

Regular Session, 2011

# ACT No. 187

HOUSE BILL NO. 419

BY REPRESENTATIVES PATRICIA SMITH, AUBERT, CARMODY, CHANDLER,  
CHANEY, DOWNS, EDWARDS, AND RITCHIE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To enact R.S. 17:3140 and R.S. 36:651(G)(3), relative to remedial education; to create the  
3 Remedial Education Commission; to provide for the purpose, membership, duties,  
4 and responsibilities of the commission; to provide for reporting requirements; to  
5 provide for termination; to provide for an effective date; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:3140 is hereby enacted to read as follows:

9 §3140. Remedial Education Commission; creation; purpose; membership; duties;  
10 reporting; termination

11 A.(1) The legislature finds that the state must greatly increase the number  
12 of its citizens who hold a postsecondary education credential by creating an  
13 environment that increases the desire to learn and continuously gain knowledge.

14 (2) The legislature further finds that more citizens must not only earn a high  
15 school diploma but also must successfully access and navigate the postsecondary  
16 education system throughout their lives in order to acquire the knowledge and skills  
17 needed to be productive workers and engaged citizens.

18 (3) The legislature further finds that in order to achieve a more educated  
19 citizenry, the expectations of college readiness must be clearly communicated to  
20 educators, prospective students enrolled in high school, and the students' parents.

1           (4) The legislature further finds that there exists a large population of adults  
2           that could benefit from completion of postsecondary education and that many of  
3           these nontraditional adult students have specific remediation needs.

4           (5) The legislature further finds that the use of data concerning successful  
5           strategies for identifying and remediating students at significant transition points  
6           could assist public elementary and secondary schools and public postsecondary  
7           education institutions in identifying students who need additional educational  
8           services and assistance and in providing for such services at the most appropriate  
9           junctions using the most cost-effective methods.

10           (6) The legislature further finds that it is in the best interest of the state's  
11           public education system and the students of the state to create a commission to  
12           review the relevant data and recommend best practices and strategies for identifying  
13           and assisting students to ensure that they are successful throughout their academic  
14           careers, no matter the point of entry.

15           B. There is hereby created the Remedial Education Commission, referred to  
16           in this Section as the "commission", for the purposes of studying and reviewing the  
17           data on educational services provided in public elementary and secondary schools  
18           and remedial education provided at public postsecondary education institutions, of  
19           recommending best practices and strategies to be used by public elementary and  
20           secondary schools and public postsecondary education institutions in providing such  
21           educational services, and of recommending any necessary statutory and regulatory  
22           changes to the legislature, the State Board of Elementary and Secondary Education,  
23           and the Board of Regents related to the study.

24           C. The membership of the commission shall be as follows:

25           (1) The commissioner of higher education or his designee.

26           (2) The state superintendent of education or his designee.

27           (3) The president of the State Board of Elementary and Secondary Education  
28           or his designee.

29           (4) The president of the Louisiana Community and Technical College  
30           System or his designee.

1                   (5) The chairman of the House Committee on Education or his designee.

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

3                   (7) The assistant deputy superintendent of the office of college and career  
4 readiness of the state Department of Education or his designee.

5                   (8) The following persons to be appointed by the commissioner of higher  
6 education:

7                   (a) A representative from a public postsecondary four-year institution.

8                   (b) A representative from a public postsecondary two-year institution.

9                   (c) A representative from the Louisiana Association for Developmental  
10 Education with experience in intervention education services and remedial education  
11 as a researcher or practitioner.

12                   (d) A nontraditional adult student attending a public postsecondary education  
13 institution.

14                   (e) A representative from the Board of Regents with responsibilities in  
15 implementing remedial education.

16                   (9) The following persons to be appointed by the state superintendent of  
17 education:

18                   (a) A middle or high school teacher employed in a public school located in  
19 an urban area of the state.

20                   (b) A middle or high school teacher employed in a public school located in  
21 a rural area of the state.

22                   (c) A parent of a student enrolled in a public middle or high school.

23                   (10) A member of the Louisiana School Boards Association to be appointed  
24 by the association's president.

25                   D. All legislative members of the commission shall receive the same per  
26 diem and travel allowance for attending meetings of the commission as is normally  
27 provided for meetings of legislative committees. Other members of the commission  
28 shall serve without compensation.

29                   E. The commission is a joint collaboration between the Board of Regents and  
30 the State Board of Elementary and Secondary Education. The Board of Regents and

1           the state Department of Education shall designate staff to assist the commission in  
2           performing its duties and responsibilities.

3           F. The commissioner of higher education shall convene the commission for  
4           its first meeting by September 15, 2011, at which meeting the members of the  
5           commission shall select a chairman and a vice chairman. The commission shall meet  
6           upon the call of the chairman as often as deemed necessary to carry out its duties and  
7           shall establish a meeting schedule and time line for completion of its duties.

8           G. The commission shall study and make recommendations on at least the  
9           following:

10           (1) The data and research on intervention education services and remedial  
11           education and the identification of best practices and strategies for recognizing  
12           students in need of such services and for providing such services at the appropriate  
13            juncture at the elementary, secondary, and postsecondary education levels.

14           (2) K-12 to postsecondary education transition issues including the  
15           alignment of high school graduation requirements and course curriculum with  
16           college expectations.

17           (3) The need for clear entrance and exit standards for all remedial courses  
18           and the transferability of credit for such courses to all public postsecondary  
19           education institutions in the state.

20           (4) Strategies and data for reducing the need for remediation of high school  
21           graduates, offering more dual credit opportunities for high school students, and  
22           increasing the college-going rate of adults.

23           (5) The capacity of the community and technical colleges to provide all  
24           remedial education services and, if it is found that the community and technical  
25           colleges lack the capacity to be the sole provider of such services, that there are  
26           adequate transition plans in place until the capacity is reached.

27           (6) The role of distance learning and other innovative alternatives to  
28           traditional instruction and delivery methods for remedial education.

1           (7) The success of students engaged in remedial education programs at  
2           public postsecondary education institutions in terms of their retention and graduation  
3           rates as compared to those students not placed in remedial education.

4           (8) The creation of a formalized professional development program and  
5           communication system where remedial education faculty from both secondary and  
6           postsecondary education regularly meet to gain knowledge in best practices and  
7           trends in the instruction and delivery of remedial education and to share changes in  
8           expectations and maintain communication.

9           H. The commission shall be authorized to request and receive education data  
10           and other related data and information produced by any public entity and such entity  
11           shall respond to the request in a timely manner. All requested data and information  
12           shall be submitted in a standardized format as determined by the commission.

13           I. The commission shall submit a written report of its study findings and  
14           recommendations to the House Committee on Education and the Senate Committee  
15           on Education by not later than sixty days prior to the convening of the 2012 Regular  
16           Session of the Legislature of Louisiana. Such report also shall include  
17           recommendations for any changes to laws, rules, or guidelines that the commission  
18           deems necessary in order to strengthen the ability of the public schools and public  
19           postsecondary education institutions in identifying and assisting students as they  
20           strive to college readiness and achieve academic success.

21           J. The commission shall terminate on June 30, 2012.

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

23 §651. Transfer of boards, commissions, departments, and agencies to Department  
24 of Education; boards, commissions, and agencies within Department of  
25 Education

26 \* \* \*

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

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1                         (3) The Remedial Education Commission (R.S. 17:3140).

2   \*       \*       \*

3                 Section 3. This Act shall become effective upon signature by the governor or, if not  
4 signed by the governor, upon expiration of the time for bills to become law without signature  
5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
7 effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_