

2021 Regular Session

SENATE BILL NO. 234

BY SENATOR MCMATH

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

SCHOOLS. Provides relative to expanded academic support. (8/1/21)

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AN ACT

To enact R.S. 17:100.13 and 3996(B)(59), relative to public elementary and secondary schools; to provide for expanded academic support for certain low-performing students; to provide for supplemental instruction and accelerated learning committees; to provide relative to funding; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:100.13 and 3996(B)(59) are hereby enacted to read as follows:

§100.13. Expanded academic support; accelerated learning committees

A. For the 2021-2022 and 2022-2023 school years, each student in grades four through eight who failed to achieve mastery on any statewide assessment administered pursuant to the state's school and district accountability system during the 2020-2021 and 2021-2022 school years shall be provided expanded academic support.

B. Each city, parish, or other local public school board shall develop an educational plan and supporting budget to provide expanded academic support to students identified pursuant to Subsection A of this Section using federal funds provided for educational relief due to the COVID-19 pandemic. Such plan

1 shall be submitted to the state Department of Education not later than
2 September 30, 2021 for review and approval.

3 (1) Educational plans shall adhere to state board rules and regulations
4 pertaining to pupil progression and individual academic improvement plans.

5 (2) Supporting budgets shall adhere to all applicable federal and state
6 regulations, including but not limited to those enacted pursuant to the federal
7 Education and Secondary Education School Emergency Relief Fund.

8 C. The department shall review each plan submitted for compliance with
9 applicable federal and state regulations, including state board regulations
10 pursuant to pupil progression and individual academic improvement plans. The
11 department shall provide feedback to the local board if necessary to bring the
12 plan into compliance with applicable regulations.

13 D. If, following timelines set forth by the department, a city, parish, or
14 other local public school board fails to submit a revised plan that complies with
15 applicable regulations, the department shall reject such plan and shall require
16 the board to adhere to the requirements set forth in Subsection E of this Section.

17 E. The parent or legal guardian of a student identified in need of
18 expanded academic support shall be provided one of the following options:

19 (1) Accelerated instruction as provided in Subsections F through H of
20 this Section.

21 (2) Prioritized placement in a class taught by a teacher labeled as "highly
22 effective" pursuant to the state's teacher evaluation system, if a highly effective
23 teacher is available in the school.

24 F. Accelerated instruction provided pursuant to this Section shall:

25 (1) Include targeted instruction in the subject matter areas in which the
26 student has failed to perform satisfactorily.

27 (2) Be provided in addition to the instruction normally provided to
28 students in the grade level in which the student is enrolled.

29 (3) Be provided for not less than thirty total hours during the following

1 summer and school year, and include instruction for not less than once per
2 week.

3 (4) Be designed to assist the student in achieving grade level performance
4 in the applicable subject area.

5 (5) Be taught using high-quality instructional materials that are fully
6 aligned with state content standards and that are designed for supplemental
7 instruction.

8 (6) Be provided to a student individually or in a group of not more than
9 twelve students, unless the parent or legal guardian of each student in the group
10 authorizes a larger group.

11 (7) Be provided by a person with training in using the instructional
12 materials pursuant to Paragraph (5) of this Subsection and who receives
13 ongoing oversight while providing the accelerated instruction.

14 (8) To the extent possible, be provided by the same person for the
15 entirety of the student's supplemental instruction period.

16 (9) Be provided in accordance with guidelines on research-based best
17 practices and effective accelerated instruction strategies developed and
18 provided by the state Department of Education.

19 G.(1) Each public school shall establish an accelerated learning
20 committee for each student in grades four through eight who failed to achieve
21 mastery on any statewide assessment administered pursuant to the state's school
22 and district accountability system. The committee shall be composed of the
23 student's parent or legal guardian, the teacher of the subject in which the
24 student has failed to perform satisfactorily, and the school principal or his
25 designee. The student's parent or legal guardian shall be notified of the time and
26 place the committee will meet and the purpose of the committee.

27 (2) A student's accelerated learning committee shall, not later than
28 August thirty-first, develop an accelerated learning plan for the student that
29 provides the accelerated instruction needed to enable the student to perform on

grade level by the end of the 2021-2022 school year. The student's parent or legal guardian shall be provided with a copy of the student's accelerated learning plan.

H. If a student fails to perform satisfactorily in the same subject matter area on a state assessment administered in the subsequent school year, the accelerated learning committee shall:

(1) Identify the reasons the student failed to perform satisfactorily.

(2) Determine whether the student needs additional expanded academic support including accelerated instruction, summer learning programs, or other resources to meet the student's academic needs.

I.(1) Each city, parish, or other local public school board shall provide a report by June first of 2022 and 2023, to the state Department of Education on the number of students identified as needing expanded academic support, the number of students provided each type of academic support, and the number who failed to achieve mastery on any statewide assessment administered pursuant to the state's school and district accountability system during the 2021-2022 school year continuing to need additional academic support.

(2) The department shall submit a report to the Senate and House committees on education by July first of 2022 and 2023, summarizing the information required by Paragraph (1) of this Subsection by school, by school system, and statewide.

J. The determination of whether students are in need of additional expanded academic support shall not be used in evaluating teacher performance or determining school or district accountability scores and letter grades.

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§3996. Charter schools; exemptions; requirements

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B. Notwithstanding any state law, rule, or regulation to the contrary and except as may be otherwise specifically provided for in an approved charter, a

1 charter school established and operated in accordance with the provisions of this
 2 Chapter and its approved charter and the school's officers and employees shall be
 3 exempt from all statutory mandates or other statutory requirements that are
 4 applicable to public schools and to public school officers and employees except for
 5 the following laws otherwise applicable to public schools with the same grades:

6 * * *

7 **(59) Expanded academic support, R.S. 17:100.13.**

8 * * *

9 Section 2. No state funds or obligated federal funds shall be used to implement the
 10 provisions of this Act.

The original instrument was prepared by Jeanne Johnston. The following digest, which does not constitute a part of the legislative instrument, was prepared by Cheryl Serrett.

DIGEST

SB 234 Re-Reengrossed

2021 Regular Session

McMath

Proposed law requires public schools, for the 2021-2022 and 2022-2023 school years, to provide expanded academic support to each student in grades four through eight who failed to achieve mastery on any statewide assessment administered pursuant to the state's school and district accountability system during the 2020-2021 and 2021-2022 school years.

Proposed law requires each city, parish, or other local public school board to develop an education plan and supporting budget to provide expanded academic support to students using federal funds provided for educational relief relative to COVID-19.

Proposed law requires such plans to be submitted to the Louisiana Department of Education (LDOE) by September 30, 2021, for review and approval.

Proposed law allows a student identified as needing expanded academic support to be provided accelerated instruction or prioritized placement in a class taught by a teacher labeled as "highly effective" pursuant to the state's teacher evaluation system, if a highly effective teacher is available in the school.

Proposed law requires that accelerated instruction provided to a student shall:

- (1) Include targeted instruction.
- (2) Be provided in addition to the normal instruction provided to a student.
- (3) Be provided for not less than 30 total hours.
- (4) Be designed to assist the student in achieving grade level performance.
- (5) Be taught using high-quality instructional materials that are fully aligned with state content standards and that are designed for supplemental instruction.

- (6) Be provided to a student individually or in a group of not more than twelve students, unless the parent or legal guardian of each student in the group authorizes a larger group.
- (7) Be provided by a person with training in using the instructional materials and who receives ongoing oversight.
- (8) Be provided by the same person, to the extent possible.
- (9) Be provided in accordance with guidelines on research-based best practices and effective accelerated instruction strategies developed by the state Department of Education.

Proposed law requires that an accelerated learning committee be established for each student identified as needing accelerated instruction composed of the student's parent or legal guardian, teacher of record, and the school principal or his designee.

Proposed law provides that a student's accelerated learning committee shall develop an educational plan for the student that provides the accelerated instruction needed to enable the student to perform on grade level by the end of the subsequent school year and provides for instructional time and learning materials.

Proposed law requires the accelerated learning committee to determine, at the end of each school year, whether the student needs additional expanded academic support including accelerated instruction, summer learning programs, or other resources to meet the student's academic needs.

Proposed law requires each city, parish, or other local public school board to provide a report by June 1 of 2022 and 2023, to the state Department of Education (DOE) on the number of students identified as needing expanded academic support, the number of students provided each type of academic support, and the number who failed to achieve mastery on any statewide assessment administered pursuant to the state's school and district accountability system during the 2021-2022 school year continuing to need additional academic support.

Proposed law requires the DOE to submit a report to the Senate and House committees on education by July 1, 2022 and 2023, summarizing the information received by the school boards by school, by school system, and statewide.

Proposed law prohibits the determination of whether students need additional expanded academic supports to be used in evaluating teacher performance or determining school or district accountability scores or letter grades.

Proposed law provides that no state funds or obligated federal funds shall be used to implement the provisions of proposed law.

Effective August 1, 2021.

(Adds R.S. 17:100.13 and 3996(B)(59))

Summary of Amendments Adopted by Senate

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

1. Limit duration of program to two years.
2. Clarify terminology.

3. Provide for applicability to charter schools.
4. Prohibit determination of whether students need additional expanded academic supports in evaluating teachers or determining school or district accountability scores and letter grades.
5. Provide for reporting requirements.

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Provides that no state funds or obligated federal funds shall be used to implement the provisions of proposed law.

Senate Floor Amendments to reengrossed bill

1. Requires local school boards to develop and submit an educational plan and supporting budget to LDOE for review and approval.
2. Changes the number of students allowed in a accelerated instruction group, without authorization by the parents of each student in the group, from three to twelve.
3. Makes technical changes.