

Louisiana Federation of Teachers

Weekly Legislative Digest

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2016 Regular Legislative Session

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Clock ticking on regular session

Special set to begin 30 minutes after *sine die* on Monday

The fate of the state's proposed \$26 billion budget was still up in the air as this edition of the LFT Weekly Legislative Digest was written, but no matter what happens to HB1 by Rep. Cameron Henry (R-Metairie), there will be no final resolution in this regular legislative session.

The back-and-forth between the House and Senate over the budget wound up Friday afternoon with big differences in spending plans between the two bodies.

Just one example: the House version of HB1 omitted some \$44 million needed to continue teacher pay raises and fund some other education programs. The Senate version restored that in part by stripping funds from the Attorney General's office.

The laundry list of differences also includes funding for the TOPS scholarship program, the state's safety net hospitals, LSU's medical schools, law enforcement and others.

The House on Friday rejected the Senate version, which sends the budget to a conference committee, where a small group of lawmakers from each body will meet to hammer out a compromise budget.

Rep. Henry, who chairs the House Appropriations Committee, sounded a pessimistic note, saying, "Whether I like it or not, one way or another, we will have a budget when we adjourn on Monday."

But because lawmakers cannot pass tax bills in this session, the difference between what the state can spend in 2016-16 and what is needed to meet the state's needs will stand at between \$450 million and \$600 million.

That is why Gov. John Bel Edwards is calling lawmakers back into session 30 minutes after the current session ends on Monday. The session could last until June 23.

Listed in the governor's special session call are clean-ups from the hasty conclusion of the first special session in March, as well as several revenue raising measures. [Click here for a summary of the governor's plans for the special session.](#)

Districts could lose \$7 million from 2015-16 school year

As the regular legislative session winds down, school districts are facing a potential loss of \$7 million because the state does not have enough money budgeted to pay for an increase in student enrolment following the February student count.

The \$7 million should be paid to local districts because of the Minimum Foundation Program formula adopted in the 2015 legislative session, but lawmakers have balked at including the money in a supplemental appropriations bill.

School superintendents and school boards say it would be unconstitutional to withhold the funds from local school boards. Even so, the legislature may not make the funds available.

An amendment on the Senate floor restored the funds, but the bill must be heard by the House of Representatives. At this writing, the House had not concurred.

If the money is not sent to districts, there is a chance that it could be restored in the special session set to begin at 6:30 P.M. on Monday.

Losses to local school systems could be as high as \$476,000 in St. Tammany Parish. For a complete list of losses to school districts, [click here](#).

Ups and downs of the return to work bill

A bill that would allow retired teachers to return to work as long-term substitutes earning up to 50% of their retirement pay faces an uncertain future.

HB 907 by Rep. Bernard LeBas (D-Ville Platte) was intended to allow teachers who had been retired for a year to return as long-term subs and earn up to 50% of their retirement – current law only allows them to make 25% without penalty.

But as it and HB 60 by Rep. Blake Miguez (R-Erath), a similar bill aimed at school nurses went through the process, changes were made.

HB 60 was hijacked by Sen. Page Cortez (R-Lafayette) and amended to include teachers. It now says that ALL teachers and school nurses must wait three years before they can return as subs. Long-term subs may make 50% of their retirement; others are limited to 25%.

The House of Representatives stripped the amendment from the bill. It now goes to a conference committee, where three members each from the House and Senate will try to reconcile the differences.

New Orleans charter votes YES to union!

In an election supervised by the National Labor Relations Board, the faculty and staff of the International High School, a New Orleans charter, voted to negotiate a contract with the school's board.

The school's board at first tried to deny the election, claiming that NLRB has no jurisdiction. The school's principal now says that he looks forward to negotiating a contract with the educators, however.

Laws governing collective bargaining in charter schools and other public schools are very different. Traditional public school boards may choose to negotiate with unions if they wish. Several districts allow collective bargaining, including Jefferson and St. Tammany Parishes, which have contracts with LFT-affiliated unions.

But because most charter schools are operated by non-profit boards and not public school boards, they fall under federal labor laws. If a majority of faculty and staff petition for an election, the charter board must go along.

Thus far in New Orleans, faculty at Benjamin Franklin High School and Morris Jeff Charter School have voted to negotiate contracts with their boards. Unions at both schools are affiliated with the United Teachers of New Orleans, LFT, AFT.

At a fourth school, Lusher Charter, faculty presented a petition signed by a majority of educators asking for a collective bargaining election. Prior to the election, though, the school's administration and other union opponents mounted an anti-bargaining campaign.

Teachers were inundated with anti-union propaganda, and several said they were intimidated by administrators. When the votes were counted, the professional staff voted 54-77 against collective bargaining. Paraprofessionals voted 8-5 in favor of a contract.

The week ahead...

The LFT Weekly Legislative Digest will be published during the special session. Our first edition will include a summary of education-related legislation that was heard during the regular session.