

2017 Regular Session

HOUSE BILL NO. 130

BY REPRESENTATIVE DEVILLIER AND SENATOR WALSWORTH

1 AN ACT

2 To amend and reenact R.S. 17:3882(4) through (7), 3902(B)(5), 3991(B)(1)(a)(i) and (b)(i),
3 and 3997(D)(2), to enact R.S. 17:3882(8) and 3973(4), and to repeal R.S. 17:3973(1),
4 relative to students; to provide that economically disadvantaged students shall be
5 included as a factor in determining teacher evaluations and requirements for
6 enrollment of at-risk students in certain charter schools; to remove references to
7 students eligible for free and reduced price meals as factors used in such teacher
8 evaluations and charter school enrollment requirements; and to provide for related
9 matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 17:3882(4) through (7), 3902(B)(5), 3991(B)(1)(a)(i) and (b)(i), and
12 3997(D)(2) are hereby amended and reenacted and R.S. 17:3882(8) and 3973(4) are hereby
13 enacted to read as follows:

14 §3882. Definitions.

15 For the purposes of this Part, the following definitions shall apply:

16 * * *

17 (4) "Economic disadvantage" means any one of the following characteristics
18 of a student:

19 (a) Is eligible for Louisiana's food assistance program for low-income
20 families.

21 (b) Is eligible for Louisiana's disaster food assistance program.

1 (c) Is eligible for Louisiana's program for assistance to needy families with
2 children to assist parents in becoming self-sufficient.

3 (d) Is eligible for Louisiana's healthcare program for families and individuals
4 with limited financial resources.

5 (e) Is eligible for reduced price meals based on the latest available data.

6 (f) Is an English Language Learner.

7 (g) Is identified as homeless or migrant pursuant to the McKinney-Vento
8 Homeless Children and Youth Assistance Act and the Migrant Education Program
9 within the Elementary and Secondary Education Act.

10 (h) Is incarcerated with the office of juvenile justice or in an adult facility.

11 (i) Has been placed into the custody of the state.

12 ~~(4)~~ (5) "Evaluation" means the process by which a local board monitors the
13 continuing performance of its teachers and administrators.

14 ~~(5)~~ (6) "Local board" means a city, parish, or other local public school board.

15 ~~(6)~~ (7) "Performance expectations" means the elements of effective
16 leadership approved by the board that shall be included as evaluation criteria for all
17 building-level administrators.

18 ~~(7)~~ (8) "Teacher" or "Administrator" means any person whose employment
19 requires professional certification issued under the rules of the board.

20 * * *

21 §3902. Evaluation program; process

22 * * *

23 B. The elements of evaluation and standards for effectiveness shall be
24 defined by the board pursuant to rules and regulations promulgated for such purpose.
25 Such rules and regulations shall require that, at a minimum, local evaluation plans
26 contain the following elements:

27 * * *

28 (5) Measure of effectiveness. Fifty percent of such evaluations shall be
29 based on evidence of growth in student achievement as determined by the board.
30 Data derived from a value-added assessment model, as determined by the ~~state~~

1 board, shall be a factor in determining evidence of student growth for grade levels
 2 and subjects for which value-added data is available and shall comprise thirty-five
 3 percent of the overall evaluation. For grade levels and subjects for which value-
 4 added data is not available and for personnel for whom value-added data is not
 5 available, the board shall establish measures of student growth. The model shall take
 6 into account important student factors, including but not limited to special education,
 7 ~~eligibility for free or reduced price meals~~ economic disadvantage, ~~student~~
 8 attendance, and ~~student~~ discipline. However, neither the value-added model nor the
 9 measures of student growth for grade levels and subjects for which value-added data
 10 are not available shall, in any given year, include a test score or data of a student who
 11 has ten or more unexcused absences in any school semester in that year. The ~~state~~
 12 board shall develop and adopt a policy to invalidate such student growth data for any
 13 teacher for any school year in which there is a natural disaster or any other
 14 unexpected event that results in the temporary closure of the school.

* * *

§3973. Definitions

As used in this Chapter, the following words, terms, and phrases shall have the meanings ascribed to them in this Section except when the context clearly indicates a different meaning:

* * *

(4) "Economically disadvantaged" means any one of the following characteristics of a student:

(a) Is eligible for Louisiana's food assistance program for low-income families.

(b) Is eligible for Louisiana's disaster food assistance program.

(c) Is eligible for Louisiana's program for assistance to needy families with children to assist parents in becoming self-sufficient.

(d) Is eligible for Louisiana's healthcare program for families and individuals with limited financial resources.

(e) Is eligible for reduced price meals based on the latest available data.

1 (f) Is an English Language Learner.

2 (g) Is identified as homeless or migrant pursuant to the McKinney-Vento
3 Homeless Children and Youth Assistance Act and the Migrant Education Program
4 within the Elementary and Secondary Education Act.

5 (h) Is incarcerated with the office of juvenile justice or in an adult facility.

6 (i) Has been placed into the custody of the state.

7 * * *

8 §3991. Charter schools; requirements; limitations; renewal; amendment; revocation

9 * * *

10 B. Each proposed charter shall contain or make provision for the following:

11 (1)(a)(i) That for ~~Type 1 and Type 2~~ charter schools created as new schools;
12 and charter schools created as a result of a conversion after the 2011-2012 school
13 year, the percentage of the total number of ~~pupils~~ students enrolled in the charter
14 school based on the October first ~~pupil student~~ membership who are ~~at-risk, in the~~
15 ~~manner provided in R.S. 17:3973(1)(a) and (c),~~ economically disadvantaged and
16 students with exceptionalities as defined in R.S. 17:1942, not including gifted and
17 talented, shall be equal to not less than eighty-five percent of the average percentage
18 of ~~pupils~~ students enrolled in the local public school districts from which the charter
19 school enrolls its students who are ~~eligible to participate in the federal free and~~
20 ~~reduced lunch program~~ economically disadvantaged; and shall be equal to not less
21 than eighty-five percent of the average percentage of ~~pupils~~ students enrolled in the
22 local public school districts from which the charter school enrolls its students who
23 have been identified as a student with an exceptionality as defined in R.S. 17:1942,
24 not including gifted and talented. ~~The remaining number of pupils enrolled in the~~
25 ~~charter school which would be required to have the same percentage of at-risk pupils~~
26 as the percentage of pupils in the district who are eligible to participate in the federal
27 ~~free and reduced cost lunch program or who have been identified as a student with~~
28 an exceptionality as defined in R.S. 17:1942, not including gifted and talented, may
29 ~~be comprised of pupils who are at-risk as is otherwise provided in R.S. 17:3973(1).~~
30 For the purposes of fulfilling the provisions of this Section, the ~~at-risk~~ economically

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1 disadvantaged and students with exceptionalities percentage for the ~~city or parish~~
 2 ~~school system~~ local public school district shall remain fixed during the term of the
 3 approved charter at the percentage which existed during the school year that the
 4 charter proposal was approved, ~~unless otherwise specified in the charter that the~~
 5 ~~charter school will reflect the current year's at-risk percentage.~~ or renewed.

6 * * *

7 (b)(i) That for ~~Type 2~~ charter schools created as a result of a conversion;
 8 ~~Type 3 and Type 4~~ charter schools, during or prior to the 2011-2012 school year, the
 9 percentage of the total number of ~~pupils~~ students enrolled in the charter school based
 10 on the October first ~~pupil~~ student membership who are ~~at-risk, in the manner~~
 11 ~~provided in R.S. 17:3973(1)(a) and (c)~~, economically disadvantaged and students
 12 with exceptionalities as defined in R.S. 17:1942, not including gifted and talented,
 13 unless otherwise agreed to as part of the charter agreement, by the chartering
 14 authority, shall be equal to not less than the percentage of the total of ~~pupils~~ students
 15 enrolled in the school in the school year prior to the establishment of the charter
 16 school ~~that who were eligible to participate in the federal free and reduced cost lunch~~
 17 ~~program~~ economically disadvantaged, and shall be equal to not less than the
 18 percentage of the total of ~~pupils~~ students enrolled in the school in the school year
 19 prior to the establishment of the charter school who were identified as a student with
 20 an exceptionality as defined in R.S. 17:1942, not including gifted and talented.

21 * * *

22 §3997. Charter school employees

23 * * *

24 D.

25 * * *

26 (2) Fifty percent of each teacher and administrator evaluation conducted
 27 pursuant to Paragraph (1) of this Subsection shall be based on evidence of growth in
 28 student achievement as determined by the state board. Data derived from a value-
 29 added assessment model, as determined by the state board, shall be a factor in
 30 determining evidence of student growth for grade levels and subjects for which

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1 value-added data is available and shall comprise thirty-five percent of the overall
 2 evaluation. For grade levels and subjects for which value-added data is not
 3 available, the state board shall establish measures of student growth. The model
 4 shall take into account important student factors, including but not limited to special
 5 education, ~~eligibility for free or reduced price meals~~ economic disadvantage, student
 6 attendance, and ~~student~~ discipline. The state board shall develop and adopt a policy
 7 to invalidate such student growth data for any teacher for any school year in which
 8 there is a natural disaster or any other unexpected event that results in the temporary
 9 closure of the school.

* * *

11 Section 2. R.S. 17:3973(1) is hereby repealed in its entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____