

Regular Session, 2014

HOUSE BILL NO. 1015

BY REPRESENTATIVE SCHRODER AND SENATOR CLAITOR

EDUCATION/SPECIAL: Provides for determinations for grade level promotion of certain students with exceptionalities regarding performance on state tests and prohibits test results of certain students from being used in school accountability calculations

1 AN ACT

2 To amend and reenact R.S. 17:24.4(H) and to enact R.S. 17:24.4(K), relative to students
3 with exceptionalities; to provide for a student's Individualized Education Program
4 team to determine promotion to the next grade under certain circumstances as it
5 relates to the student's achievement level on required state assessments; to provide
6 for certain actions to be taken by the Individualized Education Program team under
7 certain circumstances; to provide for rules of the State Board of Elementary and
8 Secondary Education; to prohibit test scores of certain students with exceptionalities
9 from being used in calculations for the school and district accountability system; and
10 to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 17:24.4(H) is hereby amended and reenacted and R.S. 17:24.4(K) is
13 hereby enacted to read as follows:

14 §24.4. Louisiana Competency-Based Education Program; statewide standards for
15 required subjects; Louisiana Educational Assessment Program; parish or city
16 school board comprehensive pupil progression plans; waivers

17 * * *

18 H. The State Board of Elementary and Secondary Education ~~may~~ shall
19 establish by rule adopted in accordance with the Administrative Procedure Act a

1 procedure whereby ~~the state superintendent of education may grant a waiver~~
 2 allowing a student's Individualized Education Program team shall determine
 3 promotion to the next grade level for any student with an exceptionality, as defined
 4 in R.S. 17:1942(B), who fails to meet the required achievement level necessary for
 5 promotion to the next grade on a test administered to students pursuant to this
 6 Section or policies adopted by the state board ~~upon the request of the local~~
 7 ~~superintendent of the school system in which the student is enrolled in school,~~
 8 provided that the student meets certain criteria established by the board
 9 Individualized Education Program team relative to attendance, grades, and conduct.
 10 performance on the student's Individualized Education Program goals and objectives.
 11 If an Individualized Education Program team determines that the student is not
 12 required to meet established state or local performance standards on any assessment
 13 for purposes of promotion, the team shall:

- 14 (1) Identify rigorous educational goals for the student.
- 15 (2) Include diagnostic information, appropriate monitoring and intervention,
 16 and other evaluation strategies.
- 17 (3) Include an intensive instructional program.
- 18 (4) Provide innovative methods to promote the student's advancement
 19 including flexible scheduling, alternate learning environments, online instruction,
 20 and other interventions that are proven to accelerate the learning process and have
 21 been scientifically validated to improve learning and cognitive ability.
- 22 (5) Identify a course of study that promotes college or workforce readiness,
 23 or both, career placement and advancement, and transition from high school to
 24 postsecondary education or work placement.

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26 (K) The results of any assessment administered to a student with an
 27 exceptionality as defined in R.S. 17:1942(B), except a gifted or talented student,
 28 pursuant to this Section or rule, regulation, or policy adopted by the State Board of
 29 Elementary and Secondary Education shall not be used in any calculation made

1 pursuant to the school and district accountability system required by R.S. 17:10.1 nor
 2 shall a school or school system otherwise be penalized in any manner for the test
 3 results of such student.

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)]

Schroder

HB No. 1015

Abstract: Provides for Individualized Education Program (IEP) teams to determine grade level promotion for a student with an exceptionality under certain circumstances and prohibits use of certain students' standardized test results in calculations for school and district accountability system purposes.

Present law provides that the State Board of Elementary and Secondary Education (BESE) may establish a procedure for the state superintendent of education to grant a waiver allowing any student with an exceptionality, as defined in present law (R.S. 17:1942(B)), who fails to meet the required achievement level necessary for promotion to the next grade on a test administered pursuant to present law or BESE policies if the student meets certain criteria established by the BESE relative to attendance, grades, and conduct.

Proposed law instead requires BESE to adopt a rule to provide that such student's Individualized Education Program (IEP) team shall determine promotion of the student to the next grade level if the student meets certain criteria established by the IEP team relative to performance on IEP goals and objectives. Requires that if an IEP team determines that the student is not required to meet established state or local performance standards on any assessment for purposes of promotion, the team shall take certain actions including but not limited to identifying rigorous educational goals for the student and a course of study that promotes college or workforce readiness.

Proposed law prohibits the results of required state assessments administered to a student with an exceptionality (except a gifted or talented students) from being used in any calculation for the school and district accountability system. Further prohibits a school or school system from being penalized in any manner for the test results of such students.

(Amends R.S. 17:24.4(H); Adds R.S. 17:24.4(K))