

Regular Session, 2014

HOUSE CONCURRENT RESOLUTION NO. 2

BY REPRESENTATIVE PIERRE

TEACHERS/EVALUATION: Repeals a State Board of Elementary and Secondary Education rule

1 A CONCURRENT RESOLUTION

2 To repeal the State Board of Elementary and Secondary Education rule (LAC  
3 28:CXLVII:309(C)), relative to the teacher evaluation process, and to direct the  
4 Office of the State Register to print the notice of the repeal in the Louisiana  
5 Administrative Code.

6 WHEREAS, relative to the process for evaluating teachers, R.S. 17:3902(B)(5) states  
7 that "fifty percent of such evaluations shall be based on evidence of growth in student  
8 achievement using a value-added assessment model as determined by the board for grade  
9 levels and subjects for which value-added data is available"; and

10 WHEREAS, LAC 28:CXLVII.309(C) states that "any educator receiving a rating of  
11 ineffective in either the student growth or the qualitative performance component of the  
12 evaluation shall receive an overall final rating of ineffective"; and

13 WHEREAS, there is some concern that the rule adopted by the State Board of  
14 Elementary and Secondary Education conflicts with the requirements of the law and is  
15 contrary to the legislature's intent in passing the law; and

16 WHEREAS, R.S. 49:969 provides that the "legislature, by Concurrent Resolution,  
17 may suspend, amend, or repeal any rule or regulation or body of rules or regulations, or any  
18 fee or any increase, decrease, or repeal of any fee, adopted by a state department, agency,  
19 board, or commission".

20 THEREFORE, BE IT RESOLVED by the Legislature of Louisiana that LAC  
21 28:CXLVII.309(C) is hereby repealed in its entirety.

1 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
2 Office of the State Register, the president of the State Board of Elementary and Secondary  
3 Education, and the state superintendent of education.

4 BE IT FURTHER RESOLVED that the Office of the State Register is hereby  
5 directed to have the notice of the repeal of the rule printed and incorporated into the  
6 Louisiana Administrative Code and to transmit a copy of the revised rule to the president of  
7 the State Board of Elementary and Secondary Education and the state superintendent of  
8 education.

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### 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)]

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Pierre

HCR No.

**Abstract:** Relative to teacher evaluations, repeals administrative rule requiring that a teacher rated as ineffective on a portion of the evaluation receive an overall rating of ineffective. 2

Present rule provides generally for the process for teacher evaluations and specifically provides that 50% of such evaluations shall be based on evidence of growth in student achievement using a value-added assessment model as determined by the State Board of Elementary and Secondary Education (BESE) for grade levels and subjects for which value-added data is available.

Present rule provides that teachers and administrators receive a final composite score on annual evaluations to determine their effectiveness rating for that academic year, with 50% of evaluations based on student growth and the other 50% based on a qualitative assessment. Proposed rule retains present rule.

Present rule further provides that any educator receiving a rating of ineffective in either the student growth or the qualitative performance component of the evaluation shall receive a final rating of ineffective. Proposed rule repeals present rule.

Directs the clerk of the House of Representatives to transmit copies of the Resolution to the Office of the State Register, the president of BESE, and the state superintendent of education.

Directs of the Office of the State Register to print the notice of the repeal of the rule in the La. Administrative Code and to transmit a copy of the revised rules to the president of BESE and the state superintendent of education.

(Repeals LAC 28:CXLVII.309(C))