

Regular Session, 2012
HOUSE BILL NO. 707
BY REPRESENTATIVE SCHRODER

ACT No. 275

1 AN ACT

2 To amend and reenact R.S. 17:24.4(A)(1), (2), and (4), (E), (F)(1)(c), (d), and (e), (3)(a) and
3 (b)(ii), and (4)(a), and (G)(4)(a) and to repeal R.S. 17:24.4(F)(2), relative to the
4 Louisiana Competency-Based Education Program and the Louisiana Educational
5 Assessment Program; to provide relative to standards; to provide relative to testing;
6 to provide relative to terminology and definitions; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:24.4(A)(1), (2), and (4), (E), (F)(1)(c), (d), and (e), (3)(a) and
9 (b)(ii), and (4)(a), and (G)(4)(a) are hereby amended and reenacted to read as follows:

10 §24.4. Louisiana Competency-Based Education Program; statewide standards for
11 required subjects; Louisiana Educational Assessment Program; parish or city
12 school board comprehensive pupil progression plans; waivers

13 A. As used in this Section, the following words, terms, and phrases shall
14 have the meaning ascribed to them in this Subsection, except when the context
15 clearly indicates a different meaning:

16 (1) "The Louisiana Competency-Based Education Program" means the
17 coordination of all existing statutory provisions and State Board of Elementary and
18 Secondary Education policies and guidelines to be implemented by the state
19 Department of Education which affect pupil performance with the development and
20 establishment of statewide ~~curriculum~~ content standards for required subjects for the
21 public elementary and secondary schools of this state, the complete implementation
22 of the Louisiana Educational Assessment Program, the involvement of all federal
23 instructional programs, vocational programs, special education programs, and
24 teacher education programs in this state, and the pupil progression plans for the
25 public elementary and secondary school systems of this state.

1 (2) "The Louisiana Educational Assessment Program" means a process of
2 measuring pupil performance in relation to grade appropriate skills, state ~~curriculum~~
3 content standards, and national educational indices.

4 * * *

5 (4) "The statewide ~~curriculum~~ content standards for required subjects" ~~means~~
6 ~~the required subjects to be taught, curriculum guides which contain grade appropriate~~
7 ~~skills and competencies, suggested activities, suggested materials of instructions, and~~
8 ~~minimum required time allotments for instruction in all subjects~~ are statements that
9 define what a student should know or be able to accomplish at the end of a specific
10 time period or grade level or at the completion of a course. Content standards shall
11 represent the knowledge and skills needed for students to successfully transition to
12 postsecondary education and the workplace, as determined by content experts,
13 elementary and secondary educators and school leaders, postsecondary education
14 leaders, and business and industry leaders.

15 * * *

16 E. The state Department of Education shall, with the approval of the State
17 Board of Elementary and Secondary Education, as part of the Louisiana
18 Competency-Based Education Program, develop and establish statewide ~~curriculum~~
19 content standards for required subjects to be taught in the public elementary and
20 secondary schools of this state, ~~however, no such standards or scores shall exceed~~
21 ~~any national average standards, scores, or percentile rankings. The effective~~
22 ~~implementation date of the statewide curriculum standards for required subjects shall~~
23 ~~be the 1981-1982 school year. Development of such curriculum shall begin by the~~
24 ~~1979-1980 school year, and be piloted by the Department of Education during the~~
25 ~~1980-1981 school year.~~ The statewide ~~curriculum~~ content standards for required
26 subjects shall be implemented by the state Department of Education as approved by
27 the State Board of Elementary and Secondary Education, with recommendations
28 prior to approval and advice from the educational personnel in the public schools and
29 colleges and universities of this state.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 F.(1)

2 * * *

3 (c) ~~Criterion-referenced tests~~ Standards-based assessments in English
4 language arts, ~~and mathematics, science, and social studies~~ based on state content
5 standards and rigorous student achievement standards set with reference to test
6 scores of students of the same grade level nationally shall be ~~piloted in grades four~~
7 ~~and eight during the 1997-1998 school year and implemented during the 1998-1999~~
8 ~~school year if approved by the State Board of Elementary and Secondary Education.~~

9 Such tests shall be administered, at a minimum, in grades three through eleven.
10 ~~Criterion-referenced tests in science and social studies based on state content~~
11 ~~standards and rigorous student achievement standards set with reference to test~~
12 ~~scores of students of the same grade level nationally shall be piloted in grades four~~
13 ~~and eight during the 1998-1999 school year and implemented during the 1999-2000~~
14 ~~school year if approved by the State Board of Elementary and Secondary Education.~~

15 (d) Beginning with the 2014-2015 school year, standards-based assessments
16 implemented by the State Board of Elementary and Secondary Education in English
17 language arts and mathematics shall be based on nationally recognized content
18 standards that represent the knowledge and skills needed for students to successfully
19 transition to postsecondary education and the workplace. ~~High school level criterion-~~
20 ~~referenced tests based on state content standards and rigorous~~ Rigorous student
21 achievement standards shall be set with reference to test scores ~~of students~~ of the
22 same grade level levels nationally ~~in mathematics, English/language arts, science,~~
23 ~~and social studies shall be piloted during the 1999-2000 school year and~~
24 ~~implemented beginning with the 2000-2001 school year.~~

25 (e) The rigor of each ~~criterion-referenced test~~ standards-based assessment,
26 at a minimum, shall be comparable to ~~those~~ national achievement tests, ~~administered~~
27 ~~as a part of~~ including but not limited to the National Assessment of Education
28 Progress.

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(3)(a) In lieu of the ~~critterion-referenced tests~~ standards-based assessments prescribed in Subparagraphs (1)(c) and (d) of this Subsection and the tests prescribed in Paragraph (2) of this Subsection and beginning no later than July 1, 2000, an alternate assessment shall be provided for and administered only to those students with disabilities who meet specific eligibility criteria developed by the state Department of Education and approved by the State Board of Elementary and Secondary Education. A determination of whether any student meets the eligibility criteria established by the state Department of Education shall be made by the student's Individual Education Plan committee and shall be so noted on that student's Individual Education Plan. The alternate assessment developed pursuant to this Paragraph shall be administered on a schedule determined by the state Department of Education and approved by the State Board of Elementary and Secondary Education. The alternate assessment shall be part of the Louisiana Education Assessment Program otherwise provided for in this Subsection and the alternate assessment shall be used for information, accountability, compliance, and planning purposes as provided by the State Board of Elementary and Secondary Education.

(b)

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(ii) Students with persistent academic disabilities shall be allowed to take academic assessments that are sensitive to measuring progress in their learning and that recognize their individual needs. Academic assessments are to be geared specifically toward accommodating students to enable them to perform on ~~critterion-referenced tests~~ standards-based assessments prescribed in Subparagraphs (1)(c) and (d) of this Subsection and the ~~norm-referenced tests~~ prescribed in Paragraph (2) of this Subsection. Such accommodations shall include at a minimum verbalized test questions and shall provide for writing assistance of a scribe and any other accommodations deemed appropriate by the student's Individual Education Plan committee. However, any such accommodations shall not breach test security or invalidate the meaning of the test score or the purpose of the test.

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1 (4)(a) In addition to the other requirements of this Subsection, the
2 ~~department~~ state Department of Education shall establish, subject to the approval of
3 the State Board of Elementary and Secondary Education, the ~~results~~ level of
4 achievement on certain of the tests or on certain portions of the tests given as
5 required in this Subsection ~~in third and seventh grade as indicative of the student's~~
6 ~~proficiency in at least mathematics and reading or language arts and the level of~~
7 ~~achievement on certain of the tests or on certain portions of the tests administered~~
8 in fourth and eighth ~~grade~~ grades ~~and at the secondary level as definitive of the level~~
9 of the student's proficiency in mathematics, English language arts, science, and
10 social studies. ~~The level of proficiency required of fourth~~ Fourth and eighth grade
11 students shall be required to demonstrate proficiency on such tests in order to
12 ~~proceed with their schooling without intervention shall be established~~ advance to
13 grades five and nine, pursuant to rules adopted by the State Board of Elementary and
14 Secondary Education ~~by rule adopted~~ in accordance with the Administrative
15 Procedure Act, ~~and~~ Such proficiency levels shall be set with reference to test scores
16 of students of the same grade level nationally. ~~However, by not later than December~~
17 ~~30, 2009, the state superintendent of education shall submit recommendations to the~~
18 ~~board for expanding the opportunities, in limited circumstances, for students who fail~~
19 ~~to achieve the required proficiency levels to be promoted to grades five and nine, and~~
20 ~~by not later than January 30, 2010, the board shall approve and implement such~~
21 ~~recommendations. Additionally, the board shall make information available to the~~
22 ~~public and to the House Committee on Education and the Senate Committee on~~
23 ~~Education indicating where a sample of students who score at the state's proficiency~~
24 ~~level on the state criterion-referenced tests score on a national norm-referenced test.~~
25 The department shall establish, subject to the approval of the State Board of
26 Elementary and Secondary Education, the nature and application of various
27 intervention options in the case of a failure to demonstrate proficiency, which may

1 include remediation, retention in grade, an alternative placement in succeeding
2 grades, or any other option which will support a student's achieving the required
3 proficiency level.

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5 G.

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7 (4)(a) The governing body of each school with students required by law or
8 a rule of the State Board of Elementary and Secondary Education to participate in the
9 Louisiana Educational Assessment Program shall develop a policy with the
10 participation and input of the committee provided for in this Subsection which shall,
11 at a minimum, conform to any rule adopted by the State Board of Elementary and
12 Secondary Education regarding pupil promotion. Following this policy, each teacher
13 shall, on an individualized basis, determine promotion or placement of each student.
14 Each such governing body may review promotion and placement decisions in order
15 to ~~insure~~ ensure compliance with its established policy. Review may be initiated by
16 the governing body, the superintendent, or a student's parent or guardian. Those
17 students who fail to meet required achievement levels on the state administered
18 ~~criterion-referenced tests~~ standards-based assessments of the Louisiana Educational
19 Assessment Program shall be offered education programs designed to accelerate
20 progress that comply with regulations adopted by the State Board of Elementary and
21 Secondary Education. Such programs shall include, at a minimum, the offering of
22 a summer school remediation program to all students who do not meet the minimum
23 achievement level necessary to be fully promoted to the fifth or ninth grade as
24 established by the State Board of Elementary and Secondary Education rule.

25 * * *

1 Section 2. R.S. 17:24.4(F)(2) is hereby repealed in its entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____