

FOR IMMEDIATE RELEASE

Friday, May 2, 2014

3:00 PM CDT FOR MORE INFORMATION

State Representative Brett Geymann

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State Representative Cameron Henry

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Legislators Ask Governor to Veto PARCC Testing Implementation.

Governor Can Veto Adoption of PARCC Under Administrative Procedures Act.

Seventeen State Representatives and others are asking Governor Bobby Jindal to immediately veto implementation of BESE rule changes enacting the new PARCC testing regime. The legislators cite provisions of the Administrative Procedures Act that give the Governor the ability to veto any new Agency rules within 30 days of adoption. BESE has adopted PARCC as of May 1st. The Governor therefore, has the opportunity, by law, to veto the PARCC rule.

(See full text of the letter, below):

May 2, 2014

Governor Bobby Jindal

Baton Rouge, Louisiana

RE: PARCC and the Administrative Procedures Act.

Dear Governor Jindal:

We are writing to follow up on our previous correspondence regarding PARCC implementation. Thank you again for your opposition to PARCC. We look forward to standing with you when you take this important action.

We are pleased to report that you have the power to veto PARCC implementation under the Administrative Procedures Act.

As you know, on March 12, 2014, BESE submitted to the Legislature its "Summary Report" thereby announcing its plan to proceed with rulemaking by finalizing the February 20, 2014 Notice of Intent (Summary Report - February 2014 NOI re Bulletin 118, Section 113).

BESE has approved the rule as of May 1st.

Here's the really good news. According to the APA -- within 30 days of 'adoption', "the governor, by executive order, may suspend or veto any rule or regulation or body of rules or regulations adopted by a state department, agency, board or commission..." This provision, contained in R.S. 49:970 was adopted in 1981 (Acts 1981, No. 453).

With or without a veto of the proposed rule, it remains that standards-based assessments are to be based on nationally recognized standards that represent the knowledge and skills needed for students to successfully transition to postsecondary education and the workplace and the rigor of each standards-based assessment, at a minimum, must be comparable to national achievement tests, including but not limited to the National Assessment of Education Progress, R.S.

17:24.4(F)(1)(f) and (e).

In our view, nothing is lost by exiting PARCC. There are a number of more acceptable, less

intrusive assessment options that still help ensure Louisiana students are getting the best, most rigorous education possible.

We look forward to working with you, BESE, the DOE and our colleagues in the legislature to meet the challenges of higher academic standards for our students, while allowing our school districts to choose assessments that best meet their needs.

Sincerely,

State Representative Brett Geymann
State Representative Cameron Henry
State Representative James Armes
State Representative Terry Brown
State Representative Henry Burns
State Representative Joe Harrison
State Representative Kenny Havard
State Representative Bob Hensgens
State Representative Valarie Hodges
State Representative Paul Hollis
State Representative Frankie Howard
State Representative Barry Ivey
State Representative Sherman Mack
State Representative Jim Morris
State Representative Rogers Pope
State Representative "Dee" Richard
State Representative Lenar Whitney