

Regular Session, 2008

HOUSE BILL NO. 1302

BY REPRESENTATIVE MARCHAND

STUDENT/ASSESSMENT: Prohibits not promoting or graduating a student who fails to attain a certain minimum achievement level on a portion of any LEAP test, including the graduation test, if the student meets certain criteria

1 AN ACT

2 To amend and reenact R.S. 17:24.4(F)(4)(a) and (G)(4)(a) and (c) and to enact R.S.  
3 17:24.4(H), relative to the Louisiana Competency-Based Education Program and the  
4 Louisiana Educational Assessment Program; to provide with regard to the impact of  
5 established proficiency levels on certain tests on the progress or graduation of  
6 students; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:24.4(F)(4)(a) and (G)(4)(a) and (c) are hereby amended and  
9 reenacted and R.S. 17:24.4(H) is hereby enacted 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; use of test results  
13 regarding promotion and graduation of students

14 \* \* \*

15 F.

16 \* \* \*

17 (4)(a) In addition to the other requirements of this Subsection, the  
18 department shall establish, subject to the approval of the State Board of Elementary  
19 and Secondary Education, the results on certain of the tests or on certain portions of

1 the tests given as required in this Subsection in third and seventh grade as indicative  
 2 of the student's proficiency in at least mathematics and reading or language arts and  
 3 the level of achievement on certain of the tests or on certain portions of the tests  
 4 administered in fourth and eighth grade and at the secondary level as definitive of  
 5 the level of the student's proficiency in mathematics, English/language arts, science,  
 6 and social studies. ~~The level of proficiency required of fourth and eighth grade~~  
 7 ~~students in order to proceed with their schooling without intervention shall be~~  
 8 ~~established by the State Board of Elementary and Secondary Education by rule~~  
 9 ~~adopted in accordance with the Administrative Procedure Act and shall be set with~~  
 10 ~~reference to test scores of students of the same grade level nationally. Additionally,~~  
 11 ~~the~~ The board shall make information available to the public and to the House  
 12 Committee on Education and the Senate Committee on Education indicating where  
 13 a sample of students who score at the state's proficiency level on the state criterion-  
 14 referenced tests score on a national norm-referenced test. The department shall  
 15 establish, subject to the approval of the State Board of Elementary and Secondary  
 16 Education, the nature and application of various intervention options in the case of  
 17 a failure to demonstrate proficiency, which may include remediation, ~~retention in~~  
 18 ~~grade~~, an alternative placement in succeeding grades, or any other option, other than  
 19 retention in grade solely on the basis of failure to achieve certain test results, which  
 20 will support a student's achieving the required proficiency level.

21 \* \* \*

22 G.

23 \* \* \*

24 (4)(a) The governing body of each school with students required by law or  
 25 a rule of the State Board of Elementary and Secondary Education to participate in the  
 26 Louisiana Educational Assessment Program shall develop a policy with the  
 27 participation and input of the committee provided for in this Subsection which shall,  
 28 at a minimum, conform to any rule adopted by the State Board of Elementary and  
 29 Secondary Education regarding pupil promotion. Following this policy, each teacher

1 shall, on an individualized basis, determine promotion or placement of each student.  
 2 Each such governing body may review promotion and placement decisions in order  
 3 to ~~insure~~ ensure compliance with its established policy. Review may be initiated by  
 4 the governing body, the superintendent, or a student's parent or guardian. Those  
 5 students who fail to meet required achievement levels on the ~~state-administered~~ state-  
 6 administered criterion-referenced tests of the Louisiana Educational Assessment  
 7 Program shall be offered education programs designed to accelerate progress that  
 8 comply with regulations adopted by the State Board of Elementary and Secondary  
 9 Education. Such programs shall include, at a minimum, the offering of a summer  
 10 school remediation program to all students who do not meet the minimum  
 11 achievement level ~~necessary to be fully promoted to the fifth or ninth grade~~ as  
 12 established by the State Board of Elementary and Secondary Education rule.

\* \* \*

14 (c) Local school boards ~~may require~~ shall provide students who fail to meet  
 15 the ~~required achievement~~ established proficiency level on a test ~~necessary for~~  
 16 ~~promotion to the next grade~~ required by this Section an opportunity to attend a  
 17 remediation program, including ~~requiring~~ attending the summer remediation  
 18 program, ~~but shall exempt from such summer program any student whose parent or~~  
 19 ~~guardian signs a form which states, at a minimum, all of the following:~~

20 (i) ~~That such parent or guardian understands that the student has failed to~~  
 21 ~~meet the required achievement level for promotion to the next grade:~~

22 (ii) ~~That a summer school remediation program is being offered by the~~  
 23 ~~district to improve the skills of students who have failed to meet the required~~  
 24 ~~achievement level:~~

25 (iii) ~~That the parent or guardian will take the responsibility of remediation to~~  
 26 ~~help the student improve his skills necessary for meeting the required achievement~~  
 27 ~~level on the test:~~

28 (iv) ~~That the student will not be fully promoted to the next grade level unless~~  
 29 ~~a retest is taken and the student obtains the required achievement level:~~



- (2) He has maintained at least a B average in the courses related to the subject matter of such portion of the test for the two preceding school years.

(Amends R.S. 17:24.4(F)(4)(a) and (G)(4)(a) and (c); Adds R.S. 17:24.4(H))