

Louisiana Federation of Teachers

Weekly Legislative Digest

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2016 Regular Legislative Session

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We might get a budget, but cliff still looms

With less than two weeks to go in the regular legislative session, it's beginning to look like something resembling a budget will be approved by June 8, but lawmakers will have to return to Baton Rouge to deal with an impending \$1.3 billion "budget cliff."

The House of Representatives approved a \$29 billion state budget for 2017-18 that only spends about 97.5% of the available funds. The Senate is now considering the budget, and is expected to approve a version that would spend close to 100% of available funds. The differences would have to be reconciled before the deadline at 6:00 P.M. on June 8. It would be a standstill budget.

That would give lawmakers a year to do something about the budget chasm that awaits them when a series of temporary sales taxes rolls off in 2018.

Speaker of the House Taylor Barras (R-New Iberia) has told reporters that he believes the ultimate solution may be to keep some of the "temporary" sales taxes, which have led to Louisiana having one of the nation's highest sales tax burden.

Sales taxes are extremely regressive, costing low-income citizens a larger portion of their income than wealthier residents.

Gov. John Bel Edwards doesn't seem very optimistic, telling Advocate reporter Tyler Bridges, "There will not be options before us that are different or better than we have right now. I guess there are certain people whose toes have to be dangling off the edge of the cliff, and they have to be able to look down and see it, before they are motivated to do anything."

Tell the Senate: Stop the unfunded mandate!

SB 209 by Sen. Mike Walsworth (R-West Monroe) would create an unfunded mandate by requiring access to supplementary, post-secondary dual enrollment coursework to all students in grades 7-12 at no cost to the student. It would remove the basic discretionary authority of local district administrators, and would require a diversion of scarce resources to prioritize college dual enrollment coursework rather than K-12 priorities like Career and Technical Education, etc.

[Click here to send a message to your Senator. Tell members that school districts are already underfunded and cannot afford more unfunded mandates from Baton Rouge! The bill is scheduled to be heard on May 30.](#)

Assault leave bill moves forward

Following extensive negotiations by LFT and other organizations, a bill that makes minor changes to the right of teachers and school employees to assault leave was approved by the Senate Education Committee.

HB 556 by Rep. Kevin Pearson (R-Slidell) simply gives school boards the right to have educators who are on paid leave after being assaulted by students the right to require an independent examination by a physician.

Educators still have the right to leave with full pay after submitting certification from a physician. School boards may ask for further certification by a physician from a list established by the local medical society. The opinion of a third physician (if one is used) shall be determinative. Additional exams will be conducted at no cost to educators.

Bill diverting early graduation funds proceeds

About \$8 million will become available for TOPS, child care assistance and the Department of Education if HB 541 by Rep. Steve Carter (R-Baton Rouge) succeeds.

The bill would convert unused MFP funds left over when high school students graduate early. TOPS would get 40%, child care assistance would get 49\$, and the Department of Education would get two percent.

Rep. Steve Carter (R-Baton Rouge) said the bill would not cost local school districts any of their MFP allotments because the money would come directly from the state's general fund. It was approved by the Senate Education Committee and sent to the floor for further action.

Bill would require criminal background checks for child care providers

A bill calling for criminal background checks for early learning center employees, school employees registered family child care providers, and in-home providers was approved by the Senate Education Committee.

Rep. Alan Seabaugh (R-Shreveport) said that his bill was filed to comply with a federal law requiring background checks for all who work with children.

Panel okays transition courses

A bill requiring BESE to publish a list of transition courses for students who need extra assistance to achieve college readiness was approved by the House Education Committee.

SB 190 by Sen. Francis Thompson (D-Delhi) calls for schools to identify high school seniors who do not meet established college readiness standards and give them information about transition courses in math and English that will prepare them for higher education.

The bill requires local school districts to provide professional development for transition course teachers. It will be heard by the full House.

STEM Council bill clears hurdle

A bill creating the Louisiana Science, Technology, Engineering, and Math Advisory Council was approved by the House Education Committee and sent to the House Appropriations Committee for further action.

SB 225 by Sen. Sharon Hewitt (R-Slidell) won unanimous approval after Sen. Hewitt explained that while over half of Louisiana students are interested in STEM careers, only about 14% are ready for college coursework.

The council would gather information on the best practices for teaching STEM, and study aligning school courses with the needs of the workforce. Emphasis would be placed on encouraging young women to pursue STEM careers.

LFT supports the bill, and would have a seat on the council.

Anti-corporal punishment bill proceeds

After being amended to include a definition of corporal punishment, a bill that would prohibit paddling special needs students was approved by the Senate Education Committee.

HB 79 by Rep. Franklin Foil (R-Baton Rouge) would make it illegal to lay hands on a student with an Individual Education Plan.

The bill was amended to define corporal punishment as hitting, paddling, striking, spanking, slapping "or any other physical force that causes pain or physical discomfort."

The bill will be heard by the full Senate.

Test results bill deferred

A bill that would have made student test results more user-friendly was voluntarily deferred in the House Education Committee, and may not have another chance to be heard.

HB 203 by Rep. Larry Bagley (R-Stonewall) would have required the Department of Education to report standards-based test results to local school boards by August 31 each year in a clear, readable format.

Test results would have been required to contain the scale score and raw score achieved by each student, an item analysis of each assessment, and longitudinal information if available.

Minimum Wage bill dies in Senate committee

A plan to gradually increase the state minimum wage to \$8.50 per hour was killed by the Senate Finance Committee.

SB 153 by Sen. Troy Carter (D-New Orleans) would have hiked the minimum wage from \$7.25 to \$8.50 over a two-year period. There are 85,000 workers in Louisiana who would have received an immediate raise if the bill were enacted.

"I'm ashamed to be asking for that," Sen. Carter told the committee, about the modest increase. "I'm going to introduce this bill every year until it's done."

TOPS grade point bill may stall

A bill that would increase the minimum grade point average to secure a TOPS scholarship may be stalled in the Senate, while a resolution to study the issue was quickly adopted in the upper chamber.

HB 117 by Rep. Franklin Foil (R-Baton Rouge) was originally intended to raise the minimum grade average from 2.5 to 3.0, but was amended to a lower 2.75 standard before barely squeaking through the House. It is awaiting referral to a Senate committee.

Meanwhile, SCR 110 by Sen. Blade Morrish (R-Jennings) was unanimously approved by the Senate. It creates a 10-person study panel to look at TOPS.

Study: Public pensions are important drivers of local economies

The Louisiana Budget Project released a new study showing that nearly two percent of all personal income in Louisiana comes from the pensions of retired public employees.

LBP Jan Moller told a press conference that Louisiana's pension systems pay out more than \$4 billion in benefits to 164,000 retirees and their families every year. In many parishes, and especially in rural areas, pension benefits are major drivers of local economies.

Moller said that 90% to 95% of public employees remain in Louisiana after they retire, spending their pensions at local businesses.

LFT is part of the Public Pension Coalition, which lobbies to maintain public pensions. [The full report can be found at this Web site.](#)

The week ahead...

Tuesday, May 30: (Rescheduled from May 22) The House Ways and Means Committee will consider SB 95 by Sen. Blade Morrish (R-Jennings), which reins in the school tuition organization tax deduction. The scheme, which nets wealthy donors and corporations a net profit for donations to private and religious schools, could wind up costing the state millions if it isn't controlled. LFT supports the bill.

The House Ways and Means Committee will consider SB 95 by Sen. Blade Morrish (R-Jennings). The bill would curb a voucher scheme masked as a tuition program for private and religious schools that threatens to siphon hundreds of millions of dollars away from the state treasury.

So-called school tuition organizations (STOs) can accept contributions from individuals and corporations, who are then eligible for tax refunds and credits of up to 128% of the donation. The specially created non-profit organizations then pay the tuition for students at private and religious schools. SB 95 would curb this outrageous giveaway of public dollars by converting the rebate to a nonrefundable tax credit and limit the amount of money eligible for the donation.

The House Ways and Means Committee will consider HCR 7 by Rep. Nancy Landry (R-Lafayette), the \$3.7 billion Minimum Foundation Program. The MFP includes no increase in per-pupil funding for the coming year.

Wednesday, May 31: The House Education Committee will hear several important bills.

HR 158 by Rep. Frank Hoffman (R-West Monroe) would urge BESE to examine the reliability of Value Added Model assessments used to evaluate public school teachers and to report its findings to the House and Senate education committees by next March 1.

SB 170 by Sen. Regina Barrow (D-Baton Rouge) would require BESE to consider the effects of last summer's floods when calculating the school and district performance scores for districts that were declared disaster areas.

SB 233 by Sen. Eric LaFleur (D-Ville Platte) would provide an extra five percentage points to the school performance scores for schools that have accredited language immersion programs.