

House Committee on Education

Minutes of Meeting
2013 Regular Session
May 1, 2013

I. CALL TO ORDER

Representative Stephen F. Carter, Chairman of the House Committee on Education, called the meeting to order at 9:00 a.m. in 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 Wesley T. Bishop
Representative Chris Broadwater
Representative Henry L. Burns
Representative Thomas G. Carmody, Jr.
Representative Simone B. Champagne
Representative John Bel Edwards
Representative Paul Hollis
Representative Barry Ivey
Representative Patrick O. Jefferson, Vice Chairman
Representative Nancy Landry
Representative Edward J. Price
Representative Jerome Richard
Representative Robert E. Shadoin
Representative Patricia Haynes Smith
Representative Jeff R. Thompson
Representative Alfred C. Williams

MEMBERS ABSENT:

Representative Cameron Henry

STAFF MEMBERS PRESENT:

Elizabeth L. Borné, Committee Legislative Analyst
Nancy Y. Jolly, Committee Legislative Analyst
Jacqueline Snowden, Committee Secretary

ADDITIONAL ATTENDEES PRESENT:

Beverly Vincent, Sergeant at Arms
Danny Leming, Sergeant at Arms

III. DISCUSSION OF LEGISLATION**House Bill No. 267 by Representative Hensgens**

Representative Hensgens presented House Bill No. 267, which prohibits public high school participation in interscholastic athletics regulated by any association that discriminates among schools based on school admissions criteria in classifying schools into divisions for competition.

Representative Carter offered a motion to voluntarily defer action on House Bill No. 267. Without objection, the motion passed by a vote of 13 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Ivey, Jefferson, Price, Richard, Shadoin, and Smith voted yea.

House Bill No. 368 by Representative Norton

Representative Norton presented House Bill No. 368, which provides relative to school crisis management and response plans and school resource officers.

Representative Jefferson offered a set of amendments to House Bill No. 368 that provides as follows:

1. Relative to the proposed law requirement that a school resource officer be armed with a firearm while on duty, provides that such firearm be authorized by rather than issued by a law enforcement agency.

Representative Jefferson offered a motion to adopt the amendments. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Ivey, Jefferson, Nancy Landry, Price, Richard, Shadoin, and Smith voted yea.

Representative Smith offered a set of amendments to House Bill No. 368 that provides as follows:

1. Deletes the proposed law provision requiring a public school board make or enter into agreements with a local law enforcement agency to provide for school resource officers and instead retains the authority granted in present law to do so.

Representative Smith offered a motion to adopt the amendments. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Ivey, Jefferson, Nancy Landry, Price, Richard, Shadoin, and Smith voted yea.

The names of persons who signed witness cards in opposition to House Bill No. 368 are attached.

Representative Broadwater offered a motion to report House Bill No. 368 with amendments. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Ivey, Jefferson, Nancy Landry, Price, Richard, Shadoin, and Smith voted yea.

House Bill No. 116 by Representative Hoffmann

Representative Hoffmann presented House Bill No. 116, which provides relative to textbooks and other instructional materials for elementary and secondary schools.

Representative Hoffmann was accompanied in his presentation of the bill by Ms. Erin Bendily, representing the State Board of Elementary and Secondary Education (BESE) and the state Department of Education, Claiborne Building, Baton Rouge, LA.

Representative Carmody offered a set of amendments to House Bill No. 116 that provide as follows:

1. Adds a provision prohibiting BESE from requiring textbooks or other instructional materials to meet certain standards.
2. Adds a provision requiring public school governing authorities to adopt rules relative to the screening and review of textbooks and instructional materials.
3. Adds that the purchase of textbooks and instructional materials by school governing authorities is exempt from present law relative to procurement and public bidding.
4. Adds proposed law provisions relative to contracts with publishers and textbook depositories.

Representative Carmody offered a motion to adopt the amendments. Without objection, the motion passed by a vote of 15 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Ivey, Jefferson, Nancy Landry, Price, Richard, Shadoin, Smith, and Thompson voted yea.

Representative Jefferson offered a set of amendments to Representative Hoffmann's amendment that would provide as follows:

1. Instead of making the requirement that the state Department of Education offer a service to review textbooks subject to the availability of funds, requires the department to offer the review service while authorizing it to limit reviews in accordance with funds available for such purpose.

Representative Jefferson offered a motion to adopt the amendments. Without objection, the motion passed by a vote of 16 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Ivey, Jefferson, Nancy Landry, Price, Richard, Shadoin, Smith, Thompson, and Alfred Williams voted yea.

Speaking in support of House Bill No. 116 was Mr. Lonnie Luce, superintendent, representing the St. James Parish School System, 6002 Jonathan Alarie Ave., Gonzales, LA 70737, (225) 258-4501.

Speaking in opposition to House Bill No. 116 were Ms. Laura O'Halloran, representing the Louisiana Power Coalition, Denham Springs, LA 70726, (225) 773-8206; and Ms. Tammy Wood, representing the Louisiana Association of Science Leaders, 23825 Sunnyside Lane, Zachary, LA 70791, (225) 654-6837.

Representative Broadwater offered a motion to report House Bill No. 116 with amendments. Without objection, the motion passed by a vote of 13 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Edwards, Hollis, Ivey, Jefferson, Nancy Landry, Price, Shadoin, and Thompson voted yea.

House Bill No. 214 by Representative Jefferson

Representative Jefferson presented House Bill No. 214, which provides relative to parental involvement in public schools.

The names of persons who signed witness cards in support of House Bill No. 214 are attached.

Representative Carmody offered a motion to report House Bill No. 214 favorably. Without objection, the motion passed by a vote of 13 yeas and 0 nays. Representatives Carter, Broadwater, Henry Burns, Carmody, Edwards, Hollis, Ivey, Jefferson, Nancy Landry, Price, Richard, Smith, and Thompson voted yea.

Representative Price offered a motion to place House Bill No. 214 on the Local & Consent calendar. Without objection, the motion passed by a vote of 13 yeas and 0 nays. Representatives Carter,

Broadwater, Henry Burns, Carmody, Edwards, Hollis, Ivey, Jefferson, Nancy Landry, Price, Richard, Smith, and Thompson voted yea.

House Bill No. 659 by Representative Thompson

Representative Thompson presented House Bill No. 659, which provides relative to reporting, instructional, and other requirements for school employees, school governing authorities, and schools.

Representative Thompson was accompanied in his presentation of the bill by Ms. Erin Bendily, representing the State Board of Elementary and Secondary Education (BESE) and the state Department of Education, Claiborne Building, Baton Rouge, LA.

The names of persons who signed witness cards in support of and in opposition to House Bill No. 659 are attached.

Representative Henry Burns offered a motion to report House Bill No. 659 favorably. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Edwards, Hollis, Ivey, Jefferson, Nancy Landry, Price, Richard, Smith, and Thompson voted yea.

Representative Broadwater offered a motion to place House Bill No. 659 on the Local & Consent calendar. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Edwards, Hollis, Ivey, Jefferson, Nancy Landry, Price, Richard, Smith, and Thompson voted yea.

House Bill No. 646 by Representative Smith

Representative Smith presented House Bill No. 646, which provides relative to student discipline, including suspensions and expulsions, codes of conduct, and bullying.

Representative Smith was accompanied in her presentation of the bill by Dr. Jennifer Curry, representing the Louisiana School Counselors Association, 450 Court St., Baton Rouge, LA 70810, (225) 761-7253.

Providing information only were Ms. Veronica Brooks, representing the Louisiana Association of Public Charter Schools, New Orleans, LA, (504) 274-3652 and Ms. Erin Bendily, representing the State Board of Elementary and Secondary Education (BESE) and the state Department of Education, Claiborne Building, Baton Rouge, LA.

Speaking in support of House Bill No. 646 were Ms. Rachel Williams, representing the Students for Education Reform, 8813 Orleans Dr., Baton Rouge, LA 70810, (225) 205-7200; Mr. Kaleb J. Hill, representing Students for Education Reform, 9012 Olive St., New Orleans, LA, (504) 264-3481; Ms. Penelope Dane, 110 Beverly Dr., (413) 537-7860; Ms. Katherine Clarke, representing the Louisiana Association of Educators, 8322 One Calais Ave., Baton Rouge, LA, (510) 316-0278; and Ms. Jolon McNeil, representing the Juvenile Justice Project of Louisiana, 1600 OC Haley Blvd., New Orleans, LA 70113, (504) 522-5437.

Speaking in opposition to House Bill No. 646 was Mr. Roy McCoy, representing the Third District Principal's Association, 6314 McCoy Tr., Bastrop, LA 71220, (318) 281-6395.

Representative Smith offered a set of amendments to House Bill No. 646 that would provide as follows:

1. Increases the number of school days within which students shall receive expulsion hearings from five to 10 and authorizes principals to require that students be educated off-campus until the hearing if there is a major safety concern.
2. Revises present law requirements for training with respect to bullying for school employees based on whether they are new or continuing employees or employees without direct contact with students.
3. Deletes the following proposed law:
 - (a) Requirement that parents attend interviews conducted for bullying investigations; retains present law provision that they shall have the opportunity to attend such interviews with their child and adds circumstances under which the student may be interviewed without the parents.
 - (b) Provision authorizing parental notification upon reports of bullying; retains present law provision requiring this notification and adds a provision granting principals discretion under certain circumstances.
 - (c) Requirement that each public school governing authority determine certain data and collect certain metrics relative to bullying prevention policies.
4. Amends rather than repeals present law that provides relative to complaints filed by principals with a court if the parent of a student under 18 willfully refuses to attend a meeting on the child's behavior; authorizes rather than requires principals to file certain complaints.
5. Retains rather than deletes the following present law:

- (a) Providing that all students shall be protected equally and without regard to the subject matter or the motivating animus of the bullying.
- (b) Providing relative to the indemnification school of employees with respect to certain circumstances related to bullying complaints.
- (c) Providing for the transfer of certain students who are bullying targets to a virtual school or program.

Representative Smith offered a motion to adopt the amendments. Without objection, the motion passed by a vote of 11 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Champagne, Edwards, Hollis, Ivey, Nancy Landry, Price, Shadoin, and Smith voted yea.

The names of persons who signed witness cards in support of House Bill No. 646 are attached.

Representative Wesley Bishop offered a motion to report House Bill No. 646 with amendments. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Carmody, Champagne, Edwards, Hollis, Ivey, Jefferson, Nancy Landry, Price, Richard, Shadoin, and Smith voted yea.

House Concurrent Resolution No. 91 by Representative Smith

Representative Smith presented House Concurrent Resolution No. 91, which creates the Task Force on Bullying Prevention in Public Schools to study the procedures and processes by which incidents of bullying are reported and investigated.

Speaking in support of House Concurrent Resolution was Mr. Matthew Patterson, representing Louisiana Progress, 650 N. 6th St., Baton Rouge, LA 70802, (225) 507-3987.

Representative Smith offered a set of amendments to House Concurrent Resolution No. 91 that would provide as follows:

1. Changes the chair of the task force from the director of the state Department of Education's division of consolidated programming or his designee to a department staff member designated by the state superintendent of education.
2. Additionally provides for membership on the task force of any education practitioner who has experience in addressing the issue of bullying, designated by the state superintendent of education.

Representative Smith offered a motion to adopt the amendments. Without objection, the motion passed by a vote of 13 yeas and 0 nays. Representatives Carter, Henry Burns, Carmody, Champagne, Edwards, Hollis, Jefferson, Nancy Landry, Price, Richard, Shadoin, Smith, and Thompson voted yea.

The names of persons who signed witness cards in support of House Concurrent Resolution No. 91 and those who were present to present information only are attached.

Representative Smith offered a motion to report House Concurrent Resolution No. 91 with amendments. Without objection, the motion passed by a vote of 12 yeas and 0 nays. Representatives Carter, Henry Burns, Carmody, Champagne, Edwards, Jefferson, Nancy Landry, Price, Richard, Shadoin, Smith, and Thompson voted yea.

House Bill No. 242 by Representative Carter

Representative Carter presented House Bill No. 242, which authorizes the state superintendent of education to make certain adjustments to the Student Scholarships for Educational Excellence Program accountability system.

Representative Carter offered a motion to report House Bill No. 242 favorably. Without objection, the motion passed by a vote of 12 yeas and 0 nays. Representatives Carter, Henry Burns, Carmody, Champagne, Edwards, Jefferson, Nancy Landry, Price, Richard, Shadoin, Smith, and Thompson voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 12:03 p.m.

Respectfully submitted,

Stephen F. Carter, Chairman
House Committee on Education