

Regular Session, 2013

HOUSE BILL NO. 343

BY REPRESENTATIVES EDWARDS AND SMITH

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

STUDENT/ASSESSMENT: Prohibits certain public high school students from being administered tests pursuant to La. Education Assessment Program or the La. School and District Accountability System with certain exceptions

1 AN ACT

2 To enact R.S. 17:24.4(K), relative to student assessment; to prohibit public high school  
3 students who are not pursuing a regular high school diploma from being  
4 administered any examination pursuant to the Louisiana Educational Assessment  
5 Program or the Louisiana School and District Accountability System; to provide  
6 exceptions; to prohibit penalizing a student, school, or school system for a student's  
7 lack of participation; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:24.4(K) is hereby enacted to read as follows:

10 §24.4. Louisiana Competency-Based Education Program; statewide standards for  
11 required subjects; Louisiana Educational Assessment Program; parish or city  
12 school board comprehensive pupil progression plans; waivers

13 \* \* \*

14 K.(1) Notwithstanding any provision of this Section or any other law to the  
15 contrary, a public high school student who is not pursuing a regular high school  
16 diploma shall not be administered any examination pursuant to this Section or the  
17 Louisiana School and District Accountability System, including the American  
18 College Test, unless one or both of the following apply:

1           (a) The student's Individualized Education Plan indicates that the  
2           examination is an appropriate assessment instrument for the student.

3           (b) The student's parent or legal guardian requests in writing that the student  
4           be administered the examination.

5           (2) A student who is not administered an examination pursuant to Paragraph  
6           (1) of this Subsection shall not be penalized for failure to take the examination. For  
7           purposes of this Paragraph, prohibited penalties include but are not limited to:

8           (a) Withholding of credits toward graduation or denying a student the ability  
9           to graduate.

10          (b) Denying a student the opportunity to participate in an extracurricular  
11          activity.

12          (c) Denying a student the ability to advance to the subsequent grade level.

13          (3) The absence of test results resulting from implementation of Paragraph  
14          (1) of this Subsection shall not be factored into or negatively impact the performance  
15          score or letter grade assigned to a school or school system, nor shall a school or  
16          school system otherwise be penalized in any manner.

#### 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)]

Edwards

HB No. 343

**Abstract:** Prohibits public high school students who are not pursuing a regular high school diploma from being administered any test pursuant to LEAP or the school accountability program, including the ACT. Provides exceptions and prohibits students, schools, and school systems from being penalized for students not participating in such testing.

Present law (R.S. 17:24.4) provides for the La. Competency-Based Education Program, including the implementation of the La. Educational Assessment Program (LEAP). Requires certain tests to be administered to students at various grade levels and requires students to demonstrate proficiency in order to advance to specified grade levels.

Proposed law retains present law and adds that, notwithstanding any provision of present law or any other law to the contrary, a public high school student who is not pursuing a regular high school diploma shall not be administered any examination pursuant to present law (LEAP or the La. School and District Accountability System), including the ACT, unless the student's Individualized Education Plan provides for it or the student's parent requests it. Prohibits penalizing a student for failure to take an examination pursuant to proposed law

and provides that the resulting absence of test results shall not be factored into or negatively impact the performance score or letter grade assignment of a school or school system, nor shall a school or school system otherwise be penalized.

(Adds R.S. 17:24.4(K))