

2015 Regular Session

HOUSE BILL NO. 648

BY REPRESENTATIVE SCHRODER

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

EDUCATION: Provides relative to access by parents and teachers to assessments administered to students

1 AN ACT

2 To amend and reenact R.S. 17:355(D) and to enact R.S. 17:24.4(F)(5) and 355(B)(3) and
3 (E), relative to access to school-related information and materials; to provide relative
4 to access by parents and teachers to assessments administered in public schools; to
5 provide for penalties; to provide for the promulgation of rules by the State Board of
6 Elementary and Secondary Education; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:355(D) is hereby amended and reenacted and R.S. 17:24.4(F)(5)
9 and 355(B)(3) and (E) are 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 F.

15 * * *

16 (5)(a) Each public school teacher is entitled to review the assessment results
17 of any student he taught for the subject he taught in that school year and is entitled
18 to review an individualized student assessment report that identifies the student's
19 performance in each assessment domain.

1 ~~(3)~~(4) "Survey" means any evaluative instrument or questionnaire that is not
2 an assessment of academic knowledge, skills, or abilities, administered as part of a
3 state, national, or international assessment or by itself.

4 E.(1) The state Department of Education shall provide for an assessment
5 review period for parents of students who are administered such assessments. The
6 review period shall begin not later than ten business days following the
7 dissemination of assessment results to parents and shall be offered for at least ten
8 consecutive business days. The review shall be held at the department's main office
9 during regular business hours in the presence of the director of assessments or his
10 designee. The parent shall be given a reasonable amount of time to complete the
11 review; however, such time shall not exceed two hours. The parent may choose to
12 review his child's assessment, answers, and results as provided in Subparagraph
13 (3)(c) of this Subsection. During the review, the parent shall not photocopy or
14 photograph any assessment item or question or make handwritten or typed notes that
15 identify an assessment item or question.

16 (2) A parent who violates the provisions of Paragraph (1) of this Subsection
17 shall be fined not more than ten thousand dollars and may be required to reimburse
18 the state Department of Education for any costs incurred by the department to
19 replace any assessment items or questions determined to no longer be secure due to
20 the actions of the parent.

21 (3) The State Board of Elementary and Secondary Education shall
22 promulgate rules in accordance with the Administrative Procedure Act for the
23 implementation of this Subsection. Such rules shall include but not be limited to all
24 of the following:

25 (a) A procedure for notification to be provided by the department to each
26 parent of the review requirements and the penalties for violation as provided in this
27 Subsection.

1 (b) A requirement that the parent sign a statement confirming that he has
 2 received and read the notification and agrees to fully comply with the review
 3 requirements.

4 (c) A requirement that the parent inform the department as to his choice to
 5 review either the actual assessment taken by his child and his child's answers and
 6 results for that assessment or a copy of an example of the assessment given to his
 7 child that contains only the assessment questions.

8 (d) Time lines necessary for the department to obtain a student's actual
 9 assessment and the student's answers and results and provide these to the parent.

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 648 Reengrossed

2015 Regular Session

Schroder

Abstract: Provides relative to access by parents and teachers to assessments administered in public schools.

Present law (R.S. 17:24.4(F)) requires standards-based assessments for required subjects (English language arts, math, science, and social studies) to be implemented by the State Board of Elementary and Secondary Education and administered in at least grades 3-11. Provides that such assessments be based on state content standards and rigorous student achievement standards comparable to national student achievement levels. Proposed law provides that a public school teacher review the assessment results of any student he taught for the subject he taught in that school year and review an individualized student assessment report that identifies the student's performance in each assessment domain. Requires local public school boards to adopt rules and policies for each school to provide access to the student assessment results to a teacher. Requires the school principal to ensure that the school complies with such rules. Otherwise retains present law.

Present law (R.S. 17:355) provides that a parent of a child attending a public elementary or secondary school is entitled to:

- (1) Review instructional materials used by or administered to the parent's child.
- (2) Review any survey before it is administered or distributed by a school to a student.

Proposed law adds provision that entitles a parent to review each assessment administered to the parent's child after the assessment is administered; otherwise retains present law.

Proposed law defines "assessment" as a state assessment administered pursuant to present law, which requires measuring performance in relation to grade appropriate skills, state content standards, and national educational indices. "Assessment" does not include a national assessment that the state Dept. of Education is prohibited by the assessment vendor from providing to a parent for review.

Proposed law requires the state Dept. of Education to provide for an assessment review period for parents. Requires that the assessment period begin no later than 10 business days following the dissemination of assessment results to parents and requires it to be offered for at least 10 consecutive business days. Requires that the review be held at the department's main office during regular business hours in the presence of the director of assessments or his designee. Requires that the parent be given a reasonable amount of time to complete the review not to exceed two hours. Permits the parent to review his child's assessment, answers, and results if he so chooses.

Proposed law prohibits the parent, during the review, from photocopying or photographing any assessment item or question or making handwritten or typed notes that identify an assessment item or question. Provides that a parent who violates proposed law be fined not more than \$10,000 and may be required to reimburse the state Dept. of Education for any costs to replace any assessment items or questions determined to no longer be secure due to the actions of the parent.

Proposed law requires the State Board of Elementary and Secondary Education to promulgate rules in accordance with the Admin. Procedure Act for the implementation of proposed law relative to the review period. Requires that such rules include certain components relative to notification to parents, requirements for signed statements and information from parents, and time lines for obtaining the assessments.

(Amends R.S. 17:355(D); Adds R.S. 17:24.4(F)(5) and 355(B)(3) and (E))

Summary of Amendments Adopted by House

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

1. Change definition of "assessment" to specify that it does not include a national assessment that the state Dept. of Education is prohibited from providing to a parent for review.
2. Relative to teacher access to assessment results, limit such access to subjects the teacher taught the student and add provision for review of individualized student assessment reports.
3. Add provisions that provide for assessment review period for parents and to add penalties for parents who violate the provisions of proposed law.

The House Floor Amendments to the engrossed bill:

1. Require that parents be given a reasonable amount of time to complete the review not to exceed two hours.
2. Permit a parent to review his child's actual assessment, answers, and results.
3. Delete the six month imprisonment penalty for parents.
4. Add requirement that BESE promulgate rules for implementation of proposed law relative to the review period and require that such rules include specified elements.