

2015 Regular Session

HOUSE RESOLUTION NO. 194

BY REPRESENTATIVE HARRISON

A RESOLUTION

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

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

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

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

WHEREAS, the definition further provides that the term includes an education service agency and special schools and school districts as specified in current law and any other public institution or agency having administrative control and direction of a public elementary or secondary school; and

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

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

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

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

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES