

Louisiana Federation of Teachers

Weekly Legislative Digest

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LABI's union-busting bill returned to calendar

A totally unnecessary clash between the big business lobby and public sector unions was avoided on Tuesday, May 12, when a bill that would have prohibited payroll deduction of union dues was returned to the calendar by its author.

HB 418 cannot be brought back up for a vote without a 48-hour notice. Any House member may object to hearing the bill, which would trigger a vote to determine if it will be heard.

The Louisiana Federation of Teachers and the Louisiana Association of Educators, along with partners in police, firefighter and other public sector unions, are cautiously hopeful that the bill will not be revived during this legislative session.

The bill was strangely mischaracterized as the most important issue of this session by the Louisiana Association of Business and Industry, which lobbied hard to get the bill approved by the House Labor and Industrial Relations Committee and onto the House floor for a vote.

Without a doubt, the many calls and e-mails from Louisiana's teachers, school employees, firefighters, police officers and other public servants were crucial informing many legislators was a divisive, unnecessary distraction during this short fiscal session.

LAE President Debbie Meaux and LFT President Steve Monaghan express their gratitude to everyone who became engaged and contacted legislators in opposition to the bill.

Members are urged to stay tuned for updates and commit to participating in any urgent calls to action that may be necessary before the session ends on June 11.

Common Core grand compromise moves forward

Two of three bills aimed at soothing concerns over Common Core State Standards while maintaining a rigorous curriculum and testing regimen were moved forward by lawmakers this week, and a third is expected to make its debut on Monday.

The three bills are the product of intensive closed door negotiations between lawmakers hostile to Common Core and supporters who believe it is the best route to education reform. The legislative package is expected to mesh with the work of a Board of Elementary and Secondary Education commission working on a new set of Louisiana-specific education standards.

The undertaking is a delicate one. It must balance the concerns of opponents, who fear that the compromise may result in nothing more than a rebranding of Common Core, and supporters on the lookout for what they suspect may be watered-down standards.

LFT supports efforts to reach an agreement. Regardless of the merits of Common Core, its implementation in Louisiana was so botched by BESE and the Department of Education that the subject has become toxic. A compromise could provide relief from a controversy that has split the state into warring camps.

The first of the three bills, HB 373 by Rep. Brett Geymann (R-Lake Charles), was approved by the House Education Committee this week, and will be heard by the full House. It gives guidance to the BESE process already in progress. The three main parts of the bill will

- Require BESE to hold public hearings in all six congressional districts to allow citizen input.
- Allow the Senate and House Education Committees to review changes by March 4, 2016. The committees will vote in public to accept or reject all of the changes.
- Give future governors the right to veto the entire plan in its entirety.

A second bill, SB 43 by Sen. Conrad Appel (R-Metairie), spells out how BESE's changes will be shepherded through the process dictated by the Administrative Procedures Act. The bill was approved by the Senate Education Committee, and moves to the Senate floor.

The final pillar of the compromise, HB 542 by Rep. John Schroder (R-Covington) will deal with the way students are tested under the new standards. It goes before the House Education Committee on Monday.

Panel nixes bill restricting BESE charter approvals

A bill that would prohibit the Board of elementary and Secondary Education from approving charter schools over the objection of local school boards was rejected by the House Education Committee.

HB 21 by Rep. John Bel Edwards (D-Amite) would have applied only to districts rated "A" or "B." LFT President Steve Monaghan testified in favor of the bill, calling it a step toward preserving the original intent of the state's charter school law.

Supporters of the bill said that when BESE approves charter schools over local objection in high-performing school districts, it shows a bias in favor of for-profit charters over traditional public schools.

The bill failed on a 6-10 vote after nearly two hours of debate.

Bill limiting vouchers is rejected

A bill that would have limited access to vouchers for kindergartners who could attend high-performing public schools was rejected by the House Education Committee.

Under current law, kindergarten aged children who meet financial criteria may attend a voucher school even if the public school they would attend is rated "A," "B" or "C." HB 340 by Rep. John Bel Edwards (D-Amite) would have limited vouchers to kindergarten students only if their public school option is rated "D" or "F."

Supporters of the bill pointed out that vouchers were originally intended only for children who would attend failing schools. Voucher schools are using this loophole in the law to attract students who otherwise would be in a successful public school.

The bill failed on a 5-10 vote in the committee.

Bill would provide test transparency for parents and teachers

A bill allowing parents and teachers to view completed high-stakes tests was approved by the House Education Committee.

HB 648 by Rep. John Schroder (R-Covington) gives parents and teachers a narrow right to view test results, but only in person at the Department of Education. No copies may be made or notes taken.

The bill passed on an 11-1 vote. It is scheduled for floor debate on May 20.

Senate passes college tuition bills

Two bills that will affect the cost of a college education were approved by the Senate and sent to the House for further action.

SB 155 by Sen. Jack Donohue (R-Mandeville) would allow colleges and universities to set their own tuition and fees, instead of having to get legislative approval. The bill is a proposed Constitutional amendment, and will have to be voted on by the people before it can go into effect.

A companion bill, SB 49 by Sen. Donohue, would limit increases in TOPS payments when college tuition is increased. Lawmakers have said they will not support the tuition increase bill unless the TOPS limit is also approved, in order to rein in the cost of the popular tuition plan.

In related action, the House Education Committee approved HB 411 by Rep. Ted James (D-Baton Rouge), a proposed Constitutional amendment allowing colleges and universities to set their own tuition and fees. It must be approved by the Civil Law committee before going to the full House for a vote.

Yet another proposed Constitutional amendment, HB 61 by Rep. Thomas Carmody (R-Shreveport) was approved by the House Civil Law Committee. It, too, would give higher education institutions authority to set their own tuition and fees. It will be heard on the House floor on May 19.

Sales tax dedication to education moves ahead

A plan to dedicate an existing one percent state sales tax to education was approved by the House Civil Law Committee.

HB 412 by Rep. Jay Morris (R-Monroe) is a proposed Constitutional amendment that would set aside \$113 million for elementary through post-secondary education. It is slated to be heard on the House floor on May 20.

Retiree COLA will return to full House for vote

After a spanking by the House of Representatives, the House Retirement Committee voted to send a cost of living adjustment to the floor for a vote.

Earlier, the committee had rejected HB 42 by Rep. Sam Jones (D-Franklin.) But some 73 House members are co-sponsors of the bill, and the House directed the committee to reconsider the bill.

The committee grudgingly agreed to send the bill back to the full House, but with an unfavorable recommendation.

Construction fund for voucher schools progresses

A bill intended to create a construction fund to build or expand private and religious schools was approved by the Senate Education Committee.

SB 249 by Sen. Rick Ward (R-Port Allen) would provide low-interest loans to voucher schools, not to exceed \$100,000, for construction purposes. The proposed loan fund would be administered by the Board of Elementary and Secondary Education.

LFT President Steve Monaghan opposed the bill, noting that it “strays far from the intent” of the original voucher law. “Public education,” he said, “is now a secondary thought” with the state openly favoring private and religious schools over public education.

In the past, it was noted, Gov. Jindal has vetoed legislation that would create capital expansion funds for public schools.

The committee adopted an amendment by Sen. Dan Claitor (R-Baton Rouge) that makes public and charter schools also eligible to apply for the funds. But since the proposed law requires at least half of the students in a school to be attending on vouchers, it seems impossible that public schools would really be eligible.

The amendment did little to appease opponents, who questioned whether BESE – which has expressed apparent bias in favor of vouchers in the past – could be an honest broker for the fund.

The bill appropriates no money for the fund, which could be filled by private donations eligible for tax rebates to the donors.

Sick leave for me, but not for you

Lobbyists for big business got a comeuppance in the Senate Labor Committee during a hearing on SB 81 by Sen. Karen Carter Peterson (D-New Orleans), which would require many companies to provide paid sick leave to their employees.

Spokespersons for LABI and the National Federation of Independent Businesses testified against the bill, saying that it would impose a burden on employers. But when Sen. Ed Murray (D-New Orleans) asked if the lobbyists had a sick leave benefit, both said yes.

How, Sen. Murray wondered, could the pair oppose for everyone else a benefit that they enjoy? No satisfactory answer was forthcoming.

The bill was rejected by the committee. Currently, the United States and Papua New Guinea are the only countries in the world that do not require paid sick leave.

Proposal could Balkanize cities

A bill intended to allow a part of New Orleans to become a separate city could have far-reaching implications for municipalities and school districts.

Rep. Jeff Arnold (D-New Orleans) filed HB 235 to allow the Algiers section of New Orleans to incorporate a city. But as worded, the bill would allow for any neighborhood in any existing city to incorporate on its own. The signature requirements currently in effect for unincorporated areas would be relaxed.

LFT Legislative Director Susan Nelson spoke against the bill for that reason. The Louisiana School Boards Association also opposed the bill.

The bill was approved by the House Municipal Affairs Committee, and will move to the Committee on Civil Law for further action.

Rep. Arnold assured the LFT and LSBA that the intent of the bill went no further than Algiers, and promised to work on amendments to ensure that the bill cannot be detrimental to school systems.

Return to Work bill moves forward

The Senate Retirement Committee approved SB 20 by Sen. Gerald Long (R-Natchitoches), which would make it easier for retired teachers to return to work after retirement without loss of retirement benefits. It moves to the floor for further action.

The week ahead...

Monday, May 18:

The House Education Committee will consider HB 542 by Rep. John Schroder (R-Covington), part of the Common Core compromise.

The Senate Retirement Committee will consider SB 18 by Sen. Robert Adley (R-Benton), a very bad bill which would remove LSU from the Teachers Retirement System of Louisiana and place much more of a burden on local school districts.

The Senate Finance Committee will hear SB 51 by Sen. A.J. Crowe (R-Slidell), a proposed Constitutional amendment to redirect certain dedicated funds, SB 54 by Sen. Sharon Broome (D-Baton Rouge), which would prohibit the expulsion of students in grades one through three, SB 69 by Sen. Ben Nevers (D-Bogalusa) which would require the Department of Education to pay the costs of certain remedial coursework, and SB 196 by Sen. Jean-Paul Morrell (D-New Orleans), a proposed Constitutional amendment which would repeal some protected funds.

Tuesday, May 19:

The House Appropriations Committee will hear a number of budget-related bills

The Ways and Means Committee will hear several budget-related bills.

Wednesday, May 20:

The House Education Committee will hear HR 69 by Rep. Thomas Carmody (R-Shreveport), a resolution requiring BESE and the Department of Health and Hospitals to report on the effectiveness of abstinence-only sex education programs. A number of bills already approved by the Senate Education Committee will also be heard.