AN ACT

To amend and reenact R.S. 17:100.13, relative to expanded academic supports provided for certain low-performing students; to provide relative to the students who qualify for expanded academic supports; to provide relative to accelerated instruction offered to the low-performing students; to provide relative to high-quality tutoring providers; to provide waivers; to provide relative to the responsibilities of the state Department of Education; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

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

§100.13.  Expanded academic support; accelerated learning committees

A.  For the 2021-2022 and 2022-2023 school years, each student in grades four through eight who failed to achieve mastery on any statewide assessment administered pursuant to the state's school and district accountability system in reading or math during the 2020-2021 and 2021-2022 school years in the previous academic year shall be provided expanded academic support as provided in Subsection B of this Section.

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

Coding: Words which are struck through are deletions from existing law; words in boldface type and underscored are additions.
educational plan and supporting budget to provide expanded academic support to
students identified pursuant to Subsection A of this Section using federal funds
provided for educational relief due to the COVID-19 pandemic. Such plan shall be
submitted to the state Department of Education not later than September 30, 2021,
for review and approval.

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

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

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

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

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

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

(2) Prioritized placement in a class taught by a teacher labeled as "highly
effective" pursuant to the state's teacher evaluation system, if a highly effective
teacher is available in the school.

F. Accelerated instruction provided pursuant to this Section shall:

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

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

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

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

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

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

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

(8) To the extent possible, be provided by the same person for the entirety of
the student's supplemental instruction period.
(9) Be provided in accordance with guidelines on research-based best practices and effective accelerated instruction strategies developed and provided by the state Department of Education.

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

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

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

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

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

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

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

(a) Use high-quality instructional materials that are aligned with
research on effective teaching and learning and state content standards.

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

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

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

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

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

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

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

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

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

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

(c) A summary of how the school day has been restructured to offer the
(d) The amount and source of funds spent on providing expanded academic supports.

(2) The department shall submit a report to the Senate and House committees on education by July first of 2022 and 2023 summarizing the information required by Paragraph (1) of this Subsection by school, by school system, and statewide.

J. The determination of whether students are in need of additional expanded academic support shall not be used in evaluating teacher performance or determining 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

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 plandetailing 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)