

HOUSE COMMITTEE ON EDUCATION

Minutes of Meeting
Regular Session, 2012
March 14, 2012

I. CALL TO ORDER

Representative Stephen F. Carter, chairman of the House Committee on Education, called the meeting to order at 8:32 a.m., in Committee Room 1, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

II. ROLL CALL

MEMBERS PRESENT:

Representative Stephen F. Carter, Chairman
Representative Patrick O. Jefferson, Vice Chairman
Representative Wesley T. Bishop
Representative Christopher Broadwater
Representative Henry L. Burns
Representative Thomas Carmody
Representative Simone Champagne
Representative John Bel Edwards
Representative Cameron Henry
Representative Paul B. Hollis
Representative Nancy Landry
Representative Edward J. Price
Representative Jerome Richard
Representative John M. Schroder
Representative Robert E. Shadoin
Representative Patricia Haynes Smith
Representative Jeff R. Thompson
Representative Alfred C. Williams

MEMBERS ABSENT:

III. STAFF MEMBERS PRESENT:

Paul Jones, Legislative Analyst
Nancy Y. Jolly, Legislative Analyst
Jackie Snowden, Secretary/Rhonda Repetowski, Secretary/ Shawn O'Brien, Secretary
Angelika Washington, Clerk
Beverly Vincent, Sharon Betsill, Mattie Franklin, and Clarence Russ, Sergeants at Arms

IV. DISCUSSION

Opening Remarks by Representative Carter

During his opening remarks, Representative Carter informed that Committee Room 1 would be available only for those persons who wanted to speak on the bills to ensure that all who wanted to speak would have the opportunity to do so. He noted that because of the huge number of persons who were at the Capitol for the committee meeting, the Office of the House Sergeant at Arms, with assistance from Louisiana State Police, had opened all other House Committee Rooms (Rooms 2, 3, 4, 5, and 6) to provide seating and audio/visual access to as many persons as possible.

Introductions of Committee Members and Committee Staff

Representative Carter pointed out that the House Committee on Education returns five members from the committee that began its term in 2008 - Representative Carmody, Representative Edwards, Representative Smith, Representative Schroder, and Representative Carter — and 14 new members, seven of whom are newly elected legislators. He reflected upon the historical work of the committee and the future work in which members would be engaged to move education reform forward. He asked the new committee vice chairman, Representative Patrick Jefferson, to make remarks and asked the members to introduced themselves.

Vice Chairman Jefferson, District 11 - Claiborne; parts of Bienville and Lincoln

(Other committee members were recognized in the order of seating; each announced the portion of the state represented)

Representative Shadoin, District 12 - parts of Lincoln, all of Union

Representative Champagne, District 49 - Iberia, Vermilion

Representative Schroder, District 77 - parts of St. Tammany

Representative Henry Burns, District 9 - portions of Bossier

Representative Carmody, District 6 - southeast Shreveport and south Bossier City

Representative Patricia Smith, District 67 - portions of East Baton Rouge

Representative Landry, District 31 - south Lafayette Parish, small portion of North Vermilion

Representative Henry, District 82 - east bank of Jefferson

Representative Price, District 58 - Ascension, St. James, and Iberville

Representative Broadwater, District 86 - south central Tangipahoa

Representative Wesley Bishop, District 99 - New Orleans East, Ninth Ward, Bywater

Representative Richard, District 55 - Thibodeux and Raceland

Representative Thompson, District 8 - Bossier City; Benton

Representative Hollis, District 104 - portions of St. Tammany

Representative Edwards, District 72 - portions of East Feliciana, Tangipahoa, all of St. Helena

Representative Alfred Williams, District 61 - East Baton Rouge Parish

Committee Staff-

Nancy Jolly, Senior Legislative Analyst

Bryan Vincent, Division Director, Governmental Affairs Division

Jackie Snowden, Committee Secretary

Consideration of Committee Rules

Representative Carter referred members to copies of the Committee Rules of Procedure in their folders. He noted that these were rules that he was proposing for use during committee meetings this session and asked that they be adopted.

Representative Edwards asked if the committee would adhere to the standing custom of being able to propose amendments during meetings to help make a bill better during committee hearings.

Ms. Jolly stated that this item is the same as in previous years.

Representative Carter moved that the Committee Rules of Procedure be adopted. There was no objection, and the Rules of Procedure for the House Committee on Education were adopted by a vote of 18 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Henry, Hollis, Jefferson, Nancy Landry, Price, Richard, Schroder, Shadoin, Patricia Smith, Thompson, and Alfred Williams voted yea.

Overview of Procedure for Hearing Bills on Today's Agenda

Relative to procedures that will be used during the meeting, an excerpt of the statement issued by Representative Carter is as follows:

"First, I would like to thank the individuals, including the many educators, who came here today either in support or in opposition to the bills on our agenda. The fact that you are here - that you have taken time out of your busy schedule - is a clear indication that these matters are of significant importance to you.

"With that in mind, you can express your support or opposition by filling out a witness card – green for support or red for opposition. These cards are an official part of the committee proceeding so even if you elect not to testify, your position will be formally noted as we read your name into the committee record. If you wish to testify, please note that time constraints will require that your testimony be limited.

"At this time, I would also like to recognize those in the overflow rooms. A sergeant at arms has been assigned to each room to assist in the collection of the witness cards and we have taken all measures to make your experience the same as if you were seated in this room.

"We hope to accommodate all who wish to testify and we'll do so in the most fair, equitable, and thoughtful manner as possible. We have already talked to the larger organizations representing the major stakeholders – on all sides of the issue – and they have agreed to have a designated number of persons testify on their behalf. If you are not part of a larger group or organization and wish to speak either on your own behalf or as part of a smaller group, you will also be given a time frame in which to speak and that time frame will be based on the total number of individuals who wish to testify

"Remember that you do not have to testify in order to show your support or opposition. Just fill out either a green or red card and turn it in to the sergeant at arms. In completing the witness card, you will also need to sign the back as an acknowledgment that the testimony you will be giving is true and correct.

"So that we can accommodate as many witnesses as possible, we anticipate working through lunch. Additionally, as witnesses, you can assist us in accommodating all those who wish to speak by confining your testimony to the respective issue before the committee and avoid making comments or points that have already been made.

"A timer will be used to help us stay within the established time limits.

"Ladies and gentlemen, we recognize how passionate you are about these issues. We realize that many of you have traveled long distances to be here in order to express your opinions and share information with committee members. Please know that we appreciate your willingness to take the time to participate in this process. Your voice and your presence are important. We ask that you please exercise patience with this process and be respectful of each other, whether a proponent or an opponent.

"Again, if you need direction or have a question, please see one of the sergeants at arms in the red jackets and they will provide the appropriate direction."

Representative Broadwater moved to adopt the chairman's proposals with regard to time allocation and questioning of witnesses as it pertains to HB 976. There was no objection, and the motion passed by a vote of 18 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Henry, Hollis, Jefferson, Nancy Landry, Price, Richard, Schroder, Shadoin, Patricia Smith, Thompson, and Alfred Williams voted yea.

Chairman Carter recognized Representative Nancy Landry for comments.

Representative Nancy Landry noted and commented upon reports in the media about persons who had taken sick leave to come to the Capitol for the committee hearing. She expressed concern and said she had received calls from constituents who were concerned that teachers were leaving their students. So she moved that when persons testify, they give their name, organization, and the capacity in which they are here; whether they are here in a professional capacity or whether they had taken sick leave. Representative Bishop stated that the motion was not necessary and persons should not have to explain why they've come to the Capitol and said it was an unfair request.

Representative Edwards objected to the motion, saying there was no need to deviate from the rules and single persons out today and to adhere to any procedure other than what is otherwise followed during committee hearings.

Representative Williams also objected to the motion; he said it would be unfair to single persons out and ask that they reveal information that is of a personal nature.

Representative Smith objected and commented that it was an atrocity to ask individuals that come before any committee to reveal whether or not they are on leave. She said the rule that a person provide a name, address, and organization they represent should be adhered to unless the committee rule is changed. She noted that an individual has a right to come before the committee to testify.

Representative Nancy Landry asked that the rule be adopted for the bills being heard today, stating that in addition to committee rules of identification, (name, address, organization) that persons who testify during today's hearing also state whether they are here in a professional or personal capacity, and whether or not the person took sick leave to come to the Capitol. Representative Carter stated that he will encourage individuals to present the information requested, but would not deny testimony if they did not. Representative Nancy Landry moved that the motion be adopted. Representative Patricia Smith objected to the motion, and the secretary called the roll. The motion passed by a vote of 10 yeas and 8 nays. Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Henry, Hollis, Nancy Landry, Schroder, and Thompson voted yea, and Representatives Wesley Bishop, Edwards, Jefferson, Price, Richard, Shadoin, Patricia Smith, and Alfred Williams voted nay.

Representative Edwards later offered a motion to rescind the motion by Representative Nancy Landry previously adopted about witnesses making certain disclosures before testifying. Representative Landry objected, and the secretary called the roll. The motion made by Representative Edwards failed by a vote of 8 yeas and 10 nays. Representatives Wesley Bishop, Edwards, Jefferson, Price, Richard, Shadoin, Patricia Smith, and Alfred Williams voted nay, and Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Henry, Hollis, Nancy Landry, Schroder, and Thompson voted yea.

(The following is a compilation of numbers relative to those persons present at the State Capitol who completed witness cards for House Bill No. 976 and House Bill No. 974.)

There were a total of 1,929 witness cards submitted at the meeting. A copy of each is made a part of these minutes (Attachment A).

(1) The totals below represent the number of witness cards submitted for House Bill No. 974 only. Please also see (3) below.

In Support: 55

Would like to speak.	38
Will provide information if requested.. . . .	3
Would not like to speak, but present in support.	14

In Opposition: 856

Would like to speak.	77
Will provide information if requested.. . . .	30
Would not like to speak, but present in opposition.. . . .	749

For Information Only: 2

Would like to speak.	0
Will provide information if requested.. . . .	2
Would not like to speak, but present in opposition.. . . .	0

(2) The totals below represent the number of witness cards submitted for House Bill No. 976 only. Please also see (3) below.

In Support: 51

Would like to speak.	47
Will provide information if requested.. . . .	4
Would not like to speak, but present in support.	0

In Opposition: 698

Would like to speak.	0
Will provide information if requested.. . . .	7
Would not like to speak, but present in opposition.. . . .	691

For Information Only: 8

Would like to speak.	0
Will provide information if requested.. . . .	8
Would not like to speak, but present in opposition.. . . .	0

(3) The totals below represent the number of witness cards submitted for both House Bill No. 974 and House Bill No. 976 on the same witness card.

In Support: 3

Would like to speak.	1
Will provide information if requested.. . . .	0
Would not like to speak, but present in support.	2

In Opposition: 251

Would like to speak.	16
Will provide information if requested.. . . .	7
Would not like to speak, but present in opposition.. . . .	228

For Information Only: 0

Would like to speak.	0
Will provide information if requested.. . . .	0
Would not like to speak, but present in opposition.. . . .	0

(4) The totals below represent the number of witness cards submitted where the bill number was not specified.

In Support: 1

In Opposition: 4

Representative Jefferson in the chair.

House Bill No. 976 by Representative Carter

House Bill No. 976 provides relative to the Student Scholarships for Educational Excellence Program, parent petitions for certain schools to be transferred to the Recovery School District (RSD), charter school authorizers, and course providers.

Representative Carter presented the bill to the committee.

Representative Carter introduced technical amendments and referred members to copies that had been distributed. He asked Mr. Bryan Vincent, division director, House Governmental Affairs Division, to present the amendments. Mr. Vincent explained to members, particularly new members, that it was not unusual for staff to find technical problems with bills and to propose technical amendments in an instrument, but it was unusual to have a set of over 100 technical amendments. Mr. Vincent attributed the voluminous set of amendments to the fact that the bill was "in flux" until the last minute and that it did not go through the normal House quality control process; thus resulting in the necessity to draft over 100 technical amendments. He explained that the amendments address codal integrity, moving things in the right place in the law; stating matters more clearly in the law, etc. Representative Carter moved that the technical amendments be adopted. There was no objection, and the technical amendments were adopted by a vote of 17 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Henry, Hollis, Jefferson, Nancy Landry, Price, Richard, Shadoin, Patricia Smith, Thompson, and Alfred Williams voted yea.

Chairman Carter in the chair.

Representative Carter announced that testimony would proceed with the proponents of the bill. He advised that proponents will be granted two hours to make their presentations and complete their testimony.

Representative Carter introduced Governor Bobby Jindal to make comments.

Governor Jindal answered questions from committee members.

Mr. John White, state superintendent of education, Claiborne Bldg., 1201 North 3rd St., Baton Rouge, LA, presented an overview of the bill and highlighted the bill's components. Superintendent White was accompanied by Ms. Stafford Palmieri, policy director, Office of the Governor, 4th Floor, State Capitol, (225) 342-7015. Superintendent White guided committee members through the charter school components of the bill, the course choice components of the bill, and the student scholarship components of the bill.

Before testimony from supporters of the bill continued, Representative Carter asked committee members to take notes from the testimony being presented and give him a list of those persons committee members wanted to have return to the table to answer questions.

Speaking in support of House Bill No. 976 were Ms. Penny Dastugue, president, state Board of Elementary and Secondary Education, 10 Serenity Dr., Mandeville, LA, penny.dastugue@la.gov; Mr. Jim Garvey, secretary, state Board of Elementary and

Secondary Education, 4800 Bolack Lane, Metairie, LA, jim.garvey@la.gov; and Mr. Chas Roemer, vice president, state Board of Elementary and Secondary Education, 6837 Rue Bocage, Baton Rouge, LA 70809, (225) 293-5812 or 200-1606 (cell).

Also in support were Mr. Stephen Moret, secretary, Louisiana Department of Economic Development, 1051 North 3rd St., Baton Rouge, LA, 70802, (225) 342-5388 (who distributed information contained in a survey to committee members (see Exhibit A)); Mr. Dan Juneau, president, Louisiana Association of Business and Industry, 3113 Valley Creek Dr., Baton Rouge, LA 70808, (225) 923-5388; Ms. Brigitte Neiland, vice president, Louisiana Association of Business and Industry, 3113 Valley Creek Dr., Baton Rouge, LA 70808 (225) 923-5388 or (225) 603-5668, brigitte@labi.org; Mr. Barry Erwin, president, Council for a Better Louisiana, P. O. Box 4308, Baton Rouge, LA 70801, (225) 344-2225, erwin@cabl.org; Mr. Edward L. Rispone, chairman, Louisiana Federation for Children, 18250 South Mission Hills, Baton Rouge, LA 70810, (225) 756-8001, (225) 939-6523, elrispone@iscprp.com; Mr. Kenneth Campbell, national president, Black Alliance for Educational Options, 12263 Cantorbury Park Dr., Geismar, LA 70734, (225) 892-2125, kenneth@baeo.org; Mr. Eric Lewis, state director, the Black Alliance for Educational Options, 7575 Jefferson Hwy., Baton Rouge, LA, (225) 408-9323, eric@baeo.org; (Mr. Lewis introduced parents whose students participate in the scholarship program in New Orleans, Ms. Katina Dunn, parent, 9542 Cedar St., Baton Rouge, LA, (225) 229-6728; and Ms. Chantrell Rock, parent, New Orleans, LA, (504) 223-2323).

Also speaking in support of House Bill No. 976 were Ms. Erin Monroe Wesley, representing the Baton Rouge Area Chamber, 564 Laurel St., Baton Rouge, LA 70801, (225) 339-1168, erin@brac.org; Ms. Caroline Roemer Shirley, executive director, Louisiana Association of Public Charter Schools, 200 Broadway, New Orleans, LA 70119, (504) 274-3651; Mr. Danny Loar, executive director, Louisiana Conference of Catholic Bishops, 3421 S. Acadian Thruway, Baton Rouge, LA 70810, (225) 344-7120 or (225) 772-4563, loard3@cox.net; Mr. Gene Mills, president, Louisiana Family Forum (ACTION), 655 St. Ferdinand St., Baton Rouge, LA, (225) 344-8533; Mr. Kevin Kane, president, Pelican Institute for Public Policy, 643 Magazine St., Suite 301, New Orleans, LA 70130, (504) 267-9404 (he distributed copies of the Institute's recent study to committee members (See Exhibit B)); Ms. Robin Edwards, executive director, Louisiana Grassroots Network, 16823 Cold Harbour Ave., Baton Rouge, LA 70817, (225) 716-1150, robin@lagrassroots.net; Ms. Nicole Teal and Mr. Ryan Haynie, representing Charter Schools USA (operates one school in Louisiana in Lake Charles), 1465 Ted Dunham Ave., Baton Rouge, LA 70802, (225) 336-4143, ryan@haynie.com; Mr. Lane Grigsby, chairman of the board, Cajun Industries, 19145 West Muirfield, Baton Rouge, LA; Ms. Jan Daniel Lancaster, representing the Archdiocese of New Orleans, 7887 Walmsley Ave., New Orleans, LA 70125, (504) 388-5528, superintendent@archdiocese-no.org; Ms. Dionne Frost, representing St. Joan of Arc Catholic, 919 Cambonne St., New Orleans, LA, (504) 861-2887 or (504) 458-5980, dfrost730@aol.com; Sister Carol Shively, representing the Catholic Diocese of Shreveport, 6006 Tracy Lane, Bossier City, LA 71111, (318) 219-7283 or (318) 347-

9080, cshively@dioshpt.org; Mr. Greg Davis, representing Lafayette Parish, 307 N. Anita, Lafayette, LA 70501, (337) 265-2100 or (337) 259-1001 (cell), gdavis@cajundome.com; and Mr. Andy C. Begneaud, representing himself and LABI, P. O. Box 62949, Lafayette, LA 70596, (337) 230-0430.

Also speaking in support were Mr. Cody Dickerson, representing college Republicans, 655 Summer Breeze Dr., (985) 773-8280; Ms. Donna Wallace, a parent, 42 Riverdale Dr., Covington, LA 70433, (985) 867-8737 or (985) 630-4893 (cell); Joanna Wortele, representing the Wortele Foundation, 8719 False River Rd., New Roads, LA 70760, (225) 718-1131, jwramsey27@gmail.com; Ms. Elizabeth Murrill, executive counsel, Governor's Office, 4th Floor, State Capitol, Baton Rouge, LA, (225) 342-8212, elizabeth.murrill@la.gov; Ms. Danielle Babineaux, 102 Rome Lane, Scott, LA, (337) 886-0085 or (337) 230-6216, danibab@cox.net; Mr. Jason Dore, representing the Republican Party of Louisiana; Mr. Rhett Davis, 12562 North Lake Shore, Walker, LA, (225) 281-2001; Mr. Clifford Grout, representing himself/parent, 1224 Carolyn Sue Dr., Baton Rouge, LA 70815, cgrout@archonstudio.org; Ms. Jennifer Madsen; Ms. Robin Edwards, representing the Louisiana Grassroots Network, 16823 Cold Harbour Ave., Baton Rouge, LA 70817, (225) 716-1650, robin@lagrassroots.net; Ms. Loren Crenshaw; Ms. Patrice Pujol, superintendent, representing herself and Stand for Children; and Ms. Janet Bean, representing Citizens for One Greater New Orleans (distributed hand out (See Exhibit C)), 6025 Garfield St., New Orleans, LA 70110, (504) 897-2710; and Ms. Cealee Janis, Weiner Creek Dr., Baton Rouge, LA, (225) 354-6652, cecileejanis@gmail.com.

Presenting information were Mr. Dennis Burke, representing himself, 1420 Carnation Ave., Metairie, LA 70001, (504) 885-2630 or (504) 460-6302 (cell), burk1948@gmail.com; Mr. Michael Faulk, representing the Louisiana Association of School Superintendents, P.O. Box 78094, Baton Rouge, LA 70837, (225) 650-2900 or (225) 229-6021 (cell), mfaulk@centralcss.org; State Senator Karen Carter Peterson, 521 Baronne St., New Orleans, LA 70113; and Mr. Wendell Lindsay, representing Common Cause of Louisiana, 9431 Common St., Baton Rouge, LA 70809, (225) 930-3461 or (225) 892-2976 (cell); and Ms. Jackie Bobbett, education program consultant, representing the Louisiana Department of Education, 1201 North 3rd St., (225) 342-1848, jackie.bobbett@la.gov.

Speaking in opposition to House Bill No. 976 were Mr. Steve Monaghan, representing the Louisiana Federation of Teachers, 9623 Brookline Ave., Baton Rouge, LA 70809-1433, (225) 923-1037; Ms. Mary Patricia Wray, representing the Louisiana Federation of Teachers, 6820 Menlo Ave., Baton Rouge, LA 70808, (937) 475-7853; Mr. Carnell Washington, representing the East Baton Rouge Parish Federation of Teachers, 15214 Seven Pines Ave., Baton Rouge, LA, (225) 266-1065; Ms. Jackie Lansdale, representing Red River United-Caddo/Bossier, 1726 Line Ave., Shreveport, LA, (318) 518-4581; Ms. Teri Johnson, representing Calcasieu Federation of Teachers, 2707 St. Joseph, Sulphur, LA 70663, (337) 794-7996, Teri0759@yahoo.com; Mr. Kevin B. Crovetto, representing Ponchatoula High School, 967 Weinberger Trace Dr.,

Ponchatoula, LA 70454, (985) 386-4878 or (918) 320-1134 (cell), kevin.crovetto@tangischools.org; Ms. Renee Laurent, representing Ponchatoula High School, 15428 E. Hoffman Rd., Ponchatoula, LA 70454, (985) 969-4069 (cell); renee.laurent@tangischools.org; Ms. Jessica Kastner, representing Ponchatoula High School, P.O. Box 105, Amite, LA 70422, (985) 517-0495, jessica.kastner@tangischools.org; Ms. Meladie Munch, representing Jefferson Federation of Teachers, 2540 Severn Ave., Metairie, LA, (504) 454-5047, mel@jft.org; Mr. Michael Myers, representing Red River United-Caddo, 409 Galway Dr., Shreveport, LA 71115, (318) 798-3640 or (318) 834-4928 (cell), exador@gmail.com; and Ms. Patty N. Merrick, representing the Louisiana Federation of Teachers, 2934 Yorktown Dr., Baton Rouge, LA 70808, (225) 924-7987 or (225) 953-1987, pattymerrick@yahoo.com; Ms. Angela Reams-Brown, representing the Louisiana Federation of Teachers, 13756 Baton Rouge, LA 70810, (225) 954-9973, areams@ebrschools.org; and Ms. Jean Johnson, president, Calcasieu Federation of Teachers, 1515 Palermo Dr., Sulphur, LA 70663, (337) 436-5036 or (337) 540-5676, jean6047@aol.com.

Also speaking in opposition to the legislation were Ms. Aliah Jones, 1455 Rue Crozat, Baton Rouge, LA 70810, (225) 636-5159; Ms. Loretta Babst Stephens, representing the People, LLC, the Mandeville Tea Party, the Greater New Orleans Tea Party, and the Acadiana Tea Party, 4920 James Dr., Metairie, LA 70003, (504) 887-6653, rettastephens@cox.net; Ms. Linda M. Johnson, P. O. Box 866, Plaquemine, LA (225) 687-2308 or (225) 223-4432 (cell), lmj1944@cox.net; Ms. Vereta Lee, representing teachers and school boards, P. O. Box 73133, Baton Rouge, LA 770874, (225) 356-1729 or (225) 772-6955 (cell); Mr. Bryan Alleman, representing Acadia Parish Schools, 720 North Ave. L, Crowley, LA, (337) 962-2857 (cell); Ms. Margaret Westmoreland, representing Louisiana public schools, 3239 Patterson Rd., Springfield, LA 70462, (225) 294-7047 or (225) 202-3598 (cell), margaret.westmoreland@lpsb.org; Ms. Janet Howard, representing the Bureau of Governmental Research, New Orleans, LA, (504) 259-3440; Ms. Lee Barrios, representing the National Board of Certified Teachers of Louisiana and the Coalition for Louisiana Public Educators, (985) 789-8304, lpbharley@aol.com; Ms. Angela Alef, representing The People, LLC, the Mandeville Tea Party, the Greater New Orleans Tea Party, and the Northshore 9/12, 1500 Prytania, New Orleans, LA, (504) 450-6112 (cell), thepeoplellc@gmail.com; Ms. Karran Harper Royal, 1360 Soldiers St., New Orleans, LA, (504) 722-8174 or (504) 288-1912 (cell), karranroyal@yahoo.com; Ms. Stephanie Guidry, representing students with disabilities, 507 Broadmoor Ave., Houma, LA 70364, (985) 665-1373 (cell), sg33325@hotmail.com; Ms. Alisha Fontenot, representing Blaise Fontenot/student with disabilities, 1133 Midway Dr., Ville Platte, LA 70586, (337) 831-0229, fontenotalisha@yahoo.com; Ms. Christy Cormier, representing students with disabilities, 708 Ashland St., Lake Charles, LA 70605, (337) 562-2077, christy_ccormier@yahoo.com; Mr. Lee Meyer, representing the Assumption Parish School Board, Napoleonville, LA, (985) 369-2672 or (985) 513-0412, leemeyersr@charter.net; Mr. Albert Samuels, representing the Southern Federation of Teachers, 11243 Greencrest Dr., Baton Rouge, LA, (225) 774-6258 or

(225) 363-6597 (cell), asamuels2000@yahoo.com; Ms. Faith Ashton, 5463 Old Slaughter Rd., Zachary, LA 70792, (209) 266-2176, faithashton@gmail.com; Elizabeth Jeffers, representing Orleans Parish teachers, 925 Seventh St., New Orleans, LA 70115, (504) 237-3741, ekjeffer@gmail.com; Mr. Wayne Free, representing the Louisiana Association of Educators, 8322 One Calais, Baton Rouge, LA 70809, wayne.free@lae.org; Mr. Trey Tolliver, 1239 Elvin Dr., (225) 842-3098 or (225) 892-3386 (cell), and Ms. Destiny Adams Cooper, representing McKinley High School, 18130 Victoria Webb Ave., Prairieville, LA 70769, (225) 744-3295 or (225) 505-2146, dadams@ebrschools.org.

Also speaking in opposition to House Bill No. 976 were Ms. Joyce Haynes, representing the Louisiana Association of Educators, 8322 One Calais, Baton Rouge, LA 70809, (225) 985-1827 (cell), joyce.haynes@lae.org; Ms. Diane Vickers, 957 Louray Dr., Baton Rouge, LA, teachdi@ballsouth.net; Ms. Cammie Maturin; Mr. Lucian D. Roberson, representing the Caddo Association of Educators, 3004 Knight St., #210, Shreveport, LA 71105, (318) 635-1200 or (318) 294-2200 (cell), cae.president@yahoo.com; Ms. Deborah Meaux, representing the Louisiana Association of Educators, 10717 Beverly Dr., Kaplan, LA 70548, (337) 643-1075 or (337) 849-3514, dmeaux@cox.net; and Dr. Michael A. Walker-Jones, representing the Louisiana Association of Educators, 8322 One Calais Ave., Baton Rouge, LA, (225) 533-5907.

Also speaking in opposition to House Bill No. 976 were Mr. Gary Reed, representing the Louisiana School Boards Association, 7912 Summa Ave., Baton Rouge, LA 70809, (225) 769-3191; Mr. John L. Smith, representing the Louisiana School Boards Association, 7912 Summa Ave., (504) 236-5931; and Mr. Brett Bonin, representing the Louisiana School Boards Association, 7912 Summa Ave., Baton Rouge, LA 70809.

Also speaking in opposition to House Bill No. 976 were Mr. Thomas J. Hutcherson, Jr., representing Howell Park Elementary School (EBRP), 5165 Plank Rd., #122, Baton Rouge, LA 70811, (225) 771-8219 or (225) 802-5813, dijttoo@hotmail.com; Ms. Ashley Lappin, representing Parkview Elementary teachers, 2047 W. Magna Carta Place, Baton Rouge, LA 70815, (225) 270-3542; Mr. Edward Galmon, representing St. Helena Parish teachers, 124 Versia Scott Ln., Greensburg, LA 70441, (504) 451-3245, scottgalmon@yahoo.com; Ms. Ashley Latiolais, representing New Iberia Senior High; Mr. John Yount, representing teachers, 217 Napoleon St., Baton Rouge, LA 70802, 267-5228, jtyount@aol.com; Ms. Heather Miller, (*no address listed*); Ms. Deanna Cooper-Smith, representing Calcasieu, 832 Amber Circle, DeQuincy, LA 70633, (337) 842-9337; Ms. Barbara Johnson, representing Louisiana Black Alliance for Educational Options, P. O. Box 30, Jackson, LA; Mr. Kevin Brooks, 2622 Lydia Ave., Baton Rouge, LA 70808, (225) 343-9075 or (225) 773-0596, kbrooks@ebrschools.org; Ms. Brenda Loyd, representing teachers, 7361 Meadow Park Ave., Baton Rouge, LA 70810, (225) 247-0806; Ms. Victoria Davis, representing East Baton Rouge Parish schools, P. O. Box 310, Pride, LA 70770, (225) 362-9964; Ms. Diana Boylston, representing New Orleans public schools, 1700 Abadie Ave., Metairie,

LA, (504) 914-5302, boylstonclark@cox.net; Mr. Fredrick Boudreaux, 3616 Lorraine St., Baton Rouge, LA 70805, fredrickboudreaux@yahoo.com; and Ms. Carolyn McCullam, representing East Baton Rouge teachers; 7913 Anderson Ave., Baton Rouge, LA (225) 247-3858.

Also speaking in opposition were Ms. Kayla Ford-Lewis, representing teachers, 4888 Hooper Rd., Baton Rouge, LA 70811, (225) 356-6050 or (225) 288-1576 (cell); Ms. Dominique Metoyer, representing teachers, 18033 Claudette Dr., (*no city or state listed*), (225) 654-5409 or (225) 803-5395 (cell), djeanpie001@gmail.com; Ms. Jennifer Gray, P. O. Box 4581, Baton Rouge, LA 70821, (225) 202-5189; Ms. Paulley Rabalais, 404 St. John St., Bunkie, LA 71322, (318) 449-2390; Ms. Katrena Ndana, retired teacher and grandparent, New Orleans, LA, (504) 701-8783; Ms. Folisha M. King, 1946 Jasper Ave., Apt. C, Baton Rouge, LA 70810, (225) 620-7193, tmking75@gmail.com; Ms. Sarah L. Webb (*no address listed*); Ms. Lorraine Jones, representing students, 825 Gallier St., (*no city and state listed*), jonesgangrocks@yahoo.com; Mr. Tarvald A. Smith, representing the East Baton Rouge Parish School System, 1050 S. Foster Dr., Baton Rouge, LA, (225) 922-5400, tarvalddsmith@ebrschools.org; Mr. Alfred Doucette, Jr., representing the Louisiana State NAACP "District E", P. O. Box 3061, Lake Charles, LA, (337) 438-5538, douce6539@gmail.com; Mr. Charles Brumfield, representing East Baton Rouge Parish teachers, 10243 N. Interline Dr., Baton Rouge, LA 70810, (504) 296-1393; Ms. Linda Fairchild, Iberia Parish teachers, 211 W. Putnam, Erath, LA, (337) 255-8300; Ms. Karen Champagne, representing The People, LLC, the Mandeville Tea Party, the Greater New Orleans Tea Party, and the Northshore 9/12, 1500 Prytania, New Orleans, LA, (504) 427-3799; Mr. Dan Garrett, representing the St. Charles Parish School Board, 445 North Blvd., #810, Baton Rouge, LA 70802, (225) 325-8708, or (225) 978-9234 (cell); Mr. Russ Wise, representing the St. John School Board, 2151 Marion St., LaPlace, LA, (225) 652-7211; Ms. Latonya Johnson, representing the East Baton Rouge Parish School System, 17309 Northhampton Dr., Baton Rouge, LA 70811, (225) 356-4306; Ms. Kimberly Encalade, 8957 Spring Grove, Dr., Baton Rouge, LA 70809, (225) 366-1932 or (225) 310-1237; and Ms. Michelle E. Johnson, representing teachers, P. O. Box 41725, Baton Rouge, LA 70835, (318) 717-3322, mivinon316@yahoo.com.

Question and Answer Period

Representative Carter recognized committee members to ask questions of persons who had testified earlier. Committee members requested that the following persons be available for questions: Superintendent John White, Ms. Erin Bendily, deputy superintendent, State Department of Education, Ms. Elizabeth Murrill, Governor Jindal's executive counsel, and Ms. Stafford Palmieri, policy advisor for Governor Jindal. Others were Mr. Eddie Rispone, Mr. Lane Grigsby, Ms. Brigitte Nieland, Mr. Ken Campbell, Ms. Caroline Roemer Shirley, Mr. Danny Loar, Mr. Steve Monaghan, Ms. Karen Harper Royal, Ms. Penny Dastugue, Ms. Janet Howard, Mr. Eric Lewis and

parents who had accompanied him earlier, Mr. Bret Bonin, member, Orleans Parish School Board, and Mr. Michael Walker-Jones, representing the Louisiana Association of Educators.

Providing information were Ms. Beth Myers (provided survey information). Available to provide information if requested were Beth Scioneaux, representing BESE, and Ms. Joan Hunt, representing BESE.

After all questions were asked by committee members, Chairman Carter announced that public testimony on House Bill No. 976 was closed.

The Presentation of Amendments

Chairman Carter asked Ms. Palmieri to come forward to present proposed amendments to the bill. He informed committee members that the amendments were available at each members' desks and were e-mailed to them last evening. The amendments were offered by Representative Carter and provided as follows:

- (1) Deletes present law allowing proposed charters to include academic achievement for college preparatory schools as admission requirements and provides instead that schools chartered prior to July 1, 2012, with certain academic achievement as part of the admission requirements may continue to use such requirements.
- (2) Permits that admission requirements of proposed charters may include proficiency in a foreign language for schools with a language immersion mission.
- (3) Makes present law requirement that assets acquired by a charter school (except Type 4) remain the property of that school for the duration of that school's charter agreement applicable to charter schools authorized by local charter authorizers.
- (4) Adds that assets that become the property of a local charter authorizer shall be used solely for purposes of operating charter schools.
- (5) Requires that in addition to qualifying for automatic renewal to be eligible to open and operate two additional schools without formal application, a charter school operator also shall have received a letter grade of "A" or "B" or any variation thereof.
- (6) Relative to course providers, removes home study students from the definition of "eligible funded student" and instead includes such students in the definition of "eligible participating student".
- (7) Relative to funding for eligible participating students (in the Course Choice Program) who receive scholarships pursuant to the scholarship program, requires that the course provider shall receive payment only for the courses in which the student is enrolled pursuant to proposed law and the remaining funds for each

student, up to the maximum amount as determined by the MFP, stay with the participating school in which the student is enrolled.

- (8) Relative to the Student Scholarships for Education Excellence Program, adds to enrollment requirements for students entering kindergarten that they enroll in their local public school system or in an RSD school and also requires the RSD to conduct and report its annual kindergarten enrollment.
- (9) Adds requirement that the notice of intent from a school seeking to participate in the program include whether the school elects to offer enrollment preferences to students based on the parishes where they reside.
- (10) Adds authorization for the state Dept. of Education to give enrollment preferences to students residing in parishes as may be specified by eligible participating schools in their notices of intent.
- (11) Provides that the state Dept. of Education shall conduct the random selection process until each seat is filled according to the department's established time line instead of prior to the start of the school year.
- (12) Provides that in order to accept scholarship students as more than 20% of total enrollment, a nonpublic school has to have been approved, provisionally approved, or probationally approved for more than two years instead of in operation for such time and deletes present law and proposed law waiver authority and related criterion.

Representative Carter moved that the amendments be adopted. There was no objection, and the amendments were adopted by a vote of 18 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Henry, Hollis, Jefferson, Nancy Landry, Price, Richard, Schroder, Shadoin, Patricia Smith, Thompson, and Alfred Williams voted yea.

Representative Carter announced that another set of amendments were pending for adoption. He asked Ms. Nancy Jolly, committee senior legislative analyst, to present the amendments. Ms. Jolly explained that the set contained two technical amendments that accompany the substantive set just adopted. Representative Carter offered the amendments and moved that they be adopted. There was no objection, and the technical amendments were adopted by a vote of 18 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Henry, Hollis, Jefferson, Nancy Landry, Price, Richard, Schroder, Shadoin, Patricia Smith, Thompson, and Alfred Williams voted yea.

Representative Carter asked committee members if there were other amendments.

Representative Edwards offered an amendment that addressed language found on page 32, line 17: that rather than requiring that a student be eligible after only being enrolled in a public school on one day - February 1st of the recent year, the

amendment would delete this language and insert instead that the student be enrolled "for at least one full school year." (*Representative Edwards later withdrew the amendment and worked with Representative Henry on a similar amendment involving the October enrollment count.*)

Representative Edwards proposed another amendment that addressed the redirection of local tax dollars in the bill. The amendment would insert language on page 43, between lines 19 and 20 as follows:

"§4206. Use of local funds

No local funds shall be used to implement the provisions of this Chapter or to fund scholarships pursuant to this Chapter."

Representative Edwards offered the amendment and moved that it be adopted. Representative Henry objected, and the secretary called the roll. The motion to adopt the amendment failed by a vote of 7 yeas and 11 nays. Representatives Wesley Bishop, Edwards, Jefferson, Price, Richard, Patricia Smith, and Alfred Williams voted yea, and Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Henry, Hollis, Nancy Landry, Schroder, Shadoin, and Thompson voted nay.

The next amendments proposed by Representative Edwards would provide that the bill limit the scope of the program to students who are in "D" or "F" schools; removing students enrolled in "C" schools from participating in the program. Representative Edwards offered the amendments and moved that they be adopted. Representative Broadwater objected, and the secretary called the roll. The motion to adopt the amendments failed by a vote of 7 yeas and 11 nays. Representatives Wesley Bishop, Edwards, Jefferson, Price, Richard, Patricia Haynes, and Alfred Williams voted yea, and Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Henry, Hollis, Nancy Landry, Schroder, Shadoin, and Thompson voted nay.

Representative Nancy Landry offered an amendment that would deter convicted felons from becoming charter authorizers or affiliated in any way with a charter school. After discussion, Representative Nancy Landry withdrew the amendment and agreed to work with Representative Alfred Williams and Representative Wesley Bishop to tighten the language contained in the amendment. The new language in the amendment, as presented by Mr. Bryan Vincent, would read as follows: "No person who has been convicted of or has pleaded nolo contendere to any crime defined as a state or a federal felony or a federal misdemeanor that would be considered a felony under state law shall be a member or officer of the governing authority of the local charter authorizer or a member, officer, or employee of a chartering group or a charter school." Mr. Vincent explained that the language would strike any references to "affiliated in any way with a charter school." Representative Nancy Landry explained that the amendment would prevent situations that have occurred before.

Representative Bishop asked that the amendment be withdrawn to allow further discussion. Representative Nancy Landry agreed to enter into further discussions.

Representative Carter asked if the compromise amendment between Representative Edwards and Representative Henry was ready.

Representative Edwards explained that his original amendment was proposed to make sure that students are required to be in a public school for more than one day in order to be eligible for the program. Representative Henry asked for more clarification on the issue regarding student membership definitions from Ms. Beth Scioneaux, representing the State Department of Education, 1201 North 3rd St., Baton Rouge, LA.

The proposed amendment by Representative Henry, as explained by Ms. Nancy Jolly, is found on page 32, line 17, where after "year", the language suggested by Ms. Scioneaux, "pursuant to the definition of student membership established by the state board for purposes of the minimum foundation formula" would be added and include the October 1 and February 1 enrollment counts of the preceding year. Representative Henry offered the amendment and moved that the amendment be adopted. There was no objection, and the motion to adopt the amendment passed by a vote of 18 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Henry, Hollis, Jefferson, Nancy Landry, Price, Richard, Schroder, Shadoin, Patricia Smith, Thompson, and Alfred Williams voted yea.

Representative Carter asked committee members if there were other amendments.

Representative Patricia Smith responded that she had a package of amendments that she wanted to propose for adoption.

The first set proposed by Representative Smith would provide that the State Board of Elementary and Secondary Education report annually to the House and Senate committees on education on its implementation of its responsibilities under the provisions of the bill. Representative Smith offered the amendments and moved that they be adopted. Representative Henry objected, and the secretary called the roll. The motion to adopt the amendments failed by a vote of 7 yeas and 11 nays. Representatives Wesley Bishop, Edwards, Jefferson, Price, Richard, Patricia Smith, and Alfred Williams voted yea, and Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Henry, Hollis, Nancy Landry, Schroder, Shadoin, and Thompson voted nay.

The next set from Representative Smith addressed meetings of charter school boards; proposing that at least three public meetings be held with sign-in sheets required for parents or legal guardians of potential students. Representative Smith offered the amendment and moved that it be adopted. Representative Nancy Landry objected, and the secretary called the roll. The motion to adopt the amendment failed by a vote of 7 yeas and 11 nays. Representatives Wesley Bishop, Edwards, Jefferson, Price, Richard, Patricia Smith, and Alfred Williams voted yea, and Representatives Carter,

Broadwater, Henry Burns, Carmody, Champagne, Henry, Hollis, Nancy Landry, Schroder, Shadoin, and Thompson voted nay.

Representative Smith's next set provided relative to membership diversity on the board of directors. The amendment proposed the following:

"Certify charter authorizers such that the composition of their boards of directors or other governing authorities, considered collectively, reflects the demographic diversity of the state in areas such as geography, gender, and race."

Representative Smith offered the amendment and moved that it be adopted. Representative Henry objected, and the secretary called the roll. The motion to adopt the amendment failed by a vote of 6 yeas and 12 nays. Representatives Wesley Bishop, Edwards, Jefferson, Price, Patricia Smith, and Alfred Williams voted yea, and Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Henry, Hollis, Nancy Landry, Richard, Schroder, Shadoin, and Thompson voted nay.

Representative Smith then proposed that the participating nonpublic schools in the program exhibit full accountability and "be comparable to and contain the same components, requirements, and criteria as the school and district accountability system for public schools, including but not limited to requirements for high stakes testing, assignment of letter grades to schools, and publishing and reporting of results;" that the "State Board of Elementary and Secondary Education shall implement a school accountability system for certain nonpublic schools as provided in this Act effective for the 2012-2013 school year and thereafter."

Representative Smith offered the amendment and moved that it be adopted. Representative Schroder objected, and the secretary called the roll. The motion to adopt the amendment failed by a vote of 6 yeas and 12 nays. Representatives Wesley Bishop, Edwards, Price, Richard, Patricia Smith, and Alfred Williams voted yea, and Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Henry, Hollis, Jefferson, Nancy Landry, Schroder, Shadoin, and Thompson voted nay.

The next set of amendments proposed by Representative Smith would remove all references to charter schools and virtual schools from the bill, leaving it a "choice" bill only. Representative Smith offered the amendments and moved that they be adopted. Representative Champagne objected, and the secretary called the roll. The motion to adopt the amendments failed by a vote of 5 yeas and 13 nays. Representatives Wesley Bishop, Edwards, Price, Patricia Smith, and Alfred Williams voted yea, and Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Henry, Hollis, Jefferson, Nancy Landry, Richard, Schroder, Shadoin, and Thompson voted nay.

Representative Smith then proposed an amendment that puts back language in the bill relative to the instructional staff employed in Type 5 charter schools. Representative Smith offered the amendments and moved that they be adopted. Representative Schroder objected, and the secretary called the roll. The motion to adopt the

amendments failed by a vote of 7 yeas and 11 nays. Representatives Wesley Bishop, Edwards, Jefferson, Price, Richard, Patricia Smith, and Alfred Williams voted yea, and Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Henry, Hollis, Nancy Landry, Schroder, Shadoin, and Thompson voted nay.

Representative Carter recognized Representative Schroder for a motion. Representative Schroder moved to end the consideration of amendments. Representative Patricia Smith objected, and the secretary called the roll. The motion to end consideration of amendments passed by a vote of 12 yeas and 6 nays. Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Henry, Hollis, Nancy Landry, Richard, Schroder, Shadoin, and Thompson voted yea, and Representatives Wesley Bishop, Edwards, Jefferson, Price, Patricia Smith, and Alfred Williams voted nay.

Representative Carter closed on House Bill No. 976.

Representative Carter moved that House Bill No. 976 be reported with amendments. Representative Price objected, and the secretary called the roll. House Bill No. 976 was reported with amendments by a vote of 12 yeas and 6 nays. Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Henry, Hollis, Jefferson, Nancy Landry, Schroder, Shadoin, and Thompson voted yea, and Representatives Wesley Bishop, Edwards, Price, Richard, Patricia Smith, and Alfred Williams voted nay.

Representative Edwards moved that House Bill No. 976 be recommitted to the House Committee on Appropriations. In response to a question from Representative Henry about the accuracy of the attached fiscal note, Representative Edwards responded that the bill's fiscal note indicates that its cost for implementation is indeterminable but in excess of \$500,000, therefore in excess of what is in the House Rules for recommitment.

Ms. Mary Kathryn Drago, representing the Legislative Fiscal Office, testified that the state currently covers the cost of the New Orleans Scholarship Program. She said the program covered in House Bill No. 976 will have local school districts bearing a portion of the cost for implementation. Ms. Drago stated that these costs will be over \$500,000, but the exact amount has not been determined.

Representative Carter recognized Mr. Bryan Vincent to explain the motion to committee members. Mr. Vincent stated that the motion to recommit is part of the motion on reporting the instrument and should have accompanied the initial motion to report with amendments as a substitute motion to "report with amendments and recommit to the House Committee on Appropriations." He further explained that since no substitute motion was made subsequent to the original motion made by Representative Carter to report with amendments, and since Representative Carter's motion carried, Representative Edwards' motion is not in order given that House Bill No. 976 is no longer before the committee. Mr. Vincent stated that if the committee so chooses, it can reconsider the vote by which it reported the bill.

Representative Price moved that the committee adjourn and come back Saturday morning, March 17, 2012, to finish its agenda. Representative Thompson objected, and the secretary called the roll. The motion to adjourn until Saturday, March 17, 2012, failed by a vote of 6 yeas and 12 nays. Representatives Wesley Bishop, Edwards, Price, Richard, Patricia Smith, and Alfred Williams voted yea, and Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Henry, Hollis, Jefferson, Nancy Landry, Schroder, Shadoin, Thompson voted nay.

House Bill No. 974 by Representative Carter

House Bill No. 974 provides relative to teacher tenure, pay-for-performance, and evaluations.

Representative Jefferson in the chair.

Representative Carter presented the bill to the committee.

Before discussion occurred on the bill, Representative Carter announced that the procedure for hearing House Bill No. 974 will be similar to that followed during the hearing of House Bill No. 976. He said there will be opening statements, an explanation of the components of the bill, 45 minutes allocated for presentations and testimony from proponents and 45 minutes allocated for presentations and testimony from opponents, public testimony, a question and answer period, the presentation of amendments, and the closing.

Representative Thompson moved that the format for hearing House Bill No. 974 as proposed by Representative Carter be adopted. There was no objection, and the motion passed by a vote of 18 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Henry, Hollis, Jefferson, Nancy Landry, Price, Richard, Schroder, Shadoin, Patricia Smith, Thompson, and Alfred Williams voted yea.

Superintendent of Education John White presented the components of House Bill No. 974 to the committee.

Making opening comments in support of House Bill No. 974 were Ms. Penny Dastugue, president, state Board of Elementary and Secondary Education, 10 Serenity Dr., Mandeville, LA, penny.dastugue@la.gov; Mr. Jim Garvey, secretary, state Board of Elementary and Secondary Education, 4800 Bolack Lane, Metairie, LA, jim.garvey@la.gov; and Mr. Chas Roemer, vice president, state Board of Elementary and Secondary Education, 6837 Rue Bocage, Baton Rouge, LA 70809, (225) 293-5812 or 200-1606 (cell).

Also speaking in support of House Bill No. 974 were Ms. Stephanie Desselle, representing the Council for a Better Louisiana, P.O. Box 4308, Baton Rouge, LA

70801, (225)344-2225, desselle@cabl.org; Ms. Brigitte Neiland, vice president, Louisiana Association of Business and Industry, 3113 Valley Creek Dr., Baton Rouge, LA 70808, (225) 923-5388 or (225) 603-5668, brigitten@labi.org; Mr. Jimmy Moran, chairman, BluePrint Louisiana, Covington, LA; Ms. Erin Monroe Wesley, representing the Baton Rouge Area Chamber, 564 Laurel St., Baton Rouge, LA 70801, (225) 339-1168, erin@brac.org; Ms. Rayne Martin, executive director, Stand for Children; Mr. Kevin Kane, president, Pelican Institute for Public Policy, 643 Magazine St., Suite 301, New Orleans, LA 70130, (504) 267-9404; Mr. Gary Jones, school superintendent, representing himself and Stand for Children, 3899 Hwy. 457, Alexandria, LA, (318) 308-2306; Mr. Michael Delesdenier, representing the Jefferson Parish School Board, 2728 Athania Pkwy., Metairie, LA 70002-5904, (504) 281-4106; Mr. Karl Carpenter, representing himself, principal, Pineville High School, 726 Ates Rd., Pineville, LA 71360, (318) 640-8785 or (318) 201-9190, karl.carpenter@rpsb.us; Ms. Abby McCartney, Grace King High School, Jefferson Parish schools, representing Stand for Children, 9813 Laurel St., New Orleans, LA 70115, (214) 695-4875, abby.m.mccartney@gmail.com; Mr. Kevin Gutterrez, ReNEW Schools and Stand for Children, 116 Fontainebleau Dr., Mandeville, LA 70471, (504) 210-9832, kevin@renewschools.org.

Also speaking in support were Mr. John Warner Smith, representing Education's Next Horizon, 19524 Arcadian, Baton Rouge, LA 70805, (225) 383-3844 or (225) 933-1177 (cell), jsmith@nexthorizon.org; and Dr. Phillip A. Rozeman, representing the committee of 100/Blueprint Louisiana, 510 Longleaf Rd., Shreveport, LA 71106, (318)861-7051 and (318) 426-7801 (cell).

Also supporting the bill, indicating that they wanted to speak, but were not available when called, were Ms. Patrice Pujol, superintendent, representing herself and Stand for Children; Ms. Janet Bean, representing Citizens for One Greater New Orleans, 6025 Garfield St., New Orleans, LA 70110, (504) 897-2710; Mr. Danny Montelaro; Ms. Elizabeth Murrill, executive counsel, governor's office, 4th Floor, State Capitol, Baton Rouge, LA, (225) 342-8212, elizabeth.murrill@la.gov; Ms. Danielle Babineaux, 102 Rome Lane, Scott, LA, (337) 886-0085 or (337) 230-6216, danibab@cox.net; Mr. Greg Davis, representing Lafayette Parish, 307 N. Anita, Lafayette, LA 70501, (337) 265-2100 or (337) 259-1001 (cell), gdavis@cajundome.com; Mr. Andy C. Begneaud, representing himself and LABI, P.O. Box 62949, Lafayette, LA 70596, (337) 230-0430; Mr. Andrew Brandon, representing Stand for Children; Mr. Eric B. Lewis, representing the Black Alliance for Educational Options, 7575 Jefferson Hwy., Baton Rouge, LA 70806, (225) 408-9323, eric@baeo.org; Ms. Cynthia Tracy, representing Stand for Children, (225) 588-4884; Mr. Michael G. Chitton; Ms. Monica Candal, representing Lindy Stevens and Stand for Children; Mr. Clifford Grout, representing himself/parent, 1224 Carolyn Sue Dr., Baton Rouge, LA 70815; Mr. Westley Bayas, representing Stand for Children, 643 Magazine St., #301, New Orleans, LA 70130, (504) 223-3055, wbyas@stand.org; Ms. Donna Wallace, parent, 42 Riverdale Dr., Covington, LA 70433, (985) 867-8737 or (985) 630-4893 (cell); and Mr. Kenneth Campbell,

representing the Black Alliance for Educational Options, 12263 Cantorbury Park Dr., Geismar, LA 70734, (225) 892-2125, kenneth@baeo.org.

Speaking in opposition to House Bill No. 974 were Ms. Joyce Haynes, representing the Louisiana Association of Educators, 8322 One Calais, Baton Rouge, LA 70809, (225) 945-1827 (cell), joyce.haynes@lae.org; Ms. Deborah Meaux, representing the Louisiana Association of Educators, 10717 Beverly Dr., Kaplan, LA, 70548, (337) 643-1075 or (337) 849-3514, dmeaux@cox.net; Dr. Michael A. Walker-Jones, executive director, representing the Louisiana Association of Educators, 8322 One Calais Ave., Baton Rouge, LA, (225)533-5907; and Mr. Wayne Free, representing the Louisiana Association of Educators, 8322 One Calais, Baton Rouge, LA 70809, (225)281-6608, wayne.free@lae.org.

Also speaking in opposition were Mr. Brett Bonin, president-elect, Louisiana School Boards Association, New Orleans, LA, (504) 481-5084, brett.bonin@nops.k12.la.us; and Mr. Michael Deshotels, 4982 Albert East, Zachary, LA, (225) 235-1632.

Also speaking in opposition were Mr. Steve Monaghan, representing the Louisiana Federation of Teachers, 9623 Brookline Ave., Baton Rouge, LA 70809-1433, (225) 923-1037; Ms. Mary Patricia Wray, representing the Louisiana Federation of Teachers, 6820 Menlo Ave., Baton Rouge, LA 70808, (937) 475-7853; Ms. Jackie Lansdale, representing Red River United-Caddo/Bossier, 1726 Line Ave., Shreveport, LA, (318) 518-4581; and Mr. Carnell Washington, representing the East Baton Rouge Parish Federation of Teachers, 15214 Seven Pines Ave., Baton Rouge, LA, (225) 266-1065.

Also speaking in opposition to the bill were Mr. Michael Myer, representing Red River United, 409 Galway Dr., Shreveport, LA 71115, (318) 798-3640; Ms. Lee Barrios, representing the National Board of Certified Teachers of Louisiana and the Coalition for Louisiana Public Educators, (985) 789-8304, lpbharley@aol.com; Mr. M. Keith Nash, representing Red River United/LFT, 1710 Creswell Ave., Shreveport, LA 71101, (318) 424-0476 or (318) 617-0479 (cell); Ms. Paulley Rabalais, representing herself, 404 St. John St., Bunkie, LA 71322, (318) 419-2390, paulleyr@yahoo.com; Ms. Latasha Jordon, representing public education, 1365 Hazeleak Dr., Baker, LA 70714, (225) 775-9958; Mr. Cleve Arkansas, representing RRU, 2548 Jones Mabry Rd., (318) 221-1474 or (318) 834-3077; Ms. Karran Harper Royal, 1360 Soldiers St., New Orleans, LA, (504) 722-8174 or (504) 288-1912 (cell), karranroyal@yahoo.com; and Mr. Ricardo Malbrew, representing teachers, 3131 Pauls Lane, Brusly, LA 70719, (337) 274-6807, rmalbrew@gmail.com.

Also speaking in opposition to House Bill No. 974 were Ms. Vereta Lee, East Baton Rouge Parish School Board, P. O. Box 73133, Baton Rouge, LA, (225) 356-1729 or (225) 772-6955 (cell); Ms. Michelle Jenkins, representing teachers, Watson, LA; Ms. Donna Sedevie, representing the East Baton Rouge Parish Association of Educators, 666 North 7th St., Baton Rouge, LA 70802, (225) 229-5345; Ms. Donna Setavee; and Ms. Tara Hollis, representing teachers and the Louisiana Association of Educators,

141 Adkins Place, Haynesville, LA, (318) 433-1058 or (318) 433-1059 (cell), tara@tarahollis.com.

Also opposing the bill, indicating that they wanted to speak, but were not available when called, were Ms. Melodie Munch, representing the Jefferson Federation of Teachers, 2540 Severn Ave., Metairie, LA, (504) 454-5047, mel@jft.org; Mr. Kevin B. Crovetto, Ponchatoula High School, 967 Weinberger Trace Dr., Ponchatoula, LA 70454, (985) 386-4678 or (985) 320-1134 (cell); kevincrovetto@tangischools.org; Ms. Diane Vickers, 957 Louray Dr., Baton Rouge, LA, teachdi@ballsouth.net; Ms. Cammie Maturin; Mr. Lucian D. Roberson, representing the Caddo Association of Educators, 3004 Knight St., #210, Shreveport, LA 71105, (318) 635-1200 or (318) 294-2200 (cell), cae.president@yahoo.com; Ms. Angela Reams-Brown, representing the Louisiana Federation of Teachers, 13756 Broad St., Baton Rouge, LA, (225) 954-9913, areams@ebrschools.org; Mr. Lee Meyer, representing the Assumption Parish School Board, Napoleonville, LA, (985) 369-2672, leemeyersr@charter.net; Ms. Teri Johnson, representing the Calcasieu Federation of Teachers, 2707 St. Joseph, Sulphur, LA 70663, (337) 794-7996, terio759@yahoo.com; Ms. Diana Boylston, representing New Orleans public schools, 1700 Abadie Ave., Metairie, LA 70003, (504) 914-5302, boylstonclark@cox.net; Ms. Brenda Loyd, representing teachers, 7361 Meadow Park Ave., Baton Rouge, LA 70810, (225) 247-0806, bloyd728@gmail.com; Ms. Aliah James, representing herself, 1455 Rue Crozat, Baton Rouge, LA 70810, (225) 636-6509; Ms. Mignon Rogers, representing East Baton Rouge Parish teachers, 17169 Lakepark Ave., Baton Rouge, LA 70816, (832) 545-3081, mrogers@ebrschools.org; Ms. Ashley Lappin, representing teachers from Parkview, 2047 W. Magna Carta Pl., Baton Rouge, LA 70815, (225) 270-3542, ashley.lappin@gmail.com; Ms. Kenya Milligan, representing children of Louisiana, kmilligan@dbrpss.k12.la.us; Ms. Gail J. Nelson, representing Iberia Parish, 5718 Fremin Rd., New Iberia, LA, (337) 369-6285 or (337) 577-0222; Ms. Valerie J. Milligan, representing East Baton Rouge Parish teachers, 3265 Eddie Robinson Dr., Jackson, LA 70748, 937-8020; Mr. Charles Brumfield, representing East Baton Rouge Parish teachers, 10243 Winter Hue Dr., Baton Rouge, LA 70810, (504) 296-1353; Mr. Derrick Petit, representing teachers, P. O. Box 41326, Baton Rouge, LA 70835, (225) 722-8400 (cell); Ms. Vickie T. Auguste, representing Louisiana educators, 18047 Ira Babin Rd., Prairieville, LA, (225) 278-2554; and Ms. Fran Shurtz, representing the Louisiana Association of Educators, 2220 Tulip St., Baton Rouge, LA 70806, (225) 346-8680 or (225) 278-2700, fran.shurtz@att.net.

Questions and Answers

Asked to come back to answer questions from committee members were Mr. Karl Carpenter, Mr. Michael Delesdenier, Superintendent Gary Jones, Superintendent John White, and Ms. Stafford Palmieri.

Representative Jefferson in the chair.

Presentation of Amendments

After initial discussion and questions about certain sections of the bill's content, Representative Edwards voiced concerns about salary increases granted to teachers who, in turn, are rated ineffective during the following year of employment and whether or not they would have to return the funds during the year rated ineffective. He asked Mr. Bryan Vincent to work on an amendment to address the issue.

Representative Edwards then called committee members' attention to page 10, line 26 of the bill that dealt with when a school superintendent will notify a teacher that tenure has been granted. Representative Edwards was concerned that the word "may" is used relative to a teacher acquiring tenure upon meeting certain criteria (after five years of being recognized as a highly effective teacher). He was concerned that the use of this language might give superintendents the right to use "discretion" in granting tenure after a teacher has met the required criteria. Representative Edwards offered an amendment that on page 10, line 26, the word "may" be deleted and replaced with the word "shall." Representative Edwards moved that the amendment be adopted. There was no objection, and the amendment was adopted by a voted of 17 yeas and 0 nays. Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Henry, Hollis, Jefferson, Nancy Landry, Price, Richard, Schroder, Shadoin, Patricia Smith, Thompson, and Alfred Williams voted yea.

Representative Carter in the chair.

Representative Carter announced that he wanted to offer a set of amendments. Representative Carter asked Ms. Palmieri to guide committee members through the amendments.

After the amendments were explained by Ms. Palmieri, Representative Edwards announced his intention to make a motion that the amendments be severed in order to consider Amendments 21 through 27 separately. He expressed concern about those provisions proposed for the teacher's evaluation process grievance procedure before termination. Ms. Palmieri stated that staff will be consulted about preparing an amendment to clear up those concerns.

Representative Carter offered the amendments that would provide as follows:

Employment contracts and personnel matters

- (1) Prohibits, in addition to seniority, tenure from being used as a primary criterion relative to personnel decisions or reductions in force.

Salaries for teachers and other school employees

- (1) Provides for particular school need and geographic area as additional criteria upon which salary schedules shall be based.

Tenure

- (1) Requires, rather than authorizes, that a teacher who has not acquired tenure do so upon meeting criteria established in proposed law (receiving a performance rating of "highly effective" for five straight years).

Termination of employment

- (1) Relative to the opportunity provided in proposed law for teachers to respond to written termination reasons or charges, grants a seven-day response period.
- (2) Adds that a teacher shall not be terminated for an ineffective evaluation until completion of the grievance procedure established pursuant to present law if a grievance was timely filed.
- (3) Changes composition of the hearing panel from the superintendent, principal of the school where the teacher is employed, and a teacher selected by the teacher to a designee of the superintendent, a designee of the principal or the administrative head of the state special school in which the teacher was employed, and a designee of the teacher. Prohibits the designation of an immediate family member or any full-time employee of the school system by which the teacher was employed who is under the supervision of the person making the designation.
- (4) Instead of requiring the superintendent, at least 20 days before the hearing, to furnish the teacher with a copy of written charges, provides that the hearing shall occur within 10 business days following dismissal.
- (5) Reinstates present law relative to the authority to issue subpoenas to compel the attendance of all witnesses, but grants such authority to the panel instead of the school board and removes provision limiting the use of subpoenas to on behalf of the teacher.
- (6) Instead of authorizing a teacher to petition a court of competent jurisdiction if a tenure hearing panel affirms or disapproves the superintendent's action in terminating his employment, requires the panel to submit its recommendation to the superintendent, authorizes the superintendent to reinstate the teacher, and authorizes the teacher to make such petition if not reinstated.
- (7) Limits the petition to a request for review of whether the termination was arbitrary or capricious; limits the record on review to evidence presented at the tenure hearing; requires the court to give a scheduling preference to the matter.

Representative Carter moved that the amendments be adopted. There was no objection, and the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody,

Champagne, Edwards, Henry, Hollis, Jefferson, Nancy Landry, Price, Schroder, Shadoin, Thompson, and Alfred Williams voted yea.

The next set of amendments were offered by Representative Edwards. He explained that the amendment addressed what a teacher must accomplish prior to receiving tenure and noted that as currently proposed, a teacher must be rated highly effective for five years to receive tenure. He said the amendment would change provisions on page 10, deleting line 18, and provide that "a teacher must not have received a rating of "ineffective" for five consecutive years." The next amendment would be added on page 11, line 8, and address what a teacher would need to do to have tenure reinstated after it has been lost. The new language here would provide that "the teacher does not receive a performance rating of 'ineffective' for three years."

Representative Edwards offered the amendments and moved that the amendments be adopted. Representative Broadwater objected, and the secretary called the roll. The motion to adopt the amendment failed by a vote of 6 yeas and 12 nays. Representatives Wesley Bishop, Edwards, Jefferson, Price, Patricia Smith, and Alfred Williams voted yea, and Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Henry, Hollis, Nancy Landry, Richard, Schroder, Shadoin, and Thompson voted nay.

Representative Edwards asked Mr. Vincent to present the amendments that dealt with his earlier concerns about what happens when a teacher is rated ineffective during the year after receiving a salary increase during the previous year. The amendment, on page 8, would replace language on line 26 with the following: " receive a higher salary in the year following the evaluation than he received in the year of the evaluation."

Representative Edwards offered the amendment and moved that it be adopted. There was no objection, and the motion to adopt the amendment passed by a vote of 18 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Henry, Hollis, Jefferson, Nancy Landry, Price, Richard, Schroder, Shadoin, Patricia Smith, Thompson, and Alfred Williams voted yea.

The next amendment proposed by Representative Edwards would add a new sentence dealing with the termination of a tenured teacher. As explained by Mr. Vincent, the amendment on page 11, at the end of line 21, would read as follows: "a teacher shall not be terminated for an ineffective evaluation until completion of the grievance procedure established pursuant to R.S. 17:3883, Paragraph 5, if a grievance was timely filed." Representative Edwards offered the amendment and moved that it be adopted. There was no objection, and the amendment was adopted by a vote of 18 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Henry, Hollis, Jefferson, Nancy Landry, Price, Richard, Schroder, Shadoin, Patricia Smith, Thompson, and Alfred Williams voted yea.

Representative Jefferson in the chair.

Representative Carter closed on the bill.

Representative Carter moved that House Bill No. 974 be reported with amendments. Representative Patricia Smith objected, and the secretary called the roll. House Bill No. 974 was reported with amendments by a vote of 13 yeas and 5 nays. Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Henry, Hollis, Jefferson, Nancy Landry, Richard, Schroder, Shadoin, and Thompson voted yea, and Representatives Wesley Bishop, Edwards, Price, Patricia Smith, and Alfred Williams voted nay.

V. OTHER BUSINESS

There was no other business for discussion.

VI. ANNOUNCEMENTS

There were no announcements.

VII. ADJOURNMENT

The meeting was adjourned at 12:20 a.m.

(The duration of the committee meeting was 15 hours and 48 minutes.)

Respectfully submitted,

Stephen F. Carter, Chairman

House Committee on Education