

Regular Session, 2014

HOUSE BILL NO. 993

BY REPRESENTATIVE SCHRODER AND SENATOR CLAITOR

EDUCATION/SPECIAL: Provides relative to requirements for pupil progression, graduation, and issuance of diplomas for students with exceptionalities

1 AN ACT

2 To amend and reenact R.S. 17:183.2(B)(1) and (C), 183.3(B)(3) and (D)(1)(a) and (b)(i) and
3 (ii), and 2925(A)(2) and to enact R.S. 17:183.3(D)(1)(b)(iii)(dd) and (E), relative to
4 high school career options for students with exceptionalities; to provide relative to
5 requirements for Individual Graduation Plans, pupil progression, and graduation; to
6 provide with respect to criteria for pursuing a career major curriculum; to provide for
7 the issuance of a high school diploma; to provide for the calculation of school
8 performance scores with respect to certain students with exceptionalities; to require
9 the state Department of Education to track the performance of students with
10 exceptionalities and to develop and implement a monitoring and corrective action
11 system for school systems with high rates of students with exceptionalities
12 performing below expected levels; and to provide for related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 17:183.2(B)(1) and (C), 183.3(B)(3) and (D)(1)(a) and (b)(i) and (ii),
15 and 2925(A)(2) are hereby amended and reenacted and R.S. 17:183.3(D)(1)(b)(iii)(dd) and
16 (E) are hereby enacted to read as follows:

17 §183.2. Career option description

18 * * *

19 B.(1)(a) By the end of the eighth grade, each student shall develop, with the
20 input of his family, and for a student with an exceptionality, as defined in R.S.

1 17:1942(B), except a gifted or talented student, the Individualized Education
2 Program team, a Five Year Individual Graduation Plan. Such a plan shall include a
3 sequence of courses which is consistent with the student's stated goals for one year
4 after graduation. Each student's Five Year Individual Graduation Plan shall be
5 reviewed annually thereafter by the student, parents, and school advisor, and
6 Individualized Education Program team, if applicable, and revised as needed.

7 (b) If an Individualized Education Program team determines that the student
8 is not required to meet state or local established performance standards on any
9 assessment for purposes of graduation, the team shall:

10 (i) Identify rigorous educational goals for the student.

11 (ii) Include diagnostic information, appropriate monitoring and intervention,
12 and other evaluation strategies.

13 (iii) Include an intensive instructional program.

14 (iv) Provide innovative methods to promote the student's advancement
15 including flexible scheduling, alternate learning environments, online instruction,
16 and other interventions that are proven to accelerate the learning process and have
17 been scientifically validated to improve learning and cognitive ability.

18 (v) Identify a course of study that promotes college or workforce readiness,
19 or both, career placement and advancement, and transition from high school to
20 postsecondary education or work placement.

21 (c)(i) The calculation of school performance scores pursuant to the school
22 and district accountability system shall include the percentage of students with
23 exceptionalities whose Individualized Education Program teams determine are not
24 required to meet the state-established benchmarks on the required state assessments
25 for grade promotion compared to the total student population. The calculation shall
26 provide for the assignment of points for every student who achieves his
27 Individualized Education Program goals and objectives necessary for grade
28 promotion and graduation.

1 (ii) A diploma issued to a student with exceptionalities based on achieving
2 his Individualized Education Program goals and objectives shall count equally and
3 be assigned the same number of points in the school performance score calculation
4 for high schools as are assigned for a student with a regular diploma.

5 (d)(i) A student with an exceptionality who is on grade level and has met
6 state-established performance standards on the required state assessments shall have
7 promotion and graduation requirements that maintain his performance on grade level
8 expectations as demonstrated by performance on the required state assessments.
9 However, under extenuating circumstances, a student's Individualized Education
10 Program team may determine that a student who has previously met state-established
11 benchmarks on the required state assessments shall not be required to meet state-
12 established performance levels as conditions for promotion or graduation. If an
13 Individualized Education Program team determines that state-established
14 requirements for academic proficiency on the required state assessments are no
15 longer a condition for promotion or graduation for a student, the team shall:

16 (aa) Determine appropriate individualized assessments to measure student
17 proficiency on academic competencies and establish minimum score requirements.

18 (bb) Provide the student and his parent or legal guardian with information
19 related to how requirements that vary from standard expectations may impact future
20 educational and career options.

21 (cc) Provide reasons for the extenuating circumstances as to why the student
22 is not required to meet state-established benchmarks on the required state
23 assessments. Extenuating circumstances shall include but are not limited to
24 significant mental or medical changes, regressive conditions, and family structure.

25 (ii) The state Department of Education, to the extent possible, shall track the
26 performance of students with exceptionalities across school systems and, in
27 collaboration with the Special Education Advisory Panel, establish indicators to
28 identify school systems with disproportionately high rates of students with
29 exceptionalities performing below expected levels and declines in performance

1 across subgroups of students with exceptionalities. The department, to the extent
2 possible, shall develop and implement a monitoring and corrective action system to
3 address school systems identified as having high rates of students with
4 exceptionalities performing below expected levels.

5 (iii) Students with exceptionalities shall be afforded the same opportunities
6 to pursue a high school diploma and to exit with all course credits, honors, and
7 financial awards as other students. A student with exceptionalities is not guaranteed
8 a diploma and shall meet either the standard requirements or those established by his
9 Individualized Education Program team to be awarded a diploma.

10 * * *

11 C. Throughout high school, each student shall pursue the rigorous
12 curriculum required for his chosen major by his school as approved by the State
13 Board of Elementary and Secondary Education or, for a student with an
14 exceptionality, the rigorous requirements established for graduation by the
15 Individualized Education Program team.

16 * * *

17 §183.3. Career major; description; curriculum and graduation requirements

18 * * *

19 B.

20 * * *

21 (3) The questions included in any end-of-course examination administered
22 to students pursuing a career major program and curriculum as provided in this
23 ~~Section, the passage of which is required for high school graduation,~~ shall be
24 constructed in a manner that reflects course design and content and the method of
25 instruction employed for the course.

26 * * *

27 D.(1) A student who seeks to pursue a career major curriculum ~~must~~ shall
28 meet one of the following conditions:

1 (a) The student has fulfilled all of the requirements established by the State
2 Board of Elementary and Secondary Education and the city, parish, or other local
3 public school board where the student is enrolled or the Individualized Education
4 Program team, if applicable, for promotion to the ninth grade.

5 (b)(i) The student is at least fifteen years of age, or will attain the age of
6 fifteen during the next school year, scored at least at the approaching basic level on
7 either the English/Language Arts or Mathematics component of the eighth grade
8 Louisiana Educational Assessment Program test, and meets the objective criteria
9 established by the pupil progression plan of the city, parish, or other local public
10 school system where the student is enrolled or the requirements for promotion
11 established by the Individualized Education Program team, if applicable, to enter the
12 ninth grade for the purpose of pursuing a career major curriculum.

13 (ii) Prior to entering the ninth grade, ~~such student must~~ the student shall
14 complete a summer remediation program in the subject area of any component of the
15 eighth grade Louisiana Educational Assessment Program test on which the student
16 scored at the unsatisfactory level, as established by the State Board of Elementary
17 and Secondary Education or complete the summer remediation requirements for
18 promotion established by the Individualized Education Program team, if applicable.

19 Any such student who fails to satisfactorily complete a summer remediation program
20 shall be required to complete any approved developmental course or courses, for
21 credit, as may be deemed necessary to ensure that the student is prepared to
22 undertake the coursework required for his chosen career major.

23 (iii) The State Board of Elementary and Secondary Education shall certify
24 that the pupil progression plan established by each city, parish, or other local public
25 school system that promotes a student to the ninth grade pursuant to this
26 Subparagraph contains the following requirements:

27 * * *

1 ~~(dd) Provides for pupil progression determinations for a student with an~~
2 ~~exceptionality, as defined in R.S. 17:1942(B), except a gifted or talented student, to~~
3 ~~be made by the Individualized Education Program teams.~~

4 * * *

5 E.(1) A student with an exceptionality, as defined in R.S. 17:1942(B), except
6 a gifted or talented student, who successfully completes the requirements of his
7 Individualized Education Program, including performance on any assessment
8 required for graduation determined appropriate by their Individualized Education
9 Program team, shall be issued a high school diploma. The student's Individualized
10 Education Program team shall determine if the student is required to meet state or
11 local established performance standards on any assessment for purposes of
12 graduation.

13 (2) If a student's Individualized Education Program team determines that the
14 student is not required to meet state or local performance standards on any
15 assessment for purposes of graduation, the student shall be required to successfully
16 complete Individualized Education Program goals and requirements and shall meet
17 at least one of the following conditions, consistent with the Individualized Education
18 Program:

19 (a) Employment in integrated, inclusive work environments, based on the
20 student's abilities and local employment opportunities, in addition to sufficient
21 self-help skills to enable the student to maintain employment without direct and
22 continuous educational support from the school district.

23 (b) Demonstrated mastery of specific employability skills and self-help skills
24 that do not require direct and continuous educational support from the school district.

25 (c) Access to services that are not within the legal responsibility of public
26 education or employment or education options for which the student has been
27 prepared by the academic program.

28 * * *

§2925. Individual graduation plans

A.

* * *

(2) Each student, with the assistance of his parent or other legal guardian and school guidance personnel, shall be allowed to choose the high school curriculum framework and related graduation requirements that best meets his postsecondary goals. Each student's ~~individual graduation plan~~ Individual Graduation Plan shall include the recommended sequence of courses for successful completion of his chosen major that aligns with postsecondary education, training, and the workforce and shall be reviewed annually and updated or revised as needed. For a student with an exceptionality, as defined in R.S. 17:1942(B), except a gifted or talented student, the high school curriculum framework and related graduation requirements shall be determined by the Individualized Education Program team.

* * *

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. 993

Abstract: Provides relative to high school career options for students with exceptionalities (except gifted and talented students) including requirements for Individual Graduation Plans, pupil progression, and graduation and for the issuance of a high school diploma to such students.

Present law relative to the high school career option program, provides for an academic major (college prep. courses) and a career major (academic courses and modern vocational studies). Requires the State Board of Elementary and Secondary Education (BESE) to develop and adopt requirements for career major programs offered by school boards and to issue a career diploma to students who successfully complete such requirements. Requires students in a career major program to complete an academic core of courses and a career and technical sequence of courses and specifies course requirements. Requires a student seeking to pursue a career major curriculum to meet one of the following conditions:

- (1) Has fulfilled all requirements established by BESE and the local public school board for promotion to 9th grade.
- (2) Is at least 15 or will turn 15 during the upcoming school year and has scored at least approaching basic on certain LEAP tests and meets criteria established by the local school system's pupil progression plan to enter the 9th grade to pursue a career major curriculum. Such student must also complete a summer remediation program in the

subject area of any LEAP test component on which he scored at the unsatisfactory level. A student who fails to satisfactorily complete summer remediation must complete developmental courses (for credit) necessary to be prepared to undertake the course work required for his chosen career major.

Requires BESE to certify that the pupil progression plan of each local school system that promotes a student who did not meet 8th grade LEAP standards to the 9th grade contains specified requirements.

Present law relative to Individual Graduation Plans, requires students by the end of the 8th grade, to develop a plan to help explore educational and career possibilities and to make appropriate decisions as part of an overall career plan. Permits students to choose the high school curriculum framework and related graduation requirements that best meet their postsecondary goals. Provides that each student's plan shall include the recommended sequence of courses needed for successful completion of his chosen career major and shall be reviewed annually and updated as needed. Requires that a student's plan be signed by the student and his parent or other legal guardian.

Proposed law retains present law and provides for applicability of present law to students with exceptionalities as defined in present law (R.S. 17:1942(B), except gifted and talented students). Provides for determinations relative to pupil progression and graduation requirements to be made by the student's Individualized Education Program (IEP) team. Provides for involvement by the IEP team in the development and review of an Individual Graduation Plan. Provides that students with exceptionalities shall be afforded the same opportunities to pursue a high school diploma and to exit with all course credits, honors, and financial awards as other students. Specifies that such students are not guaranteed a diploma and have to meet either the standard requirements or those established by his IEP team to be awarded a diploma. Provides that a student who successfully completes his IEP requirements shall be issued a high school diploma.

Proposed law requires that the school performance scores calculations include the percentage of students with exceptionalities whose IEP teams determine are not required to meet the state-established benchmarks on the required state assessments for grade promotion compared to the total student population. Provides that a diploma issued to a student with exceptionalities based on achieving his IEP goals and objectives shall count equally and be assigned the same number of points in the school performance score calculation for high schools as are assigned for a student with a regular diploma.

Provides that a student with exceptionalities who is on grade level and has met state-established performance standards on the required state assessments shall have promotion and graduation requirements that maintain his performance on grade level expectations as demonstrated by performance on the required state assessments. Further provides that under extenuating circumstances, a student's IEP team may determine that a student who has previously met state-established benchmarks on the required state assessments shall not be required to meet state-established performance levels as conditions for promotion or graduation. Provides that if an IEP team determines that state-established requirements for academic proficiency on the required state assessments are no longer a condition for performance or graduation for a student, the team shall:

- (1) Determine appropriate individualized assessments to measure student proficiency on academic competencies and establish minimum score requirements.
- (2) Provide the student and his parent or legal guardian with information related to how requirements that vary from standard expectations may impact future educational and career options.

- (3) Provide reasons for the extenuating circumstances as to why the student is not required to meet state-established benchmarks on the required state assessments. Extenuating circumstances shall include but are not limited to significant mental or medical changes, regressive conditions, and family structure.

Proposed law requires the state Dept. of Education to track the performance of students with exceptionalities across school systems and, in collaboration with the Special Education Advisory Panel, establish indicators to identify school systems with disproportionately high rates of students with exceptionalities performing below expected levels and declines in performance across subgroups of students with exceptionalities. Further requires the department to develop and implement a monitoring and corrective action system to address school systems identified as having high rates of students with exceptionalities performing below expected levels.

(Amends R.S. 17:183.2(B)(1) and (C), 183.3(B)(3) and (D)(1)(a) and (b)(i) and (ii), and 2925(A)(2); Adds R.S. 17:183.3(D)(1)(b)(iii)(dd) and (E))

Summary of Amendments Adopted by House

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

1. Exempts gifted and talented students from proposed law applicability.
2. Requires that the school performance scores calculations include the percentage of students with exceptionalities who are not required to meet the state-established benchmarks for grade promotion. Provides that a diploma issued to a student based on achieving his IEP goals and objectives shall count equally and be assigned the same number of points in the school performance score calculation for high schools as are assigned for a student with a regular diploma.
3. Provides that if an IEP team determines that state-established requirements for academic proficiency on the required state assessments are no longer a condition for promotion or graduation for a student, the team shall take certain actions including determining appropriate individualized assessments to measure student proficiency on academic competencies and establishing minimum score requirements.
4. Requires the state Dept. of Education to track the performance of students with exceptionalities and establish indicators to identify and implement a monitoring and corrective actions system for school systems with disproportionately high rates of students with exceptionalities performing below expected levels.