Regular Session, 2012

HOUSE BILL NO. 707

BY REPRESENTATIVE SCHRODER

STUDENT/ASSESSMENT: Provides relative to student assessment and statewide education standards

1	AN ACT
2	To amend and reenact R.S. 17:24.4(A)(1), (2), and (4), (E), (F)(1)(c), (d), and (e), (3)(a) and
3	(b)(ii), and (4)(a), and (G)(4)(a) and to repeal R.S. 17:24.4(F)(2), relative to the
4	Louisiana Competency-Based Education Program and the Louisiana Educational
5	Assessment Program; to provide relative to standards; to provide relative to testing;
6	to provide relative to terminology and definitions; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 17:24.4(A)(1), (2), and (4), (E), (F)(1)(c), (d), and (e), (3)(a) and
9	(b)(ii), and (4)(a), and (G)(4)(a) are hereby amended and reenacted 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	A. As used in this Section, the following words, terms, and phrases shall
14	have the meaning ascribed to them in this Subsection, except when the context
15	clearly indicates a different meaning:
16	(1) "The Louisiana Competency-Based Education Program" means the
17	coordination of all existing statutory provisions and State Board of Elementary and
18	Secondary Education policies and guidelines to be implemented by the state
19	Department of Education which affect pupil performance with the development and
20	establishment of statewide curriculum content standards for required subjects for the

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1	public elementary and secondary schools of this state, the complete implementation
2	of the Louisiana Educational Assessment Program, the involvement of all federal
3	instructional programs, vocational programs, special education programs, and
4	teacher education programs in this state, and the pupil progression plans for the
5	public elementary and secondary school systems of this state.
6	(2) "The Louisiana Educational Assessment Program" means a process of
7	measuring pupil performance in relation to grade appropriate skills, state curriculum
8	content standards, and national educational indices.
9	* * *
10	(4) "The statewide <u>curriculum</u> <u>content</u> standards for required subjects" means
11	the required subjects to be taught, curriculum guides which contain grade appropriate
12	skills and competencies, suggested activities, suggested materials of instructions, and
13	minimum required time allotments for instruction in all subjects are statements that
14	define what a student should know or be able to accomplish at the end of a specific
15	time period or grade level or at the completion of a course. Content standards shall
16	represent the knowledge and skills needed for students to successfully transition to
17	postsecondary education and the workplace, as determined by content experts,
18	elementary and secondary educators and school leaders, postsecondary education
19	leaders, and business and industry leaders.
20	* * *
21	E. The state Department of Education shall, with the approval of the State
22	Board of Elementary and Secondary Education, as part of the Louisiana
23	Competency-Based Education Program, develop and establish statewide curriculum
24	content standards for required subjects to be taught in the public elementary and
25	secondary schools of this state.; however, no such standards or scores shall exceed
26	any national average standards, scores, or percentile rankings. The effective
27	implementation date of the statewide curriculum standards for required subjects shall
28	be the 1981-1982 school year. Development of such curriculum shall begin by the
29	1979-1980 school year, and be piloted by the Department of Education during the

1 1980-1981 school year. The statewide curriculum content standards for required
 2 subjects shall be implemented by the state Department of Education as approved by
 3 the State Board of Elementary and Secondary Education, with recommendations
 4 prior to approval and advice from the educational personnel in the public schools and
 5 colleges and universities of this state.

F.(1)

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8 (c) Criterion-referenced tests Standards-based assessments in English 9 language arts, and mathematics, science, and social studies based on state content 10 standards and rigorous student achievement standards set with reference to test 11 scores of students of the same grade level nationally shall be piloted in grades four 12 and eight during the 1997-1998 school year and implemented during the 1998-1999 school year if approved by the State Board of Elementary and Secondary Education. 13 14 Such tests shall be administered, at a minimum, in grades three through eleven. 15 Criterion-referenced tests in science and social studies based on state content 16 standards and rigorous student achievement standards set with reference to test 17 scores of students of the same grade level nationally shall be piloted in grades four 18 and eight during the 1998-1999 school year and implemented during the 1999-2000 19 school year if approved by the State Board of Elementary and Secondary Education.

20 (d) Beginning with the 2014-2015 school year, standards-based assessments 21 implemented by the State Board of Elementary and Secondary Education in English 22 language arts and mathematics shall be based on nationally recognized content 23 standards that represent the knowledge and skills needed for students to successfully 24 transition to postsecondary education and the workplace. High school level criterion-25 referenced tests based on state content standards and rigorous Rigorous student 26 achievement standards shall be set with reference to test scores of students of the 27 same grade level levels nationally in mathematics, English/language arts, science, 28 and social studies shall be piloted during the 1999-2000 school year and 29 implemented beginning with the 2000-2001 school year.

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- (e) The rigor of each criterion-referenced test standards-based assessment,
 at a minimum, shall be comparable to those national achievement tests, administered
 as a part of including but not limited to the National Assessment of Education
 Progress.
- 5 (3)(a) In lieu of the criterion-referenced tests standards-based assessments 6 prescribed in Subparagraphs (1)(c) and (d) of this Subsection and the tests prescribed 7 8 in Paragraph (2) of this Subsection and beginning no later than July 1, 2000, an 9 alternate assessment shall be provided for and administered only to those students 10 with disabilities who meet specific eligibility criteria developed by the state 11 Department of Education and approved by the State Board of Elementary and 12 Secondary Education. A determination of whether any student meets the eligibility 13 criteria established by the state Department of Education shall be made by the 14 student's Individual Education Plan committee and shall be so noted on that student's 15 Individual Education Plan. The alternate assessment developed pursuant to this 16 Paragraph shall be administered on a schedule determined by the state Department 17 of Education and approved by the State Board of Elementary and Secondary 18 Education. The alternate assessment shall be part of the Louisiana Education 19 Assessment Program otherwise provided for in this Subsection and the alternate 20 assessment shall be used for information, accountability, compliance, and planning 21 purposes as provided by the State Board of Elementary and Secondary Education.
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(b)

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(ii) Students with persistent academic disabilities shall be allowed to take
academic assessments that are sensitive to measuring progress in their learning and
that recognize their individual needs. Academic assessments are to be geared
specifically toward accommodating students to enable them to perform on criterionreferenced tests standards-based assessments prescribed in Subparagraphs (1)(c) and
(d) of this Subsection and the norm-referenced tests prescribed in Paragraph (2) of

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this Subsection. Such accommodations shall include at a minimum verbalized test questions and shall provide for writing assistance of a scribe and any other accommodations deemed appropriate by the student's Individual Education Plan committee. However, any such accommodations shall not breach test security or invalidate the meaning of the test score or the purpose of the test.

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7 (4)(a) In addition to the other requirements of this Subsection, the 8 department state Department of Education shall establish, subject to the approval of 9 the State Board of Elementary and Secondary Education, the results level of 10 achievement on certain of the tests or on certain portions of the tests given as 11 required in this Subsection in third and seventh grade as indicative of the student's 12 proficiency in at least mathematics and reading or language arts and the level of 13 achievement on certain of the tests or on certain portions of the tests administered 14 in fourth and eighth grade grades and at the secondary level as definitive of the level 15 of the student's proficiency in mathematics, English language arts, science, and 16 social studies. The level of proficiency required of fourth Fourth and eighth grade 17 students shall be required to demonstrate proficiency on such tests in order to 18 proceed with their schooling without intervention shall be established advance to 19 grades five and nine, pursuant to rules adopted by the State Board of Elementary and 20 Secondary Education by rule adopted in accordance with the Administrative 21 Procedure Act. and Such proficiency levels shall be set with reference to test scores 22 of students of the same grade level nationally. However, by not later than December 23 30, 2009, the state superintendent of education shall submit recommendations to the 24 board for expanding the opportunities, in limited circumstances, for students who fail 25 to achieve the required proficiency levels to be promoted to grades five and nine, and 26 by not later than January 30, 2010, the board shall approve and implement such 27 recommendations. Additionally, the board shall make information available to the 28 public and to the House Committee on Education and the Senate Committee on 29 Education indicating where a sample of students who score at the state's proficiency

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1 level on the state criterion-referenced tests score on a national norm-referenced test. 2 The department shall establish, subject to the approval of the State Board of 3 Elementary and Secondary Education, the nature and application of various 4 intervention options in the case of a failure to demonstrate proficiency, which may include remediation, retention in grade, an alternative placement in succeeding 5 grades, or any other option which will support a student's achieving the required 6 7 proficiency level. 8 9 G. 10 11 (4)(a) The governing body of each school with students required by law or 12 a rule of the State Board of Elementary and Secondary Education to participate in the 13 Louisiana Educational Assessment Program shall develop a policy with the 14 participation and input of the committee provided for in this Subsection which shall, 15 at a minimum, conform to any rule adopted by the State Board of Elementary and 16 Secondary Education regarding pupil promotion. Following this policy, each teacher 17 shall, on an individualized basis, determine promotion or placement of each student. 18 Each such governing body may review promotion and placement decisions in order 19 to insure ensure compliance with its established policy. Review may be initiated by 20 the governing body, the superintendent, or a student's parent or guardian. Those 21 students who fail to meet required achievement levels on the state administered 22 criterion-referenced tests standards-based assessments of the Louisiana Educational 23 Assessment Program shall be offered education programs designed to accelerate 24 progress that comply with regulations adopted by the State Board of Elementary and 25 Secondary Education. Such programs shall include, at a minimum, the offering of 26 a summer school remediation program to all students who do not meet the minimum 27 achievement level necessary to be fully promoted to the fifth or ninth grade as 28 established by the State Board of Elementary and Secondary Education rule. 29

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Section 2. R.S. 17:24.4(F)(2) 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)]

Schroder

HB No. 707

Abstract: Provides relative to the La. Competency-Based Education Program and the La. Educational Assessment Program (LEAP).

<u>Present law</u>, relative to the La. Competency-Based Education Program, provides for certain provisions and terminology with respect to "curriculum standards" and "criterion-referenced tests". <u>Proposed law</u> makes the following changes to <u>present law</u>:

Standards

<u>Present law</u> refers to statewide "curriculum standards". <u>Proposed law</u> changes this terminology to "content standards".

<u>Present law</u> defines "curriculum standards" as required subjects to be taught, curriculum guides which contain grade appropriate skills and competencies, suggested activities and instruction materials, and minimum required time allotments for instruction in all subjects.

<u>Proposed law</u> defines "content standards" as statements that define what a student should know or be able to accomplish at the end of a specific time period or grade level or at the completion of a course. Further provides that "content standards" shall represent the knowledge and skills needed for students to successfully transition to postsecondary education and the workplace, as determined by content experts, elementary and secondary educators and school leaders, postsecondary education leaders, and business and industry leaders.

<u>Present law</u> provides that no curriculum standards or scores shall exceed any national average standards, scores, or percentile rankings. <u>Proposed law</u> deletes <u>present law</u>.

Testing

<u>Present law</u> refers to "criterion-referenced tests". <u>Proposed law</u> changes this terminology to "standards-based assessments".

<u>Present law</u> provides for criterion-referenced tests in English language arts, mathematics, science, and social studies in grades four and eight and at the high school level. <u>Proposed law</u> instead provides for standards-based assessments in these subjects in grades three through 11, at minimum. Adds that beginning with the 2014-2015 school year, the standards-based assessments implemented by BESE in English language arts and mathematics shall be based on nationally recognized content standards that represent the knowledge and skills needed for students to successfully transition to postsecondary education and the workplace.

<u>Present law</u> provides that LEAP shall include one criterion-referenced test, one national norm-referenced test, or one augmented norm-referenced test, given to students statewide in grades three, five, six, seven, and nine. Requires the National Assessment of Educational Progress to be administered, if available, to at least a sample of fourth and eighth graders. <u>Proposed law</u> deletes <u>present law</u>.

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<u>Present law</u> requires the state Dept. of Education to establish the following for certain tests (or certain portions thereof):

- (1) For third and seventh grades: the results as indicative of student proficiency in at least mathematics and reading or language arts.
- (2) For fourth and eight grades and the secondary level: the level of achievement as definitive of the level of student proficiency in mathematics, English language arts, science, and social studies.

<u>Proposed law</u> eliminates requirements relative to third and seventh grades and the secondary level and retains such requirement relative to fourth and eighth grades.

<u>Present law</u> requires BESE to establish the level of proficiency required of fourth and eighth grade students in order to proceed with their schooling without intervention. <u>Proposed law</u> instead requires these students to demonstrate proficiency in order to advance to grades five and nine.

Present law provides for the following requirements:

- (1) Requires the state superintendent of education to submit recommendations to BESE for expanding opportunities for students who fail to achieve the required proficiency levels to be promoted to grades five and nine.
- (2) Requires BESE:
 - (a) To have approved and implemented these recommendations by Jan. 10, 2010.
 - (b) To make information available to the public and House and Senate education committees indicating where a sample of students scoring at the state's proficiency level on the state criterion-referenced tests score on a national norm-referenced test.

Proposed law deletes each of these present law requirements.

(Amends R.S. 17:24.4(A)(1), (2), and (4), (E), (F)(1)(c), (d), and (e), (3)(a) and (b)(ii), and (4)(a), and (G)(4)(a); Repeals R.S. 17:24.4(F)(2))