

House Committee on Education

Minutes of Meeting
2014 Regular Session
April 29, 2014

I. CALL TO ORDER

Representative Stephen F. Carter, chairman of the House Committee on Education, called the meeting to order at 9:06 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 Cameron Henry
Representative Paul Hollis
Representative Barry Ivey
Representative Patrick O. Jefferson, Vice Chair
Representative Nancy Landry
Representative Edward J. Price
Representative H. Eugene Reynolds
Representative Jerome Richard
Representative Patricia Haynes Smith
Representative Jeff R. Thompson
Representative Alfred C. Williams

MEMBERS ABSENT:

Representative Robert E. Shadoin

STAFF MEMBERS PRESENT:

Elizabeth L. Borne, Legislative Analyst
Nancy Y. Jolly, Legislative Analyst

Jacqueline Snowden, Secretary

ADDITIONAL ATTENDEES PRESENT:

Beverly Vincent, Sergeant at Arms
Riley Thomas, Sergeant at Arms
Candace Pointer, Sergeant at Arms
Danny Leming, Sergeant at Arms

III. DISCUSSION OF LEGISLATION

House Bill No. 953 by Representative Leger

Representative Leger presented House Bill No. 953, which provides for the collection, sharing, and use of student assessment results and information by the State Board of Elementary and Secondary Education.

Representative Carmody offered a set of amendments to House Bill No. 953 that would provide as follows:

1. Deletes proposed law that required that statewide content standards be established in accordance with La. educational priorities as determined by BESE and that prohibited the standards from requiring the use of federally or state-endorsed curricula, textbooks, or other instructional materials and from requiring the collection or reporting of any student data.
2. Adds requirements that BESE collect results from the assessments administered in 2014-15 and 2015-16 in order to define the basis for student achievement expectations to be used in the school and district accountability system; comply with federal and state law in reporting student results from such assessments; and provide aggregate results from such assessments to a qualified faculty member at a La. postsecondary education institution to analyze student performance and advise the board on the basis for achievement expectations.
3. Adds that for the 2014-15 and 2015-16 school years, BESE shall use the statewide results from the assessments as the basis for a distribution of school and district letter grades that shall not vary from the distribution of letter grades from 2012-13, unless under certain circumstances; shall establish an academic support plan for certain failing public schools; and shall require a change in school governance only after such a plan has been implemented for one year.

4. Prohibits BESE from using the results of such assessments to require the use of value-added data in the evaluation of educators.
5. Authorizes BESE to promulgate rules to ensure that local public school systems have an accurate basis for measuring student growth in the absence of value-added data.

Representative Carmody offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Henry, Ivey, Jefferson, Nancy Landry, Price, Reynolds, Richard, Smith, and Thompson voted yea.

Speaking in opposition to the bill were Mr. Jerome Puyau, superintendent of schools, Vermilion Parish Schools, 220 S. Jefferson St., Abbeville, LA 70510, (337) 8998-5764; Ms. Sandy McDade, representing Eagle Forum, 3112 Pines Rd., Sport, LA 70119, (318) 458-1410; Ms. Kathryn Goppelt, 42291 Clouatre Rd., Gonzales, LA 70737, (225) 675-8002; Ms. Mary Patricia Wray, representing the LFT, 9623 Brookline Ave., Baton Rouge, LA 70808; Ms. Debbie Meaux, representing the Louisiana Association of Educators, 8322 One Calais Ave., Baton Rouge, LA 70809, (225) 343-9243; and Mr. Scott Richard, executive director, Louisiana School Boards Association, 7912 Summa Ave., Baton Rouge, LA 70809, (225) 769-3191.

Providing information was Mr. John White, state superintendent of Schools, representing the state Board of Elementary and Secondary Education and the State Department of Education, Claiborne Bldg., Baton Rouge, LA.

Persons who signed cards in opposition to House Bill No. 953 but did not wish to speak are included in Exhibit A.

Representative Broadwater offered a motion to report House Bill No. 953 with amendments, to which Representative Richard objected. A roll call vote was taken and House Bill No. 953 was reported with amendments by a vote of 10 yeas and 6 nays. Representatives Carter, Broadwater, Carmody, Champagne, Nancy Landry, Price, Reynolds, Smith, Thompson, and Alfred Williams voted yea. Representatives Henry Burns, Henry, Hollis, Ivey, Jefferson, and Richard voted nay.

House Concurrent Resolution No. 21 by Representative Dixon

Representative Dixon presented House Concurrent Resolution No. 21, which requests that the Board of Regents study the feasibility of implementing a college tuition program that would allow students to pay tuition after leaving college.

Supporting the bill but wishing to speak was Ms. Debbie Meaux, representing the Louisiana Association of Educators, 8322 One Calais Ave., Baton Rouge, LA 70809, (225) 343-9272.

Representative Broadwater offered a motion to report House Concurrent Resolution No. 21 favorably. Without objection, House Concurrent Resolution No. 21 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Carter, Broadwater, Carmody, Champagne, Edwards, Hollis, Jefferson, Nancy Landry, Price, Reynolds, Richard, and Smith voted yea.

House Bill No. 178 by Representative Dixon

Representative Dixon presented House Bill No. 178, which provides relative to instruction on dating violence in public schools.

Persons who signed cards in support of House Bill No. 178 but did not wish to speak are included in Exhibit A.

Persons who signed cards in opposition to House Bill No. 178 but did not wish to speak are included in Exhibit B.

Persons who signed cards to provide information on House Bill No. 178 but did not wish to speak are included in Exhibit C.

Representative Smith offered a motion to report House Bill No. 178 favorably. Without objection, House Bill No. 178 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Carter, Broadwater, Carmody, Champagne, Edwards, Hollis, Ivey, Jefferson, Nancy Landry, Price, Reynolds, Richard, and Smith voted yea.

House Bill No. 179 by Representative Dixon

Representative Dixon presented House Bill No. 179, which provides relative to employment contracts for school employees being promoted or employed in a position of higher salary.

Representative Carter offered a set of amendments to HB 179 that would provide as follows:

1. Deletes all proposed law, including these provisions:
 - (a) The requirement that a contract be presented to the board for review before the contract is entered into, together with specified information, including the name of the persons to whom the contract will be offered, salary and other compensation and benefits provided, contract term and date it takes effect, and other information.
 - (b) The requirement that contracts be for two years, unless the board requires a longer term for a specific contract.

- (c) The prohibition against offering a new contract at the expiration of an existing contract earlier than 120 days prior to such expiration.
2. Replaces deleted proposed law with a requirement that superintendent disclose all terms of a contract to the board.

Persons who signed cards in support of House Bill No. 179 but did not wish to speak are included in Exhibit A.

Representative Carter offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Carter, Carmody, Champagne, Edwards, Hollis, Ivey, Jefferson, Nancy Landry, Price, Reynolds, Richard, and Smith voted yea.

Representative Smith offered a motion to report House Bill No. 179 with amendments. Without objection, House Bill No. 179 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Carter, Carmody, Champagne, Edwards, Hollis, Ivey, Jefferson, Nancy Landry, Price, Reynolds, Richard, and Smith voted yea.

House Bill No. 1243 by Representative Hodges

Representative Hodges presented House Bill No. 1243, which provides conditions and prohibitions relative to approval of certain charter school proposals.

Providing information on the bill was Mr. Christopher Holton, representing Act for America, Mandeville, LA, (504) 234-8857.

Representative Carter offered a set of amendments to House Bill No. 1243 that would serve as a substitute for the bill. Representative Carter offered a motion to adopt the substitute. Without objection, the substitute to House Bill No. 1243 was adopted by a vote of 12 yeas and 0 nays. Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Hollis, Jefferson, Nancy Landry, Reynolds, Richard, and Smith voted yea.

Persons who signed cards in support of the substitute for House Bill No. 1243 but did not wish to speak are included in Exhibit A.

Persons who signed cards in to provide information on the substitute for House Bill No. 1243 but did not wish to speak are included in Exhibit B.

Representative Carter offered a motion to report House Bill No. 1243 by substitute. Without objection, House Bill No. 1243 was reported by substitute by a vote of 12 yeas and 0 nays.

Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Hollis, Jefferson, Nancy Landry, Reynolds, Richard, and Smith voted yea.

House Bill No. 407 by Representative Carter

Representative Carter presented House Bill No. 407, which provides relative to eligibility criteria for admission or readmission to a public school and prohibits the denial of admission or readmission based on certain characteristics.

Speaking in support of the legislation were Ms. Jane Burgin, representing the Southern Poverty Law Center, P. O. Box 1436, Abita Springs, LA 70420, (504) 782-5000 and Ms. Jennifer Coco, representing the Southern Poverty Law Center, 1055 St. Charles Ave., Ste. 505, New Orleans, LA, (504) 486-8982.

Representative Carter offered a set of amendments to House Bill No. 407 that would provide as follows:

1. Adds provision relative to applicability of federal and state law to the admission or readmission of a person with an exceptionality.

Representative Carter offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Hollis, Ivey, Jefferson, Nancy Landry, Reynolds, Richard, Smith, and Alfred Williams voted yea.

Representative Carter offered a set of amendments to House Bill No. 407 that would provide as follows:

1. Adds the course credit condition on the requirement for admission of 20-year olds.

Representative Carter offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Hollis, Ivey, Jefferson, Nancy Landry, Reynolds, Richard, Smith, and Alfred Williams voted yea.

Representative Carter offered a motion to report House Bill No. 407 with amendments. Without objection, House Bill No. 407 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Hollis, Ivey, Jefferson, Nancy Landry, Price, Reynolds, Richard, and Alfred Williams voted yea.

House Bill No. 993 by Representative Schroder

Representative Schroder presented House Bill No. 993, which provides relative to requirements for pupil progression, graduation, and issuance of diplomas for students with exceptionalities.

Mr. Shawn Fleming, representing the Louisiana Developmental Disabilities Council, P. O. Box 3455, Baton Rouge, LA 70802, (225) 342- 9804 and Ms. Ashley McReynolds, 1862 Tudor Dr., Baton Rouge, LA 70815, (225) 715- 5740, explained the bill and the amendments.

Representative Richard offered a set of amendments to House Bill No. 993 that would provide as follows:

1. Exempts gifted and talented students from proposed law applicability.
2. Requires that the school performance scores calculations include the percentage of students with exceptionalities who are not required to meet the state-established benchmarks for grade promotion. Provides that a diploma issued to a student based on achieving his IEP goals and objectives shall count equally and be assigned the same number of points in the school performance score calculation for high schools as are assigned for a student with a regular diploma.
3. Provides that if an IEP team determines that state-established requirements for academic proficiency on the required state assessments are no longer a condition for promotion or graduation for a student, the team shall take certain actions including determining appropriate individualized assessments to measure student proficiency on academic competencies and establishing minimum score requirements.
4. Requires the state Dept. of Education to track the performance of students with exceptionalities and establish indicators to identify and implement a monitoring and corrective actions system for school systems with disproportionately high rates of students with exceptionalities performing below expected levels.

Representative Richard offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Carter, Wesley Bishop, Henry Burns, Carmody, Champagne, Edwards, Ivey, Jefferson, Nancy Landry, Reynolds, Richard, and Smith voted yea.

Speaking in support of House Bill No. 993 were Ms. April Dunn 3902 White Sands Dr., Baton Rouge, LA 70814, (225) 272-4080; Ms. Jounette Dunn, 3902 White Sands Dr., Baton Rouge, LA 70814, (225) 272-4080; Ms. Rebecca Hanberry, representing Bossier Parish Community College/DD Council, 327 Bexly Lake Dr., Bossier City, LA 71111, (318) 426-9678; Ms. Debbie Meaux, representing the Louisiana Association of Educators, 8322 One Calais Ave., Baton Rouge, LA

70809, (225) 343-9243; Ms. Kay Marcel, representing the Louisiana Developmental Disabilities Council, 2313 Blue Heaven Dr., New Iberia, LA 70563, (337) 367-7407; Ms. Candace Latino, representing herself and her son, 312 Michigan Ave., Port Allen, LA 70767, (337) 230-2708; Superintendent Jerone Puyau, representing Vermilion Parish schools, 220 S. Jefferson St., Abbeville, LA, (337) 898-5764; Ms. Danielle Louque, representing the Louisiana Association of Special Education Administrators, 611 N. Burnside Ave., Gonzales, LA 70737, (225) 391-7258; and Ms. Susan Vaughn, representing the Louisiana Association of Special Education Administrators, 611 N. Burnside Ave., Gonzales, LA 70737, (225) 391-7222.

Speaking in opposition to House Bill No. 993 were Ms. Madeline Lombardi, representing herself, 142 Nicholas St., Hahnville, LA 70057, (985) 224-6009 and reading a letter from her daughter, Ms. Rachele Lollis, 2564 Weatherly Way, Marrero, LA, (504) 252-8077; Ms. Andrea Bond, representing the Louisiana Special Education Cooperative, 848 Taft, (317) 509-8980; Ms. Elizabeth Marcell, representing the Louisiana Special Education Cooperative and ReNEW Schools, 2003 Baronne St., New Orleans, LA, (504) 723-2066; Mr. John White, state superintendent of education, representing the state Department of Education and the State Board of Elementary and Secondary Education; Claiborne Bldg., Baton Rouge, LA; and Ms. Rane I. Ottallah, representing herself and her daughter Denise and Garfield Smali, 3713 Brandywine, Metairie, LA 70002, (504) 214-0718.

Representative Richard offered a motion to report House Bill No. 993 with amendments. Without objection, House Bill No. 993 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Henry, Hollis, Ivey, Jefferson, Nancy Landry, Price, Reynolds, Richard, Thompson, and Alfred Williams voted yea.

House Bill No. 1015 by Representative Schroder

Representative Schroder presented House Bill No. 1015, which provides for determinations for grade level promotion of certain students with exceptionalities regarding performance on state tests and provides for calculations of school performance scores relative to such students.

Mr. Shawn Fleming, representing the Louisiana Developmental Disabilities Council, P. O. Box 3455, Baton Rouge, LA 70802, (225) 342-6804 explained the bill.

Representative Thompson offered a set of amendments to House Bill No. 1015 that would provide as follows:

- 1) Exempts gifted and talented students from proposed law applicability.
- 2) Provides that if an IEP team determines that state-established requirements for academic proficiency on the required state assessments are no longer a condition for promotion or graduation for a student, the team shall take certain actions including determining appropriate

individualized assessments to measure student proficiency on academic competencies and establishing minimum score requirements.

- 3) Requires the state Department of Education to track the performance of students with exceptionalities and establish indicators to identify and implement a monitoring and corrective actions system for school systems with disproportionately high rates of students with exceptionalities performing below expected levels.

Representative Thompson offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Carter, Wesley Bishop, Broadwater, Henry Burns, Carmody, Champagne, Henry, Price, Reynolds, and Thompson voted yea.

Representative Thompson offered a another set of amendments that would amend the first set of amendments he offered to delete lines 41-45 on page 2 of the first set. This second set of amendments offered by Representative Thompson to House Bill No. 1015 deletes the following language:

"a diploma issued to a student with exceptionalities based on achieving his individualized education program goals and objectives shall count equally and be assigned the same number of points in the school performance score calculation as are assigned for a student with a regular diploma"

Representative Thompson offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Henry, Ivey, Nancy Landry, Price, Reynolds, Smith, and Thompson voted yea.

Persons who signed cards in support of House Bill No. 1015 but did not wish to speak are included in Exhibit A.

Persons who signed cards in opposition to House Bill No. 1015 but did not wish to speak are included in Exhibit B.

Representative Henry offered a motion to report House Bill No. 1015 with amendments, to which Representative Nancy Landry objected. A roll call vote was taken and House Bill No. 1015 was reported with amendments by a vote of 10 yeas and 4 nays. Representatives Wesley Bishop, Broadwater, Champagne, Edwards, Henry, Ivey, Jefferson, Price, Reynolds, and Smith voted yea. Representatives Henry Burns, Carmody, Nancy Landry, and Thompson voted nay.

House Bill No. 1253 by Representative Nancy Landry

Representative Nancy Landry presented House Bill No. 1253, which provides relative to the powers of local public school boards and superintendents with respect to extended sick leave for school bus drivers, teachers, and school employees.

Speaking in opposition to House Bill No. 1253 were Mr. Scott Richard, representing the Louisiana School Boards Association, 7912 Summa Ave., Baton Rouge, LA 70809, (225) 769-3191; Mr. Shane Riddle, representing the Louisiana Association of Educators, 8322 One Calais Ave., Baton Rouge, LA 70510, 343-9243; and Mr. Dannie P. Garrett, III, representing the Louisiana School Boards Association, 263 Third St., Ste. 707, Baton Rouge, LA 70801, (225) 382-0333.

Persons who signed cards in support of House Bill No. 1253 but did not wish to speak are included in Exhibit A.

Persons who signed cards in opposition to House Bill No. 1253 but did not wish to speak are included in Exhibit B.

Representative Thompson offered a motion to report House Bill No. 1253 favorably, to which Representative Smith objected. A roll call vote was taken and House Bill No. 1253 was reported favorably by a vote of 12 yeas and 2 nays. Representatives Carter, Broadwater, Henry Burns, Carmody, Champagne, Edwards, Henry, Ivey, Jefferson, Nancy Landry, Reynolds, and Thompson voted yea. Representatives Price and Smith voted nay.

IV. OTHER BUSINESS

ANY LEGISLATIVE INSTRUMENT LISTED ON THIS AGENDA FOR TUESDAY, APRIL 29, WHICH IS NOT DISPOSED OF BEFORE THE HOUSE CONVENES MAY BE CARRIED OVER AND HEARD UPON ADJOURNMENT.

V. ANNOUNCEMENTS**VI. ADJOURNMENT**

The meeting was adjourned at 6:06 p.m.

Respectfully submitted,

Stephen F. Carter, Chairman
House Committee on Education