

2023 Regular Session

SENATE BILL NO. 177

BY SENATOR MCMATH

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

SCHOOLS. Provides relative to required accelerated instruction for certain students.
(8/1/23)

1 AN ACT

2 To amend and reenact R.S. 17:100.13, relative to expanded academic supports provided for

3 certain low-performing students; to provide relative to the students who qualify for

4 expanded academic supports; to provide relative to accelerated instruction offered

5 to the low-performing students; to provide relative to high-quality tutoring providers;

6 to provide waivers; to provide relative to the responsibilities of the state Department

7 of Education; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:100.13 is hereby amended and reenacted to read as follows:

10 §100.13. Expanded academic support; accelerated learning committees

11 A. ~~For the 2021-2022 and 2022-2023 school years,~~ **Each school year**, each

12 student in grades ~~four~~ **three** through eight who failed to achieve mastery on any

13 statewide assessment administered pursuant to the state's school and district

14 accountability system **in reading or math** ~~during the 2020-2021 and 2021-2022~~

15 ~~school years~~ **in the previous academic year** shall be provided expanded academic

16 support **as provided in Subsection B of this Section.**

17 B. Each city, parish, or other local public school board shall develop an

1 educational plan and supporting budget to provide expanded academic support to
2 students identified pursuant to Subsection A of this Section using federal funds
3 provided for educational relief due to the COVID-19 pandemic. Such plan shall be
4 submitted to the state Department of Education not later than September 30, 2021,
5 for review and approval.

6 (1) Educational plans shall adhere to state board rules and regulations
7 pertaining to pupil progression and individual academic improvement plans.

8 (2) Supporting budgets shall adhere to all applicable federal and state
9 regulations, including but not limited to those enacted pursuant to the federal
10 Elementary and Secondary School Emergency Relief Fund.

11 C. The department shall review each plan submitted for compliance with
12 applicable federal and state regulations, including state board regulations pursuant
13 to pupil progression and individual academic improvement plans. The department
14 shall provide feedback to the local board if necessary to bring the plan into
15 compliance with applicable regulations.

16 D. ~~If, following timelines set forth by the department, a city, parish, or other~~
17 ~~local public school board fails to submit a revised plan that complies with applicable~~
18 ~~regulations, the department shall reject such plan and shall require the board to~~
19 ~~adhere to the requirements set forth in Subsection E of this Section.~~ **If any city,**
20 **parish, or other local school board fails to have an approved plan in place by**
21 **August 1, 2023, the school board shall adhere to any revised requirements**
22 **provided for in this Section or any State Board of Elementary and Secondary**
23 **Education policy that is not inconsistent with this Section.**

24 E. The parent or legal guardian of a student identified in need of expanded
25 academic support shall be provided one of the following options:

26 (1) Accelerated instruction as provided in Subsections F ~~through H~~ of this
27 Section **to commence no later than thirty days after the student is identified in**
28 **need of expanded academic support.**

29 (2) Prioritized placement in a class taught by a teacher labeled as "highly

1 effective" pursuant to the state's teacher evaluation system, if a highly effective
2 teacher is available in the school.

3 F. Accelerated instruction provided pursuant to this Section shall:

4 (1) Include targeted instruction in the subject matter **areas of reading or**
5 **math** in which the student has failed to perform satisfactorily.

6 (2) Be provided in addition to the instruction normally provided to students
7 in the grade level in which the student is enrolled.

8 (3) ~~Be provided for not less than thirty total hours during the following~~
9 ~~summer and school year, and include instruction for not less than once per week. Be~~
10 **provided in one-on-one or small group instruction, at least three times a week,**
11 **in thirty-minute minimum sessions, which may be embedded in the school day**
12 **or provided outside of the school day.**

13 (4) Be designed to assist the student in achieving ~~grade level performance~~
14 **proficiency** in the applicable subject area.

15 (5) Be taught using high-quality instructional materials that are ~~fully~~ aligned
16 with state content standards and that are **specifically** designed for supplemental
17 instruction.

18 (6) Be provided to a student individually or in a group of not more than
19 ~~twelve~~ **five** students, unless the parent or legal guardian of each student in the group
20 authorizes a larger group.

21 (7) Be provided by a person with training in using the instructional materials
22 pursuant to Paragraph (5) of this Subsection and who receives ongoing oversight
23 while providing the accelerated instruction **or a high-quality tutoring provider, as**
24 **defined in Subsection G of this Section. If the school board selects a tutoring**
25 **provider that has not been classified as a high-quality tutoring provider by the**
26 **state Department of Education, the school board shall apply for a waiver from**
27 **the department and stipulate how the tutoring services will be provided.**

28 (8) To the extent possible, be provided by the same person for the entirety of
29 the student's supplemental instruction period.

1 (9) Be provided in accordance with guidelines on research-based best
2 practices and effective accelerated instruction strategies developed and provided by
3 the state Department of Education.

4 ~~G.(1) Each public school shall establish an accelerated learning committee~~
5 ~~for each student in grades four through eight who failed to achieve mastery on any~~
6 ~~statewide assessment administered pursuant to the state's school and district~~
7 ~~accountability system. The committee shall be composed of the student's parent or~~
8 ~~legal guardian, the teacher of the subject in which the student has failed to perform~~
9 ~~satisfactorily, and the school principal or his designee. The student's parent or legal~~
10 ~~guardian shall be notified of the time and place the committee will meet and the~~
11 ~~purpose of the committee.~~

12 ~~(2) A student's accelerated learning committee shall, not later than August~~
13 ~~thirty-first, develop an accelerated learning plan for the student that provides the~~
14 ~~accelerated instruction needed to enable the student to perform on grade level by the~~
15 ~~end of the 2021-2022 school year. The student's parent or legal guardian shall be~~
16 ~~provided with a copy of the student's accelerated learning plan.~~

17 ~~H. If a student fails to perform satisfactorily in the same subject matter area~~
18 ~~on a state assessment administered in the subsequent school year, the accelerated~~
19 ~~learning committee shall:~~

20 ~~(1) Identify the reasons the student failed to perform satisfactorily.~~

21 ~~(2) Determine whether the student needs additional expanded academic~~
22 ~~support including accelerated instruction, summer learning programs, or other~~
23 ~~resources to meet the student's academic needs.~~

24 **G.(1) For the purpose of providing accelerated instruction, the state**
25 **Department of Education shall publish on the department website a list of**
26 **approved high-quality tutoring providers.**

27 **(2) In approving high-quality tutoring providers, the department shall**
28 **require the tutoring providers to:**

29 **(a) Use high-quality instructional materials that are aligned with**

1 research on effective teaching and learning and state content standards.

2 (b) Implement high-impact tutoring practices pursuant to Paragraph
3 (F)(3) of this Section.

4 (c) Utilize diagnostic or assessment data to guide instruction.

5 (d) Use well-trained tutors who have passed background checks required
6 of school employees.

7 (e) Offer tutoring through in-person services or video conferences, or
8 both, and provide all tutoring services through live, face-to-face interactions.

9 (3) The department shall publish the list of high-quality tutoring
10 providers no later than October first of each year beginning in 2023.

11 (4) Approved providers listed by the department shall be exempt from
12 the state procurement laws.

13 H. Within fifteen calendar days of a parent selecting accelerated
14 instruction, the parent shall be provided a written plan detailing the accelerated
15 instruction that will be provided, including information on who will provide the
16 instruction and when the instruction will be provided. The plan shall include
17 specific dates for progress reports and information on the parent's role in
18 accelerating the student's learning.

19 I.(1) Each city, parish, or other local public school board shall provide a
20 report by June first ~~of 2022 and 2023~~ of each year to the state Department of
21 Education on ~~the~~:

22 (a) The number of students identified as needing expanded academic support,
23 the number of students provided each type of academic support, and the number who
24 failed to achieve mastery on any statewide assessment administered pursuant to the
25 state's school and district accountability system during ~~the 2021-2022~~ each school
26 year continuing to need additional academic support.

27 (b) A list of the high-quality tutoring providers and any teachers used by
28 the local board to offer the expanded academic supports.

29 (c) A summary of how the school day has been restructured to offer the

1 expanded academic supports.

2 (d) The amount and source of funds spent on providing expanded
 3 academic supports.

4 (2) ~~The~~ **By July first of each year, the** department shall ~~submit a report to~~
 5 ~~the Senate and House committees on education~~ **publish a report on its website** by
 6 ~~July first of 2022 and 2023~~ summarizing the information required by Paragraph (1)
 7 of this Subsection by school, by school system, and statewide.

8 J. The determination of whether students are in need of additional expanded
 9 academic support shall not be used in evaluating teacher performance or determining
 10 school or district accountability scores and letter grades.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Cheryl Serrett.

DIGEST

SB 177 Engrossed

2023 Regular Session

McMath

Present law provides relative to expanded academic support to be offered to certain students who failed to achieve mastery on any statewide assessment during the 2021-2022 and 2022-2023 school years.

Proposed law removes the years of applicability and expands the support and reporting to each school year but limits the support to reading and math only.

Present law provides for the parent of a low-performing student to be given an option to have the student either placed in a classroom of a highly effective teacher or provided accelerated instruction. Further defines accelerated instruction.

Proposed law redefines accelerated instruction to be provided on a one-on-one or small group instruction with five or fewer students, at least three times a week, in thirty minute minimum sessions. Further provides that the instruction may be offered through a high-quality tutoring provider selected by the school district.

Proposed law requires the state Department of Education (LDOE) to publish a list of high-quality tutoring providers. Further provides specifications for the LDOE use in identifying high-quality tutoring providers.

Proposed law exempts high-quality tutoring providers from state procurement laws.

Proposed law requires a parent to be provided a written plan detailing the accelerated instruction that will be provided to the student and the parent's role in the plan.

Effective August 1, 2023.

(Amends R.S. 17:100.13)