

2017 Regular Session

HOUSE BILL NO. 130

BY REPRESENTATIVE DEVILLIER

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

STUDENTS: Provides that economically disadvantaged students shall be included as a factor for purposes of teacher evaluations and requirements for enrollment of at-risk students in charter schools

1 AN ACT

2 To amend and reenact R.S. 17:3882(4) through (7), 3902(B)(5), 3991(B)(1)(a)(i) and (b)(i),

3 and 3997(D)(2), to enact R.S. 17:3882(8) and 3973(4), and to repeal R.S. 17:3973(1),

4 relative to students; to provide that economically disadvantaged students shall be

5 included as a factor in determining teacher evaluations and requirements for

6 enrollment of at-risk students in certain charter schools; to remove references to

7 students eligible for free and reduced price meals as factors used in such teacher

8 evaluations and charter school enrollment requirements; and to provide for related

9 matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 17:3882(4) through (7), 3902(B)(5), 3991(B)(1)(a)(i) and (b)(i), and

12 3997(D)(2) are hereby amended and reenacted and R.S. 17:3882(8) and 3973(4) are hereby

13 enacted to read as follows:

14 §3882. Definitions.

15 For the purposes of this Part, the following definitions shall apply:

16 * * *

17 (4) "Economic disadvantage" means any one of the following characteristics

18 of a student:

1 local public school districts from which the charter school enrolls its students who
 2 have been identified as a student with an exceptionality as defined in R.S. 17:1942,
 3 not including gifted and talented. ~~The remaining number of pupils enrolled in the~~
 4 ~~charter school which would be required to have the same percentage of at-risk pupils~~
 5 ~~as the percentage of pupils in the district who are eligible to participate in the federal~~
 6 ~~free and reduced cost lunch program or who have been identified as a student with~~
 7 ~~an exceptionality as defined in R.S. 17:1942, not including gifted and talented, may~~
 8 ~~be comprised of pupils who are at-risk as is otherwise provided in R.S. 17:3973(1).~~
 9 For the purposes of fulfilling the provisions of this Section, the ~~at-risk~~ economically
 10 disadvantaged and students with exceptionalities percentage for the ~~city or parish~~
 11 ~~school system~~ local public school district shall remain fixed during the term of the
 12 approved charter at the percentage which existed during the school year that the
 13 charter proposal was approved, ~~unless otherwise specified in the charter that the~~
 14 ~~charter school will reflect the current year's at-risk percentage.~~ or renewed.

* * *

15
 16 (b)(i) That for ~~Type 2~~ charter schools created as a result of a conversion;
 17 ~~Type 3 and Type 4 charter schools;~~ during or prior to the 2011-2012 school year, the
 18 percentage of the total number of ~~pupils~~ students enrolled in the charter school based
 19 on the October first ~~pupil~~ student membership who are ~~at-risk,~~ in the manner
 20 provided in R.S. 17:3973(1)(a) and (c); economically disadvantaged and students
 21 with exceptionalities as defined in R.S. 17:1942, not including gifted and talented,
 22 unless otherwise agreed to as part of the charter agreement, by the chartering
 23 authority, shall be equal to not less than the percentage of the total of ~~pupils~~ students
 24 enrolled in the school in the school year prior to the establishment of the charter
 25 school that who were eligible to participate in the federal free and reduced cost lunch
 26 ~~program~~ economically disadvantaged; and shall be equal to not less than the

1 percentage of the total of ~~pupils~~ students enrolled in the school in the school year
2 prior to the establishment of the charter school who were identified as a student with
3 an exceptionality as defined in R.S. 17:1942, not including gifted and talented.

4 * * *

5 §3997. Charter school employees

6 * * *

7 D.

8 * * *

9 (2) Fifty percent of each teacher and administrator evaluation conducted
10 pursuant to Paragraph (1) of this Subsection shall be based on evidence of growth in
11 student achievement as determined by the state board. Data derived from a value-
12 added assessment model, as determined by the state board, shall be a factor in
13 determining evidence of student growth for grade levels and subjects for which
14 value-added data is available and shall comprise thirty-five percent of the overall
15 evaluation. For grade levels and subjects for which value-added data is not
16 available, the state board shall establish measures of student growth. The model
17 shall take into account important student factors, including but not limited to special
18 education, ~~eligibility for free or reduced price meals~~ economic disadvantage, ~~student~~
19 attendance, and ~~student~~ discipline. The state board shall develop and adopt a policy
20 to invalidate such student growth data for any teacher for any school year in which
21 there is a natural disaster or any other unexpected event that results in the temporary
22 closure of the school.

23 * * *

24 Section 2. R.S. 17:3973(1) is hereby repealed in its entirety.

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)]

HB 130 Reengrossed

2017 Regular Session

DeVillier

Abstract: Changes references to certain students from those who are eligible for free and reduced price meals to students who are economically disadvantaged for purposes of teacher evaluation and charter school enrollment; defines economically disadvantaged.

Present law (R.S. 17:3902(B)(5) and 3997(D)(2)) relative to teacher evaluations, provides for the use of a value-added assessment model to determine evidence of student growth as a basis for such evaluations. Provides that the model take into account certain student factors, including but not limited to special education, eligibility for free or reduced price meals, student attendance, and student discipline. Proposed law changes references to certain students from those who are eligible for free or reduced price meals to students who are economically disadvantaged as defined in proposed law. Otherwise retains present law.

Present law (R.S. 17:3973(1)(a) and 3991(B)(1)(a)(i) and (b)(i)) relative to requirements for enrollment of at-risk students in charter schools, provides that a student who is eligible to participate in the federal free or reduced lunch program is an at-risk student for purposes of present law. Provides specific requirements for enrollment of at-risk students (by reason of being eligible to participate in the federal free and reduced lunch program) in Type 1 and Type 2 charter schools created as new schools, Type 2 schools created as a result of a conversion, Type 3, and Type 4 schools. Proposed law changes references to certain students from those who are eligible for free or reduced price meals and at-risk students to students who are economically disadvantaged as defined in proposed law.

Proposed law defines an economically disadvantaged student as a student who meets any one of the following characteristics:

- (1) Is eligible for La.'s food assistance program for low-income families.
- (2) Is eligible for La.'s disaster food assistance program.
- (3) Is eligible for La.'s program for assistance to needy families with children to assist parents in becoming self-sufficient.
- (4) Is eligible for La.'s healthcare program for families and individuals with limited financial resources.
- (5) Is eligible for reduced price meals based on the latest available data.
- (6) Is an English Language Learner.
- (7) Is identified as homeless or migrant pursuant to the McKinney-Vento Homeless Children and Youth Assistance Act and the Migrant Education Program within the Elementary and Secondary Education Act.
- (8) Is incarcerated with the Office of Juvenile Justice or in an adult facility.
- (9) Has been placed into the custody of the state.

Proposed law applies the enrollment requirements to charter schools created as conversions before, during, or after the 2011-2012 school year instead of the types of charter schools specified in present law. Otherwise retains present law.

(Amends R.S. 17:3882(4) - (7), 3902(B)(5), 3991(B)(1)(a)(i) and (b)(i), and 3997(D)(2); Adds R.S. 17:3882(8) and 3973(4); Repeals R.S. 17:3973(1))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Define "economically disadvantaged" for purposes of present law and proposed law relative to charter school enrollment.
2. Remove requirement that BESE determine the students who are economically disadvantaged for purposes of charter school enrollment.
3. Change applicability of charter school enrollment requirements to charter schools created as conversions before, during, or after the 2011-2012 school year instead of to the types of charter schools specified in present law.
4. Remove present law definition of "at-risk" student relative to charter schools.

The House Floor Amendments to the engrossed bill:

1. Define "economic disadvantage" for purposes of present law and proposed law relative to teacher evaluation.
2. Remove requirement that BESE determine the students who are economically disadvantaged for purposes of teacher evaluation.
3. Delete requirement that BESE ensure that the indicators used to determine and identify economically disadvantaged students are substantially the same as those used to certify student eligibility for free and reduced price meals.