

2015 Regular Session

HOUSE RESOLUTION NO. 194

BY REPRESENTATIVE HARRISON

EDUCATION/SPECIAL: Requests local education agencies to use the "developmental delay" category of exceptionality for children with Down syndrome

1 A RESOLUTION

2 To urge and request local education agencies, including city, parish, and other local public
3 school boards, to use the "developmental delay" category of exceptionality for
4 children with Down syndrome for purposes of evaluation and Individualized
5 Education Programs, if applicable.

6 WHEREAS, as defined in the State Board of Elementary and Secondary Education's
7 *Bulletin 1508 - Pupil Appraisal Handbook*, "Developmental Delay is a disability in which
8 students/children, ages three through eight, are identified as experiencing developmental
9 delays in one or more of the following areas: physical development, cognitive development,
10 communication development, social or emotional development or adaptive development";
11 and

12 WHEREAS, this bulletin states that the use of the developmental delay category by
13 local education agencies is optional; and

14 WHEREAS, current law, R.S. 17:1942(D), defines "local education agency" for
15 special education purposes as a public board of education or other public authority legally
16 constituted within Louisiana for administrative control and direction of or to perform a
17 service function for public elementary or secondary schools in a city, parish, or other local
18 public school district or other political subdivision; and

19 WHEREAS, the definition further provides that the term includes an education
20 service agency and special schools and school districts as specified in current law and any

1 other public institution or agency having administrative control and direction of a public
2 elementary or secondary school; and

3 WHEREAS, current law, R.S. 17:1944, requires that in providing for the education
4 of students with exceptionalities within their jurisdictions, local education agencies shall
5 have in effect policies, procedures, and programs that are consistent with state policies and
6 procedures; and

7 WHEREAS, most but not all local education agencies in Louisiana, including city,
8 parish, and other local public school boards, choose to use the "developmental delay"
9 category for children with Down syndrome; and

10 WHEREAS, in order to ensure that each student with Down syndrome receives the
11 special education and related services that he is entitled to under both state and federal law
12 and that are best suited to his specific needs and abilities, it is imperative that local education
13 agencies, including city, parish, and other local public school boards, use the "developmental
14 delay" category for these students, if applicable.

15 THEREFORE, BE IT RESOLVED that the House of Representatives of the
16 Legislature of Louisiana does hereby urge and request local education agencies, including
17 city, parish, and other local public school boards, to use the "developmental delay" category
18 of exceptionality for children with Down syndrome for purposes of evaluation and
19 Individualized Education Programs, if applicable.

20 BE IT FURTHER RESOLVED that a copy of this Resolution shall be transmitted
21 to the state superintendent of education who shall be responsible for disseminating a copy
22 to each local education agency as defined in R.S. 17:1942(D).

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)]

HR 194 Original

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Harrison

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