

Regular Session, 2011

HOUSE BILL NO. 419

BY REPRESENTATIVES PATRICIA SMITH, AUBERT, CARMODY, CHANDLER,  
CHANEY, DOWNS, EDWARDS, AND RITCHIE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

EDUCATION/REMEDIAL: Creates the Remedial Education Commission

1 AN ACT

2 To enact R.S. 17:3140 and R.S. 36:651(G)(3), relative to remedial education; to create the  
3 Remedial Education Commission; to provide for the purpose, membership, duties,  
4 and responsibilities of the commission; to provide for reporting requirements; to  
5 provide for termination; to provide for an effective date; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:3140 is hereby enacted to read as follows:

9 §3140. Remedial Education Commission; creation; purpose; membership; duties;  
10 reporting; termination

11 A.(1) The legislature finds that the state must greatly increase the number  
12 of its citizens who hold a postsecondary education credential by creating an  
13 environment that increases the desire to learn and continuously gain knowledge.

14 (2) The legislature further finds that more citizens must not only earn a high  
15 school diploma but also must successfully access and navigate the postsecondary  
16 education system throughout their lives in order to acquire the knowledge and skills  
17 needed to be productive workers and engaged citizens.

18 (3) The legislature further finds that in order to achieve a more educated  
19 citizenry, the expectations of college readiness must be clearly communicated to  
20 educators, prospective students enrolled in high school, and the students' parents.

1           (4) The legislature further finds that there exists a large population of adults  
2           that could benefit from completion of postsecondary education and that many of  
3           these nontraditional adult students have specific remediation needs.

4           (5) The legislature further finds that the use of data concerning successful  
5           strategies for identifying and remediating students at significant transition points  
6           could assist public elementary and secondary schools and public postsecondary  
7           education institutions in identifying students who need additional educational  
8           services and assistance and in providing for such services at the most appropriate  
9           junctures using the most cost-effective methods.

10           (6) The legislature further finds that it is in the best interest of the state's  
11           public education system and the students of the state to create a commission to  
12           review the relevant data and recommend best practices and strategies for identifying  
13           and assisting students to ensure that they are successful throughout their academic  
14           careers, no matter the point of entry.

15           B. There is hereby created the Remedial Education Commission, referred to  
16           in this Section as the "commission", for the purposes of studying and reviewing the  
17           data on educational services provided in public elementary and secondary schools  
18           and remedial education provided at public postsecondary education institutions, of  
19           recommending best practices and strategies to be used by public elementary and  
20           secondary schools and public postsecondary education institutions in providing such  
21           educational services, and of recommending any necessary statutory and regulatory  
22           changes to the legislature, the State Board of Elementary and Secondary Education,  
23           and the Board of Regents related to the study.

24           C. The membership of the commission shall be as follows:

25           (1) The commissioner of higher education or his designee.

26           (2) The state superintendent of education or his designee.

27           (3) The president of the State Board of Elementary and Secondary Education  
28           or his designee.

1           (4) The president of the Louisiana Community and Technical College  
2           System or his designee.

3           (5) The chairman of the House Committee on Education or his designee.

4           (6) The chairman of the Senate Committee on Education or his designee.

5           (7) The executive director of the office of college and career readiness of the  
6           state Department of Education or his designee.

7           (8) The following persons to be appointed by the commissioner of higher  
8           education:

9           (a) A representative from a public postsecondary four-year institution.

10          (b) A representative from a public postsecondary two-year institution.

11          (c) A representative from the Louisiana Association for Developmental  
12          Education with experience in intervention education services and remedial education  
13          as a researcher or practitioner.

14          (d) A nontraditional adult student attending a public postsecondary education  
15          institution.

16          (e) A representative from the Board of Regents with responsibilities in  
17          implementing remedial education.

18          (9) The following persons to be appointed by the state superintendent of  
19          education:

20          (a) A middle or high school teacher employed in a public school located in  
21          an urban area of the state.

22          (b) A middle or high school teacher employed in a public school located in  
23          a rural area of the state.

24          (c) A parent of a student enrolled in a public middle or high school.

25          (10) A member of the Louisiana School Boards Association to be appointed  
26          by the association's president.

27          D. All legislative members of the commission shall receive the same per  
28          diem and travel allowance for attending meetings of the commission as is normally

1 provided for meetings of legislative committees. Other members of the commission  
2 shall serve without compensation.

3 E. The commission is a joint collaboration between the Board of Regents and  
4 the State Board of Elementary and Secondary Education. The Board of Regents and  
5 the state Department of Education shall designate staff to assist the commission in  
6 performing its duties and responsibilities.

7 F. The commissioner of higher education shall convene the commission for  
8 its first meeting by September 15, 2011, at which meeting the members of the  
9 commission shall select a chairman and a vice chairman. The commission shall meet  
10 upon the call of the chairman as often as deemed necessary to carry out its duties and  
11 shall establish a meeting schedule and time line for completion of its duties.

12 G. The commission shall study and make recommendations on at least the  
13 following:

14 (1) The data and research on intervention education services and remedial  
15 education and the identification of best practices and strategies for recognizing  
16 students in need of such services and for providing such services at the appropriate  
17 juncture at the elementary, secondary, and postsecondary education levels.

18 (2) K-12 to postsecondary education transition issues including the  
19 alignment of high school graduation requirements and course curriculum with  
20 college expectations.

21 (3) The need for clear entrance and exit standards for all remedial courses  
22 and the transferability of credit for such courses to all public postsecondary  
23 education institutions in the state.

24 (4) Strategies and data for reducing the need for remediation of high school  
25 graduates, offering more dual credit opportunities for high school students, and  
26 increasing the college-going rate of adults.

27 (5) The capacity of the community and technical colleges to provide all  
28 remedial education services and, if it is found that the community and technical

1 colleges lack the capacity to be the sole provider of such services, that there are  
2 adequate transition plans in place until the capacity is reached.

3 (6) The role of distance learning and other innovative alternatives to  
4 traditional instruction and delivery methods for remedial education.

5 (7) The success of students engaged in remedial education programs at  
6 public postsecondary education institutions in terms of their retention and graduation  
7 rates as compared to those students not placed in remedial education.

8 (8) The creation of a formalized professional development program and  
9 communication system where remedial education faculty from both secondary and  
10 postsecondary education regularly meet to gain knowledge in best practices and  
11 trends in the instruction and delivery of remedial education and to share changes in  
12 expectations and maintain communication.

13 H. The commission shall be authorized to request and receive education data  
14 and other related data and information produced by any public entity and such entity  
15 shall respond to the request in a timely manner. All requested data and information  
16 shall be submitted in a standardized format as determined by the commission.

17 I. The commission shall submit a written report of its study findings and  
18 recommendations to the House Committee on Education and the Senate Committee  
19 on Education by not later than sixty days prior to the convening of the 2012 Regular  
20 Session of the Legislature of Louisiana. Such report also shall include  
21 recommendations for any changes to laws, rules, or guidelines that the commission  
22 deems necessary in order to strengthen the ability of the public schools and public  
23 postsecondary education institutions in identifying and assisting students as they  
24 strive to college readiness and achieve academic success.

25 J. The commission shall terminate on June 30, 2012.

1 Section 2. R.S. 36:651(G)(3) is hereby enacted to read as follows:

2 §651. Transfer of boards, commissions, departments, and agencies to Department  
3 of Education; boards, commissions, and agencies within Department of  
4 Education

5 \* \* \*

6 G. The following agencies, as defined by R.S. 36:3, are transferred to and  
7 hereafter shall be within the Department of Education as provided in Part III of  
8 Chapter 22 of this Title:

9 \* \* \*

10 (3) The Remedial Education Commission (R.S. 17:3140).

11 \* \* \*

12 Section 3. This Act shall become effective upon signature by the governor or, if not  
13 signed by the governor, upon expiration of the time for bills to become law without signature  
14 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
15 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
16 effective on the day following such approval.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Patricia Smith

HB No. 419

**Abstract:** Creates the Remedial Education Commission and provides for commission purpose, duties, responsibilities, membership, reporting requirements, and termination.

Proposed law creates the Remedial Education Commission for the purposes of studying and reviewing the data on educational services provided in public elementary and secondary schools and remedial education provided at public postsecondary education institutions and recommending best practices and strategies to be used by such schools and institutions in providing such educational services.

Provides for commission membership as follows:

- (1) The commissioner of higher education or his designee.
- (2) The state superintendent of education or his designee.

- (3) The president of the State Board of Elementary and Secondary Education or his designee.
- (4) The president of the La. Community and Technical College System or his designee.
- (5) The chairman of the House Committee on Education or his designee.
- (6) The chairman of the Senate Committee on Education or his designee.
- (7) The executive director of the office of college and career readiness of the state Dept. of Education or his designee.
- (8) The following persons to be appointed by the commissioner of higher education:
  - (a) A representative from a public postsecondary four-year institution.
  - (b) A representative from a public postsecondary two-year institution.
  - (c) A representative from the La. Association for Developmental Education with experience in intervention education services and remedial education as a researcher or practitioner.
  - (d) A nontraditional adult student attending a public postsecondary education institution.
  - (e) A representative from the Board of Regents with responsibilities in implementing remedial education.
- (9) The following persons to be appointed by the state superintendent of education:
  - (a) A middle or high school teacher employed in a public school located in an urban area of the state.
  - (b) A middle or high school teacher employed in a public school located in a rural area of the state.
  - (c) A parent of a student enrolled in a public middle or high school.
- (10) A member of the La. School Boards Association to be appointed by the association's president.

Provides that legislative members of the commission shall receive the same per diem and travel allowance for attending commission meetings as is normally provided for meetings of legislative committees. Prohibits other members of the commission from receiving compensation.

Provides that the commission is a joint collaboration between the Board of Regents and the State Board of Elementary and Secondary Education. Requires the Board of Regents and the state Dept. of Education to designate staff to assist the commission.

Requires the commissioner of higher education to convene the commission for its first meeting by Sept. 15, 2011, and requires the commission to select a chairman and a vice chairman at the meeting. Provides that the commission shall meet upon the call of the chairman as often as necessary and requires the commission to establish a meeting schedule and time line for completion of its duties.

Requires the commission to study and make recommendations on specified issues, including but not limited to a review of the following:

- (1) The data and research on remedial education services provided in public schools and public postsecondary education institutions.
- (2) K-12 to postsecondary education transition issues.
- (3) The need for clear entrance and exit standards and transferability of credits for all remedial courses.
- (4) The capacity of the community and technical colleges to provide all remedial education services.
- (5) The role of distance learning and other alternatives to traditional instruction for the delivery of remedial education.
- (6) The creation of a formalized professional development program and communication system for remedial education faculty from both secondary and postsecondary education.

Authorizes the commission to request and receive education data and other related data and information produced by public entities and requires such entities to respond in a timely manner using a standardized format as determined by the commission.

Requires the commission to submit a written report of study findings and recommendations to the House and Senate education committees at least 60 days prior to the 2012 R.S. Requires the report to include recommendations for any changes to laws, rules, or guidelines needed as it relates to the study.

Provides that the commission shall terminate on June 30, 2012.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 17:3140 and R.S. 36:651(G)(3))

#### Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original bill.

1. Relative to the commission's membership, adds a member of the La. School Boards Association to be appointed by the association's president.