

# Louisiana Federation of Teachers

# Weekly Legislative

# Digest

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Larry Carter, President \* Les Landon, Editor

2016 Regular Legislative Session

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## Revenue conference boosts income estimate

The state's Revenue Estimating Conference gave lawmakers some welcome news, announcing that the budget shortfall expected on July 1 has dropped from more than \$1 billion to about \$648 million.

The shortfall is expected because temporary sales taxes adopted by lawmakers two years ago are set to expire. According to the REC, the amount will be smaller than expected because changes in federal tax law changed deductions that Louisiana taxpayers can claim.

Even that lower number is a big gap for the legislature to fill, however. Earlier in the week, the House Appropriations Committee, anticipating a \$700 million shortfall, heard from citizens worried that cuts could come to services ranging from higher education to health services.

That committee is expected to announce a budget plan next week. Without new revenues that cannot be approved in this year's regular session, the budget will have to be balanced by cuts alone. Governor John Bel Edwards has said he will veto a budget that severely reduces state services.

The governor has planned to cut short the current session so that lawmakers can enter a special session dedicated to fixing the budget.

## Timely sharing of test results approved

The Senate Education Committee approved without objection a bill aimed at getting student test scores to teachers earlier.

SB 107 by Sen. Blade Morrish (R-Jennings) requires the Department of Education to forward test results to local authorities by June 30 each year. The bill originally required a May 31 delivery date, but was amended after the Department of Education said that would be an impossible goal.

Results reported to districts must include, at a minimum, the students' scale and raw scores, an item analysis of each assessment, and longitudinal information on the students' achievement in each subject area, if available.

The information must be presented on a format that is easy to read, clear and understandable.

Testifying on behalf of the bill, LFT President Larry Carter said, "The data is important to teachers and schools...This bill will help schools make the right scheduling decisions for students, and to ensure that students are placed in the appropriate classes."

## **Performance score transparency bill proceeds**

A blow for transparency was struck when the Senate Education Committee unanimously approved a bill allowing the public to compare school and district performance scores from year to year, even when the Department of Education changes criteria for determining the scores.

SB 152 by Sen. Blade Morrish (R-Jennings) says that when BESE makes a change in the criteria used to determine the scores, the release will also show the performance score the school or district would have received had the change not been implemented. The information will be displayed side by side for an easy comparison.

In March of 2017, the Board of Elementary and Secondary Education acted to gradually raise the bar for school performance scores. At the time, educators warned that for many charter and traditional public schools, the change would mean a reduction in the number of "A" rated schools, and an increase in the number of "F" rated schools.

That does not mean the schools are performing worse than they did before, only that the formula for rating schools changed. When parents see the new scores, they have a right to know what that change really means.

## **Panel kills bill to reduce VAM in evaluations**

Representative Frank Hoffman (R-West Monroe) was the original author of the law requiring a Value Added Model component to teacher evaluations. So when Rep. Hoffman says, "I have regretted it ever since. It has become devastating," you'd think his colleagues would agree.

But you'd be wrong. Without objection, the House Education Committee voted to involuntarily defer HB 651, which would have reduced the VAM portion of teacher evaluations from 35% to just 15%.

LFT President Larry Carter spoke in favor of the bill, saying that since VAM was introduced to teacher evaluations, "much more research has been done, and many studies show that the value added model is not an effective tool for evaluating teachers.

"Some of our very best teachers were rated ineffective because of the failures of the model," Carter said.

Rep. Hoffman cited research from the Gates Foundation and Tulane University Professor Douglas Harris that was critical of VAM's reliability. That was not enough to overcome objections by the Louisiana

Association of Business and Industry, the Council for a Better Louisiana and the State Department of Education, all of whom want to cling to the failed model.

## **Teacher tenure bill dies without a hearing**

After seeing the reception he got for his Value Added legislation, Rep. Hoffman voluntarily deferred another pro-teacher bill that would have eased the state's requirements for earning tenure.

HB 587 would have changed the due process law by granting tenure rights to teachers who earn "effective: proficient" ratings for five out of six years. Currently, teachers must be rated "highly effective" during that time period, making it unlikely that most teachers will ever earn tenure.

Contrary to what some may say, tenure does not exist to protect bad teachers. It is there simply to guarantee that when there are questions about a teacher's ability, there will be a reasonable process to make sure that the teacher's rights are respected, and that the proper procedures have been followed.

LFT believes that HB 587 was a reasonable compromise. It would still take at least five years for a teacher to earn tenure. By any standard, a teacher who is rated "effective: proficient" during that period should be considered very qualified and competent.

Sadly, given the current makeup of the legislature and, especially, the House Education Committee, reasonable bills protecting teacher rights have little chance of proceeding.

## **Bill to improve disciplinary process dies**

The House Education Committee once again demonstrated its antipathy toward teachers by rejecting HB 707 by Rep. Sam Jenkins (D-Shreveport). The bill would have allowed non-tenured teachers to view the evidence against them in disciplinary hearings, and provide adequate time to prepare a defense.

The bill would have required administrators to provide written reasons for the disciplinary action, as well as all documents related to the charges. It would have extended the time period for challenging allegations, and allowed more rights for non-tenured teachers.

LFT Legislative and Political Director Cynthia Posey said that giving teachers access to documents, the right to an administrative conference, and enough time to respond, "allows the fair and just actions to be taken, protecting the professional rights and reputation of the teachers and cutting down the number of district hearing officer hearings needed."

The bill was opposed by the Louisiana Association of Business and Industry and the State Department of Education. It was rejected on a 4-10 vote by the committee.

## **Another guns-in-schools bill bites the dust**

The Senate Education Committee voted down a bill that would have allowed armed teachers and other citizens on school grounds, as well as given teachers the right to have students arrested if they had a "reasonable apprehension" of physical harm.

LFT opposed the bill, with Federation President Larry Carter saying, “There is a good reason why we don’t arm ticket agents when airports are targeted in terror attacks, and we don’t arm bank tellers when banks are robbed. That is a job best left to professionals.”

It was noted that allowing teachers to have students arrested without following school policy could lead to serious legal jeopardy.

The bill was rejected on a 1-4 vote.

## **Bulletproof backpack bill proceeds**

With only two dissenting votes the Senate approved SB 178 by Sen. Mike Walsworth (R-West Monroe), which would allow students to wear bulletproof backpacks.

Current law prohibits body armor in schools. This bill would make an exception for student backpacks. While supporters say the bill offers some protection, opponents believe the backpacks offer a false sense of security, especially in the case of a shooting like the recent massacre in a Florida high school.

The kind of backpack mentioned in Sen. Walsworth’s bill consists of tightly woven fibers that could stop a pistol bullet or shotgun blast, but would be useless against a military-grade rifle like the one used in Florida.

## **The week ahead...**

### **Monday, April 16**

**House Appropriations Committee:** The committee will discuss HB 1, the state’s general fund budget

**House floor:** The full House will consider House Bill 343. Rep. Steve Carter (R-Baton Rouge) claims that the bill will enhance the Teacher Bill of Rights, but in reality it is a problematic and confusing bill that could hamper the effective administration of schools, impair free discussion among colleagues, and could be misinterpreted to impair the effective evaluation of teachers.