

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

EDUCATION/SPECIAL: Provides for determinations for grade level promotion of certain students with exceptionalities regarding performance on state tests and provides for calculations of school performance scores relative to such students

DIGEST

Present law, relative to students with exceptionalities, provides that the State Board of Elementary and Secondary Education (BESE) may establish a procedure for the state superintendent of education to grant a waiver allowing any such student who fails to meet the required achievement level necessary for promotion to the next grade on a test administered pursuant to present law or BESE policies if the student meets certain criteria established by BESE relative to attendance, grades, and conduct.

Proposed law instead requires BESE to adopt a rule to provide that a student's Individualized Education Program (IEP) team shall determine promotion of the student to the next grade level if the student meets certain criteria established by the IEP team relative to performance on IEP goals and objectives. Requires that if an IEP team determines that the student is not required to meet state or local established performance standards on any assessment for purposes of promotion, the team shall take certain actions including but not limited to identifying rigorous educational goals for the student and a course of study that promotes college or workforce readiness. Provides that an alternative pathway to promotion and graduation determination by a student's IEP team shall apply only if the student has not otherwise met the state and local requirements for promotion or has not otherwise met state-established benchmarks on the required state assessments in the year immediately prior to each grade level in which the student would otherwise be required to demonstrate certain proficiency levels in order to advance to the next grade level. Specifies that proposed law does not apply to a student identified as gifted and talented with no other exceptionality.

Provides that if a student, for any two of the three most recent school years, or for a student in high school, the two most recent administrations of any state-established assessments required for graduation, has not otherwise met state-established benchmarks on required state assessments, the student's IEP team shall have the option of determining an alternative pathway to graduation for the student.

Provides that if an IEP team determines that state-established requirements for academic proficiency on the required state assessments are no longer a condition for promotion or graduation for a student, the team shall:

- (1) Within 30 days of the student entering the course or grade level, establish minimum performance requirements in the student's IEP relevant to promotion or graduation requirements, including but not limited to end-of-course assessments, to be incorporated for awarding course credits. Requires BESE to make available a list of multiple appropriate assessments and guidance for use in establishing minimum score requirements on the assessments that an IEP team may, but shall not be required to, use for this purpose. Requires the IEP team to consider establishing minimum performance requirements for annual academic and functional goals designed to meet the student's needs that result from the student's disability and that will enable the student to be involved in and make progress in the general education curriculum, and to meet other educational needs of the student that result from the student's disability, including the student's postsecondary goals related to training, education, employment, and, where appropriate, independent living skills.
- (2) Provide the student and his parent or legal guardian with information related to how requirements that vary from standard expectations may impact future educational and career options.

Provides that students with exceptionalities be afforded the same opportunities to pursue a high school diploma and to exit with all course credits, honors, and financial awards as other students. Specifies that such students are not guaranteed a diploma and have to meet either the standard requirements or those established by his IEP team to be awarded a diploma.

Provides that a student with an exceptionality who successfully completes the requirements of his IEP shall be issued a high school diploma. Provides that the IEP team determines if the student is required to meet state or local established performance standards on any assessment for purposes of graduation and if the determination is that the student is not so required, the student is required to successfully complete IEP goals and requirements and to meet specified conditions. Provides that a diploma issued to a student based on achieving his IEP goals and objectives shall count equally and be assigned the same number of points in the school performance score calculation for high schools as are assigned for a diploma issued to any other student.

Requires the state Dept. of Education to track the performance of students with exceptionalities across school systems and, in collaboration with the Special Education Advisory Panel, establish indicators to identify school systems with disproportionately high rates of students with exceptionalities performing below expected levels and declines in performance across subgroups of students with exceptionalities. Further requires the department to develop and implement a monitoring and corrective action system to address school systems identified as having high rates of students with exceptionalities performing below expected levels.

Present law relative to the high school career option program, provides for an academic major (college prep. courses) and a career major (academic courses and modern vocational studies). Requires BESE to develop and adopt requirements for career major programs offered by school boards and to issue a career diploma to students who successfully complete such requirements. Requires students in a career major program to complete an academic core of courses and a career and technical sequence of courses and specifies course requirements. Requires a student seeking to pursue a career major curriculum to meet specified conditions. Requires BESE to certify that the pupil progression plan of each local school system that promotes a student who did not meet 8th grade LEAP standards to the 9th grade contains specified requirements.

Present law relative to Individual Graduation Plans, requires students by the end of the 8th grade, to develop a plan to help explore educational and career possibilities and to make appropriate decisions as part of an overall career plan. Permits students to choose the high school curriculum framework and related graduation requirements that best meet their postsecondary goals. Provides that each student's plan shall include the recommended sequence of courses needed for successful completion of his chosen career major and shall be reviewed annually and updated as needed. Requires that a student's plan be signed by the student and his parent or other legal guardian.

Proposed law provides for applicability of present law to students with exceptionalities as defined in present law (R.S. 17:1942(B), except gifted and talented students).

Proposed law retains present law and provides for determinations relative to promotion and graduation requirements to be made by the student's IEP team. Provides for involvement by the IEP team in the development and review of an Individual Graduation Plan.

(Amends R.S. 17:24.4(H), 183.2(B)(1) and (C), 183.3(B)(3) and (D)(1)(intro. para.), (a), and (b)(i) and (ii), and 2925(A)(2); Adds R.S. 17:24.4(K) and 183.3(D)(1)(b)(iii)(dd) and (E))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original bill.

1. Exempts gifted and talented students from proposed law applicability.

2. Requires that the school performance scores calculations include the percentage of students with exceptionalities who are not required to meet the state-established benchmarks for grade promotion.
3. Provides that if an IEP team determines that state-established requirements for academic proficiency on the required state assessments are no longer a condition for promotion or graduation for a student, the team shall take certain actions including determining appropriate individualized assessments to measure student proficiency on academic competencies and establishing minimum score requirements.
4. Requires the state Dept. of Education to track the performance of students with exceptionalities and establish indicators to identify and implement a monitoring and corrective actions system for school systems with disproportionately high rates of students with exceptionalities performing below expected levels.

House Floor Amendments to the engrossed bill.

1. Adds that IEP teams shall make determinations for promotion and graduation requirements for students (including as it relates to students pursuing a career major curriculum) and provides for involvement by the IEP team in the development and review of a student's Individual Graduation Plan.
2. Adds that if the IEP team determination is that the student is not required to meet state or local performance standards on assessments for graduation, the student is required to successfully complete IEP goals and requirements and to meet specified conditions.
3. Adds that a student with an exceptionality who successfully completes the requirements of his IEP shall be issued a high school diploma and provides that such a diploma shall count equally and be assigned the same number of points in the school performance score calculation for high schools as are assigned for a student with a regular diploma.
4. Adds that an alternative pathway to promotion and graduation determination by a student's IEP team shall apply only if the student has not otherwise met the state and local requirements for promotion or has not otherwise met state-established benchmarks on the required state assessments in the year immediately prior to each grade level in which the student would otherwise be required to demonstrate certain proficiency levels in order to advance to the next grade level.
5. Deletes proposed law relative to promotion and graduation requirements for a student with an exceptionality who is on grade level and has met state-established performance standards on the required state assessments and that provided that under extenuating circumstances, a student's IEP team may determine that a student who has previously met state-established benchmarks on the required state assessments shall not be required to meet state-established performance levels as conditions for promotion or graduation.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the reengrossed bill

1. Clarifies that proposed law applies only to a student identified with an exceptionality other than gifted and talented.
2. Provides that to be eligible to pursue an alternative pathway to graduation, a student with an exceptionality must fail to meet BESE prescribed performance benchmarks for two of the most recent three years instead of the previous year.

3. Deletes provisions allowing the IEP team to establish minimum score requirements on assessments for promotion and graduation and instead requires the team to establish minimum performance requirements in the student's IEP relevant to promotion and graduation, including the assessments to be used for awarding course credits. Also requires IEP team to consider establishing minimum performance requirements for annual academic and functional goals resulting from the student's disability.
4. Provides that the criteria established in a student's IEP will prevail over his Individual Graduation Plan, as applicable.
5. Clarifies that a student who qualifies through his IEP to pursue an alternative pathway to high school graduation and successfully meets the requirements established therein shall be issued a high school diploma.