

Louisiana Federation of Teachers

Weekly Legislative Digest

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2014 Regular Legislative Session

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Solidarity wins the day for public employees

Thanks in large part to a strong show of unity among public sector employees, an effort to silence the voices of teachers, school employees and other public servants was stopped in its tracks on Wednesday.

HB 451 by Rep. Alan Seabaugh (R-Shreveport) was aimed straight at organizations like the LFT, and would have prohibited teacher unions from collecting member dues through payroll deduction. The attempt to decimate unions was pushed by the Louisiana Association of Business and Industry and a deep-pockets lobby from Washington, D.C., the National Right to Work Committee.

Rep. Seabaugh and a LABI lobbyist feigned innocence, saying the bill was not intended to harm the unions, but simply to free local agencies from the burden of collecting dues.

LFT President Steve Monaghan called them on their tactic, saying "Don't pretend we're not being targeted. The voice you wish to suppress is the voice you don't want to hear.

Opponents believe the bill was filed as retribution for winning lawsuits against vouchers and teacher dismissal policies, for opposing the way that Common Core and standardized testing have been imposed, for questioning the way the Department of Education develops policies in secret and other issues.

"This is a classic case of overreach," Monaghan said. "You want to take away the voice of public employees through their unions."

Several members of the committee spoke up for the employees, noting that payroll deduction is a service offered to numerous vendors, including credit unions, insurance companies and others.

Spokesmen for other unions stood united against the assault on teachers and school employees. Chad Major of the firefighters' union and Chris Stewart of the police union both spoke against the bill, even though their unions were not targeted.

There was plenty of evidence that teacher unions have the support of their communities, if not of their local state legislator. Red River United President Jackie Lansdale came armed with a Caddo Parish School Board resolution in support of payroll deduction for union dues. One of the school board members supporting the union is also the chairperson of Rep. Seabaugh's local Republican Party.

When the dust settled, the House Labor and Industrial Relations Committee deadlocked in an 8-8 tie, and the bill failed to win approval.

Senate committee pans Minimum Foundation Program

After hearing opposition from various quarters and support from very few, the chairman of the Senate Education Committee asked the panel to shelve the \$3.6 billion Minimum Foundation Program formula.

Sen. Conrad Appel (R-Metairie) who, as chair of the committee is the sponsor of SCR 55, said that he had unspecified “philosophical concerns” about the formula.

Only two witnesses, Superintendent of Education John White and Board of Elementary and Secondary Education President Chas Roemer, spoke in favor of the MFP.

LFT Legislative and Political Director Mary-Patricia Wray joined a group of stakeholders asking the panel to reject the spending plan.

“This plan does not adequately fund what’s needed for our schools,” she said. “It just takes what is in the budget and divides it up. Please vote no and let’s get to work on equitable, full funding for education.”

Wray said the formula approved by BESE does not dedicate a portion of the 2.75% growth factor to teacher salaries, allows unconstitutional spending of public education funds for “course choice” offerings, and diverts some local funds to schools that were not approved by taxpayers.

In addition, she said, changes were made to the formula by Department of Education staff after the MFP was approved by BESE, which puts its legality in question.

If the House and Senate are unable to agree on a way to proceed with the formula, this will mark the second year in a row in which no MFP was adopted.

Under the state constitution, if no MFP is adopted, the spending plan will revert to the previous year’s formula.

In other action, the committee approved SB 179 by Sen. Blade Morrish (R-Jennings). LFT supports the bill, which would incorporate dual enrollment into the course choice program and give local districts the ability to choose providers

Bill reins in BESE’s charter authority

The House of Representatives approved HB 703 by Rep. John Bel Edwards (D-Amite), which is aimed at curbing abuses by charter school operators.

The bill would prevent the Board of Elementary and Secondary Education from overruling local school districts rated “A,” “B” or “C” that deny charter school applications.

LFT President Steve Monaghan said that BESE’s approval of charters that are not wanted by local school systems is “a politicized agenda aimed at painting public education as bad and charter school education as good. Neither is necessarily true.”

When the House Education Committee heard the bill, Rep. Edwards called BESE’s actions “the arrogant hand of big government in Baton Rouge, approving charters after they’ve been denied by high-performing school districts.”

HB 703 passed the House by 59 to 40, with six members absent. It will be heard next by the Senate Education Committee. The bill is included in the LFT Legislative Agenda.

Common Core may be shelved for another year

The House Education Committee gave its approval to a bill that will delay the reimplementing of Common Core standardized tests for another year. The Board of Elementary and Secondary Education has already suspended the controversial PARCC tests for two years.

Supporters said that the three-year transition will give school systems and teachers enough time to prepare for the tests aligned with national standards.

Opponents said the delay is not enough to correct implementation problems that face school districts, however. Vermilion Parish Superintendent of Schools Jerome Puyau told the panel that many districts will not have the technological capacity to properly administer the computer-based tests.

For example, he said, virtually all district computer systems are based on a Windows XP platform which is no longer supported. They will have to be upgraded at great expense before the tests can be administered.

LFT Legislative Director Mary-Patricia Wray said that while the state has suspended use of the controversial Value Added Model basing teacher evaluations on student test scores, and amendment to HB 953 by Rep. Walt Leger (D-New Orleans) allows the Board of Elementary and Secondary education to revamp the Student Learning Target method of quantitative evaluation.

“I don’t know if we can trust BESE to revamp the SLTs” she said. “If there is a change, we need to know what is involved.”

Wray said the LFT is concerned that the bill does not address the penalties incurred by teachers and school districts under accountability laws during the PARCC delay.

HB 953 was approved on a 10-6 vote by the committee.

House okays unexcused absence bill

A bill that would eliminate the data of students who have 10 or more unexcused absences in a semester from the calculation of Value Added Model scores was adopted by the House of Representatives.

HB 533 by Rep. Alan Seabaugh (R-Shreveport) was amended on the floor by Rep. John Bel Edwards (D-Amite) to include Student Learning Targets as well as VAM scores. That is important because VAM is currently suspended while new baseline data is collected. Teachers’ entire quantitative evaluation will be based on their SLTs in this school year and next year.

LFT, which supports the bill, is working on another amendment to include excused absences as well as unexcused absences in the proposed law.

Panel moves diploma bill forward

A bill that would ensure students with exceptionalities can earn a meaningful, appropriate high school diploma was approved by the House Education Committee.

Rep. John Schroder (R-Covington) said his HB 993 “lets them wear their cap and gown proudly” at graduation. Other states, he said, have done away with a “one size fits all” diploma path.

The bill creates a single diploma track with multiple endorsements. It provides that a student who successfully completes an Individualized Education Program is entitled to a diploma. LFT supports the bill, which moves to the House floor for further action.

Senate approves plan to reconfigure Baton Rouge schools

While a bill that would radically reconfigure Baton Rouge schools languishes in the House Education Committee, its mirror image was easily approved by the Senate.

SB 636 by Sen. Bodi White (R-Central) would create new community school councils and give principals greater authority over personnel decisions, as well as contracting for a range of services. In addition to academic responsibilities, each principal would become the CEO of a school, and would have to arrange for transportation, food service, janitorial and maintenance services, and employee benefits such as health insurance.

Over the objection of principals and school board members, the Senate approved the bill by 23 to 12, with four members absent.

Opponents said that the new duties are more efficiently handled by central office administrators. Many believe that the proposed governance system would lead virtually all schools in Baton Rouge to become charters.

SB 636 will now move to the House Education Committee for consideration. A House version of the bill, HB 1177 by Rep. Steve Carter (R-Baton Rouge), was deferred by that committee two weeks ago after hours of often acrimonious testimony. Since then, Rep. Carter has postponed further hearings on his bill twice.

Another bill affecting Baton Rouge schools was defeated on the House floor. HB 1178 by Rep. Dalton Honore (D-Baton Rouge) would have reduced the parish school board from 11 to seven members. It needed 53 votes to pass the House, but only got 51, with 40 members voting “no.”

Second effort at electing state superintendent fails

For the second time, an attempt to make the state superintendent of election was turned back on the floor of the House of Representatives.

HB 127 by Rep. Joe Harrison (R-Gray) would have changed state law to make the superintendent’s job elective rather than appointed by the Board of Elementary and Secondary Education. In practice, the law hands over appointment of the superintendent to the governor, who exercises considerable control over BESE.

HB 127 failed on a 39-57 vote. Earlier in April, the House rejected Rep. Harrison’s proposed constitutional amendment that would have asked voters to decide if the superintendent should be elected rather than appointed.

College tuition bill advances

The House Civil Law Committee approved HB 222 by Rep. Walt Leger (D-New Orleans), which would prohibit the state from using higher college tuition and fees to offset cuts to state education funding.

State funding for higher education has been cut by hundreds of millions of dollars over the past several years. At Gov. Jindal’s urging, lawmakers have sharply increased tuition and fees to make up for the loss. Many opponents of the practice consider that a tax increase on students and their families.

The committee approved HB 222 without objection. It has already been approved by the Appropriations Committee, and will next be heard on the House floor.

House panel moves issues

Several items were adopted without objection by the House Education Committee:

HCR 21 by Rep. Herbert Dixon (D-Alexandria) asks the Board of Regents to study the feasibility of implementing a college tuition program that allows students to pay their tuition after leaving college.

HB 178 by Rep. Dixon would require appropriate instruction concerning dating violence in grades 7-12 for school employees and provision of information to parents.

HB 179 by Rep. Dixon would require school superintendents to disclose to their boards any contracts of employees who are promoted or employed into a position of higher salary.

HB 407 by Rep. Steve Carter (R-Baton Rouge) would require schools to readmit students to high school who meet certain criteria.

HB 1243 by Rep. Valarie Hodges (R-Denham Springs) would require charter schools to have nondiscrimination policies when hiring nonimmigrant foreign workers.

Retirement bills considered

The Senate Retirement Committee approved HB 6 by Rep. Kevin Pearson without objection. The bill would increase the employer contribution for higher education members of the Teachers’ Retirement System of Louisiana who are in the optional retirement plan on a graduated plan.

Supporters say the bill would bring out plan into line with other states and make it easier to attract faculty to Louisiana colleges and universities.

The House Retirement Committee shelved several instruments intended to grant cost of living adjustments to members of state retirement systems.

The bills by Rep. Sam Jones (D-Franklin) were identical to SB 19 and SB 21 by Sen. Elbert Guillory (R-Opelousas) that have been approved by the full Senate and the House Retirement Committee, and have the

backing of Gov. Bobby Jindal. The difference is that those are also linked to SB 1225 by Rep. Joel Robideaux (R-Lafayette). Rep. Robideaux' bill would reduce the number and amount of COLAs in the future

Equal pay verification bill fails

It hasn't been a good session for proponents of equal pay and fair wages. This week, another equity bill bit the dust in the Senate Finance Committee. SB 548 by Sen. Sharon Weston-Broome (D-Baton Rouge) would have required verification of equal pay practices in public contracts. The bill failed to pass the committee.

The week ahead

Monday, May 4

House Appropriations Committee:

HB 380 by Rep. Bret Geymann (R-Lake Charles) would prohibit the use of state funds for PARCC without legislative authority. LFT is monitoring this bill

HB37 by Rep. Kevin Pearson (R-Slidell) would require the department of education to transfer MFP dollars or unfunded accrued liability directly to the retirement systems, ensuring that charter schools pay their fair share. LFT supports this bill.

HB380 by Rep. Geymann would prohibit use of state funds for implementation of certain state tests, including PARCC, without further legislative approval. LFT is monitoring this bill.

Tuesday, May 6

House and Governmental Affairs Committee:

SB460 by Sen. Robert Adley (R-Benton) would require schools receiving voucher money to maintain separate accounts for such funds, in order to facilitate proper auditing of the money. LFT supports this bill.

Thursday, May 8

House Floor:

HB1, the state's general budget is scheduled to be debated. LFT is monitoring this process, to ensure that K-12 funding allocations are brought to the same level as last year, and to work for future increases and dedications to salaries for teachers and school employees.