



Louisiana Federation of Teachers

Steve Monaghan, President

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May 9, 2013

Representative Charles E. "Chuck" Kleckley

Speaker of the House

Dear Representative Kleckley:

The Louisiana Supreme Court's decision on May 8, 2013 brought finality and clarity to a constitutional question and the legislative process in regard to the Minimum Foundation Program.

First, the ruling determined that Act II (2012) and SCR 99 did violate Article VIII Section 13(b) of the Louisiana Constitution by diverting Minimum Foundation Funds to non-public entities. Second, that SCR 99 was a legislative matter which had the "effect of law," and was not validly enacted.

These were the issues before the court. The Court was not asked to opine relative to the merits of the policies enacted; therefore, the Court, as one would expect, did not wade in on those issues. So, we hope that regardless of the position one may hold on the programs, one would agree that questions were legitimate, and appreciate the clear answers provided in the Court's well-reasoned judgment.

We're hopeful that the experiences of the past year and final ruling received on May 8th, 2013 could prove to be pivotal moment, which serves to elevate and improve the conversation surrounding public education.

We're hopeful, too, that all stakeholders will be provided a seat at the table to discuss research based solutions to real problems in the best interest of ALL Louisiana children.

The past is simply that, the past. Regardless of how or why votes were cast during the tumult of last session, the Court's ruling and the experiences of the past twelve months presents unique opportunities for pause and reorientation. We all wake up every morning wanting to do better for ourselves and for our communities, and we should begin our new conversations with that understanding.

First, and as we have often said, all stakeholders should be included in policy development. That means the Department of Education and all elected and appointed decision-makers must choose transparency. A process of open, ready and willing collaboration is the only road to lasting meaningful reforms.

For whatever reason, the legislative and rule making processes have been characterized and damaged by name calling, the suppression of constructive criticism, and the denial of access to information to those who may hold a divergent view.

Second, necessary changes to public education must be research based, fully vetted, and appropriately piloted as necessary. We all understand that we live in time when there is a think-tank to support virtually every position on every issue; therefore, the data chosen to support initiatives should be selected carefully and vetted for bias.

It is critically important that debates concerning the improvement of public education be guided by the best empirical data available and by the real experiences of classroom teachers. The answers to our most perplexing problems lie there.

In the aftermath of the Court's decision on Act 2 (2012) and the forthcoming Supreme Court review of the constitutionality of Act 1 (2012), you will more than likely be asked to once again debate and pass judgment on controversial proposals. Undoubtedly, some of these will simply seek to reenact provisions that the Court just found unconstitutional and/or the Court has yet to provide final review.

Others may seek to divert even more public education funding to out of state companies and educational entrepreneurs. However, we have more information now than we did when these decisions were hastened through the legislative process in 2012. We have had a year of clarification. We've had a year of difficult learning. We can make wiser decisions.

Therefore, it is with a modest sense of optimism that I write today to ask you to partner with our state's professional educators, parents, and students. We ask that you make full use of our democratic processes and help build more transparent relationships between the branches of our government.

We don't have all the answers, but we are willing to share our ideas about how to assess and improve performance and how to fairly ensure accountability in our public schools.

The May 8th, 2013 Supreme Court decision provided me with this opportunity to pause, reflect, exhale, and construct this communication. I am hopeful that others are also seizing this opportunity.

We are very respectful of your role as an elected official, and we look forward to working with the governor, each of you, the Louisiana Superintendent of Education, and the appointed and elected members of the Board of Elementary and Secondary Education.

It's time to turn the page.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Steve Monaghan". The signature is fluid and cursive, with a large loop at the end.

Steve Monaghan President
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