

SENATE RESOLUTION NO. 144

BY SENATOR JOHNS

A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, the state Department of Education, and public school governing authorities to develop and adopt policies and guidelines relative to students whose parents opt them out of participation in state-mandated assessments.

WHEREAS, the federal Every Student Succeeds Act (ESSA) requires each state to develop an educational accountability plan that utilizes data derived from state-mandated assessments to determine student, school, and district performance; and

WHEREAS, ESSA further requires states to administer state assessments to a minimum of ninety-five percent of all students eligible to participate in state assessments; and

WHEREAS, despite the ninety-five percent student participation rate mandated by ESSA, the State Board of Elementary and Secondary Education (BESE) requires every student to participate in state assessments; and

WHEREAS, the Louisiana school and district accountability system provides that students whose parents opt not to have them participate in state-mandated assessments are given a zero on the assessments, thus penalizing schools and districts by effectively lowering their performance scores and letter grades; and

WHEREAS, although ESSA provides that states have the authority over policies governing a parent's right to opt their children out of state tests, provided the ninety-five percent student participation is maintained, BESE has not adopted a parental opt-out policy; and

WHEREAS, the five percent variance in the student participation rate allowed by ESSA could be used to accommodate a parental opt-out policy, without putting the state in danger of violating the provisions of ESSA; and

WHEREAS, BESE and the state Department of Education penalize students who do not participate in state assessments by barring them from participating in student recognition programs such as the Student of the Year program; and

WHEREAS, instances of public school governing authorities penalizing a student or a school's student body for student nonparticipation in state assessments have been reported; and

WHEREAS, the State Board of Elementary and Secondary Education, the state Department of Education, and public school governing authorities should refrain from adopting policies, regulations, guidelines, and practices which penalize a student, group of students, school, or district when a parent opts not to have his child participate in state-mandated assessments.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby urge and request the State Board of Elementary and Secondary Education, the state Department of Education, and public school governing authorities to develop and adopt policies and guidelines relative to students whose parents opt them out of participation in state-mandated assessments.

BE IT FURTHER RESOLVED that the Senate of the Legislature of Louisiana does hereby urge and request the State Board of Elementary and Secondary Education and the state Department of Education to reconsider any current policies that penalize students, schools, and districts through the educational accountability system for students whose parents opt not to have their child participate in state-mandated assessments.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the president of the State Board of Elementary and Secondary Education, the state superintendent of education, who shall disseminate a copy to the governing authority of each charter school, and to the executive director of the Louisiana School Boards Association, who shall disseminate a copy to the governing authority of each public elementary and secondary school.

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PRESIDENT OF THE SENATE