

SENATE CONCURRENT RESOLUTION NO. 23

BY SENATORS FIELDS, BARROW, CATHEY AND MILLIGAN

A CONCURRENT RESOLUTION

To suspend certain laws to address the circumstances related to the closing of schools due to COVID-19, including laws relative to required instructional minutes, teacher work days, student assessments used in determining student proficiency and progression, school and district performance scores and letter grades, and teacher evaluations.

WHEREAS, on March 11, 2020, the governor of Louisiana declared a public health emergency in response to COVID-19; and

WHEREAS, at present there is no vaccine to protect against COVID-19 and there is a high probability of widespread exposure and the disease poses an imminent threat to Louisiana citizens; and

WHEREAS, to ensure the health and safety of the children of Louisiana the governor issued an executive order on March 13, 2020, to close all public school facilities until April 13, 2020, and suspend the instructional minute requirement for the 2019-2020 school year; and

WHEREAS, Louisiana's mandated annual statewide student assessments are fast approaching; and

WHEREAS, such assessments are used in determining student proficiency and progression, school and district performance scores and letter grades, and teacher evaluations; and

WHEREAS, the closure of schools will disrupt the normal learning environment and prevent teachers from imparting valuable information to students prior to testing; and

WHEREAS, student anxiety over COVID-19 and unrest caused by school closures are expected to have negative ramifications on student test performance; and

WHEREAS, results from these assessments significantly impact students, teachers, schools, and districts; and

WHEREAS, the health of Louisiana's students, teachers, and other school employees, and not test results, should be of the utmost concern during these unprecedented, challenging days.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana hereby suspends the provisions of R.S. 17:154.1 and 154.3, effective upon adoption of this Resolution.

BE IT FURTHER RESOLVED that the Legislature of Louisiana hereby suspends the provisions of R.S. 17:10.1, 24.4, 391.2 et seq., 3881 et seq., 3901 et seq., 3997(D), and 4023 effective upon the receipt of notification from the United States Department of Education that the state has been granted a waiver from certain student assessment-related requirements in the state's Every Student Succeeds Act plan.

BE IT FURTHER RESOLVED that the State Board of Elementary and Secondary Education (BESE) is hereby directed to immediately apply to the United States Department of Education for such waiver to ensure that suspension of the specified statutes does not negatively impact the state's eligibility for federal programs or funding.

BE IT FURTHER RESOLVED that BESE is hereby directed to adopt such emergency rules as necessary to implement the suspension of student assessments and the listed statutes in accordance with the Administrative Procedure Act.

BE IT FURTHER RESOLVED that this suspension shall apply to the 2019-2020 school year.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES