

Regular Session, 2012

HOUSE BILL NO. 707

BY REPRESENTATIVE SCHRODER

STUDENT/ASSESSMENT: Provides relative to student assessment and statewide education standards

1 AN ACT

2 To amend and reenact R.S. 17:24.4(A)(1), (2), and (4), (E), (F)(1)(c), (d), and (e), (3)(a) and
3 (b)(ii), and (4)(a), and (G)(4)(a) and to repeal R.S. 17:24.4(F)(2), relative to the
4 Louisiana Competency-Based Education Program and the Louisiana Educational
5 Assessment Program; to provide relative to standards; to provide relative to testing;
6 to provide relative to terminology and definitions; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:24.4(A)(1), (2), and (4), (E), (F)(1)(c), (d), and (e), (3)(a) and
9 (b)(ii), and (4)(a), and (G)(4)(a) are hereby amended and reenacted 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 A. As used in this Section, the following words, terms, and phrases shall
14 have the meaning ascribed to them in this Subsection, except when the context
15 clearly indicates a different meaning:

16 (1) "The Louisiana Competency-Based Education Program" means the
17 coordination of all existing statutory provisions and State Board of Elementary and
18 Secondary Education policies and guidelines to be implemented by the state
19 Department of Education which affect pupil performance with the development and
20 establishment of statewide ~~curriculum content~~ standards for required subjects for the

1 public elementary and secondary schools of this state, the complete implementation
2 of the Louisiana Educational Assessment Program, the involvement of all federal
3 instructional programs, vocational programs, special education programs, and
4 teacher education programs in this state, and the pupil progression plans for the
5 public elementary and secondary school systems of this state.

6 (2) "The Louisiana Educational Assessment Program" means a process of
7 measuring pupil performance in relation to grade appropriate skills, state ~~curriculum~~
8 content standards, and national educational indices.

9 * * *

10 (4) "The statewide ~~curriculum content~~ standards for required subjects" ~~means~~
11 ~~the required subjects to be taught, curriculum guides which contain grade appropriate~~
12 ~~skills and competencies, suggested activities, suggested materials of instructions, and~~
13 ~~minimum required time allotments for instruction in all subjects~~ are statements that
14 define what a student should know or be able to accomplish at the end of a specific
15 time period or grade level or at the completion of a course. Content standards shall
16 represent the knowledge and skills needed for students to successfully transition to
17 postsecondary education and the workplace, as determined by content experts,
18 elementary and secondary educators and school leaders, postsecondary education
19 leaders, and business and industry leaders.

20 * * *

21 E. The state Department of Education shall, with the approval of the State
22 Board of Elementary and Secondary Education, as part of the Louisiana
23 Competency-Based Education Program, develop and establish statewide ~~curriculum~~
24 content standards for required subjects to be taught in the public elementary and
25 secondary schools of this state, ~~however, no such standards or scores shall exceed~~
26 ~~any national average standards, scores, or percentile rankings.~~ The effective
27 ~~implementation date of the statewide curriculum standards for required subjects shall~~
28 ~~be the 1981-1982 school year. Development of such curriculum shall begin by the~~
29 ~~1979-1980 school year, and be piloted by the Department of Education during the~~

1 1980-1981 school year. The statewide ~~curriculum~~ content standards for required
2 subjects shall be implemented by the state Department of Education as approved by
3 the State Board of Elementary and Secondary Education, with recommendations
4 prior to approval and advice from the educational personnel in the public schools and
5 colleges and universities of this state.

6 F.(1)

7 * * *

8 (c) ~~Criterion-referenced tests~~ Standards-based assessments in English
9 language arts, ~~and mathematics, science, and social studies~~ based on state content
10 standards and rigorous student achievement standards set with reference to test
11 scores of students of the same grade level nationally shall be ~~piloted in grades four~~
12 ~~and eight during the 1997-1998 school year and implemented during the 1998-1999~~
13 ~~school year if approved by the State Board of Elementary and Secondary Education.~~

14 Such tests shall be administered, at a minimum, in grades three through eleven.

15 ~~Criterion-referenced tests in science and social studies based on state content~~
16 ~~standards and rigorous student achievement standards set with reference to test~~
17 ~~scores of students of the same grade level nationally shall be piloted in grades four~~
18 ~~and eight during the 1998-1999 school year and implemented during the 1999-2000~~
19 ~~school year if approved by the State Board of Elementary and Secondary Education.~~

20 (d) Beginning with the 2014-2015 school year, standards-based assessments
21 implemented by the State Board of Elementary and Secondary Education in English
22 language arts and mathematics shall be based on nationally recognized content
23 standards that represent the knowledge and skills needed for students to successfully
24 transition to postsecondary education and the workplace. ~~High school level criterion-~~
25 ~~referenced tests based on state content standards and rigorous~~ Rigorous student
26 achievement standards shall be set with reference to test scores ~~of students~~ of the
27 same grade level levels nationally ~~in mathematics, English/language arts, science,~~
28 ~~and social studies shall be piloted during the 1999-2000 school year and~~
29 ~~implemented beginning with the 2000-2001 school year.~~

1 (e) The rigor of each ~~criterion-referenced test~~ standards-based assessment,
2 at a minimum, shall be comparable to ~~those national achievement tests administered~~
3 ~~as a part of~~ such as the National Assessment of Education Progress.

4 * * *

5 (3)(a) In lieu of the ~~criterion-referenced tests~~ standards-based assessments
6 prescribed in Subparagraphs (1)(c) and (d) of this Subsection ~~and the tests prescribed~~
7 ~~in Paragraph (2) of this Subsection and beginning no later than July 1, 2000~~, an
8 alternate assessment shall be provided for and administered only to those students
9 with disabilities who meet specific eligibility criteria developed by the state
10 Department of Education and approved by the State Board of Elementary and
11 Secondary Education. A determination of whether any student meets the eligibility
12 criteria established by the state Department of Education shall be made by the
13 student's Individual Education Plan committee and shall be so noted on that student's
14 Individual Education Plan. The alternate assessment developed pursuant to this
15 Paragraph shall be administered on a schedule determined by the state Department
16 of Education and approved by the State Board of Elementary and Secondary
17 Education. The alternate assessment shall be part of the Louisiana Education
18 Assessment Program otherwise provided for in this Subsection and the alternate
19 assessment shall be used for information, accountability, compliance, and planning
20 purposes as provided by the State Board of Elementary and Secondary Education.

21 (b)

22 * * *

23 (ii) Students with persistent academic disabilities shall be allowed to take
24 academic assessments that are sensitive to measuring progress in their learning and
25 that recognize their individual needs. Academic assessments are to be geared
26 specifically toward accommodating students to enable them to perform on ~~criterion-~~
27 ~~referenced tests~~ standards-based assessments prescribed in Subparagraphs (1)(c) and
28 (d) of this Subsection ~~and the norm-referenced tests prescribed in Paragraph (2) of~~
29 ~~this Subsection~~. Such accommodations shall include at a minimum verbalized test

1 questions and shall provide for writing assistance of a scribe and any other
2 accommodations deemed appropriate by the student's Individual Education Plan
3 committee. However, any such accommodations shall not breach test security or
4 invalidate the meaning of the test score or the purpose of the test.

5 * * *

6 (4)(a) In addition to the other requirements of this Subsection, the
7 ~~department~~ state Department of Education shall establish, subject to the approval of
8 the State Board of Elementary and Secondary Education, the ~~results~~ level of
9 achievement on certain of the tests or on certain portions of the tests given as
10 required in this Subsection ~~in third and seventh grade as indicative of the student's~~
11 ~~proficiency in at least mathematics and reading or language arts and the level of~~
12 ~~achievement on certain of the tests or on certain portions of the tests administered~~
13 ~~in fourth and eighth grade grades and at the secondary level as definitive of the level~~
14 ~~of the student's proficiency in mathematics, English language arts, science, and~~
15 ~~social studies. The level of proficiency required of fourth~~ Fourth and eighth grade
16 students shall be required to demonstrate proficiency on such tests in order to
17 ~~proceed with their schooling without intervention shall be established~~ advance to
18 grades five and nine, pursuant to rules adopted by the State Board of Elementary and
19 Secondary Education ~~by rule adopted~~ in accordance with the Administrative
20 Procedure Act, ~~and~~ Such proficiency levels shall be set with reference to test scores
21 of students of the same grade level nationally. ~~However, by not later than December~~
22 ~~30, 2009, the state superintendent of education shall submit recommendations to the~~
23 ~~board for expanding the opportunities, in limited circumstances, for students who fail~~
24 ~~to achieve the required proficiency levels to be promoted to grades five and nine, and~~
25 ~~by not later than January 30, 2010, the board shall approve and implement such~~
26 ~~recommendations. Additionally, the board shall make information available to the~~
27 ~~public and to the House Committee on Education and the Senate Committee on~~
28 ~~Education indicating where a sample of students who score at the state's proficiency~~
29 ~~level on the state criterion-referenced tests score on a national norm-referenced test.~~

1 The department shall establish, subject to the approval of the State Board of
2 Elementary and Secondary Education, the nature and application of various
3 intervention options in the case of a failure to demonstrate proficiency, which may
4 include remediation, retention in grade, an alternative placement in succeeding
5 grades, or any other option which will support a student's achieving the required
6 proficiency level.

7 * * *

8 G.

9 * * *

10 (4)(a) The governing body of each school with students required by law or
11 a rule of the State Board of Elementary and Secondary Education to participate in the
12 Louisiana Educational Assessment Program shall develop a policy with the
13 participation and input of the committee provided for in this Subsection which shall,
14 at a minimum, conform to any rule adopted by the State Board of Elementary and
15 Secondary Education regarding pupil promotion. Following this policy, each teacher
16 shall, on an individualized basis, determine promotion or placement of each student.
17 Each such governing body may review promotion and placement decisions in order
18 to ~~insure~~ ensure compliance with its established policy. Review may be initiated by
19 the governing body, the superintendent, or a student's parent or guardian. Those
20 students who fail to meet required achievement levels on the state administered
21 ~~critierion-referenced tests~~ standards-based assessments of the Louisiana Educational
22 Assessment Program shall be offered education programs designed to accelerate
23 progress that comply with regulations adopted by the State Board of Elementary and
24 Secondary Education. Such programs shall include, at a minimum, the offering of
25 a summer school remediation program to all students who do not meet the minimum
26 achievement level necessary to be fully promoted to the fifth or ninth grade as
27 established by the State Board of Elementary and Secondary Education rule.

28 * * *

29 Section 2. R.S. 17:24.4(F)(2) is hereby repealed in its entirety.

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)]

Schroder

HB No. 707

Abstract: Provides relative to the La. Competency-Based Education Program and the La. Educational Assessment Program (LEAP).

Present law, relative to the La. Competency-Based Education Program (LEAP), provides for certain provisions and terminology with respect to "curriculum standards" and "criterion-referenced tests". Proposed law makes the following changes to present law:

Standards

Present law refers to statewide "curriculum standards". Proposed law changes this terminology to "content standards".

Present law defines "curriculum standards" as required subjects to be taught, curriculum guides which contain grade appropriate skills and competencies, suggested activities and instruction materials, and minimum required time allotments for instruction in all subjects.

Proposed law defines "content standards" as statements that define what a student should know or be able to accomplish at the end of a specific time period or grade level or at the completion of a course. Further provides that "content standards" shall represent the knowledge and skills needed for students to successfully transition to postsecondary education and the workplace, as determined by content experts, elementary and secondary educators and school leaders, postsecondary education leaders, and business and industry leaders.

Present law provides that no curriculum standards or scores shall exceed any national average standards, scores, or percentile rankings. Proposed law deletes present law.

Testing

Present law refers to "criterion-referenced tests". Proposed law changes this terminology to "standards-based assessments".

Present law provides for criterion-referenced tests in English language arts, mathematics, science, and social studies in grades four and eight and at the high school level. Proposed law instead provides for standards-based assessments in these subjects in grades three through 11, at minimum. Adds that beginning with the 2014-2015 school year, the standards-based assessments implemented by BESE in English language arts and mathematics shall be based on nationally recognized content standards that represent the knowledge and skills needed for students to successfully transition to postsecondary education and the workplace.

Present law provides that LEAP shall include one criterion-referenced test, one national norm-referenced test, or one augmented norm-referenced test, given to students statewide in grades three, five, six, seven, and nine. Requires the National Assessment of Educational Progress (NEAP) to be administered, if available, to at least a sample of fourth and eighth graders. Proposed law deletes present law.

Present law requires the state Dept. of Education to establish the following for certain tests (or certain portions thereof):

- (1) For third and seventh grades: the results as indicative of student proficiency in at least mathematics and reading or language arts.
- (2) For fourth and eighth grades and the secondary level: the level of achievement as definitive of the level of student proficiency in mathematics, English language arts, science, and social studies.

Proposed law eliminates requirements relative to third and seventh grades and the secondary level and retains such requirement relative to fourth and eighth grades.

Present law requires BESE to establish the level of proficiency required of fourth and eighth grade students in order to proceed with their schooling without intervention. Proposed law instead requires these students to demonstrate proficiency in order to advance to grades five and nine.

Present law provides for the following requirements:

- (1) Requires the state superintendent of education to submit recommendations to BESE for expanding opportunities for students who fail to achieve the required proficiency levels to be promoted to grades five and nine.
- (2) Requires BESE:
 - (a) To have approved and implemented these recommendations by Jan. 10, 2010.
 - (b) To make information available to the public and House and Senate education committees indicating where a sample of students scoring at the state's proficiency level on the state criterion-referenced tests score on a national norm-referenced test.

Proposed law deletes each of these present law requirements.

(Amends R.S. 17:24.4(A)(1), (2), and (4), (E), (F)(1)(c), (d), and (e), (3)(a) and (b)(ii), and (4)(a), and (G)(4)(a); Repeals R.S. 17:24.4(F)(2))