

Louisiana Federation of Teachers

Weekly Legislative Digest

April 4, 2014

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2014 Regular Legislative Session

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Common Core bills rejected by committee

Last-minute push by Jindal doesn't sway members

Two bills aimed at halting the imposition of Common Core standards and the tests than measure them in Louisiana were deferred by the House Education Committee after grueling, hours-long testimony on Wednesday.

HB 381 by Rep. Brett Geymann (R-Lake Charles) would have replaced Common Core with new standards established by a 30-member commission. That body, including representatives from stakeholders like LFT and parent organizations, would write a set of stands which would then have to be approved by the legislature.

LFT President Steve Monaghan spoke in favor of the bill, saying that the standards debate is important because of the botched implementation of Common Core by the state Department of Education.

When Common Core was first proposed in 2010, he said, there was little discussion and no effort to explain Common Core in public forums. Instead, the focus was on passing an unpopular and controversial new teacher evaluation system.

"The subject is toxic," he said, "but we'll never know if it had to be. The public and educators were left out."

In a surprising turn of events, Gov. Bobby Jindal – who in the past had been a supporter of Common Core – had his staff signal that he supported Rep. Geymann's bill. That put the governor into what appeared to be an unlikely alliance with the LFT, other unions and school boards. At the same time, the governor's traditional allies – the Louisiana Association of Business and Industry, the Council for a Better Louisiana, Stand for Children and the Board of Elementary and Secondary Education – all opposed HB 381. It even put the governor at odds with his hand-picked Superintendent of Education, John White, who vigorously defended Common Core.

Observers cautioned against making too much of the governor's stance. He was not in the state during the debate, and no one from the administration spoke to the issue. Lawmakers who have been in lockstep with the governor on most issues voted against the bill. It did not seem that Jindal made its passage a very high priority.

Testimony on the bill began at 9:00 AM, and was suspended when the House came into session at 2:00 PM. The committee reconvened after adjournment, and continued for several more hours before the vote. Interestingly, opponents of the bill were given virtually unlimited time to speak against it, while supporters were limited to two minutes apiece.

HB 381 was involuntarily deferred after only seven members of the committee voted for it, while 12 opposed.

The next bill to be heard was HB 558 by Rep. Cameron Henry (R-Metairie), which would have suspended the PARCC test and converted it to a pilot program. That bill failed by the same 7-12 vote as HB 381.

Several other bills that would have affected Common Core and PARCC were voluntarily deferred by the authors.

Bill would expand tuition tax rebates

A House committee further expanded the state's promotion of private education over public schools by approving HB 780 by Rep. Kirk Talbot (R-River Ridge).

The bill expands tax rebates for donations to private school tuition funds. It makes the children of any parents who claim they are unsafe in a public school eligible for tuition assistance from the donated funds.

The bill was approved by the House Ways and Means Committee on a 13-4 vote, and moves to the House floor for further action.

Senate approves voucher school transparency

Acting on a complaint from the legislative auditor's office that it is difficult to determine how schools that accept vouchers account for the funds, the senate approved providing more oversight to the controversial program.

SB 460 by Sen. Robert Adley (R Benton) would require schools that accept state vouchers to maintain the public funds in a separate account. The bill passed the Senate by 35-0.

Election of BESE members deferred

A bill that would require the election of all members of the State Board of Elementary and Secondary Education was voluntarily deferred by its author.

Currently, eight of the 11 BESE members are elected from districts, while three are appointed by the governor. HB 374 by Rep. Brett Geymann (R-Lake Charles) would make all positions elected. The bill is supported by the LFT.

Retirement COLA bills proceed

Cost of living adjustments for retired teachers and school employees cleared hurdles when the Senate Finance Committee and the full Senate approved SB 19 and SB 21, both by Sen. Elbert Guillory (R-Opelousas). The COLAs will be paid out of the retirement systems' experience accounts. They will be sent to the House Retirement Committee for further action.

The bills are part of a package granting COLAs to all four state retirement system members, and all must be approved in order for any retirees to get the increase. Final approval will require a two-thirds majority vote by the House of Representatives.

The Senate amended the bills, linking the 1.5% increase to a House measure that would limit future increases in order to reduce the systems' unfunded accrued liabilities. The House bill is HB 1225 by Rep. Joel Robideaux (R-Lafayette); it has not yet been scheduled for a hearing by the House Retirement Committee.

Return to work bills deferred

Two bills that would have allowed certain education employees to return to work without sacrificing retirement benefits were voluntarily deferred by their authors.

SB 29 by Sen. Mike Walsworth (R-West Monroe) would allow diagnosticians and reading specialists to return to work without forfeiting their pension during reemployment.

SB 555 by Sen. Blade Morrish (R-Jennings) would have allowed all retirees age 65 and older to return to work without suspension of benefits.

Both bills had high actuarial costs which would jeopardize their passage, which spurred their voluntary deferral in the Senate Retirement Committee

Transparency bill sails through committee

Backed by a nearly unprecedented alliance, an LFT-sponsored bill aimed at making government more transparent to the public sailed easily through a hearing of the House and Governmental Affairs Committee.

HB 322 by Rep. Sam Jones (D-Franklin) would require all rulemaking bodies in the state – including the Board of Elementary and Secondary Education – to make their procedures much more open to the public.

Each agency would have to publish a rulemaking docket that notifies the public which rules are being created and where they are in the process.

Rules that are promulgated by state agencies have the force of law, but citizens are often at a loss when they try to get information as the rules move toward adoption. HB 322 would make it much easier for citizens to follow the progress of proposed rules and have an impact on their adoption.

The bill was approved without objection and sent to the full House for a vote. It had the support of the Louisiana Association of Business and Industry, physicians, the American Association of Retired Persons and the AFL-CIO.

House okays career diploma track

A bill approving a career diploma track for students who do not intend to go to college was unanimously approved by the House of Representatives.

HB 944 by Rep. Jim Fannin (R-Jonesboro) was amended to require all career diploma students to take the ACT. If the students also opt to take the “workers” assessment, their schools’ performance scores will be calculated based on the higher of the two scores. LT will continue to monitor the bill as it moves to the Senate.

Medicaid expansion bill temporarily stalls

Four instruments intended to expand Medicaid in the state and bring in some \$15 billion to provide health care for moderate-income citizens were voluntarily deferred in the House Health and Welfare Committee.

HCR 1 by Rep. John Bel Edwards (D-Amite), HB 174 by Rep. Jared Brossett (D-New Orleans), HB 759 by Rep. Barbara Norton (D-Shreveport) and HB 261 by Rep. Herbert Dixon (D-Alexandria) would provide coverage for those who aren’t eligible for an Affordable Care Act subsidy, but are also too poor to afford health insurance on their own.

These instruments will be heard later this session, in conjunction with an event at the Capitol focusing on Medicaid expansion.

The week ahead

Monday, April 7

House Appropriations Committee:

The Higher Education budget is on the agenda.

HB587 by Rep. Thomas Carmody (R-Shreveport) is a Constitutional Amendment that would change the protections that the Minimum Foundation Program and some other funds have against budget cuts. It would no longer require the MFP to “fully fund” the cost of public education in Louisiana. Currently, higher education and health care bear the brunt of budget cuts because, unlike the MFP, their budgets do not have either statutory or constitutional protection.

Tuesday, April 8

House Appropriation Committee:

The budgets of the Louisiana Department of Education and Board of Elementary and Secondary Education will be on the agenda.

House Civil Law Committee:

HB 181 by Rep Randal Gaines (D-LaPlace) and Sen. Bob Kostelka (R-Monroe) will be debated. It would prevent appointed officials from falsely certifying that the grant of an injunction would create a deficit, so that plaintiffs who sue the state can have better access to justice. The bill is part of the LFT legislative agenda.

Thursday, April 10

House Labor and Industrial relations Committee:

A number of bills aimed at raising the state’s minimum wage, including HB 356 by Rep. Herbert Dixon (D-Alexandria), HB 382 by Rep. Jared Brossett (D-New Orleans), HB589 by Rep. Dixon and several others will be heard. Another series of bills by Rep. Marcus Hunter (D-Monroe) will address possible autonomy of local municipalities to set their own minimum wage.

House Retirement Committee:

Committee Chair Rep. Kevin Pearson (R-Slidell) will bring back his HB38, which changes the retirement age to 62 for members of the state retirement system. The last time this was heard in committee, Rep. Pearson attempted an amendment to also sweep the funds in the experience accounts of the state systems after COLA is paid. Those funds would be dedicated to the Unfunded Accrued Liability of the system.

LFT opposes the bill because it would use investment earnings to pay system debts that exist because the state failed to pay enough money into the system.

When the bill was heard earlier in the session, it was rejected but not involuntarily deferred by the committee. One new member has been added to the panel, giving Rep. Pearson reason to believe he can now move the bill forward.

HB 45 by Rep. Alan Seabaugh (R-Shreveport) would remove eligibility in TRSL for future hires of LFT, LAE and a few other educator groups. LFT opposes this bill. It is similar, but not identical, to HB25 by Rep. Kirk Talbot (R-River Ridge) which has already been approved by this Committee and awaits passage on the House Floor.