

New law provides that a student with exceptionalities who is not pursuing a regular diploma shall not be administered any test pursuant to the La. Competency-Based Education Program or the La. Educational Assessment Program or the state's school and district accountability system, including the American College Test (ACT) as part of the state's school and district accountability system, unless the student's parent or legal guardian requests, in writing, that the test be administered to the student or the student's Individualized Education Plan (IEP) indicates that the test is an appropriate assessment instrument for the student.

New law provides that nonparticipation of a student with exceptionalities in any test shall not, in any manner, be factored into the calculation of any performance score or performance letter grade assigned to any school or school system in which the student is enrolled, provided such exclusion does not violate any federal law or regulation, including the No Child Left Behind Act of 2001 or the Individuals with Disabilities Education Act.

Provides that a student who is not administered a test pursuant to new law shall not be penalized for failure to take the test. Provides that the prohibited penalties include but are not limited to:

- (a) Withholding of credits toward graduation or denying a student the ability to graduate.
- (b) Denying a student the opportunity to participate in an extracurricular activity.
- (c) Denying a student the ability to advance to the subsequent grade level.

Effective upon signature of the governor (June 14, 2013).

(Adds R.S. 17:10.3)