

2017 Regular Session

HOUSE BILL NO. 130

BY REPRESENTATIVE DEVILLIER

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

STUDENTS: Provides that economically disadvantaged students shall be included as a factor for purposes of teacher evaluations and requirements for enrollment of at-risk students in charter schools

1 AN ACT

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

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 17:3902(B)(5), 3973(1)(introductory paragraph) and (a),
13 3991(B)(1)(a)(i) and (b)(i), and 3997(D)(2) are hereby amended and reenacted to read as
14 follows:

15 §3902. Evaluation program; process

16 * * *

17 B. The elements of evaluation and standards for effectiveness shall be
18 defined by the board pursuant to rules and regulations promulgated for such purpose.

1 (a) Is ~~eligible to participate in the federal free or reduced lunch program by~~
2 ~~demonstrating that he meets the income requirements established for participation~~
3 ~~in the program, not necessarily by participating in the program~~ economically
4 disadvantaged as determined by the state board.

5 * * *

6 §3991. Charter schools; requirements; limitations; renewal; amendment; revocation

7 * * *

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

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

1 percentage which existed during the school year that the charter proposal was
2 approved, unless otherwise specified in the charter that the charter school will reflect
3 the current year's at-risk percentage.

4 * * *

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

18 * * *

19 §3997. Charter school employees

20 * * *

21 D.

22 * * *

23 (2) Fifty percent of each teacher and administrator evaluation conducted
24 pursuant to Paragraph (1) of this Subsection shall be based on evidence of growth in
25 student achievement as determined by the state board. Data derived from a value-
26 added assessment model, as determined by the state board, shall be a factor in
27 determining evidence of student growth for grade levels and subjects for which
28 value-added data is available and shall comprise thirty-five percent of the overall
29 evaluation. For grade levels and subjects for which value-added data is not

1 available, the state board shall establish measures of student growth. The model
 2 shall take into account important student factors, including but not limited to special
 3 education, ~~eligibility for free or reduced price meals~~ economic disadvantage as
 4 determined by the state board, ~~student~~ attendance, and ~~student~~ discipline. The state
 5 board shall develop and adopt a policy to invalidate such student growth data for any
 6 teacher for any school year in which there is a natural disaster or any other
 7 unexpected event that results in the temporary closure of the school.

8 * * *

9 Section 2. The State Board of Elementary and Secondary Education shall ensure that
 10 all indicators used to determine and identify economically disadvantaged students as
 11 provided in Section 1 of this Act are substantially the same as those used to certify student
 12 eligibility for the federal free and reduced price meals program.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 130 Original

2017 Regular Session

DeVillier

Abstract: Changes certain references to students who are eligible for free and reduced price meals to students who are economically disadvantaged as determined by the State Bd. of Elementary and Secondary Education (BESE) for purposes of teacher evaluation and charter school enrollment.

Proposed law changes certain present law references to students eligible for the federal free and reduced price meals program to students who are economically disadvantaged as determined by BESE as follows:

Teacher Evaluation

Present law (R.S. 17:3902(B)(5) and 3997(D)(2)) relative to teacher evaluations, provides for the use of a value-added assessment model to determine evidence of student growth as a basis for such evaluations. Provides that the model take into account certain student factors, including but not limited to special education, eligibility for free or reduced price meals, student attendance, and student discipline. Proposed law changes references to students who are eligible for free or reduced price meals to students who are economically disadvantaged as determined by BESE. Otherwise retains present law.

Charter School Enrollment

Present law (R.S. 17:3973(1)(a) and 3991(B)(1)(a)(i) and (b)(i)) relative to requirements for enrollment of at-risk students in charter schools, provides that a student who is eligible to participate in the federal free or reduced lunch program is an at-risk student for purposes of present law. Provides specific requirements for enrollment of at-risk students (by reason of

being eligible to participate in the federal free and reduced lunch program) in Type 1 and Type 2 charter schools created as new schools, Type 2 schools created as a result of a conversion, Type 3, and Type 4 schools. Proposed law changes references to students who are eligible for free or reduced price meals to students who are economically disadvantaged as determined by BESE. Otherwise retains present law.

Proposed law requires BESE to ensure that the indicators used to determine and identify economically disadvantaged students for purposes of proposed law are substantially the same as those used to certify student eligibility for the federal free and reduced price meals program.

(Amends R.S. 17:3902(B)(5), 3973(1)(intro. para.) and (a), 3991(B)(1)(a)(i) and (b)(i), and 3997(D)(2))