the future, the option will be sold. The amount received from the sale of the option is not gross apportionable income for purposes of determining the Louisiana apportionment percent. The amount received relates to the ultimate cost of goods sold.

c. Corporation C grows and sells wheat. It knows that at harvest it will have at least a certain amount of wheat that must be sold. To ensure a market for its wheat at harvest Corporation B buys options to sell fixed quantities of wheat at fixed prices at harvest time. At times market conditions will change subsequent to the purchase of an option and, believing that there will be sufficient buyers willing to pay a sufficient price at harvest time, the option will be sold. The amount received from the sale of the option is not gross apportionable income for purposes of determining the Louisiana apportionment percent. The amount received relates to marketing expenses.

d. Corporation D grows, buys and sells wheat. To manage market risk in its business Corporation D engages in complex, sophisticated transactions involving options, futures contracts and various derivative contracts. Any Amounts received in the course of these risk management transactions are not gross apportionable income for the

purposes of determining the Louisiana apportionment percent. The amounts received relate to insurance expenses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:287.95, R.S. 47:287.785, and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Income Tax Section, LR 14:105 (February 1988), repromulgated by the Department of Revenue, Policy Services Division, LR 30:482 (March 2004), amended LR 31:694 (March 2005), amended LR 32:

#### **Family Impact Statement**

The proposed amendment of LAC 61:I.1134, regarding the determination of the Louisiana apportionment percent should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. The implementation of this proposed Rule will have no known or foreseeable effect on:

1. the stability of the family;
2. the authority and rights of parents regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budgets;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform this function.

Any interested person may submit written data, views, arguments or comments regarding this proposed rule to Michael D. Pearson, Senior Policy Consultant, Policy Services Division, Office of Legal Affairs by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098. All comments must be submitted no later than 4:30 p.m., January 25, 2006. A public hearing will be held on January 26, 2006 at 9 a.m. in the Calcasieu Room located on the second floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802.

Cynthia Bridges  
Secretary

#### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Determination of Louisiana Apportionment Percent**

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

The implementation of this proposed regulation, which updates the corporation income tax regulation relating to the changes in the determination of the apportionment percent, will have no impact on the agency's costs.

The implementation of this proposed regulation will have no impact upon any local governmental units.

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

The proposed regulation implements portions of Act 401 of the 2005 Regular Legislative Session (HB 679). Act 401, in its entirety, is estimated to reduce State General Fund revenues by \$4.8 million in FY 2006-07, \$4.4 million in FY 2007-08, \$3.9 million in FY 2008-09, and \$3.5 million in FY 2009-10. The portions of these total fiscal effects associated with these specific proposed regulations implementing that Act is indeterminable.

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

Statutory changes related to Act 401 of the 2005 Regular Legislative Session will decrease the tax payments of affected businesses by an estimated \$4.8 million in FY 2006-07. Tax reductions for affected businesses associated with these specific proposed regulations implementing that Act are indeterminable.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This proposed regulation should have no effect on competition or employment.

Cynthia Bridges  
Secretary  
0512#040

Robert E. Hosse  
Staff Director  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Revenue  
Policy Services Division**

Health Insurance Credit for Contractors of Public Works  
(LAC 61:I.1195)

Under the authority of R.S. 47:287.759, R.S. 47:287.785, R.S. 47:1511, R.S. 47:1601, and R.S. 47:1603, and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Policy Services Division, proposes to adopt LAC 61:I.1195 relative to the administration of the health insurance credit for contractors of public works.

The purpose of this regulation is to explain the procedure employed for the administration of the health insurance credit allowed for public works contractors by R.S. 47:287.759 as enacted by Act 504 of the 2005 Regular Session of the Legislature.

**Title 61**

**REVENUE AND TAXATION**

**Part I. Taxes Collected and Administered by the  
Secretary of Revenue**

**Chapter 11. Income: Corporation Income Tax  
§1195. Health Insurance Credit for Contractors of  
Public Works**

A. Louisiana Revised Statutes 47:287.759 allows for a tax credit against corporation income tax to contractors and subcontractors constructing a public work who offer health insurance to their employees and their dependents.

1. The amount of the credit is 2 percent of the total amount of the contract for the public work less any amounts paid to a subcontractor for a portion of the work performed by the subcontractor.

2. The total tax credit for all taxpayers is limited to \$3 million per calendar year.

3. At least 85 percent of the full-time employees must be offered health insurance. Contractors and subcontractors must pay 75 percent of the total premium for the health insurance of employees who choose to participate and at least 50 percent for each participating dependent of such employees.

4. Employees do not include independent contractors.

**B. Definitions**

*Dependents*—spouse and those persons who would qualify as dependents on the employee's federal income tax return.

*Earnings*—gross wages of the employee not including fringe benefits.

*Health Insurance*—coverage for basic hospital care, and coverage for physician care, as well as coverage for health care, which shall be the same coverage as is provided to employees employed in a bona fide executive, administrative, or professional capacity by the employer who are exempt from the minimum wage and maximum hour requirements of the Federal Fair Labor Standards Act, 29 U.S.C.A. §201, et seq.

*Public Work*—a building, physical improvement, or other fixed construction owned by the state or a political subdivision of the state.

**C. Procedure for Allocation of the Health Insurance Credit**

1. The department will determine if the \$3 million cap on the health insurance credit has been exceeded after all possible extensions to file have passed for all taxpayers.

2. If the \$3 million cap on the health insurance credit is not exceeded and all applicable extensions to file returns have expired, contractors and subcontractors who earn the health insurance credit will be allowed the full amount of the credit properly claimed on their tax return with appropriate interest.

3. However, if more than \$3 million is claimed statewide, the department will allocate the credit on a pro rata basis in proportion to the amount of health insurance credit properly claimed on each employer's timely filed tax return. The allocation will be made after the filing deadline inclusive of all applicable extension periods.

a. Contractors and subcontractors claiming the health insurance credit and an overall refund of overpayment for the taxable year should file their return with the department.

i. The department will reduce the taxpayer's total refund of overpayment by the amount of the health insurance credit claimed on the tax return.

ii. An initial refund of overpayment, the amount of which is exclusive of the health insurance credit amount, will be sent to the taxpayer with a letter stating that the taxpayer's claimed health insurance credit will be held in abeyance until after the extended filing deadline and subsequently will be refunded with appropriate interest.

iii. The health insurance credit will be processed and refunded proportionately after the last extension for filing deadline.

iv. If the health insurance credit is reduced as provided by §1195.C.3 and the taxpayer owes additional money to the department, an assessment will be sent exclusive of penalties and interest if paid within 60 days.

(a) If the additional amount owed is paid within the 60-day period, the interest will be abated pursuant to R.S. 47:1601. Payment of the additional amount owed within the 60-day period will be considered to be a request for waiver of delinquent payment penalties pursuant to R.S. 47:1603 and will be granted.

(b) If the amount owed is not paid within the 60-day period, interest and penalties will be computed from the original due date of the return regardless of any extensions.

b. Contractors and subcontractors who claim the health insurance credit and still owe additional taxes for the taxable year, should file their return with the department and remit payment with the return.

i. If the taxpayer's health insurance credit is reduced as provided by §1195.C.3, the taxpayer will receive an assessment for the difference without being subject to penalties and interest if paid within 60 days.

ii. If the additional amount owed is paid within the 60-day period, the interest will be abated pursuant to R.S. 47:1601. Payment of the additional amount owed within the 60-day period will be considered to be a request for waiver of delinquent payment penalties pursuant to R.S. 47:1603 and will be granted.

iii. If the amount owed is not paid within the 60-day period, interest and penalties will be computed from the original due date of the return regardless of any extensions.

c. Contractors and subcontractors who claim the health insurance credit that reduce their tax liability to zero for a taxable year should file their return with the department.

i. If the taxpayer's health insurance credit is reduced as provided by §1195.C.3 such that the taxpayer owes additional tax, the taxpayer will receive an assessment for the taxes owed exclusive of interest and penalties if paid within 60 days.

ii. If the additional amount owed is paid within the 60-day period, the interest is abated pursuant to R.S. 47:1601. Payment of the additional amount owed within the 60-day period will be considered to be a request for waiver of delinquent payment penalties pursuant to R.S. 47:1603 and will be granted.

iii. If the amount owed is not paid within the 60-day period, interest and penalties will be computed from the original due date of the return regardless of any extensions.

D. Information that must be submitted with the return in order to properly claim the credit:

1. statement that health insurance has been offered to at least 85 percent of the employees;

2. copy of the health insurance coverage plan from the insurance company;

3. number of full-time employees working for the contractor or subcontractor; and

4. amount of the contract for public work.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:287.759, R. S. 47:1601, R.S. 47:1603, R.S. 47:287.785, and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, LR 32:

#### **Family Impact Statement**

The proposed adoption of LAC 61:I.1195, regarding the health insurance credit for contractors of public works should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. The implementation of this proposed rule will have no known or foreseeable effect on:

1. the stability of the family;

2. the authority and rights of parents regarding the education and supervision of their children;

3. the functioning of the family;

4. family earnings and family budgets;

5. the behavior and personal responsibility of children;

6. the ability of the family or a local government to perform this function.

Any interested person may submit written data, views, arguments or comments regarding this proposed rule to Michael D. Pearson, Senior Policy Consultant, Policy Services Division, Office of Legal Affairs by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098. All comments must be submitted no later than 4:30 p.m., Wednesday, January, 25, 2006. A public hearing will be held on Thursday, January, 26, 2005, at 2 p.m. in the River Room located on the seventh floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802.

Cynthia Bridges  
Secretary

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

#### **RULE TITLE: Health Insurance Credit for Contractors of Public Works**

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

The implementation of this proposed regulation will require the addition of one Revenue Accounts Auditor with salary and related benefits of \$52,275 in Fiscal Year 2006/07 and expenses of \$15,000 for system modification and tax form redesign for Fiscal Year 2006-2007. These tax credits expire on December 31, 2007. As such, the Department of Revenue will incur recurring costs for this staff person at least through Fiscal Year 2008-2009.

The implementation of this proposed regulation will have no impact on state government costs or savings.

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

The proposed regulation explains the procedure to implement Act 504 of the 2005 Regular Legislative Session (SB 351). Act 504 is estimated to reduce State General Fund revenues by an amount not greater than \$3 million in total for Fiscal Years 2005/06, 2006/07, and 2007/08.

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

Statutory changes related to Act 504 of the 2005 Regular Legislative Session will decrease the tax payments of public works construction contractors who furnish certain health insurance coverage to their employees by an amount not greater than \$3 million in Fiscal Years 2005-2006, 2006-2007, and 2007-2008. Employees who would not otherwise have health insurance coverage may be provided this employment benefit.

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

This proposed regulation should have no effect on competition or employment.

Cynthia Bridges  
Secretary  
0512#043

Robert E. Hosse  
Staff Director  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Revenue  
Tax Commission**

Ad Valorem Taxation  
(LAC 61:V.101, 103, 203, 205, 211, 301, 304, 309,  
703, 705, 907, 1103, 1307, 1501, 1503, 2503, 3101,  
3103, 3105, 3307, 3501, 3503, and 3507)

In accordance with provisions of the Administrative Procedure Act (R.S. 49:950, et seq.), and in compliance with statutory law administered by this agency as set forth in R.S. 47:1837, notice is hereby given that the Tax Commission intends to adopt, amend and/or repeal sections of the Louisiana Tax Commission Real/Personal Property Rules and Regulations for use in the 2006 (2007 Orleans Parish) tax year.

The full text of these proposed rules may be viewed in the Emergency Rule Section of this issue of the *Louisiana Register*.

Interested persons may submit written comments on the proposed rules until 4 p.m., January 9, 2006, at the following address: Vanessa LaFleur, General Counsel, Louisiana Tax Commission, P.O. Box 66788, Baton Rouge, LA 70896.

Elizabeth L. Guglielmo  
Chairman

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Real/Personal Property**

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

There are no estimated state costs or savings associated with the proposed Rules. The LTC Rules and Regulations Manual, as well as, updates will be available on the agency's website beginning January 2006 at no charge. The impact on local governmental workload and paperwork cannot be quantified, but is expected to be minimal.

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

**Local Governmental Units**

These revisions will generally increase certain 2006 real and personal property assessments for property of similar age and condition in comparison with equivalent assessments in 2005. Composite multiplier tables for assessment of most personal property will increase by an estimated 5 percent. Specific valuation tables for assessment of pipelines will generally increase by an estimated 116 percent and drilling rigs will generally increase by an estimated 22.5 percent. The net effect of these revisions is estimated to increase assessments by 8.8 percent and tax collections by \$45,522,000 on the basis of existing statewide average millage. However, these revisions will not necessarily effect revenue collections of local government units as any net increase or decrease in assessed valuations are authorized to be offset by millage adjustment provisions of Article VII, Section 23 of the state Constitution.

**State Governmental Units**

Under authority granted by R.S. 47:1838, the Tax Commission will receive state revenue collections generated by assessment service fees estimated to be \$330,000 from public service companies and \$116,000 from financial institutions and insurance companies all of which are assessed by the Tax Commission.

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

The affects of these new rules on assessments of individual items of equivalent real and personal property will generally be higher in 2006 than in 2005. Specific assessments will depend on the age and condition of the property subject to assessment.

The estimated costs that will be paid by affected persons as a result of the assessment and user service fees as itemized above total \$446,000 to be paid by public service property owners, financial institutions and insurance companies for 2005/2006.

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

The impact on competition and employment cannot be quantified. In as much as the proposed changes in assessments are relatively small and there will no longer be any charges for our updates, the impact is thought to be minimal.

Elizabeth L. Guglielmo  
Chairman  
0512#078

Robert E. Hosse  
Staff Director  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Social Services  
Office of Community Services**

Developmental and Socialization Activities Program for Foster Children (LAC 67:V.3507)

In accordance with the provision of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Social Services, Office of Community Services, proposes to amend the Rule LAC 67:V, Subpart 5, Foster Care, Chapter 35, Payments, Reimbursements, and Expenditures, §3507, Developmental and Socialization Activities for Foster Children, to increase the maximum allowable amount per child to \$500 per year. A Declaration of Emergency effective December 1, 2005 cited the October 1, 2005, Memorandum of Understanding between the Office of Family Support and the Office of Community Services giving access to the availability of Temporary Assistance to Needy Families (TANF) funds for this program and specifying the increase per child.

**Title 67**

**SOCIAL SERVICES**

**Part V. Community Services**

**Subpart 5. Foster Care**

**Chapter 35. Payments, Reimbursables, and Expenditures**

**§3507. Developmental and Socialization Activities for Foster Children Program**

A. The Department of Social Services, Office of Community Services will only provide for separate reimbursement or expenditure of the cost of organized developmental and socialization activities and related items for foster children 6 through 17 years of age who reside in a foster home setting, certified and non-certified. This reimbursement or expenditure for developmental and socialization activities and related items is separate from the board rate in order to improve self-esteem and appropriate peer interaction for foster children and to prevent out of wedlock pregnancies. The activities shall address specific

areas of need such as building self-confidence, physical coordination, or improving peer interactions.

B. Eligibility is limited to foster children 6 through 17 years of age, who are in a foster home setting, certified or non-certified.

C. The maximum allowable amount for a child is limited to \$500 per year based on the availability of TANF funding.

D. The allowable activities and related items must be purposefully planned by the foster care worker and the child's foster parent to meet a specific need that is addressed in the case plan for the child.

E. The allowable activities include such activities as summer camps; community organization/church/school sponsored trips; memberships in organizations such as Scouts or community sports teams and similar activities; and self-improvement or skill development classes such as music, art, dance, gymnastics, and swimming lessons. Musical instruments, supplies and safety devices or equipment, specialized clothing, and other related items required to participate in these activities are allowable for reimbursement or expenditure under this program as well as the activity.

AUTHORITY NOTE: Promulgated in accordance with 42 U.S.C. 601 et seq.; R.S. 46:231, R.S. 36:474, R.S. 36:476 and 477, and R.S. 46:51

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Community Services, LR 31:484 (February 2005), amended LR 32:

All interested persons may submit written comments through Friday, February 24, 2006, to Marketa Garner Gautreau, Assistant Secretary, Office of Community Services, P.O. Box 3318, Baton Rouge, LA 70821.

#### **Family Impact Statement**

1. The Effect on the Stability of the Family. By providing appropriate developmental and socialization activities to improve self-esteem and appropriate peer interaction, foster children will have opportunities to learn and grow into mature adults who can provide safe and stable families for future generations.

2. The Effect on the Authority and Rights of Parents Regarding Education and Supervision of Their Children. The Developmental and Socialization Program service is provided only to children who have been removed by court order from their parent's custody to protect the safety and well being of the child. If court has not terminated parental rights, the parents as well as the foster parents participate in case planning for services needed by the child.

3. The Effect on the Functioning of the Family. The provision of Developmental and Socialization Program services for foster children 6 to 17 years of age placed in family homes will enhance the functioning of the family unit and promote stable family life. Through the child's participation in activities, the foster parents will be provided respite from full time childcare. The child will develop healthy relationships with responsible adult leaders of community activities for children as well as peer relationships in order to prevent teenage, out of wedlock pregnancies.

4. The Effect on Family Earnings and Family Budget. The provision of developmental and socialization activities for children will assist foster families who might not otherwise be able to afford for the child to participate in community activities such as Scouting or community team sports.

5. The Effect on the Behavior and Personal Responsibility of Children. The participation in organized activities is to improve self-esteem and appropriate peer interaction for foster children and to prevent out of wedlock pregnancies. The activities shall address specific areas of need such as building self-confidence, physical coordination, or improving peer interactions.

6. The Ability of the Family or a Local Government to Perform the Function as Contained in the Proposed Rule. The program is to provide activities that the family could not afford to offer the foster child and that is not otherwise available through community resources.

Ann Silverberg Williamson  
Secretary

#### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

##### **RULE TITLE: Developmental and Socialization Activities Program for Foster Children**

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

The Office of Community Services will expend \$325,000 of Temporary Assistance to Needy Families (TANF) funds to meet the federal goal requirement to prevent out of wedlock pregnancies by funding the Developmental and Socialization Program for foster children 6 through 17 years of age. A minimum of 650 foster children can be served with the funds made available. The minimal cost of publishing rulemaking is approximately \$136. The total estimated implementation cost is approximately \$325,136. Administrative costs for publishing the rulemaking item will be absorbed through the existing budget for the purpose of advertising in the *Louisiana Register*.

There are no savings to state or local government units.

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

Implementation of this Rule will have no effect on state or local revenue collections.

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

Foster children 6 through 17 years of age will be the direct recipients of the services. A foster child identified with a specific developmental and socialization need in the case plan may receive program services to address the need up to a maximum expenditure of \$500 per calendar year which includes an increase of \$200 over previous program limits.

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

The proposed Rule will have no impact on competition and employment.

Kaaren Hebert  
Deputy Assistant Secretary  
0512#083

H. Gordon Monk  
Acting Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Social Services  
Office of Community Services**

**Reimbursement Rates for Residential Facilities  
(LAC 67:V.3503)**

The Department of Social Services, Office of Community Services, intends to amend the LAC 67:V.3503.A. of the Foster Care Program as authorized by R.S. 46:153. In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered and deemed to have no impact on family functioning, stability or autonomy as described in R.S. 49:972.

**Title 67  
SOCIAL SERVICES  
Part V. Community Services  
Subpart 5. Foster Care**

**Chapter 35. Payments, Reimbursables and Expenditures**

**§3503. Reimbursement Rates for Residential Facilities**

A. Office of Community Services (OCS) will implement a competitive solicitation process as a means to select all private residential facility-based programs to serve foster children and to establish per diem rates for that residential service. The department's published Prospective Provider Procedure will be followed. The department may adjust the cycle for the competitive solicitation process when the appointing authority of the OCS determines that an emergency situation exists or other exigent circumstances require the adjustment of the cycle in order to facilitate the provision of appropriate services to children.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.15:1084.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Community Services, LR 14:542 (August 1988), amended LR 20:898 (August 1994), LR 25:1144 (June 1999), LR 26:1342 (June 2000), LR 27:735 (May 2001), LR 32:

Ann S. Williamson  
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Reimbursement Rates  
for Residential Facilities**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)  
It is estimated that the costs to publish this Rule will be \$100 which will be paid out of current year funds in the Office of Community Services (OCS). There will be no increased cost as a result of implementation of the Emergency Rule.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)  
Implementation of this Rule will have no effect on state and local revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)  
There is no economic cost to providers as a result of this Rule. Extending the solicitation process previously planned for

winter/spring 2006 will allow providers to more firmly recover from the storm before having to respond to the solicitation process. It also affords the state some time to reassess its needs and available resources post Hurricanes Katrina and Rita.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated impact on competition and employment from the proposed Emergency Rule.

Kaaren Hebert  
Deputy Assistant Secretary  
0512#084

H. Gordon Monk  
Acting Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT  
Department of Social Services  
Office of Family Support**

**Support Enforcement Services Program  
Electronic Disbursement of Child Support  
(LAC 67:III.2518)**

The Department of Social Services, Office of Family Support, proposes to amend the Louisiana Administrative Code, Title 67, Part III, Subpart 4, Support Enforcement Services (SES), by adopting §2518, Electronic Disbursement of Child Support Payments.

The devastation caused by Hurricanes Katrina and Rita has resulted in the suspension of postal services in some areas of the state that is delaying receipt of child support payments. These circumstances impose an extreme hardship on the custodial parent. Pursuant to Section 454A(g) of the Social Security Act, the agency is adopting §2518, Electronic Disbursement of Child Support Payments, to allow the state to use its automated system for the effective and efficient collection and disbursement of support payments.

The adoption of this Rule is necessary to avoid federal penalties and sanctions that could be imposed by the Administration for Children and Families, Office of Child Support Enforcement, the governing authority of the Support Enforcement Services Program in Louisiana.

A Declaration of Emergency effecting these changes was signed November 1, 2005, and published in the November issue of the *Louisiana Register*.

**Title 67  
SOCIAL SERVICES  
Part III. Family Support  
Subpart 4. Support Enforcement Services  
Chapter 25. Support Enforcement  
Subchapter D. Collection and Distribution of Support Payments**

**§2518. Electronic Distribution of Child Support Payments**

- A. Effective November 1, 2005, the agency will offer electronic disbursement of child support payments. Electronic disbursement of child support includes direct deposits to the custodial parent's bank account (checking or savings) or payments to a stored value card account.
- B. A stored value card is a card-accessed account system where payments are electronically deposited into an account accessible for cash withdrawal or for credit purchases.
- C. The fees associated with the use of the stored value card are subject to the conditions of that financial institution.

AUTHORITY NOTE: Promulgated in accordance with section 454A(g) of the Social Security Act and PIQ-04-02.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 32:

### Family Impact Statement

1. What effect will this Rule have on the stability of the family? This Rule will have no impact on the stability of the family.

2. What effect will this have on the authority and rights of persons regarding the education and supervision of their children? This Rule should have no effect on a person's authority and rights regarding the education and supervision of their family.

3. What effect will this have on the functioning of the family? This Rule will not affect the functioning of the family.

4. What effect will this have on family earnings and family budget? The Rule will ensure that disbursements of child support payments are made in a timely and efficient manner. As a result, the family budget may be positively impacted.

5. What effect will this have on the behavior and personal responsibility of children? This Rule will not affect the behavior or personal responsibility of children.

6. Is the family or local government able to perform the function as contained in this proposed Rule? No, this program is strictly an agency function.

Interested persons may submit written comments by January 26, 2006, to Adren O. Wilson, Assistant Secretary, Office of Family Support, P.O. Box 94065, Baton Rouge, LA 70804-9065. He is responsible for responding to inquiries regarding this proposed Rule.

A public hearing on the proposed Rule will be held on January 26, 2006, at the Department of Social Services, A.Z. Young Building, Second Floor Auditorium, 755 Third Street, Baton Rouge, LA beginning at 9:30 a.m. All interested persons will be afforded an opportunity to submit data, views, or arguments, orally or in writing, at said hearing. Individuals with disabilities who require special services should contact the Bureau of Appeals at least seven working days in advance of the hearing. For assistance, call (225) 342-4120 (Voice and TDD).

Ann Silverberg Williamson  
Secretary

### FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Support Enforcement Services Program—Electronic Disbursement of Child Support

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

Implementation costs for this proposed Rule is estimated to be \$2,100 for FY 05/06 and \$500 for FY 06/07. These figures represent the costs incurred from publishing rulemaking and printing policy, forms, flyers and posters.

By utilizing electronic funds transfer services to issue child support payments, the Office of Family Support, Support Enforcement Services (SES) estimates a savings of \$3,038,242 for FY 05/06 and \$2,336,704 for FY 06/07. The estimated savings are net of the \$2,100 and \$500 publication costs. In an effort to help recipients who were displaced due to hurricanes

Katrina and Rita and to more effectively use electronic transfer services for all recipients, SES plans to begin offering direct deposit or stored valued cards effective November 1, 2005. The electronic transfer services will be provided under the state's current Central Bank Services Agreement contract with Chase Bank. This contract will expire October 2006; therefore, the savings for FY 06/07 were calculated from July 2006-October 2006.

SES currently issues 140,203 child support checks monthly. According to research provided by JP Morgan, banks charge \$5 to produce each check. The savings were calculated on a monthly basis in three parts. The first part was calculated by multiplying the actual number of displaced recipients who would receive stored value cards by \$5. The second part was calculated by multiplying the projected number of non-displaced recipients who would elect to receive stored value cards by 10 percent and then by \$5. The third part was calculated by multiplying the projected number of non-displaced recipients who would elect direct deposit by 10 percent and then by \$5. A 10 percent increment was used as the rate that non-displaced recipients would participate based on research done by JP Morgan. It was also assumed that the total participation rate for non-displaced recipients would be 80 percent.

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

Implementation of this rule will have no effect on state and local revenue collections.

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

There are no anticipated costs to any nongovernmental groups. Support Enforcement Services' custodial parents may or may not incur fees associated with the use of the stored value card (Chase Direct Payment Card) or direct deposit. The Chase Direct Payment Card offers free point-of-sale transactions, free monthly statements and one free ATM withdrawal per deposit at Chase and Allpoint ATMS. Regarding direct deposit, most banks offer free checking accounts when a direct deposit is established so it is not anticipated that there will be fees involved with this service.

Support Enforcement Services is unable to project fee amounts that will be incurred by its customers/clients as they may in fact not incur any fees. Additionally, Chase has been unable to project the amount of fees that the customers/clients might incur.

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

The proposed Rule will have no impact on competition and employment.

Adren O. Wilson  
Assistant Secretary  
0512#082

Robert E. Hosse  
Staff Director  
Legislative Fiscal Office

### NOTICE OF INTENT

#### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Possession of Potentially Dangerous Quadrupeds and Non-Human Primates (LAC 76:V.115)

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend the regulations for possession of potentially dangerous quadrupeds by adding non-human primates.

This Notice of Intent supplants and supercedes that Notice of Intent published in the *Louisiana Register*, Volume 31, Number 6, June 20, 2005, pages 1429-1431.

The Secretary of the Department of Wildlife is authorized to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this Notice of Intent and the final Rule, including but not limited to, the filing of the fiscal and economic impact statements, the filing of the Notice of Intent and final Rule and the preparation of reports and correspondence to other agencies of government.

## **Title 76**

### **WILDLIFE AND FISHERIES**

#### **Part V. Wild Quadrupeds and Wild Birds**

##### **Chapter 1. Wild Quadrupeds**

##### **§115. Possession of Potentially Dangerous Wild Quadrupeds and Non-Human Primates**

A. This commission finds that possession of certain potentially dangerous quadrupeds and non-human primates poses significant hazards to public safety and health, is detrimental to the welfare of the animals, and may have negative impacts on conservation and recovery of some threatened and endangered species.

1. The size and strength of such animals in concert with their natural and unpredictable and/or predatory nature can result in severe injury or death when an attack upon a human occurs. Often such attacks are unprovoked and a person other than the owner, often a child, is the victim. Furthermore, there is no approved rabies vaccine for such animals, so even minor scratches and injuries inflicted upon humans or other animals could be deadly.

2. Responsible possession of these potentially dangerous wild quadrupeds and non-human primates necessitates that they be confined in secure facilities. Prolonged confinement is by its nature stressful to these animals and proper long-term care by experienced persons is essential to the health and welfare of these animals and to society.

3. Certain of these animals are listed as endangered species and others are so similar in appearance to endangered subspecies as to make practical distinction difficult. This similarity of appearance may provide a means to market illegally obtained endangered animals and can limit the effective enforcement of endangered species laws.

B. This commission regulation prohibits importation and private possession of certain wild quadrupeds and non-human primates as follows.

C.1. Except as provided herein, it shall be unlawful to import into, possess, purchase or sell within the state of Louisiana, by any means whatsoever including but not limited to transactions conducted via the internet, any of the following species or its subspecies of live wild quadrupeds or non-human primates, domesticated or otherwise (hereinafter "listed animals"):

- a. cougar or mountain lion (*Felis concolor*);
- b. black bear (*Ursus americanus*);
- c. grizzly bear (*Ursus arctos*);
- d. polar bear (*Ursus maritimus*);
- e. red wolf (*Canis rufus*);
- f. gray wolf (*Canis lupus*);
- g. wolf dog hybrid (*Canis lupus* or *Canis rufus x Canis familiaris*);

h. all non-human primates.

2. Valid game breeder license holders for these species listed Subparagraph a-f above legally possessed prior to October 1, 1988, will be "grandfathered" and renewed annually until existing captive animals expire, or are legally transferred out of state, or are transferred to a suitable facility. No additional listed animals may be acquired.

3. The prohibition against wolf-dog hybrids expired January 1, 1997. Persons are cautioned that local ordinances or other state regulations may prohibit possession of these animals. Any animal which appears indistinguishable from a wolf, or is in any way represented to be a wolf shall be considered to be a wolf in the absence of bona fide documentation to the contrary.

4. The following organizations and entities shall be exempt from this regulation, including permitting:

a. zoos accredited or certified by the American Zoo and Aquarium Association (AZA);

b. research facilities as defined in the Animal Welfare Act as found in the United States Code Title 7, Chapter 54, §2132(e), including but not limited to the University of Louisiana at Lafayette Primate Center, the Tulane National Primate Research Center, and Chimp Haven, Inc., located in Shreveport, LA; and

c. any person transporting any listed animal through the state if the transit time is not more than 24 hours and the animal is at all times maintained within a confinement sufficient to prevent escape and contact with the public.

5. The following organizations and entities may be exempted from this regulation after applying for and receiving a permit from the department to possess any listed animal under the following conditions:

a. other zoos and educational institutions not covered under Subparagraph 4.c. above. The secretary shall determine whether to issue a permit and any conditions for the permit on a case by case basis;

b. animal sanctuaries accredited or certified by AZA. Permitted Sanctuaries are prohibited from breeding or selling any listed animal. The animals must be housed in such a manner as to prevent public contact. Permitted sanctuaries are prohibited from transporting these animals to any public building or place where they may come into contact with the public including, but not limited to schools, hospitals or malls is prohibited.

6. As provided below, the following individuals may be exempted from this regulation after applying for and receiving a permit from the department to possess a non-human primate. The permit will be for one year and must be renewed annually under the following conditions:

a. a physically challenged individual who has exclusive possession of no more than one monkey that is working to aid and assist said individual with his/her disability and where the monkey has been obtained through and trained by a licensed and accredited non-profit organization dedicated to improving the quality of lives for physically challenged;

b. an individual who legally possesses one or more non-human primates prior to the effective date of this regulation and who can prove legal ownership is authorized to keep those non-human primates but is prohibited from acquiring any additional non-human primates by any means whatsoever, including breeding;

c. the individuals listed in this subsection must annually apply for and receive a permit from the department. The permit application shall include:

- i. the name, address, telephone number, and date of birth of applicant;
- ii. a description of each non-human primate applicant possesses, including the scientific name, sex, age, color, weight, and any distinguishing marks;
- iii. a photograph of each non-human primate and its permanent enclosure;
- iv. the physical location where the non-human primate is to be kept;
- v. proof of legal ownership. (Proof of legal ownership includes original purchase documents, veterinary records, or other documentation, acceptable to the Department demonstrating ownership.);
- vi. the microchip or tattoo number of each non-human primate;
- vii. a health certificate signed by a licensed veterinarian within one year prior to the date of the application stating that the animal is free of all symptoms of contagious and/or infectious diseases at the time of the examination and that all appropriate tests and preventative measures have been performed as deemed necessary by the veterinarian.

d. Permit holders must house their non-human primates in such a manner as to prevent public contact and are prohibited from transporting their non-human primate to any public building or place where the public may come into contact with the non-human primate, including, but not limited to schools, hospitals or malls.

e. Permit holders must have their non-human primates examined annually by a licensed veterinarian to insure that the animal is free of all symptoms of contagious and/or infectious diseases at the time of examination and all appropriate tests and preventative measures have been performed as deemed necessary by the veterinarian.

f. Permit holders are required to report any escapes to the department within 24 hours of discovery of the escape.

g. Permit holders are required to submit any changes to the permit information provided in the permit application within 30 days of the date those changes take effect or the permit will be considered invalid.

D. Minimum pen requirements for exempted educational institutions, zoos and scientific organizations are as follows:

1. Bears

- a. Single animal: 25 feet long x 12 feet wide x 10 feet high, covered roof;
- b. pair: 30 feet long x 15 feet wide x 10 feet high, covered roof;
- c. materials: chain link 9 gauge minimum;
- d. safety perimeter rail;
- e. pool: 6 feet x 4 feet x 18 inches deep with facilities for spraying or wetting bear(s);

2. Wolf

- a. 15 feet long x 8 feet wide x 6 feet high per animal, covered roof;
- b. secluded den area: 4 feet x 4 feet for each animal;
- c. materials: chain link wire or equivalent;
- d. safety perimeter rail;

3. Cougar, Mountain lion

- a. Single animal: 10 feet long x 8 feet wide x 8 feet high, covered roof;
- b. pair: 15 feet long x 8 feet wide x 8 feet high, covered roof;
- c. materials: chain link 9 gauge minimum;
- d. safety perimeter rail;
- e. claw log;
- f. shelf: 24 inch wide x 8 feet long, 40 inches off floor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, R.S. 56:171, and R.S. 56:1904F.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:1356 (December 1995), amended LR 32:

In accordance with Act #1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent: This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Interested persons may submit comments relative to the proposed Rule to Philip E. Bowman, Department of Wildlife and Fisheries, Fur & Refuge Division, Box 98000, Baton Rouge, LA 70898-9000, prior to Thursday, February 2, 2006.

Wayne J. Sagrera  
Chairman

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Possession of Potentially Dangerous  
Quadrupeds and Non-Human Primates**

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

Implementation of the proposed rule will be carried out using existing staff and funding levels. A slight increase in workload and paperwork associated with issuance of permits is anticipated. Local governmental units will not be impacted.

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

The proposed rule is anticipated to have no effect on revenue collections of state or local governmental units.

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

The proposed rule will affect those individuals who already possess or want to acquire non-human primates. Those individuals who already possess non-human primates will be required to obtain a permit of possession from the Department of Wildlife and Fisheries. Owners of non-human primates will be required to submit proof of legal ownership and veterinary records when applying for a permit. Permits will be issued at no charge. The cost of veterinary care required will be approximately \$85 for the first year and \$65 per year thereafter. First year costs include a \$20 fee to insert a microchip in or place a tattoo number on the non-human primate.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is not expected to affect competition and employment in the public or private sector.

Janice A. Lansing  
Undersecretary  
0512#072

Robert E. Hosse  
Staff Director  
Legislative Fiscal Office

## NOTICE OF INTENT

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Reserve Enforcement Agents (LAC 76:I.307)

The Office of the Secretary within the Department of Wildlife and Fisheries does hereby give notice of its intent to enact regulations for commissioning of retired wildlife enforcement agents.

#### Title 76

#### WILDLIFE AND FISHERIES

#### Part I. Wildlife and Fisheries Commission and Agencies Thereunder

#### Chapter 3. Special Powers and Duties

#### Subchapter B. Enforcement Officers

#### §307. Reserve Enforcement Agents

##### A. General

1. R.S. 56:69.9 provides for the commissioning of retired wildlife enforcement agents as reserve enforcement agents in order to supplement the Department of Wildlife and Fisheries law enforcement program. Reserve agents bring with them experience and skills not normally found in entry-level, full time agents. Reserve agents may be assigned to law enforcement related functions, community service functions and may also be used as a resource in emergencies and large-scale special events.

2. Reserve agents may be called upon to perform the same duties and accept the same hazards and responsibilities as full-time wildlife enforcement agents. Educational level, experience, physical condition, and other selection criteria applicable to full-time agents apply equally to reserve agents.

3. Only retired wildlife enforcement agents who retired under the provisions of R.S. 11:582 shall qualify to become reserve wildlife enforcement agents. Eligibility for initial application shall be from the official date of retirement. There shall be no more than 50 active commissioned reserve agents. The chief of the enforcement division may make recommendations to the secretary of the department concerning commissioning of reserve agents. The secretary of the department may commission qualified reserve agents and shall have authority to revoke reserve agent commissions at any time. No commission shall be issued for a period greater than one year but may be renewed annually upon satisfactory completion of training requirement as provided by R.S. 56:69.7 and policy and procedure.

##### B. Work Performance and Training Requirements

1. Commissioned reserve agents shall have the powers of and may function as a wildlife enforcement agent when under the direct supervision of a full time employed wildlife enforcement agent. Commissioned reserve agents are prohibited from taking enforcement action unless under the direct supervision of, and accompanied by, a wildlife enforcement agent. This prohibition shall not preclude reserve agents from performing activities such as surveillance, hunter/boater education training, and public

outreach when unaccompanied by a wildlife agent, as long as all activities are under the direction of a wildlife enforcement agent. Reserve agents shall serve at the direction of the regional or section supervisor and may be assigned monthly in accordance with desired needs.

2. Reserve agents are limited in their enforcement authority and may not directly issue citations or make arrests, but can only assist wildlife agents in these duties. Reserve agents may serve as witnesses in any court proceeding relevant to their role as a commissioned reserve agent.

3. The provisions of Chapter 10 of Title 23 of the Louisiana Revised Statutes of 1950, pertaining to worker's compensation, shall not apply to reserve agents. A reserve agent will be required to sign a statement attesting that he has read and understands these rules and the conditions of his being commissioned as a reserve agent. He shall also provide evidence of insurance coverage for personal health and accident insurance. The department shall provide comprehensive general liability insurance, including personal injury coverage for third parties.

4. Serving as a reserve agent is a purely voluntary undertaking and no person commissioned under these provisions shall receive any compensation whatsoever for time or expenses incurred while in training or while in the performance of his/her duties as a reserve agent. The department may provide each reserve agent with a uniform; however such uniform shall identify the reserve agent as being reserve.

5. Reserve enforcement agents shall be required to maintain refresher training annually on fish and wildlife law, regulations, and rules, POST firearms re-qualification, use of force and any other statutorily required training for full time law enforcement officers performing like functions. The enforcement division may provide such training for reserve enforcement agents. Qualifying standards shall be identical to those of regular officers.

6. Reserve enforcement agents shall be required to comply with all provisions of Title 56 and other state and federal law as applicable.

##### C. Cases for Revocation of Commissions

1. Cases for revocation of reserve commissions shall include but shall not be limited to situations where:

a. the reserve agent is convicted of a felony, a misdemeanor, or any wildlife or fishery violation;

b. the reserve agent fails to perform as required by his supervising wildlife agent;

c. the reserve agent receives an unfavorable recommendation from his supervisor;

d. the reserve agent fails to maintain the minimum insurance coverage as provided in R.S. 56:69.12. It shall be the responsibility of the reserve agent to provide proof annually of personal health and injury insurance. The chief of enforcement shall maintain copies of such insurance in each reserve agent's file. Insurance information shall be forwarded to the department's human resources section;

e. the reserve agent fails to comply with any other rule or requirement the secretary or chief of enforcement may require;

f. a reserve agent violates departmental or enforcement division policy;

g. a reserve agent engages in misconduct or insubordination.

2. It shall be the responsibility of the regional captain or section supervisor to monitor and maintain records on all reserve enforcement agents assigned to perform duties within their respective jurisdictions, insure compliance with policies and procedures and report through the chain of command of any violations thereof.

3. The chief of enforcement shall also maintain a file on all active reserve agents, which shall include documentation required to maintain active status as a reserve agent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:69.13.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of Secretary, LR 32:

In accordance with Act No. 1183 of 1999, the Department of Wildlife and Fisheries/Office of Secretary hereby issues its Family Impact Statement in connection with the preceding Notice of Intent: this Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Interested parties may submit comments relative to the proposed Rule to Colonel Winton Vidrine, Law Enforcement Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, prior to Thursday, February 2, 2006.

Dwight Landreneau  
Secretary

## FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

### RULE TITLE: Reserve Enforcement Agents

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

Costs to the state are anticipated to be \$1,000 per year and the existing budget contains sufficient funds to implement the proposed rule. No local governmental implementation costs are anticipated.

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

The proposed rule will have no effect on revenue collections of state and local governmental units.

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

The proposed rule outlines the requirements to become a reserve enforcement agent and describes their duties, responsibilities and enforcement authority. It places a cap on the number of reserve enforcement agents, identifies who is responsible to monitor and maintain records on reserve agents, and presents cases for revocation of reserve commissions.

The proposed rule will provide opportunities for retired wildlife enforcement agents to continue to serve and assist the department. It will also allow retired enforcement agents to receive training and maintain their required qualifications to be an enforcement agent. A reserve agent will be considered a volunteer and will not receive any compensation for work performed.

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

No effects on competition and employment are anticipated.

Janice A. Lansing  
Undersecretary  
0512#071

Robert E. Hosse  
Staff Director  
Legislative Fiscal Office