

Louisiana Federation of Teachers

Weekly Legislative Digest

and BESE Report

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2016 Second Special Legislative Session

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The damage is done

Legislature balks at raising enough revenue to provide critical services

Public education and the popular TOPS scholarship program were among the big losers when the legislature adjourned Thursday night without raising enough money to fund critical state services.

Public education will see a \$24.2 million shortfall in the budget approved shortly before midnight. Education leaders are scrambling to determine how much the cut will affect programs in local school systems.

TOPS will be \$87.8 million short. Lawmakers front loaded the program, so that scholarships will be fully funded in the first semester, but reduced by 42 percent in the spring. They expressed hope that enough money will somehow materialize in the interim to continue the program at full funding.

Also left with a \$25.6 million reduction are prisons and sheriffs who house state prisoners, and juvenile detention and rehabilitation services, with a \$14.5 million cut.

Funding for vouchers was cut by \$2 million, and other programs for private and religious schools lost \$6.7 million.

The state's safety net hospitals will be funded at \$30 million less than operators requested.

In a statement released after the session closed, Gov. John Bel Edwards expressed confidence in the future, despite the legislature's actions.

"Make no mistake, we are in no way out of the woods, and we have some difficult choices to make very soon," the governor wrote, "but I know we will come out of this stronger than ever. We are going into half-time with some successes that we can be proud of, but we're still a long way from coming out on top."

Gov. Edwards noted that work began in February to deal with a \$1 billion deficit in the current year and a looming \$2 billion deficit for the 2016-17 fiscal year.

"I offered a specific plan to fund our state's critical priorities, despite the problems leftover from the previous administration," the governor wrote. "And I can say that many legislators did everything possible to work with me and their colleagues in good faith to solve these problems."

“However,” he continued, “a relatively small group – mostly in the House of Representatives – did everything in their power to block every attempt we made to find the revenue needed to fund important priorities like our safety-net hospitals; health care waivers for those with disabilities; our schools, colleges, and universities; and the TOPS scholarship program.”

The governor said that in the first special session, spending was cut by over \$230 million, and the deficit for the coming year was reduced from \$2 billion to \$600 million.

Despite the best efforts of conscientious legislators, no more than \$263 million was raised in the just-ended special session.

Rumors swirled in the capitol that another special session may be in the offing next September, but Gov. Edwards said he saw little chance of that happening.

The legislative session set to open next spring will be restricted to fiscal issues. Governor Edwards and lawmakers have agreed that restructuring the state’s tax code will be the focus of the session.

Union contract approved by Morris Jeff staff and board

Faculty and the board of Morris Jeff Community School in New Orleans have both ratified a three year collective bargaining agreement.

The school’s union, affiliated with the United Teachers of New Orleans and LFT, first petitioned for recognition by the board in 2013. The board recognized the union without requiring a collective bargaining election.

Morris Jeff is the second New Orleans charter school to enter into a contract with its board, following Benjamin Franklin High School. A third New Orleans charter, International High, is in the process of voting on representation.

State will write new science standards

The Board of Elementary and Secondary Education took a step toward revising the state’s two decade old science standards, aiming to review the changes next March.

The standards will be reviewed by a 31-member committee. The panel is expected to begin its deliberations in August and present recommendations for revisions to the BESE by February 13, 2017. BESE will review the proposed changes at its March, 2017 meeting.

According to a report at the June BESE meeting, Louisiana’s science standards were written in 1997. Only two other states have standards older than ours.

The BESE report says that three principles will guide the process:

- The standards review will be consistent with the legally required process and with past Louisiana standards reviews.
- The review process will focus on the substance of the actual standards themselves.
- The review process will include opportunities for the public to weigh in on every standards. All committee meetings will be open to the public.

The 31-member Standards Committee will guide the process and propose the new standards to BESE.

The new standards will be drafted by 55 teachers in content work groups divided between K-8 and high school. Their work will go to review and feedback work groups with 81 members who review the drafts and provide feedback.

The Louisiana Federation of Teachers, along with other organizations, will have a seat on the standards committee.

[Here is a link to the BESE presentation on the science standards review process.](#)

Four Recovery District charters returning to Orleans Parish control

BESE approved the return of four charter schools from the State Recovery School District to the control of the Orleans Parish School Board. One of the schools, the Pierre Capdau Charter, was the first school seized by the state in 2004, a year before all of the city's schools were wrested from local control following Hurricane Katrina.

Other schools transferred to Orleans Parish effective July 1 were Lake Area New Tech High School, KIPP Renaissance High School and Mary Coghill Charter. OPSB will not directly run the schools, but will have a say over the renewal of their charters.

A law passed in the 2016 regular legislative session called for the eventual return of all RSD schools to parish oversight. In two to three years, the RSD will control none of the Orleans Parish schools.

BESE slapped for not properly vetting new performance score components

BESE ran into opposition from school boards and other education leaders when it considered posting a Notice of Intent to change High School Progress Points in the state's School Performance Scores. The changes would be included in Bulletin 111, the Louisiana School, District, and State Accountability System.

The agenda item explained the change thusly: "Due to the phase out of the EXPLORE and PLAN assessments, the LDE proposes updating high school progress point policies to carry forward the EXPLORE to PLAN growth from 2015-2016 in combination with 2016-2017 PLAN to ACT growth in calculating 2016-17 high school progress points."

At-large BESE Member Doris Voitier objected to including the new high school scoring system, and asked that the item be deferred until the August board meeting.

Her motion was backed by Louisiana School Boards Association Executive Director Scott Richard, Jefferson Davis Parish Superintendent of Schools Brian LeJeune and Louisiana Principals Association President Debbie Schum.

All agreed that a the change should be vetted by the state's Accountability Commission and the Parish superintendents Advisory Council before coming to BSE for a final decision.

[Here is a link to the proposed high school progress point changes.](#)

BESE, Regents agree on teacher training overhaul

New rules for the way teachers are trained in Louisiana could go into effect as early as 2018, according to an agreement between BESE and higher education's Board of Regents.

In order to become a teacher in the future, candidates would have to serve a one-year apprenticeship as a student teacher before getting a classroom of their own. Under current regulations, student teachers spend about 10 to 15 weeks being mentored by a veteran teacher.

While most agreed that the change is positive, there were questions about the potential cost of the new apprenticeship program. The legislature signed off on a budget Thursday night that reduces public education funding by \$24 million.

Superintendent of Education John White said that he and the Board of Regents will report to BESE on the expense and a proposed timeline for implementation.

Legislature will get revised voucher report from BESE

Superintendent of Education John White will resubmit a report on Louisiana's voucher system to the state legislature after being ordered by BESE to include a disagreement over whether or not the vouchers save the state money.

When White first submitted the report last March, he included a statement that the voucher scheme saves money. That conflicted with a report from the legislative fiscal office, which said that trimming vouchers would "increase MFP costs, but at a lower per-pupil cost than what is currently being paid to voucher schools," the report says. "The state will pay \$8.3 million more to the voucher schools than it would have paid through the MFP in the current year."

After BESE At-large Member Doris Voitier criticized White's report, BESE voted unanimously to demand a rewrite. The current version includes the fiscal office report as well as a statement from a University of Arkansas that reducing vouchers "could increase overall education expenditures."

BESE accused of violating open meetings law

An executive session called by BESE to discuss lawsuits filed against two of its critics was held in apparent violation of the state open meetings law, LFT spokesmen told the board.

An item on BESE's Academic Goals and Instructional Services Committee called for a discussion of public records requests made by citizens who want information from the department.

It was apparent to all in the room that the discussion was on the agenda because of lawsuits the department filed against researcher Dr. James Finney and blogger Mike Deshotels. Both are frequent critics of the department, and have filed Freedom of Information requests to gain access to public information. Deshotels has been awarded thousands of dollars in damages because the department failed to provide him with information.

Superintendent of Education John White briefly about public requests, saying that his department spends about \$250,000 a year and devotes two full-time staff members to fulfilling requests.

When Dr. Finney addressed the board, members asked to go into a special session, obviously to discuss the suits against Dr. Finney and Deshotels.

The state's public meetings law says that whenever lawsuits are to be discussed in executive session, the meeting agenda must include the court, case number and parties involved in the lawsuit. None of that was on the agenda.

The law also allows an executive session without proper notice "in cases of extreme emergency," but that was clearly not the case at the BESE meeting.

When the full board met to ratify actions taken by committees, LFT Public Relations Director Les Landon said that LFT attorneys advised that the session apparently violated the law.

BESE President James Garvey said the board will review its procedures to ensure that the law is followed in the future.