

Regular Session, 2014

SENATE BILL NO. 597

BY SENATOR KOSTELKA

ELEMENTARY EDUCATION. Creates the Student Standards Commission to develop state standards for required subjects for public school students. (8/1/14)

AN ACT

To amend and reenact R.S. 17:24.4(A)(3) and (4), (E), (F)(3)(a) and (b)(ii), and (G)(2), to enact R.S. 36:651(G)(4), and to repeal R.S. 17:24.4(F)(1)(d), relative to education standards and related assessments; to create the Student Standards Commission to develop and adopt state education standards for required subjects for public school students; to provide for commission membership, vacancies, meetings, voting, and compensation; to provide for implementation of the standards by the State Board of Elementary and Secondary Education subject to legislative approval; to repeal provisions relative to implementation of certain standards-based assessments by the State Board of Elementary and Secondary Education; to delete the requirement that the state Department of Education develop and implement statewide content standards for required subjects; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

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

§24.4. Louisiana Competency-Based Education Program; statewide standards for required subjects; Louisiana Educational Assessment Program; parish

1 or city school board comprehensive pupil progression plans; waivers

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

5 * * *

6 (3) "Pupil progression plan" means the comprehensive plan developed and
7 adopted by each ~~parish or city,~~ **parish, or other local public** school board which
8 shall be based on student performance on the Louisiana Educational Assessment
9 Program with goals and objectives ~~which~~ **that** are compatible with the Louisiana
10 Competency-Based Education Program and ~~which supplements~~ **that supplement** the
11 ~~minimum~~ standards ~~approved~~ **implemented** by the State Board of Elementary and
12 Secondary Education. A pupil progression plan shall require the student's mastery
13 of grade-appropriate skills before he or she can be recommended for promotion.

14 (4) "The statewide content standards for required subjects" are statements
15 that define what a student should know or be able to accomplish at the end of a
16 specific time period or grade level or at the completion of a course. ~~Content~~ **The**
17 standards shall represent the knowledge and skills needed for students to successfully
18 transition to postsecondary education and the workplace, ~~as determined by content~~
19 ~~experts, elementary and secondary educators and school leaders, postsecondary~~
20 ~~education leaders, and business and industry leaders~~ **and shall be developed and**
21 **implemented as provided in Subsection E of this Section.**

22 * * *

23 E.~~(1)~~ ~~The state Department of Education shall, with the approval of the State~~
24 ~~Board of Elementary and Secondary Education, as part of the Louisiana~~
25 ~~Competency-Based Education Program, develop and establish statewide content~~
26 ~~standards for required subjects to be taught in the public elementary and secondary~~
27 ~~schools of this state. The statewide content standards for required subjects shall be~~
28 ~~implemented by the state Department of Education as approved by the State Board~~
29 ~~of Elementary and Secondary Education, with recommendations prior to approval~~

1 ~~and advice from the educational personnel in the public schools and colleges and~~
2 ~~universities of this state~~ **There is hereby created the Student Standards**
3 **Commission, referred to in this Subsection as the "commission", for the**
4 **purpose of developing and adopting state standards as required by this Section**
5 **for students in public elementary and secondary schools.**

6 **(2) The membership of the commission shall be as follows:**

7 **(a) One member representing each of the following groups,**
8 **organizations, or entities selected by the respective group, organization, or**
9 **entity:**

10 **(i) The Louisiana Association of Educators.**

11 **(ii) The Louisiana Federation of Teachers.**

12 **(iii) The Associated Professional Educators of Louisiana.**

13 **(iv) The Louisiana School Boards Association.**

14 **(v) The Louisiana Association of School Superintendents.**

15 **(vi) The Louisiana Association of Principals.**

16 **(vii) The Louisiana Association of School Executives.**

17 **(b) Two public school principals selected by the presiding officer of the**
18 **Louisiana Association of Principals.**

19 **(c) Two public elementary school teachers, one math teacher and one**
20 **English teacher, selected by the presiding officer of the Louisiana Association**
21 **of Principals.**

22 **(d) Two public high school teachers, one math teacher and one English**
23 **teacher, selected by the presiding officer of the Louisiana Association of**
24 **Principals.**

25 **(e) Two supervisors of instruction employed in local school systems**
26 **selected by the president of the Louisiana Association of School**
27 **Superintendents.**

28 **(f) Two parents of public school students selected by the Louisiana**
29 **Parent-Teacher Association.**

1 (g) Two parents of public school students selected by the presiding officer
2 of the Louisiana Association of Principals.

3 (h) Two deans of colleges of education from Louisiana public
4 postsecondary education institutions, to be appointed by the commissioner of
5 higher education.

6 (i) Two members of the teaching faculty in engineering, math, science,
7 or literature from Louisiana public postsecondary education institutions, to be
8 appointed by the commissioner of higher education.

9 (j) Two members of the board of directors of the Louisiana Association
10 of Chamber of Commerce Executives selected by the president of the board of
11 directors.

12 (k) The president of the State Board of Elementary and Secondary
13 Education or his designee.

14 (l) The state superintendent of education or his designee.

15 (m) The commissioner of higher education or his designee.

16 (n) The chairman of the Senate Committee on Education or his designee.

17 (o) The chairman of the House Committee on Education or his designee.

18 (3) Appointed members of the commission shall serve at the pleasure of
19 the appointing authority. Vacancies shall be filled in the manner of the original
20 appointment.

21 (4) All members of the commission, except for the chairman of the
22 Senate Committee on Education and the chairman of the House Committee on
23 Education, shall be subject to confirmation by the Senate.

24 (5) The president of the State Board of Elementary and Secondary
25 Education shall convene the commission for its first meeting not later than
26 August 30, 2014.

27 (6) The commission shall elect from among its members a chairman and
28 such other officers as it deems appropriate.

29 (7) A majority of the commission's total membership, as provided by

1 this Subsection, shall constitute a quorum for the transaction of business. A
2 favorable vote of two-thirds of the total membership is required for adoption
3 of the standards as required in this Subsection.

4 (8) All legislative members of the commission shall receive the same per
5 diem and travel allowance for attending meetings of the commission as is
6 normally provided for meetings of legislative committees. Other members of
7 the commission shall serve without compensation.

8 (9) The members selected pursuant to Subparagraphs (2)(a) through (j)
9 of this Subsection shall represent the geographic diversity of the state, to the
10 extent practical.

11 (10) The State Board of Elementary and Secondary Education shall
12 provide administrative and staff support to the commission.

13 (11) The commission shall be subject to the Public Records Law and the
14 Open Meetings Law.

15 (12) In developing the standards, the commission shall also consider and
16 may recommend the appropriate state assessments to be used to measure
17 student achievement effectively.

18 (13) The standards developed and adopted by the commission shall be
19 implemented by the State Board of Elementary and Secondary Education
20 through rules and regulations promulgated in accordance with the
21 Administrative Procedure Act, after the approval of the standards by the
22 legislature by concurrent resolution adopted by a favorable vote of at least a
23 majority of the elected members of each house. The state board shall submit the
24 standards to the legislature on or before March first of any given year. The
25 legislature may return the standards to the state board and include any
26 recommendations for changes to the standards it deems necessary or
27 appropriate. Except as provided in Paragraph (14) of this Subsection, the State
28 Board of Elementary and Secondary Education shall not implement standards
29 that have not been approved by the legislature pursuant to this Paragraph.

1 **(14) Until the implementation of the initial standards developed by the**
2 **commission and approved by the legislature as provided in this Subsection:**

3 **(a) The State Board of Elementary and Secondary Education shall**
4 **implement the state standards used immediately prior to the adoption of the**
5 **Common Core State Standards by the board.**

6 **(b) The governing authority of each public school may utilize the**
7 **curriculum it determines most appropriate to meet content and performance**
8 **standards.**

9 F.

10 * * *

11 (3)(a) In lieu of the standards-based assessments prescribed in
12 ~~Subparagraphs~~ **Subparagraph** (1)(c) ~~and (d)~~ of this Subsection, an alternate
13 assessment shall be provided for and administered only to those students with
14 disabilities who meet specific eligibility criteria developed by the state Department
15 of Education and approved by the State Board of Elementary and Secondary
16 Education. A determination of whether any student meets the eligibility criteria
17 established by the state Department of Education shall be made by the student's
18 Individual Education Plan committee and shall be so noted on that student's
19 Individual Education Plan. The alternate assessment developed pursuant to this
20 Paragraph shall be administered on a schedule determined by the state Department
21 of Education and approved by the State Board of Elementary and Secondary
22 Education. The alternate assessment shall be part of the Louisiana Education
23 Assessment Program otherwise provided for in this Subsection and the alternate
24 assessment shall be used for information, accountability, compliance, and planning
25 purposes as provided by the State Board of Elementary and Secondary Education.

26 (b)

27 * * *

28 (ii) Students with persistent academic disabilities shall be allowed to take
29 academic assessments that are sensitive to measuring progress in their learning and

1 that recognize their individual needs. Academic assessments are to be geared
2 specifically toward accommodating students to enable them to perform on standards-
3 based assessments prescribed in ~~Subparagraphs~~ **Subparagraph** (1)(c) ~~and (d)~~ of this
4 Subsection. Such accommodations shall include at a minimum verbalized test
5 questions and shall provide for writing assistance of a scribe and any other
6 accommodations deemed appropriate by the student's Individual Education Plan
7 committee. However, any such accommodations shall not breach test security or
8 invalidate the meaning of the test score or the purpose of the test.

9 * * *

10 G.

11 * * *

12 (2) Each ~~parish or city~~ **local** school board plan for pupil progression shall be
13 based upon local goals and objectives ~~which~~ **that** are compatible with the Louisiana
14 Competency-Based Education Program ~~enumerated~~ **described** in ~~R.S. 17:24.4(B)~~
15 **Subsection B of this Section**, which comply with the provisions of ~~R.S.~~
16 ~~17:24.4(A)(3)~~ **Paragraph (A)(3) of this Section**, and which supplement the
17 ~~performance~~ standards ~~approved~~ **implemented** by the State Board of Elementary and
18 Secondary Education.

19 * * *

20 Section 2. R.S. 36:651(G)(4) is hereby enacted to read as follows:

21 §651. Transfer of boards, commissions, departments, and agencies to Department
22 of Education; boards, commissions, and agencies within Department
23 of Education

24 * * *

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

28 * * *

29 **(4) The Student Standards Commission (R.S. 17:24.4(E)).**

* * *

Section 3. R.S. 17:24.4(F)(1)(d) is hereby repealed.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jeanne C. Johnston.

DIGEST

Kostelka (SB 597)

Present law provides for the La. Competency-Based Education Program, including the development and implementation of statewide standards for required subjects and the La. Educational Assessment Program (LEAP). Requires standards-based assessments for required subjects (English language arts, math, science, and social studies) to be implemented by BESE and administered in at least grades three through 11. Provides that such assessments be based on state content standards and rigorous student achievement standards comparable to national student achievement levels. Further requires that the rigor of such assessments shall at least compare to that of national achievement tests. Specifies that beginning with the 2014-2015 school year, the standards-based assessments in English language arts and math shall be based on nationally recognized content standards. Requires BESE to establish the adequate test scores for determining successful student performance on the tests. Provides for an alternate assessment to be administered to students with disabilities who meet criteria developed by the state Dept. of Education. Further requires the department to develop modified achievement standards and use alternative assessments for certain students with persistent academic disabilities. Proposed law retains present law except repeals present law requirement that the standards-based assessments in English language arts and math be based on nationally recognized content standards.

Proposed law creates the Students Standards Commission in the Dept. of Education to develop state standards for required subjects. Provides for commission membership, vacancies, meetings, voting, and compensation. Provides that the commission shall be subject to the Public Records Law and the Open Meetings Law. Provides that in developing the standards, the commission shall also consider and may recommend the appropriate assessments to be used to measure student achievement effectively.

Proposed law provides for implementation of the standards by BESE subject to legislative approval of the standards. Requires the state board to submit the standards to the legislature and provides that the legislature may return the standards and include any recommendations for changes. Provides that until the implementation of the initial standards developed by the commission and approved by the legislature, BESE shall implement the state standards used immediately prior to the adoption of the Common Core State Standards (CCSS) and each public school governing authority may utilize the curriculum it determines best meets content and performance standards. Further provides that the legislature shall approve any subsequent changes to the standards before the standards can be implemented.

Proposed law deletes requirement that the state Dept. of Education develop and implement the statewide content standards for required subjects.

Effective August 1, 2014.

(Amends R.S. 17:24.4(A)(3) and (4), (E), (F)(3)(a) and (b)(ii), and (G)(2); adds R.S. 36:651(G)(4); repeals R.S. 17:24.4(F)(1)(d))