

Louisiana Federation of Teachers

Weekly Legislative Digest

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2014 Regular Legislative Session

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House passes teacher raise, trims vouchers

Taking advantage of a rare opportunity, the House of Representatives put its own stamp on education funding, approving a teacher pay raise and scaling back the amount to be spent on vouchers.

In most years, the legislature's only option is to accept or reject the spending formula adopted by the Board of Elementary and Secondary Education. Lawmakers may not alter it. But this year the state's \$25 billion operating budget, HB1, hit the House floor while education's Minimum Foundation Program is held up in the Senate Education Committee.

That opened the way for Rep. John Bel Edwards (D-Amite) to reallocate the \$70 million increase in last year's education budget and require that half of the funds again go to teacher pay raises.

A second amendment by Rep. Edwards allocated \$14 million in new funds for the stalled MFP to school boards' contributions to state retirement systems.

The third amendment eliminated a proposed 5% per-pupil increase in voucher spending. Instead, the money will be used to purchase technology equipment needed to administer online assessments in third through eighth grade.

The amendments, which had the support of the LFT and school boards, total almost \$90 million in renewed and increased support for public schools.

The amended budget passed the House floor on a 65-34 vote.

The ultimate fate of the \$3.5 billion MFP is still up in the air. Questions abound about whether or not there is time left in the session for the Board of Elementary and Secondary Education to revise the formula and shepherd it through the legislative process.

Budget takes a slap at PARCC

After being frustrated at several attempts to derail Common Core standards and the related Partnership for Assessment of Readiness for College and Careers (PARCC) test, Rep. Bret Geymann (R-Lake Charles) was able to hit the test where it may hurt most – in the budget.

Geymann convinced his colleagues to adopt an amendment to HB1 requiring competitive bids for any tests designed to assess student achievement in line with Common Core standards.

Rep. Geymann said that although he was unable to stop Common Core in this session, he wants to make sure the state gets the best price possible on what is expected to be an expensive testing regimen.

His final attempt to completely derail PARCC, HB 380, would have prohibited the use of state funds for testing without further legislative approval. That bill failed in the House Appropriations Committee.

Tony Danza gift closes out Teacher Appreciation Week

As we celebrate and close out Teacher Appreciation Week 2014, the American federation of Teachers has a gift for you—actor Tony Danza’s autobiography of his rookie year teaching at Northeast High School in Philadelphia.

The Federation will send a complimentary copy of *I’d Like to Apologize to Every Teacher I Ever Had* (available while supplies last), courtesy of the AFT and [Share My Lesson](#).

[To get your copy, simply fill out this form.](#)

Please note that you will need to include your Share My Lesson username. If you don’t have one, it’s easy to [set up a free Share My Lesson account](#).

House passes due process compromise bill

The House of Representatives passed, without objection, HB 1277 (formerly HB 987) by Rep. Jeff Thompson (R-Bossier City).

The bill is the result of hours of negotiations between the Jindal administration, the LFT and other organizations including the LAE, A+PEL, school board, principals and superintendents.

The bill would replace several sections of law that virtually abolished the due process rights of teachers who were labeled as ineffective under Act 1. 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.

The bill was amended to guarantee that teachers will be notified by certified letter, and that a court reporter will record the proceedings of the hearing.

Common Core bill would freeze letter grades

A bill aimed at extending the implementation of Common Core Curriculum Standards was amended by the House of Representatives to prevent school letter grades from dropping as the new standards go into effect.

As approved by the House Education Committee, HB 953 by Rep. Walt Leger (D-New Orleans) would have simply extended the implementation of Common Core standards for a year past the current deadline. The new standards would go into effect in the 2016-17 school year. Statewide data would be collected from Common Core aligned assessments in the interim in order to establish a baseline.

On the House floor, Rep. John Bel Edwards proposed an amendment to guarantee that school letter grades would not be affected by the assessments during the transition period. His amendment passed by 50-41. The bill was then approved by 66-33.

The House rejected an amendment by Rep. Cameron Henry (R-Metairie) that would have allowed local school districts to substitute other instruments for the controversial PARCC standardized test.

Senate panel approves Value Added review

The Senate Education Committee unanimously approved a bill that would subject the controversial Value Added Model of teacher evaluation to serious review.

HB 415 by Rep. Frank Hoffman (R-West Monroe) would empower a committee to study VAM and ensure that it is a fair and accurate evaluation tool before it is re-implemented in 2015.

Rep. Hoffman said that problems have arisen around the state in which teachers have been given VAM ratings that seem out of line with the achievement of their students. He said that some schools with “A” grades have a high number of “Ineffective” rated teachers, while some graded “D” or “F” by the state have a large number of “Highly Effective” rated teachers.

The bill will convene an existing subcommittee of the accountability commission, including six classroom teachers and a member of the House and Senate. The committee will be expected to issue a report 60 days prior to the start of the 2015 school year.

Common Core assault fizzles in Senate committee

The last of numerous bills aimed at stopping Common Core standards and the associated tests was killed by the Senate Education Committee.

SB 669 by Sen. A.B. Crowe (R-Slidell) would have banned Common Core standards in Louisiana, as well as tests such as PARCC. New state standards would be drafted by a 21-member commission representing teachers, parents, business and religious organizations. The only tests allowed would be LEAP, ACT, NAEP and a new assessment developed by the commission.

Opponents questioned the cost of creating an entirely new set of standards and tests, which has been estimated to be as high as \$67 million over five years, as well as the unwieldy process outlined in the bill.

Supporters attacked the credibility of Common Core standards, and noted that some states are backing away from their commitment to the standards

The committee gave supporters of the bill ample time to make their case – testimony lasted more than four hours.

At the end, though, only one of the committee's seven members, Sen. Elbert Guillory (R-Opelousas), supported Sen. Crowe's bill.

Observers said the end of legislative efforts to stop Common Core will put increased pressure on Gov. Bobby Jindal to veto further participation. The governor's office submitted a card of support for SB 669, but sent no one to testify on its behalf.

Parent trigger bill proceeds after re-vote

It took two votes to accomplish, but Rep. Ted James (D-Baton Rouge) prevailed in shepherding an improved parent trigger bill through the House Education Committee.

HB 735 would allow any parent of a student in a school operated by the Recovery School District to petition for the school to be returned to control of the local school district. Under current law, parents may not sign such a petition unless their children have attended the RSD school for at least two years.

In addition, the bill would allow parents to petition for returning schools to local control even if they are slated for conversion to a charter school.

The bill was opposed by the Jindal administration, the Department of Education and charter advocates, but had the full support of the LFT.

Supporters pointed out that schools run by the RSD often have much poorer academic achievement than locally operated schools.

On a first vote, HB 735 failed on a 6-6 tie vote. But it was reconsidered after two more committee members entered the room, and won approval by 8-7.

Panel okays voucher accountability bill

A bill that would make voucher spending more transparent cleared a hurdle when the House and Governmental Affairs Committee approved SB 460 by Sen. Robert Adley (R-Benton).

The bill would require schools that accept voucher funds to maintain separate accounts for the money to facilitate proper auditing.

Outcomes based higher-ed bill proceeds

Over the objection of the LFT, a bill that would create a new funding formula for higher education institutions was approved by the House Education Committee.

SB 377 by Sen. Conrad Appel (R-Metairie) seeks to base the funding that colleges receive on a series of performance measures tied to workforce development, one of the key buzzwords of this year's legislative session.

LFT President Steve Monaghan said that while the Federation does not oppose the intent of the bill, but has concerns about its unintended consequences. The liberal arts could suffer if workforce concerns dictate the whole higher education budget.

"The need for efficiencies is driving everything," Monaghan said, "but there is a question of balance... The alignment of workforce concerns could equal the deprivation of funding for other important disciplines."

Charter school retirement bill moves to committee

Facing time restraints as the session passed its halfway mark, the House Appropriations Committee discharged HB 37 by Rep. Kevin Pearson (R-Slidell) without action, moving it to the House Retirement Committee instead.

The bill would require the Department of Education to ensure that charter schools' fair share of the retirement system's unfunded accrued liability by transferring MFP dollars directly to the retirement system. LFT supports the bill.

Rep. Pearson is the chairman of the Retirement Committee.

House okays bill to limit future retirement COLAs

A bill that would severely limit future cost of living adjustments for public retirement system members was unanimously approved by the House of Representatives.

HB 1225 by Rep. Joel Robideaux (R-Lafayette) would require more of future retirement system earnings to go toward reducing the systems' unfunded accrued liability instead of COLAs. The bill is linked to two COLA bills that are working their way through the legislative system.

In passing the bill, the House rejected a complicated amendment by Rep. Jack Montoucet (D-Crowley) that would have preserved some of the funds for COLAs.

Fair substitute pay bill proceeds

A bill requiring school boards to pay school employees as substitute teachers when called upon was approved by the Senate Education Committee without objection.

HB 242 by Rep. James Ames (D-Leesville) says that if a school employee who earns less than a substitute teacher is asked to sub for an absent teacher, the employee must be paid enough to make up the difference in salary for the time served as a sub.

Bill to restructure Baton Rouge board progresses

A legislative effort to meddle in local affairs that failed in the House of Representatives got new life when the Senate Education Committee unanimously approved SB 672 by Sen. Bodi White (R-Central).

Sen. White's bill would require the East Baton Rouge Parish School Board to shrink from 11 members to nine or fewer. A mirror image of the bill was defeated in the House of Representatives.

As amended, Sen. White's plan will become "null and void" if the school board voluntarily redistricts before the next school year.

Acknowledging that that idea has not fared well on the House side, Sen. White simply said, "Send it over there and see what happens,"

What happened to the OGB surplus?

The House Appropriations Committee asked – but got few answers – why a \$500 million surplus that existed in the Office of Group Benefits just two years ago has dwindled to less than \$300 million.

When asked about the loss of some \$20 million a month, administration officials said that the solution is to “reduce claim costs.”

Despite the lack of information as to how OGB can continue to operate once the entire surplus is spent, the committee approved the state supplemental budget (HB 262 by Rep. Jim Fannin (R-Jonesboro)). The operating budget for the OGB, which provides health insurance for state workers, is funded through this supplemental bill.

The Division of Administration claimed that, through a private/public partnership with Blue Cross Blue Shield, a 19% reduction in administrative costs has been recognized.

One up, many down for TOPS bills

Of the 25 or so bills introduced this year that would change the popular TOPS college scholarship program, only one has made it out of committee thus far.

SB 520 by Sen. Jack Donohue (R-Mandeville) won unanimous approval from the Senate Education Committee. It would require a higher grade point average and ACT score to get the state funding.

Another TOPS bill did not fare as well. HB 1153 by Rep. Joe Harrison (R-Gray) was rejected by the House Education Committee. The bill would have raised the eligibility requirements for obtaining a scholarship. It would also have pegged a college freshman’s payment at 80 percent of tuition, 90 percent for sophomores, 100 percent for juniors and 120 percent for seniors.

Rep. Harrison said that unless changes are made in the TOPS program, it will eventually bankrupt the state. The estimated cost for the tuition program is \$235 million next year, and will rise to \$300 million in the next three years, he said.

The Week Ahead

Monday, May 12

House Floor:

HB 735 by Rep. Ted James (D-Baton Rouge) would expand the right of parents to petition for return of a recovery District school to local control. This bill is part of LFT’s legislative agenda.

Tuesday, May 13

House Floor:

SB 19 and SB 21 by Sen. Elbert Guillory will be heard, providing cost of living adjustments for retired teachers and school employees.

HB 38 by Rep. Kevin Pearson (R-Slidell), which rises the retirement age for future hires only, is scheduled for concurrence, the last step in the passage process.

House Education Committee:

SB 636 by Sen. Bodi White (R-Baton Rouge) would require the East Baton Rouge Parish School Board to reduce its membership.

House and Governmental Affairs:

HB 128 by Rep. Kenny Havard (R-Jackson) would create more legislative oversight for privatization contracts.

Joint Legislative Committee on the Budget: The panel will meet to review annual reports from the four state retirement systems including TRSL and LSERS.

Wednesday, May 14

House Education Committee:

HB 717 by Rep. Dorothy Sue Hill (D-Dry Creek) will remove the “10 day at a time” requirement for use of extended sick time that exists under current law. The bill is and is part of LFT’s legislative agenda.

Thursday, May 15

House Labor: SB 322 by Sen. Edwin Murray (D-New Orleans) would create enforcement mechanisms for equal pay for women. LFT supports this bill.

Senate Education Committee: HB703 by Rep. John Bel Edwards (D-Amite) would prohibit the Board of Elementary and Secondary Education from approving Type 2 charter schools over the objection of local school boards if the local system has a grade of “C” or better.

CORRECTION: An article in last week’s Legislative Digest reported the vote on HB 451 by Rep. Alan Seabaugh (R-Shreveport) was a 6-6 tie. The actual vote was an 8-8 tie.