

# Louisiana Federation of Teachers

# Weekly Legislative Digest

May 23, 2014

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2014 Regular Legislative Session

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## You're needed at the capitol!

Educators are urged to visit the capitol at 1:00 PM on Wednesday, May 28. The House of Representatives will consider SB 636 by Sen. Bodi White (R-Central). The bill unfairly singles out the East Baton Rouge Parish school system to be radically restructured. [Click here to learn more and send a message to your Representative.](#)

**And come to the capitol on Tuesday and Wednesday!**

## \$3.5 billion MFP approved by Senate

### Next step: House Education Committee

Public education's \$3.5 billion Minimum Foundation Program has been approved by the Senate, and is scheduled for a hearing by the House Education Committee next Wednesday, May 28.

The MFP has been on a fast track to passage ever since it was amended by the Board of Elementary and Secondary Education a little over a week ago. The formula had been rejected by the Senate Education Committee because of Chairman Conrad Appel's (R-Metairie) objection to a continuing 2.75% growth factor built into the formula.

The Senate passed the MFP as SCR 55 by Sen. Appel with only one "nay" vote. Sen. Dan Claitor (R-Baton Rouge) opposes the formula because he believes it shortchanges special education services.

With the session's June 2 deadline fast approaching, the House Education Committee will dedicate its final meeting of the session solely to the MFP. If it is approved there, it will proceed to the House floor. Adoption of the resolution does not require the governor's signature.

## Discipline & Dismissal compromise bill approved

A milestone was reached when the Senate Education Committee approved without objection a bill that alters the teacher discipline and dismissal policy in Act 1 of 2012.

HB 1277 by Rep. Jeff Thompson (R-Shreveport) replaces several sections of law that virtually abolished the due process rights of teachers who were labeled as ineffective under Act 1. If it is adopted, no longer would the superintendent have the sole final word on dismissal of teachers. Termination decisions would be reviewed by a hearing officer chosen from a list of qualified persons selected by the school board.

Unlike Act 1's provision, in which a three-person panel's recommendation is not binding, the hearing officer may overrule a superintendent's decision. The bill includes a number of other revisions aimed at making sections of Act 1 into a clearer, fairer process.

The bill is the result of collaboration between the governor's office and LFT, LAE, superintendents, school boards and others. It moves to the Senate floor, where little opposition is expected.

## **Common Core bill wins committee approval**

A bill that would delay, but not cancel, the consequences of Common Core standards was approved by the Senate Education Committee.

HB 953 by Rep. Walt Leger (D-New Orleans) adds a year to a suspension of Common Core consequences that was previously adopted by the Board of Elementary and Secondary Education. The allowances for public schools and students will extend through the 2015-15 school year.

Rep. Leger's bill includes a curved distribution of school letter grades to ensure that the total number of each letter grade does not change during the suspension, but allows for changes in individual schools. The Senate Education Committee stripped an amendment that would have prohibited any school from receiving a lower letter grade than in the previous year.

The bill moves to the full Senate for further action.

## **Teacher arrest bill goes to governor**

An LFT-sponsored bill prohibiting the arrest of teachers at school for minor offenses has been approved by the legislature and awaits the governor's signature.

HB 1108 by Rep. Terry Landry (D-New Iberia) was filed in response to an incident in a Baker school, in which a teacher was handcuffed and taken to jail after tugging on the shirt tail of a student who refused to follow a school policy.

The bill says that teachers who are accused of minor offenses cannot be arrested on school grounds, but must be issued summonses instead. The bill does not apply to serious offenses or injuries to students.

## **Rule making bill awaits governor's signature**

A bill that would give the public a more transparent view of the rule making process has been approved by both houses of the legislature and sent to the governor for his signature.

HB 322 by Rep. Sam Jones (D-Franklin) is part of the LFT legislative agenda. It would require the Department of Education and Board of Elementary and Secondary Education, as well as all other rule making agencies, clearly post their rule making dockets. That would give the public an opportunity to voice opinions on proposed rules before they go into effect.

## **Unexcused absence bill passes**

A bill that would prohibit including the test scores or other measures of student growth of habitually absent students in teacher evaluations was approved by the Senate Education Committee.

HB 533 by Rep. Alan Seabaugh (R-Shreveport) passed both houses of the legislature and is awaiting the governor's signature. Once it is signed, the scores of students who have 10 or more unexcused absences in a semester cannot be counted as part of a teacher's evaluation.

## **House pans textbook selection bill**

The House of Representatives voted down a bill that would have given local school systems control over the choice of textbooks and learning materials.

SB 336 by Sen. Conrad Appel (R-Metairie) would have preserved the Department of Education's role in reviewing English, math and social studies texts, but local systems would not have been limited to materials on the list.

Opponents said that allowing a wide variance in learning materials could hamper efforts to maintain educational quality across the state.

## **Senate passes student privacy bill**

A bill prohibiting any commercial use of student data was approved by the Senate and sent to the House for further action.

SB 685 by Sen. Eric LaFleur (D-Ville Platte) would ban the sale, transfer, sharing or processing of student data for any advertising, marketing or other commercial purpose. The bill covers state and national assessment results, transcript information, course grades and grade point averages, date of birth, attendance, mobility and grade level expectations.

It is not known whether the bill will advance further, however. The House Education Committee is expected to meet just once more, and the agenda is supposed to include just SCR 55, the MFP resolution.

## **Higher education could get savings from private contracts**

A bill that could reduce the amount spent on private contracts and dedicate the money instead to higher education was approved by the Senate Finance Committee.

The panel adopted HB 142 by Rep. Dee Richard (Independent-Thibodaux) after it was amended to give the Joint Legislative Budget Committee authority over contracts that exceed \$40,000. Money saved by rejecting or adjusting contracts for private consultants could be dedicated to higher education.

Rep. Richard has introduced versions of his bill for four years. This was the first time the idea was given a good chance of becoming law.

## **Voucher transfer bill passes**

A bill that would allow the transfer of students from the state voucher program into a separately funded voucher program that gives donors a tax rebate was approved by the Senate and awaits the governor's signature.

LFT is concerned that HB 708 by Rep. Kirk Talbot (R-River Ridge) will increase the total number of voucher students and the overall cost of vouchers to the state treasury, because there is no cap on the amount that may be rebated.

## **House approves extended sick leave bill**

A common-sense change to the state's extended sick leave law was unanimously approved by the House of Representatives.

Under current law, teachers have a right to extended sick leave under certain conditions. They may accumulate up to 90 extended sick leave days in a six-year period, and may use them at a reduced salary in 10-day blocks after all their regular sick leave is exhausted.

HB 717 by Rep. Dorothy Sue Hill (D-Dry Creek) would remove the 10-day stipulation.

## **COLA bill goes to governor**

The Senate gave unanimous approval to a bill that triggers a 1.5% cost of living adjustment for more than 100,000 retired teachers, school employees and other public employees, but could result in smaller COLAs in future years.

HB 1225 by Rep. Joel Robideaux (R-Lafayette) was linked to bills that grant the COLA. Rep. Robideaux' bill reserves more of the state retirement systems' future earnings to reducing the systems' unfunded accrued liabilities, rather than to the experience accounts that fund COLAs.

Two bills calling for COLAs have been signed by the governor; passage of HB 1225 is the last step before the raises appear in retirement checks.

## **The week ahead**

### **Sunday, May 25**

**The Senate Revenue and Fiscal Committee** will meet at 1:00 P.M.

**The Senate Finance Committee** will meet at 3:00 P.M. to debate HB 1, the state budget.

### **Monday, May 26**

The Senate will convene at 3:00 P.M.

### **Tuesday, May 27**

**House Appropriations Committee:** SCR 55 by Sen. Conrad Appel (R-Metairie), the Minimum Foundation Program, will be considered.

**House Civil Law Committee:** SB143 by Sen. Bob Kostelka (R-Monroe) and Rep. Randal Gaines (D-LaPlace) will be considered. The bill would prevent state department heads from preventing the grant of injunctions by falsely certifying that such injunctions would cause a state deficit. This is part of LFT's package.

### **Wednesday, May 28**

**House Education Committee:** The committee will consider SCR 55, the MFP, if the House accepts a suspension of the rules after the resolution is heard by the Appropriations Committee.

**Senate floor:** The Senate is expected to consider HB1, the state budget.