



fact sheet

Red Tape Reduction and Local Empowerment Program HB 1368 – Rep. Jane Smith

What does HB 1368 do?

It authorizes an OPTIONAL program for local school districts that would allow them to seek a waiver of state laws and BESE policies, with some exceptions. The bill empowers local public school districts to tell policymakers what they need to improve school performance and gives them the ability to be released of red tape and regulations that impede their progress.

Any public school may apply for a waiver. Academically unacceptable schools covered by a waiver will be required to make certain changes, based on best practices, designed to improve school performance. During the waiver period, they will not be subject to the effects of accountability, meaning they will not be subject to state takeover.

What laws and regulations may NOT be waived?

School districts will be able to apply for a 4-year waiver of any state law or BESE policy that does not pertain to federal regulations, student safety, accountability, teacher evaluations, or graduation requirements. Districts are also ineligible to receive waivers from laws requiring them to offer alternative education and transportation for students. Examples of laws that may be waived include instructional time, curriculum, funding, personnel, and student-to-personnel ratios.

Why is this bill necessary?

Local public school districts have expressed the need to be relieved of burdensome regulations and red tape placed that hinder their ability to improve school performance and increase student achievement. They have also asked for the ability to operate with the same flexibilities granted to charter schools and to be given the tools to improve their academically unacceptable schools before they are subject to placement in the Recovery School District (RSD). This is especially important because:

- 55 public schools in Louisiana have been designated “academically unacceptable” with School Performance Scores (SPS) of 60 or less, meaning that about 61% of students are performing below grade level.
- 30 of these schools have been placed under the jurisdiction of the RSD. Additionally, 24 schools have MOU’s with the RSD in lieu of state takeover, and 10 more, if they do not show substantial improvement, will be eligible for placement in the RSD within the next few years.

What must districts do in exchange for a waiver?

All districts must provide periodic reports to BESE on their progress in achieving specific benchmarks and on the uses and effectiveness of the waiver. Academically unacceptable schools covered by a waiver must take steps to assure the effectiveness of their teachers and implement one of four possible turnaround strategies, consistent with federal requirements recently announced by President Obama and U.S. Secretary of Education Arne Duncan, which are requirements for receiving federal funds through the Title I School Improvement Grant program.

What happens if academically unacceptable schools covered by a waiver fail to demonstrate improvement?

BESE will closely monitor academically unacceptable schools covered by a waiver to ensure that the above strategies are being implemented with fidelity and to determine if the waiver is helping to improve student achievement. Schools that do not meet their growth targets for three consecutive years may have their waiver terminated. If BESE terminates the waiver, it must either place the school in the RSD or require the school to enter into a memorandum of understanding with the RSD to receive intensive support.

MYTHS & FACTS

Myth #1: “This bill will require schools to fire good teachers.”

Fact: On the contrary, HB 1368 requires participating low-performing schools to improve teacher quality in order to increase student achievement and grow out of academically unacceptable status. To accomplish this goal, they must reward highly effective teachers, identify ineffective teachers and give them targeted support to address weaknesses, and dismiss persistently ineffective teachers that fail to improve even after being offered extensive professional development.

Myth #2: “HB 1368 turns Louisiana’s public schools into charter schools.”

Fact: Nothing in this bill requires the conversion of traditional public schools to charter schools, but rather participating schools will be given the ability to operate with the same flexibility as charter schools. Low-performing schools have often lamented that if they had been able to operate with the same level of autonomy as charter schools, they might have been able to improve their schools and avoid placement in the RSD.

If local school districts choose to apply for and are granted a waiver for failing schools, they will be required to implement one of four strategies that President Obama and U.S. Secretary of Education Arne Duncan announced earlier this year when they committed to turning around our nation’s lowest achieving schools. Only one of those strategies involves converting the school to a charter school. These same strategies are requirements for schools to receive grants through the \$4 billion federal Title I School Improvement Grant program.

Myth #3: “Nothing in this so-called ‘Red Tape’ waiver program lessens red tape for teachers. In fact, these waivers will actually hurt good teachers.”

Fact: Local school districts will decide what to include in their waiver requests, based on what they believe is needed to improve student achievement and raise school performance. Such decisions will undoubtedly be made with input from principals, teachers, and other school personnel. This legislation includes a strong disincentive for school districts to waive anything that would adversely affect good teachers, as waiver applications must describe how teaching effectiveness will be improved, and the continuation of a waiver is dependent upon evidence that the waiver has helped to increase student achievement.