

**RESPONSE TO HOUSE RESOLUTION NO. 204 OF THE 2010
REGULAR SESSION OF THE LOUISIANA LEGISLATURE**

LOUISIANA BOARD OF REGENTS

FEBRUARY, 2011

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Introduction and Background

House Resolution No. 204 of the 2010 Regular Session of the Louisiana Legislature (HR 204) urges and requests the Board of Regents, in consultation with certain others, to

study the provisions of enacted House Bill No. 1491 of the 2010 Regular Session, relative to the high school core curriculum requirements for certain students to be eligible for a TOPS Opportunity, Performance, or Honors award, and determine if requiring a student to successfully complete at least nineteen units of the specified curriculum beginning with the 2013-14 school year will have a disparate impact on students attending state-approved nonpublic schools.

A copy of HR 204 appears as Appendix A and House Bill No. 1491 of 2010 appears as Appendix B to this report.

HR 204 includes a number of organizations with which the Board of Regents should consult in preparing its response: Louisiana Student Financial Assistance Commission; State Board of Elementary and Secondary Education (BESE); BESE's advisory Nonpublic School Commission; the Taylor Foundation; and Citizens for Educational Choice. In October, the Board of Regents sought and received appointments from those stakeholders. The members of the HR 204 study group appears as Appendix C to this report.

Process and Findings

The first meeting of the HR 204 study group was held on November 9, 2010. At the meeting, there was general discussion of the intent of HR 204, the impact of the changes in TOPS stemming from enactment of HB 1491, and the potential impact on high school students, particularly those enrolled in non-public schools. With the enactment of HB 1491, students must have successfully completed at least 19 units of named high school course work to qualify for a TOPS Opportunity, Performance or Honors award effective with the 2013-2014 school year and

thereafter. Among other changes, HB 1491 adds a unit to the Math, Science and Social Studies categories.

There was consensus that students enrolled in those non-public schools which require four units of religious studies would actually have to complete 23 units of required study to meet the curricular requirements for TOPS. Since most public and non-public schools require 24 units for graduation, these students would have little opportunity to explore further studies through electives. Following extensive discussion among the study group concerning the number and content of religious studies courses, it was the consensus of the study group that apart from purely religious courses, particular courses related to world religions and the history of religion taught from a secular perspective (versus denominational) are worthy of inclusion as options for the fourth unit of social studies for TOPS purposes. (See course descriptions in Appendix D to this report.) Schools and school systems could decide whether to substitute one of these courses for a current religion course.

The study group reviewed the entire TOPS core to determine if there were other impediments, especially for students enrolled in non-public schools. Although not an issue exclusively of non-public schools, the group discussed the Fine Arts Survey requirement. The current TOPS core requires that a student successfully complete one unit of Fine Arts Survey or substitute 2 units of performance courses in music, dance or theater, 2 units of studio art, 2 units of visual art, 2 units of Speech (Speech III and IV) or one unit of elective from the other subjects listed in the core curriculum.

Although there was no clear understanding of why the current requirement was originally designed, representatives of all school groups agreed that one unit of a performance, studio or visual art is at least as rigorous, if not more so, than a Fine Arts Survey course. It was

also the consensus of those providing this testimony that the additional units required for TOPS by HB 1491, coupled with the required four units of religious study courses, would also limit the ability of students attending non-public schools to complete two units of certain courses or substitute an elective core course for the Fine Arts Survey category.

There was concern expressed regarding the change in the fine arts category. One member felt that the primary change to be implemented was the addition of the religious studies course as an option for the fourth unit in the social studies category, and that recommending an additional change in the fine arts category might lessen the chances of enacting the addition of religious studies as an option in the social studies category.

Summary, Conclusions and Recommendations

House Resolution No. 204 of the 2010 Regular Session of the Louisiana Legislature (HR 204) urges and requests the Board of Regents, in consultation with certain others, to

study the provisions of enacted House Bill No. 1491 of the 2010 Regular Session, relative to the high school core curriculum requirements for certain students to be eligible for a TOPS Opportunity, Performance, or Honors award, and determine if requiring a student to successfully complete at least nineteen units of the specified curriculum beginning with the 2013-14 school year will have a disparate impact on students attending state-approved nonpublic schools.

As provided for by HR204, the Board of Regents established a study group composed of various stakeholders. Following meetings and discussion, the study group concluded that the law as amended in 2010 by HB1491 did include some requirements that would have a disparate impact on students attending state-approved non-public schools. Basically, completion of the TOPS core curriculum coupled with other courses required at many non-public high schools would leave little opportunity for students to pursue further study through electives. The study

group identified ways to decrease the course logjam without having a detrimental effect on the students' pursuit of TOPS or completing a college preparatory curriculum.

Therefore, after careful consideration of all testimony received from members of the study group identified in HR 204, the Board of Regents recommends amendments to the TOPS curriculum for the TOPS Opportunity, Performance and Honors awards as follows (in priority order):

1. The Legislature add World Religions and the History of Religion to the list of courses in the Social Studies category, subject to the approval of these courses by the Board of Elementary and Secondary Education, and
2. The Legislature amend the Fine Arts Survey category to 1 unit of Fine Arts Survey; performance course in music, dance or theater; studio art; or visual art.