

Fact Sheet on Governor's Proclamation Regarding Common Core Standards and PARCC Assessment

Governor Bobby Jindal made a number of proclamations regarding the Common Core State Standards and PARCC test in Louisiana at a June 18 press conference. Below are legal and policy facts regarding these announcements.

- 1. The Governor will send a letter to PARCC ending Louisiana's involvement in the PARCC consortium of states. In 2010, the Governor, the State Superintendent, and the president of the Board of Elementary and Secondary Education (BESE) signed a Memorandum of Understanding (MOU) committing the state to designing the PARCC tests. The MOU states that the people holding each of these positions would have to sign a letter terminating the MOU.*
- 2. The Governor stated that the PARCC MOU prevents there from being a competitive bid process, in violation of state law. He has issued an executive order to require a Request for Proposals for a new assessment because a legal process is needed. The State Department of Education and BESE are required to follow state bid laws irrespective of an MOU, for purchasing any service (the MOU in fact states "this MOU does not constitute a financial commitment on the part of the Parties. Any financial arrangements... [are] subject to ordinary budgetary and administrative procedures.") The state already maintains a contract for providing and scoring grade 3-8 tests in English and math. The state will continue to provide tests through this contract and will change test questions and forms, as it does every year. A new contract is not needed. Furthermore, an executive order requires that there be an underlying statute enabling the Governor to act outside of state law. No such enabling law exists in this case. In fact, the Legislature considered the question of requiring a Request for Proposals for 2014-2015 tests as part of the development of House Bill 1. The Legislature rejected this requirement.*
- 3. The Governor stated he was suspending rules passed by BESE regarding the implementation of new tests. These rules do not mention Common Core standards or the PARCC test. Instead, the rules echo language already in state laws mandating that "[b]eginning with the 2014-2015 school year, standards-based assessments shall be based on nationally recognized content standards." State law also mandates that "[t]he rigor of each standard-based test, at a minimum, shall be comparable to national achievement tests" and "student achievement standards shall be set with reference to test scores of the same grade levels nationally." The Governor's suspension has no effect on the state's ability to implement Common Core standards or PARCC tests.*

4. *The Governor is sending a letter to the National Governors Association and the Common Core State Standards withdrawing Louisiana from the Common Core State Standards.* The Governor does not have this authority. State law requires that “[t]he state Department of Education shall, with the approval of the State Board of Elementary and Secondary Education, as part of the Louisiana Competency-Based Education Program, develop and establish statewide content standards for required subjects to be taught in the public elementary and secondary schools of this state.” The Governor does not determine learning standards, nor does he create tests.