AN ACT

To amend and reenact Children's Code Art. 908(A), R.S. 15:905(A), (B), and (C), and the introductory paragraph of R.S. 17:3911(B)(1) and (3) and (C)(2), and 3912(A), and to enact R.S. 17:10.9 and 100.1(D), relative to educational programs in juvenile justice facilities; to require oversight, accountability and control of the educational services delivered in juvenile justice facilities; to create a mutual accountability team; to provide for a specialized school performance score calculation system; to require the maintenance of certain data; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Art. 908(A) is hereby amended and reenacted to read as follows:

Art. 908. Care and treatment by department

A. Except as provided in Article 906 Notwithstanding any other provisions of law to the contrary, the Department of Public Safety and Corrections, office of juvenile justice, shall have sole authority over the placement, care, treatment, or any other considerations deemed necessary from the resources that are available for children judicially committed to the department.

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Section 2. R.S. 15:905(A), (B), and (C) are hereby amended and reenacted to read as follows:

§905. Rules and regulations; education; training and discipline, work opportunities, vocational training, contracts and agreements

A. The Except as otherwise provided in laws and rules concerning oversight, accountability, and quality control of educational services delivered in state juvenile justice facilities, the Department of Public Safety and Corrections, office of juvenile justice, shall have full control of all juvenile institutions, facilities, and programs under its administration and the affairs of such institutions, facilities,
and programs and shall adopt all rules and regulations which it deems essential to the
proper conduct of these institutions, facilities, and programs. All children in these
juvenile institutions, facilities, and programs shall receive appropriate treatment,
training, and education commensurate with their needs and abilities. The department
may enter into contracts or cooperative agreements to fulfill its obligations to
accomplish its goals in the most efficient manner possible.

B. The Except as otherwise provided in laws and rules concerning
oversight, accountability, and quality control of educational services delivered
in state juvenile justice facilities, the deputy secretary for youth services shall
establish all rules and regulations for the placement, care, and treatment of a juvenile
in the custody of the office of juvenile justice.

C. Notwithstanding any other provisions of law to the contrary, Except as
otherwise provided in laws and rules concerning oversight, accountability, and
quality control of educational services delivered in state juvenile justice
facilities, the deputy secretary for youth services shall have the sole authority to
establish the programmatic standards for juveniles assigned to the custody of the
office of juvenile justice.

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Section 3. The introductory paragraph of R.S. 17:3911(B)(1) and (3), (C)(2), and
3912(A) are hereby amended and reenacted, and R.S. 17:10.9 and 100.1(D) are hereby
enacted to read as follows:

§10.9. Accountability; office of juvenile justice schools

A. The state school and district accountability program shall include all
office of juvenile justice schools. For the purposes of this Section, "office of
juvenile justice schools" shall mean all schools and programs providing
educational services to students in secure care facilities operated by, or
contracted under, the authority of the Department of Public Safety and
Corrections, youth services, office of juvenile justice.

B. Not later than July 1, 2016, the State Board of Elementary and
Secondary Education shall convene a mutual accountability team as an ad hoc
subcommittee of the School and District Accountability Commission. No later
than March 1, 2017, the mutual accountability team shall recommend to the
board a specialized accountability program for the office of juvenile justice
schools. The specialized accountability program for office of juvenile justice
schools shall be consistent with the accountability program mandated for all
schools in Louisiana and contain appropriate considerations for schools in
secure juvenile justice facilities. The mutual accountability team shall consist
of:

(1) One member of the School and District Accountability Commission
to be designated by the chair of the commission. This member shall serve as
chair of the mutual accountability team.

(2) One person designated by the deputy secretary for youth services.

(3) One person who is an expert on education in custodial settings,
designated by the chairperson of the Juvenile Justice Reform Act
Implementation Commission, after consultation with the Council of State
Governments.

(4) One person representing the interests of students and families,
designated by the executive director of the Louisiana Advocacy Center.

(5) One person who is an expert in alternative education in community
settings, designated by the director of the Institute for Public Health and Justice
at Louisiana State University.

C. Not later than March 1, 2017, the State Board of Elementary and
Secondary Education shall adopt rules in accordance with the Administrative
Procedure Act to establish a specialized accountability program for office of
juvenile justice schools based on recommendations of the mutual accountability
team. The specialized accountability program shall include:

(1) A specialized school report card for use in assessment of student
achievement in office of juvenile justice schools. The report cards shall be
consistent with other accountability systems as required by law and must
articulate additional criteria tailored to measuring the progress of students in
office of juvenile justice schools and the performance of those schools. In
articulating these criteria, the mutual accountability team and the State Board
of Elementary and Secondary Education shall consider but are not limited to:

(a) Student growth in reading and math as measured through an
appropriate assessment instrument. The assessment instrument shall be
administered to all students in office of juvenile justice schools upon entry, upon
release, or at other appropriate intervals during the students’ term of custody.
The mutual accountability team shall recommend selection criteria for
assessment instruction, recommend benchmark standards around participation,
and recommend student growth targets.

(b) Credit accumulation. The mutual accountability team shall
recommend a mechanism through which the office of juvenile justice and the
state Department of Education shall track students’ credit accumulation and
recommend a benchmark standard for credit accumulation.

(c) Modified graduation rates and recognized high school equivalent
passage rates.

(i) The mutual accountability team shall recommend a uniform
assessment protocol for identifying students entering office of juvenile justice
schools with a high likelihood of graduating from high school while in the care
of the office of juvenile justice. For these students, the team shall recommend
a benchmark graduation rate metric against which student and school progress
can be measured.

(ii) The mutual accountability team shall recommend a uniform
assessment protocol to assess the readiness of students to take a high school
equivalency test. For students who demonstrate readiness, the team shall
recommend a benchmark passage rate against which student and school
progress can be measured.

(d) School attendance, defined as the percentage of students who are
physically present in classrooms for school and educational programs.

(e) The percentage of students pursuing a high school diploma; an
industry-based certification approved by the State Board of Elementary and Secondary Education; a recognized high school diploma equivalent; credits for advanced courses, including but not limited to advanced placement courses and courses in which students are dually enrolled in postsecondary education institutions; and postsecondary education programs.

(f) Performance in educating youth with exceptionalities, including identifying special education needs, developing best-practices Individualized Education Programs, and providing services and supports mandated by Individualized Education Programs.

(g) Re-enrollment in school or other educational or vocational training programs after leaving office of juvenile justice custody.

(h) Success in post-release high school, postsecondary education, or job-training programs.

(2) A program of regular, in-person monitoring of office of juvenile justice schools on no less than an annual basis. The mutual accountability team shall study and recommend to the State Board of Elementary and Secondary Education the monitoring program, which may include but not be limited to external accreditation and monitoring visits by teams of experts in special education and correctional education. The program shall be implemented no later than July 1, 2017.

(3) A set of supports, interventions, and remedies to be implemented when an office of juvenile justice school is deemed to be academically unacceptable and a definition of "academically unacceptable status" that is appropriate for the office of juvenile justice schools. The intensiveness of the interventions and remedies developed must escalate for every year that a school is deemed to be in academically unacceptable status, and must include the following:

(a) Mandating intervention by the state Department of Education if any office of juvenile justice school is found to be academically unacceptable in any year.
(b) Mandating, at a minimum, the production by the state Department of Education of annual written reports detailing any supports, interventions, and remedies implemented when any office of juvenile justice school is deemed academically unacceptable. Such reports shall be presented annually to the Juvenile Justice Reform Act Implementation Commission and the chairs of the Senate Committee on Education and the House Committee on Education and be available on the websites of the state Department of Education and the office of juvenile justice.

D. The specialized office of juvenile justice school report cards developed pursuant to Subsection C of this Section shall be assembled and calculated by the state Department of Education annually. With the results of the 2017-2018 school year, the report cards and performance scores shall be published annually on the websites of the state Department of Education and the office of juvenile justice. Additionally, the state Department of Education and the office of juvenile justice shall jointly prepare an annual written report on educational progress and quality in office of juvenile justice schools, a copy of which shall be made available on the websites of both agencies, and shall jointly appear before the Juvenile Justice Reform Act Implementation Commission to present the report.

E. Not later than July 1, 2017, the mutual accountability team and the State Board of Elementary and Secondary Education shall develop and adopt rules in accordance with the Administrative Procedure Act, governing educational assessment and counseling of students in office of juvenile justice schools. Such rules shall include but not be limited to:

(1) Provisions for ensuring that students are appropriately assigned to educational programs and schools including high school diploma programs, industry-based certifications approved by the State Board of Elementary and Secondary Education, and recognized high school diploma equivalent programs.

(2) Provisions for ensuring that the student's parents or legal guardians
are consulted and consent to a student's being removed from a program leading
to a high school diploma as part of a student's individual learning plan.

(3) Provisions for ensuring that the expressed interests of students and
their parents or legal guardians are taken into account in assigning youth to,
and transferring youth among, educational programs and schools.

F. Not later than July 1, 2017, the mutual accountability team shall
recommend to the State Board of Elementary and Secondary Education a policy
mandating which records, information, and other documentation that must be
maintained within the cumulative file of any student in an office of juvenile
justice school. The policy shall also articulate expectations for the expedient
development of cumulative student files upon a student's entry into office of
juvenile justice custody, and for expedient transfer of cumulative student files
among programs and schools as students transition out of office of juvenile
justice schools. The State Board of Elementary and Secondary Education shall
consider the mutual accountability team’s recommendations in promulgating
into law a policy that may include but not be limited to the considerations
provided in this Subsection.

G. Not later than December 1, 2016, the mutual accountability team shall
recommend the capabilities, functions, and other selection criteria for a
comprehensive computerized student information system to be used in
collecting, storing, and reporting data in office of juvenile justice schools. The
office of juvenile justice shall ensure the implementation and deployment of the
student information system in all office of juvenile justice schools no later than
July 1, 2017. The student information system must meet all specifications
articulated by the Louisiana Department of Education, the State Board of
Elementary and Secondary Education, and the office of technology services of
the division of administration. In recommending the capabilities of the student
information system, the mutual accountability team shall consider the
following:

(1) Student information systems with the capability to communicate and
share data with the office of juvenile justice case management software, local
school districts, and the state Department of Education.

(2) Student information systems that can serve as the single point of
entry for all data used in report cards required by this Section, progress profiles
prepared pursuant to R.S. 17:3912, and required federal reporting.

H. Not later than January 1, 2017, the state superintendent of education
shall designate a program manager for juvenile justice education programs to
supervise all monitoring, oversight, support, and intervention in office of
juvenile justice schools and to ensure compliance with applicable federal
requirements.

I. Notwithstanding any provision of law to the contrary, the office of
juvenile justice shall be considered a parish school board for purposes of
development and submission of pupil progression plans pursuant to R.S.
17:24.4.

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§100.1. Alternative educational programs; certain adjudicated students; students in
the custody of the office of juvenile justice; funding; authority of the
local school board to contract; inclusion in minimum foundation
program; funding formula
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D. It is the intent of the legislature that the expenditure of Minimum
Foundation Program funds and other state and federal funds for youth in office
of juvenile justice schools be subject to the same oversight and accountability
as other city, parish, and local public school boards.

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§3911. Data collection system; establishment
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B.(1) The data collection system shall provide for but shall not be limited to
the regular collection of the following information on a per school basis, including
schools and educational programs located within secure care facilities under the
jurisdiction of the Department of Public Safety and Corrections, office of juvenile justice:

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(3) Each city and parish school board shall ensure that all schools under its jurisdiction accurately report student discipline information, including referrals by teachers for serious disciplinary offenses, using the uniform reporting form developed by the State Board of Elementary and Secondary Education in accordance with the provisions of R.S. 17:416(A)(4)(a)(iii). Each board shall have school-level summaries of the reported student discipline information prepared for its use and shall formally review and analyze the summary information on a regular basis. Upon request by the state Department of Education, the student discipline information required by this Paragraph also shall be collected as part of the data collection system provided for by this Section. The provisions of this Paragraph shall apply to schools and educational programs located within secure care facilities under the jurisdiction of the Department of Public Safety and Corrections, office of juvenile justice.

C. The department shall:

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(2) Assist each local board and the office of juvenile justice in compiling the information by identifying and providing any required and discretionary information currently collected at the state level.

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§3912. Progress profiles; preparation; distribution

A. Using, at a minimum, the data required to be collected pursuant to R.S. 17:3911(B), the department shall annually prepare and produce a state-level progress profile, a district-level progress profile for each public school system, and a school-level progress profile for each public school. Each profile shall be produced in a format common to all of them which shall be designed by the department so as to provide to school-based users all pertinent information in a readily usable form and to provide to the public all pertinent information in a clear and understandable form.
form. The state-level and each district-level profile shall contain the last three years
of trend information as required by R.S. 17:10.2(C)(A). Each school profile shall
contain all of the information relevant to the school as required to be collected
pursuant to R.S. 17:3911(B) as well as the same information for the school system
as a whole and the state. In addition, a parent-level progress profile shall be prepared
containing, at a minimum, results from required state tests and other relevant
information used to compute a school's performance score as part of the district and
school accountability program. For the purposes of this Section, the Department
of Public Safety and Corrections, office of juvenile justice, shall be considered
a school district, and each secure facility operated by the Department of Public
Safety and Corrections, office of juvenile justice, shall be considered a school.

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Section 4. This Act shall become effective on August 1, 2016; if vetoed by the
governor and subsequently approved by the legislature, this Act shall become effective on
August 1, 2016, or on the day following such approval by the legislature, whichever is later.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________

Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.