Regular Session, 2014

HOUSE BILL NO. 381

BY REPRESENTATIVES GEYMANN AND POPE AND SENATOR KOSTELKA

STUDENT/STANDARDS: Creates the Student Standards Commission to develop state standards for required subjects for public school students

1	AN ACT
2	To amend and reenact R.S. 17:24.4(A)(3) and (4), (E), (F)(3)(a) and (b)(ii), and (G)(2), to
3	enact R.S. 36:651(G)(4), and to repeal R.S. 17:24.4(F)(1)(d), relative to education
4	standards and related assessments; to create the Student Standards Commission to
5	develop and adopt state education standards for required subjects for public school
6	students; to provide for commission membership, vacancies, meetings, voting, and
7	compensation; to provide for implementation of the standards by the State Board of
8	Elementary and Secondary Education subject to legislative approval; to repeal
9	provisions relative to implementation of certain standards-based assessments by the
10	State Board of Elementary and Secondary Education; to delete the requirement that
11	the state Department of Education develop and implement statewide content
12	standards for required subjects; and to provide for related matters.
13	Be it enacted by the Legislature of Louisiana:
14	Section 1. R.S. 17:24.4(A)(3) and (4), (E), (F)(3)(a) and (b)(ii), and (G)(2) are
15	hereby amended and reenacted to read as follows:
16	§24.4. Louisiana Competency-Based Education Program; statewide standards for
17	required subjects; Louisiana Educational Assessment Program; parish or city
18	school board comprehensive pupil progression plans; waivers
19	A. As used in this Section, the following words, terms, and phrases shall
20	have the meaning ascribed to them in this Subsection, except when the context
21	clearly indicates a different meaning:
22	* * *

Page 1 of 8

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

9 (4) "The statewide content standards for required subjects" are statements 10 that define what a student should know or be able to accomplish at the end of a 11 specific time period or grade level or at the completion of a course. Content The 12 standards shall represent the knowledge and skills needed for students to successfully transition to postsecondary education and the workplace, as determined by content 13 experts, elementary and secondary educators and school leaders, postsecondary 14 15 education leaders, and business and industry leaders and shall be developed and 16 implemented as provided in Subsection E of this Section.

*

*

17

18 E.(1) The state Department of Education shall, with the approval of the State 19 Board of Elementary and Secondary Education, as part of the Louisiana 20 Competency-Based Education Program, develop and establish statewide content 21 standards for required subjects to be taught in the public elementary and secondary 22 schools of this state. The statewide content standards for required subjects shall be 23 implemented by the state Department of Education as approved by the State Board 24 of Elementary and Secondary Education, with recommendations prior to approval 25 and advice from the educational personnel in the public schools and colleges and 26 universities of this state. There is hereby created the Student Standards Commission, 27 referred to in this Subsection as the "commission", for the purpose of developing and 28 adopting state standards as required by this Section for students in public elementary 29 and secondary schools.

1	(2) The membership of the commission shall be as follows:
2	(a) One member representing each of the following groups, organizations,
3	or entities selected by the respective group, organization, or entity:
4	(i) The Louisiana Association of Educators.
5	(ii) The Louisiana Federation of Teachers.
6	(iii) The Associated Professional Educators of Louisiana.
7	(iv) The Louisiana School Boards Association.
8	(v) The Louisiana Association of School Superintendents.
9	(vi) The Louisiana Association of Principals.
10	(vii) The Louisiana Association of School Executives.
11	(b) Two public school principals selected by the presiding officer of the
12	Louisiana Association of Principals.
13	(c) Two public elementary school teachers, one math teacher and one
14	English teacher, selected by the presiding officer of the Louisiana Association of
15	Principals.
16	(d) Two public high school teachers, one math teacher and one English
17	teacher, selected by the presiding officer of the Louisiana Association of Principals.
18	(e) Two supervisors of instruction employed in local school systems selected
19	by the president of the Louisiana Association of School Superintendents.
20	(f) Two parents of public school students selected by the Louisiana Parent-
21	Teacher Association.
22	(g) Two parents of public school students selected by the presiding officer of
23	the Louisiana Association of Principals.
24	(h) Two deans of colleges of education from Louisiana public postsecondary
25	education institutions, to be appointed by the commissioner of higher education.
26	(i) Two members of the teaching faculty in engineering, math, science, or
27	literature from Louisiana public postsecondary education institutions, to be
28	appointed by the commissioner of higher education.

1	(j) Two members of the board of directors of the Louisiana Association of
2	Chamber of Commerce Executives selected by the president of the board of
3	directors.
4	(k) The president of the State Board of Elementary and Secondary Education
5	or his designee.
6	(1) The state superintendent of education or his designee.
7	(m) The commissioner of higher education or his designee.
8	(n) The chairman of the House Committee on Education or his designee.
9	(o) The chairman of the Senate Committee on Education or his designee.
10	(3) Appointed members of the commission shall serve at the pleasure of the
11	appointing authority. Vacancies shall be filled in the manner of the original
12	appointment.
13	(4) The president of the State Board of Elementary and Secondary Education
14	shall convene the commission for its first meeting not later than August 30, 2014.
15	(5) The commission shall elect from among its members a chairman and
16	such other officers as it deems appropriate.
17	(6) A majority of the commission's total membership, as provided by this
18	Subsection, shall constitute a quorum for the transaction of business. A favorable
19	vote of two-thirds of the total membership is required for adoption of the standards
20	as required in this Subsection.
21	(7) All legislative members of the commission shall receive the same per
22	diem and travel allowance for attending meetings of the commission as is normally
23	provided for meetings of legislative committees. Other members of the commission
24	shall serve without compensation.
25	(8) The members selected pursuant to Subparagraphs (2)(a) through (j) of
26	this Subsection shall represent the geographic diversity of the state, to the extent
27	practical.
28	(9) The State Board of Elementary and Secondary Education shall provide
29	administrative and staff support to the commission.

1	(10) The commission shall be subject to the Public Records Law and the
2	Open Meetings Law.
3	(11) In developing the standards, the commission shall also consider and
4	may recommend the appropriate state assessments to be used to effectively measure
5	student achievement.
6	(12) The standards developed and adopted by the commission shall be
7	implemented by the State Board of Elementary and Secondary Education through
8	rules and regulations promulgated in accordance with the Administrative Procedure
9	Act after the approval of the standards by the legislature by concurrent resolution
10	adopted by a favorable vote of at least a majority of the elected members of each
11	house. The state board shall submit the standards to the legislature on or before
12	March first of any given year. The legislature may return the standards to the state
13	board and include any recommendations for changes to the standards it deems
14	necessary or appropriate. Except as provided in Paragraph (13) of this Subsection,
15	the State Board of Elementary and Secondary Education shall not implement
16	standards that have not been approved by the legislature pursuant to this Paragraph.
17	(13) Until the implementation of the initial standards developed by the
18	commission and approved by the legislature as provided in this Subsection, the State
19	Board of Elementary and Secondary Education shall implement the state standards
20	used immediately prior to the adoption of the Common Core State Standards by the
21	board.
22	F.
23	* * *
24	(3)(a) In lieu of the standards-based assessments prescribed in
25	Subparagraphs Subparagraph (1)(c) and (d) of this Subsection, an alternate
26	assessment shall be provided for and administered only to those students with
27	disabilities who meet specific eligibility criteria developed by the state Department
28	of Education and approved by the State Board of Elementary and Secondary
29	Education. A determination of whether any student meets the eligibility criteria

Page 5 of 8

1	established by the state Department of Education shall be made by the student's
2	Individual Education Plan committee and shall be so noted on that student's
3	Individual Education Plan. The alternate assessment developed pursuant to this
4	Paragraph shall be administered on a schedule determined by the state Department
5	of Education and approved by the State Board of Elementary and Secondary
6	Education. The alternate assessment shall be part of the Louisiana Education
7	Assessment Program otherwise provided for in this Subsection and the alternate
8	assessment shall be used for information, accountability, compliance, and planning
9	purposes as provided by the State Board of Elementary and Secondary Education.
10	(b)
11	* * *
12	(ii) Students with persistent academic disabilities shall be allowed to take
13	academic assessments that are sensitive to measuring progress in their learning and
14	that recognize their individual needs. Academic assessments are to be geared
15	specifically toward accommodating students to enable them to perform on standards-
16	based assessments prescribed in Subparagraphs Subparagraph (1)(c) and (d) of this
17	Subsection. Such accommodations shall include at a minimum verbalized test
18	questions and shall provide for writing assistance of a scribe and any other
19	accommodations deemed appropriate by the student's Individual Education Plan
20	committee. However, any such accommodations shall not breach test security or
21	invalidate the meaning of the test score or the purpose of the test.
22	* * *
23	G.
24	* * *
25	(2) Each parish or city local school board plan for pupil progression shall be
26	based upon local goals and objectives which are compatible with the Louisiana
27	Competency-Based Education Program numerated described in R.S. 17:24.4(B)
28	Subsection B of this Section, which comply with the provisions of R.S.
29	17:24.4(A)(3) Paragraph (A)(3) of this Section, and which supplement the

Page 6 of 8

1	performance standards approved <u>implemented</u> by the State Board of Elementary and
2	Secondary Education.
3	* * *
4	Section 2. R.S. $36:651(G)(4)$ is hereby enacted to read as follows:
5	§651. Transfer of boards, commissions, departments, and agencies to Department
6	of Education; boards, commissions, and agencies within Department of
7	Education
8	* * *
9	G. The following agencies, as defined by R.S. 36:3, are transferred to and
10	hereafter shall be within the Department of Education as provided in Part III of
11	Chapter 22 of this Title:
12	* * *
13	(4) The Student Standards Commission (R.S. 17:24.4(E)).
14	* * *
15	Section 3. R.S. 17:24.4(F)(1)(d) 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)]

Geymann

HB No. 381

Abstract: Creates the Student Standards Commission to develop state standards for required subjects for public school students. Provides for implementation of the standards by the State Board of Elementary and Secondary Education (BESE) subject to legislative approval of the standards. Repeals provisions relative to implementation of certain standards-based assessments by BESE.

<u>Present law</u> 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 3 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. <u>Proposed law</u> retains <u>present law</u> except repeals <u>present law</u> requirement that the standards-based assessments in English language arts and math be based on nationally recognized content standards.

<u>Proposed law</u> 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 effectively measure student achievement.

<u>Proposed law</u> 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 if the legislature fails to finally approve the initial standards developed and adopted by the commission, BESE shall implement the state standards used immediately prior to BESE's adoption of the Common Core State Standards (CCSS). Further provides that the legislature shall approve any subsequent changes to the standards before they can be implemented.

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

(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))