

Regular Session, 1997

HOUSE BILL NO. 2068

BY REPRESENTATIVES DOWNER, BRUN, MCDONALD, LONG, DEWITT, ALARIO, CRANE, DANIEL, DUPRE, ILES, JOHNS, KENNEY, LEBLANC, MCCAIN, MCMAINS, MICHOT, POWELL, SALTER, SHAW, THOMAS, WALSWORTH, WIGGINS, DOERGE, R. ALEXANDER, BAUDOIN, BAYLOR, BOWLER, BRUCE, CLARKSON, DIMOS, DONELON, FLAVIN, FORSTER, FRITH, HEATON, HILL, KENNARD, LANCASTER, MITCHELL, MURRAY, PIERRE, RIDDLE, SCALISE, SCHNEIDER, JOHN SMITH, STRAIN, AND THOMPSON AND SENATORS DARDENNE, EWING, HAINKEL, BEAN, SCHEDLER, SMITH, AND THEUNISSEN

SCHOOLS: Requires the development and implementation of a school and district accountability system, creates the School and District Accountability Advisory Commission and the School and District Accountability Fund, and repeals the School Incentive Program

1
2
3
4
5
6
7
8
9
10
11
12

AN ACT

To enact R.S. 17:10.1 through 10.3 and R.S. 36:651(G)(3) and to repeal Subpart B of Part III of Chapter 39 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3917 through 3919, relative to school performance accountability; to provide for the development and implementation of a school and district accountability system; to provide for the implementation of such system to include both incentives and corrective actions to encourage excellent performance; to provide for the responsibilities and duties of the state Department of Education and the State Board of Elementary and Secondary Education; to create and provide for the School and District Accountability Advisory Commission; to establish and provide relative

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 to a special fund for use in the program; to repeal the School Incentive
2 Program established as part of the Children First Act; and to provide
3 for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 17:10.1 through 10.3 are hereby enacted to read as
6 follows:

7 §10.1. School and District Accountability System; purpose

8 A. It is the purpose of this Section to:

9 (1) Provide for the development and implementation of a school
10 and district accountability system which requires and supports student
11 achievement in each public school.

12 (2) Provide assurance to the citizens that the quality of
13 education in each public school is monitored and maintained at levels
14 essential for each student to receive a minimum foundation of
15 education.

16 (3) Provide clear standards and expectations for schools and
17 school systems so that assessment of their effectiveness will be
18 understood.

19 (4) Provide information that will assist schools and school
20 systems in order that energies and resources may be focused on student
21 academic achievement.

22 B. The State Board of Elementary and Secondary Education,
23 hereafter referred to as the "state board", shall provide for a statewide
24 system of accountability for schools and school districts based on
25 student achievement and minimum standards for the approval of
26 schools pursuant to R.S. 17:10. The program shall include, at a

1 minimum, clear and appropriate standards for schools and school
2 districts, indicators for the assessment of schools and school districts,
3 student achievement baselines, student growth targets, and appropriate
4 minimum levels of student achievement for each public school and
5 school district, rewards and corrective actions, specific intervals for
6 assessment and reassessment of schools and school districts, a review
7 process for evaluating growth targets, and technical assistance.

8 C.(1) The state board shall establish and provide for the
9 meetings of the School and District Accountability Advisory
10 Commission which shall be composed as follows:

11 (a) Eight members appointed by the governor.

12 (b) The governor or his designee.

13 (c) Eleven members appointed by the state superintendent of
14 education, including one member of the Louisiana Association of
15 Educators, one member of the Louisiana Federation of Teachers, one
16 member of the Associated Professional Educators of Louisiana, one
17 member of the Louisiana School Boards Association, one member of
18 the Louisiana Association of School Superintendents, one member of
19 the Louisiana Association of Principals, one member who is an
20 elementary school principal of a nationally recognized "Blue Ribbon"
21 school, one member who is a middle school principal of a nationally
22 recognized "Blue Ribbon" school, and one member who is a high
23 school principal of a nationally recognized "Blue Ribbon" school.

24 (d) The state superintendent of education or his designee.

25 (e) The chairman of the House Committee on Education or his
26 designee.

1 (f) The chairman of the Senate Committee on Education or his
2 designee.

3 (g) One member of the Louisiana Association of Colleges for
4 Teacher Education.

5 (h) Three members of the State Board of Elementary and
6 Secondary Education.

7 (2) The chairman shall be appointed by the governor and the
8 state superintendent of education, acting jointly.

9 (3) The commission shall serve in an advisory capacity to the
10 board.

11 (4)(a) The commission shall study and make recommendations
12 to the state board no later than March 1, 1998, concerning all aspects
13 of a statewide system of school and district accountability.

14 (b) The commission shall consider the following in making
15 recommendations:

16 (i) Laws and board policies that require amendment in order to
17 implement the recommended school and district accountability system.

18 (ii) Rewards and corrective actions for schools and school
19 districts.

20 (iii) Indicators for use in the assessment of schools and districts.

21 (iv) Student achievement baselines, growth targets, and
22 appropriate minimum levels of student achievement for each school and
23 district.

24 (v) The intervals for assessment and reassessment of schools
25 and school districts.

1 (vi) A review process for established growth targets in order to
2 encourage continuous progress.

3 (vii) Technical assistance for schools and districts.

4 D. In the development of the system required by this Section,
5 the following steps shall be taken:

6 (1)(a) No later than August 1, 1997, the state board shall
7 provide for a pilot study with support and assistance from the state
8 Department of Education in order to gather data and information which
9 will be beneficial to the development and full implementation of a
10 statewide school and district accountability system. The pilot study
11 shall include at least two components of the accountability system,
12 recommended by the department and approved by the state board,
13 during the 1997-1998 school year.

14 (b) The department shall evaluate and report the results of the
15 pilot study to the state board.

16 (2) No later than March 1, 1998, the School and District
17 Accountability Advisory Commission shall report its findings and
18 recommendations to the state board.

19 (3) No later than April 1, 1998, the state board shall submit a
20 report on the status of the school and district accountability system to
21 the House Committee on Education and the Senate Committee on
22 Education.

23 (4) No later than June 1, 1998, the state board shall adopt a
24 school and district accountability system. The state board shall also
25 identify those policies and statutes that require amendment in order to

1 implement the accountability system or to assist a school or school
2 district's ability to address the academic needs of its students.

3 (5) No later than the beginning of the 1998-1999 school year,
4 the state board, with the assistance of the department, shall conduct a
5 pilot study of the procedures necessary to establish the components of
6 the school and district accountability system approved by the state
7 board in at least one hundred schools. The department shall evaluate
8 and present its findings and results of the pilot study to the state board
9 so that the state board may amend the school and district accountability
10 system, if necessary.

11 (6) No later than April 1, 1999, the state board shall submit a
12 report on the status of the school and district accountability system to
13 the House Committee on Education and the Senate Committee on
14 Education.

15 (7) No later than the beginning of the 1999-2000 school year,
16 the state board, with the assistance of the department, shall fully
17 implement a school and district accountability system. The state board
18 shall establish baselines for each school and district using the 1999
19 student assessments and other indicators, as approved by the state
20 board.

21 (8) By October 1, 2001, the department shall have conducted
22 the first assessment of schools and districts by reviewing progress made
23 from the initial baseline data for the purpose of determining awards,
24 corrective actions, and the need for school assistance and shall present
25 its findings and recommendations to the state board.

1 (9) The state board shall provide a procedure to gather
2 information and recommendations from teachers, administrators, school
3 board members, legislators, parents, and members of the community in
4 order to continually refine and improve all aspects of the school and
5 district accountability system.

6 E. The State Board of Elementary and Secondary Education
7 shall adopt rules and regulations in accordance with the Administrative
8 Procedure Act to implement the provisions of this Section.

9 §10.2. School and district responsibilities; preparation for the School
10 and District Accountability System

11 A. In preparation for the school and district accountability
12 system, each school and each school district shall develop, modify, or
13 both, any existing educational improvement plans for academic
14 achievement by no later than April 1, 1998, as follows:

15 (1) Each school shall provide for a plan for improving academic
16 achievement which shall be developed by educators, parents, and other
17 community representatives, based on a self-examination of previous
18 trend data including student test scores on the state norm-referenced
19 and criterion-referenced tests, student and teacher attendance, dropout
20 rate, and any other additional indicators deemed appropriate.

21 (2) Based on the data, each school shall set specific goals or
22 growth targets for improving all or some of these factors by the end of
23 the 1998-1999 school year using information collected during school
24 year 1996-1997 as their initial baseline.

25 (3) Each plan shall include those strategies that will be
26 implemented to improve academic achievement and are designed to

1 help the school meet the growth targets that each school has set. Each
2 plan shall also identify any local or state policy or state law
3 modifications which would be beneficial in helping the school
4 implement its strategies for improvement.

5 (4) Each school shall submit its school improvement plan to its
6 local school board for review and approval by no later than May 1,
7 1998.

8 B. Each school board shall ensure that each school develops an
9 improvement plan focused on academic achievement which meets the
10 requirements of this Section by doing each of the following:

11 (1) Providing for assistance to every school for the development
12 and implementation of their school improvement plans.

13 (2) Reviewing and approving each school plan.

14 (3) Selecting at least twenty percent of the schools in each
15 district which shall consist of the lowest achieving schools in the
16 district and providing those schools additional assistance with their
17 strategies designed to improve academic achievement to meet their
18 identified growth targets.

19 (4) Reviewing and considering modifications of local policies
20 which schools have identified in their school improvement plans.

21 (5) Reviewing and considering seeking a waiver from the State
22 Board of Elementary and Secondary Education regarding any identified
23 state policies, and compiling a list of requested state law changes and
24 presenting this list to the state board.

25 C. By October 1, 1997, the state Department of Education shall
26 provide to each school a profile of their trend data as gathered by the

1 state pursuant to R.S. 17:3911 beginning with school year 1994-1995.

2 The department shall ensure that all future reports as required pursuant
3 to R.S. 17:3912 contain trend data for at least three years.

4 §10.3. School and District Accountability Fund; creation; purpose;
5 distribution

6 A. The School and District Accountability Fund, hereafter
7 referred to as the "fund", is hereby created within the state treasury for
8 the purpose of providing money to be used solely for the purposes
9 provided in this Section.

10 B. All monies appropriated to the fund and any grants, other
11 donations or other sources of financial assistance directed to the fund
12 shall be deposited into the fund. Monies in the fund shall be subject to
13 appropriation by the legislature, and shall be appropriated to the state
14 Department of Education for allocation by the department subject to
15 review by the State Board of Elementary and Secondary Education. All
16 unexpended and unencumbered monies remaining in such fund at the
17 end of each fiscal year shall remain in the fund. The monies in such
18 fund shall be invested by the state treasurer in accordance with state
19 law, and interest earned on the investment of these monies shall be
20 credited to the fund after compliance with the requirements of Article
21 VII, Section 9(B) of the Constitution of Louisiana, relative to the Bond
22 Security and Redemption Fund.

23 C. During the 1997-1998 and 1998-1999 Fiscal Years, the state
24 Department of Education shall use money appropriated from this fund
25 for development and initial implementation of the School and District
26 Accountability System. Thereafter, the department shall allocate the

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 monies for the provision of rewards and technical support in
2 compliance with the School and District Accountability System and
3 pursuant to a plan for such allocations approved by the State Board of
4 Elementary and Secondary Education.

5 Section 2. R.S. 36:651(G)(3) is hereby enacted to read as follows:

6 §651. Transfer of boards, commission, departments, and agencies to
7 Department of Education; boards, commissions, and agencies
8 within Department of Education

9 * * *

10 G. The following agencies, as defined by R.S. 36:3, are
11 transferred to and hereafter shall be within the Department of
12 Education as provided in Part III of Chapter 22 of this Title:

13 * * *

14 (3) The School and District Accountability Advisory
15 Commission (R.S. 17:10.1).

16 Section 3. Subpart B of Part III of Chapter 39 of Title 17 of the
17 Louisiana Revised Statutes of 1950, comprised of R.S. 17:3917 through 3919,
18 is hereby repealed in its entirety.

19 Section 4. This Act shall become effective upon signature by the
20 governor or, if not signed by the governor, upon expiration of the time for bills
21 to become law without signature by the governor, as provided by Article III,
22 Section 18 of the Constitution of Louisiana. If vetoed by the governor and
23 subsequently approved by the legislature, this Act shall become effective on
24 the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Downer, et al.

HB No. 2068

Present law (R.S. 17:3917-3919) provides for the School Incentive Program as part of the Children First Act. Provides for the identification of 100 public schools which have made the most significant progress relative to similar schools as measured by specified standards. Provides for the awarding of a cash incentive for such progress.

Proposed law repeals present law.

Proposed law provides for the development and implementation by BESE of the School and District Accountability System which shall be used to assess public schools and districts based on student achievement and minimum standards for school approval. Specifies that the system shall include, at a minimum, standards for schools and school districts, indicators for school and district assessment, student achievement baselines, student growth targets and appropriate levels of student achievement for each school and district, rewards and corrective actions, specific intervals for assessment and reassessment, a review process for evaluating growth targets, and technical assistance.

Proposed law provides for the establishment of the School and District Accountability Advisory Commission to advise BESE and make recommendations with regard to the development and implementation of the system. Requires that the commission consider certain specified items in making its recommendations. Provides for the membership of the commission as follows:

- (1) Eight members appointed by the governor.
- (2) The governor or his designee.
- (3) Eleven members appointed by the state superintendent of education, including one member of the Louisiana Association of Educators, one member of the Louisiana Federation of Teachers, one member of the Associated Professional Educators of Louisiana, one member of the Louisiana School Boards Association, one member of the Louisiana Association of School Superintendents, one member of the Louisiana Association of Principals, one member who is an elementary school principal of a nationally recognized "Blue Ribbon" school, one member who is a middle school principal of a nationally recognized "Blue Ribbon" school, and one member who is a high school principal of a nationally recognized "Blue Ribbon" school.
- (4) The state superintendent of education or his designee.

- (5) The chairman of the House Committee on Education or his designee.
- (6) The chairman of the Senate Committee on Education or his designee.
- (7) One member of the Louisiana Association of Colleges for Teacher Education.
- (8) Three members of the State Board of Elementary and Secondary Education.

Requires BESE to establish and provide for the meetings for the commission.

Proposed law establishes a schedule for the various steps in the development of the school and district accountability system, including conducting a pilot study in at least 100 schools no later than the beginning of the 1998-1999 school year of the procedures necessary to establish the components of the system. Provides that BESE shall submit status reports on the school and district accountability system to the House and Senate education committees no later than April 1, 1998, and again by no later than April 1, 1999. Requires full implementation by not later than the beginning of the 1999-2000 school year.

Proposed law requires that BESE adopt rules and regulations in accordance with the Administrative Procedure Act to implement the provisions of proposed law relative to the school and district accountability system.

Proposed law requires each school and school district to provide for a plan for improving academic achievement and provides relative to plan development, components, review, and approval. Specifies requirements for such plans including the selection of at least 20% of the schools in each district which shall consist of the lowest achieving schools in the district and providing assistance to those schools.

Proposed law creates and provides for the School and District Accountability Fund within the state treasury for the purpose of providing money for the development and initial implementation of the School and District Accountability System and for the provision of rewards and technical support to schools and school districts.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 17:10.1-10.3 and R.S. 36:651(G)(3); Repeals R.S. 17:3917-3919)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original bill.

1. Changes number of commission members to be appointed by the state superintendent of education from eight to 11 and adds that the 11 members shall include an elementary school principal of

a nationally recognized "Blue Ribbon" school, a middle school principal of a nationally recognized "Blue Ribbon" school, and a high school principal of a nationally recognized "Blue Ribbon" school.

2. Specifies, relative to school improvement plans, that school boards shall select at least 20% of the schools in each district which shall consist of the lowest achieving schools in the district instead of selecting at least 20% of the lowest achieving schools in each district.

House Floor Amendments to the engrossed bill.

1. Relative to the School and District Accountability Advisory Commission, deletes proposed law provision that six of eight members appointed by the governor shall be members of the LEARN commission.
2. Relative to the School and District Accountability Advisory Commission, requires that the commission consider certain specified items in making its recommendations rather than requiring that the commission's recommendations include certain specified items.
3. Deletes the LEARN commission from groups that BESE is to report to by April 1, 1998, and again by April 1, 1999, on the status of the school and district accountability system.
4. Relative to conducting a pilot study in at least 100 schools no later than the beginning of the 1998-1999 school year of the procedures necessary to establish the components of the school and district accountability system, deletes provisions specifying components to be studied.
5. Adds requirement that BESE shall adopt rules and regulations in accordance with the APA to implement proposed law provisions relative to the school and district accountability system.