

Regular Session, 2013

HOUSE BILL NO. 343

BY REPRESENTATIVES EDWARDS AND SMITH

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

1 AN ACT

2 To enact R.S. 17:24.4(K), relative to student assessment; to prohibit public high school  
3 students with exceptionalities who are not pursuing a high school diploma from  
4 being administered any examination pursuant to the Louisiana Educational  
5 Assessment Program or the Louisiana school and district accountability system; to  
6 provide exceptions; to prohibit penalizing a student, school, or school system for a  
7 student's lack of participation; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:24.4(K) is 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 K.(1) Notwithstanding any provision of this Section or any other law to the  
15 contrary, a public high school student with an exceptionality as defined in R.S.  
16 17:1942(B), except a gifted or talented student, and who is not pursuing a high  
17 school diploma shall not be administered any examination pursuant to this Section  
18 or the Louisiana school and district accountability system, including the American  
19 College Test, unless one or both of the following apply:

20 (a) The student's Individualized Education Plan indicates that the  
21 examination is an appropriate assessment instrument for the student.

1                   **(b) The student's parent or legal guardian requests in writing that the student**  
2                   **be administered the examination.**

3                   **(2) A student who is not administered an examination pursuant to Paragraph**  
4                   **(1) of this Subsection shall not be penalized for failure to take the examination. For**  
5                   **purposes of this Paragraph, prohibited penalties include but are not limited to:**

6                   **(a) Withholding of credits toward graduation or denying a student the ability**  
7                   **to graduate.**

8                   **(b) Denying a student the opportunity to participate in an extracurricular**  
9                   **activity.**

10                  **(c) Denying a student the ability to advance to the subsequent grade level.**

11                  **(3) The absence of test results due to the implementation of Paragraph (1)**  
12                  **of this Subsection shall not be factored into or negatively impact the performance**  
13                  **score or letter grade assigned to a school or school system, nor shall a school or**  
14                  **school system otherwise be penalized in any manner, provided that such absence**  
15                  **does not violate any federal law or requirement including the No Child Left Behind**  
16                  **Act of 2001 or the Individuals with Disabilities Education Act.**

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_