SLS 19RS-358 ORIGINAL

2019 Regular Session

SENATE BILL NO. 128

BY SENATOR MILKOVICH

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

EDUCATION ACCOUNTABILITY. Provides with respect to state content standards and assessments. (gov sig)

1 AN ACT

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To amend and reenact R.S. 17:3991(C)(5) and 4016(A), to enact R.S. 17:24.4(E)(7) and 4021(D), and to repeal R.S. 17:4015(7)(a), 4023, and 4024(A)(5), relative to state content standards and related assessments; to allow each public school governing authority to determine the content standards and assessments to be used in the schools under its jurisdiction; to prohibit the State Board of Elementary and Secondary Education and the state Department of Education from mandating the use of state-adopted standards and assessments; to provide for a process whereby the people can decide which content standards and assessments will be used in public schools; to provide relative to the school and district accountability system, teacher evaluations, and pupil progression plans; to provide relative to programs provided by charter schools; to provide relative to the Student Scholarships for Educational Excellence Program; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3991(C)(5) and 4016(A) are hereby amended and reenacted and R.S. 17:24.4(E)(7) and 4021(D) are hereby enacted to read as follows:

§24.4. Louisiana Competency-Based Education Program; statewide standards for

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l	required subjects; Louisiana Educational Assessment Program; parish
2	or city school board comprehensive pupil progression plans; waivers
3	* * *
4	E. * * *
5	(7)(a) Notwithstanding any provision of law to the contrary, the
6	governing authority of each public elementary and secondary school may adopt
7	and implement the content standards and related assessments it determines best
8	serves the educational needs of the students it serves.
9	(b) The State Board of Elementary and Secondary Education and the
10	state Department of Education shall not require the governing authority of any
11	public elementary and secondary school to implement the Common Core
12	standards developed jointly by the National Governors Association Center for
13	Best Practices and the Council of Chief State School Officers, or any other
14	content standards adopted by the state board, nor shall local schools and school
15	districts be required to participate in the administration of any state tests or
16	assessments.
17	(c)(i) Upon receipt of a petition signed by at least ten percent of the
18	registered voters residing within the geographic boundaries of the school
19	district, the local public school board shall provide for an election whereby the
20	people shall choose whether state content standards and related assessments or
21	locally adopted content standards and assessments shall be used in the schools
22	within the school system.
23	(ii) In the case of a charter school, upon receipt of a petition signed by at
24	least ten percent of the parents who have children enrolled in the school, the
25	governing authority of the school shall provide for a process whereby the
26	parents of the children enrolled in the school shall be able to vote on whether
27	state content standards and related assessments or content standards and
28	assessments adopted by the school's governing authority shall be used in the

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school.

1 (d) A public school or school district that declines to implement the state 2 content standards and assessments adopted by the state board shall not be 3 subject to the requirements of the school and district accountability system, nor 4 shall there be any negative consequences with respect to teacher evaluations or 5 pupil progression plans or the scholarship program. 6 7 §3991. Charter schools; requirements; limitations; renewal; amendment; revocation; 8 board membership 9 10 C. A charter school shall: 11 12 (5) Be nonsectarian in its programs, admissions policies, and employment 13 practices. 14 §4016. Scholarship amounts; funding 15 16 A. The department shall allocate annually from funds appropriated or otherwise available for the program an amount per pupil to each participating school 17 equal to the amount allocated per pupil as provided in the minimum foundation 18 19 program formula, inclusive of the calculations of both the local and state per pupil 20 allocations, to the local school system in which the scholarship recipient resides,

otherwise available for the program an amount per pupil to each participating school equal to the amount allocated per pupil as provided in the minimum foundation program formula, inclusive of the calculations of both the local and state per pupil allocations, to the local school system in which the scholarship recipient resides, considering all student characteristics. For a participating school that charges tuition, if the maximum amount of tuition plus incidental or supplementary fees that are charged to nonscholarship students enrolled in such school and any costs incurred in administering the tests required pursuant to R.S. 17:4023 is less than the amount allocated per pupil to the local school system in which the student resides, then the amount allocated per pupil to the school shall be equal to the sum of such maximum tuition amount, such incidental or supplementary fees charged to nonscholarship students, and such testing costs.

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1 §4021. School eligibility

D. The State Board of Elementary and Secondary Education and the state Department of Education shall not require a nonpublic school to adhere to state content standards or administer any examination required by the school and district accountability system as a condition of eligibility to participate in the program.

Section 2. R.S. 17:4015(7)(a), 4023, and 4024(A)(5) are hereby repealed.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cheryl Serrett.

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Milkovich

<u>Present law</u> provides for the Louisiana Competency-Based Education Program and requires the State Board of Elementary and Secondary Education (BESE) to adopt state content standards for required subjects and develop state assessments based upon those standards.

<u>Proposed law</u> retains <u>present law</u> but provides that the governing authority of each public elementary and secondary school shall have the authority to adopt and implement the content standards and related assessments it determines best serves the educational needs of the students it serves.

<u>Proposed law</u> prohibits BESE and the state Dept. of Education (DOE) from requiring any public school governing authority to implement the Common Core state standards or any other content standards adopted by the board. Additionally prohibits BESE from requiring schools and school districts to participate in the administration of any state tests or assessments.

<u>Proposed law</u> provides that, upon receipt of a petition signed by at least 10% of the registered voters residing within the geographic boundaries of a school district, the local school board shall provide for an election whereby the people shall choose whether state content standards and assessments or locally adopted content standards and assessments will be used in district schools.

<u>Proposed law</u> provides that in the case of a charter school, upon receipt of a petition signed by at least 10% of the parents who have children enrolled in the school, the charter school governing authority shall provide for a process whereby the parents of the children enrolled in the school shall be able to vote on whether state content standards and assessments or

content standards and assessments adopted by the school's governing authority will be used in the school.

<u>Present law</u> provides that charter schools shall be nonsectarian in its programs, admission policies, and employment practices. <u>Proposed law</u> removes the prohibition against sectarian programs.

<u>Present law</u> provides for the Students Scholarships for Educational Excellence Program (SSEEP) which provides scholarships to certain students in failing public schools to use at approved nonpublic schools. To be eligible to participate in SSEEP, the nonpublic schools must meet certain requirements and ensure that scholarship recipients are administered all examinations required by the school and district accountability rules and provide the results of these examinations to the parents or legal guardians of scholarship recipients.

Proposed law repeals present law.

<u>Proposed law</u> prohibits the State Board of Elementary and Secondary Education and the state DOE from requiring a nonpublic school to adhere to state content standards or administer any examination required by the school and district accountability system as a condition of eligibility to participate in the program.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:3991(C)(5) and 4016(A); adds R.S. 17:24.4(E)(7) and 4021(D); repeals 4015(7)(a), 4023, and 4024(A)(5))