

House Committee on Education

Minutes of Meeting
2015 Regular Session
May 6, 2015

I. CALL TO ORDER

Representative Stephen F. Carter, chairman of the House Committee on Education, called the meeting to order at 8:59 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 Patrick O. Jefferson, Vice Chairman
Representative Wesley T. Bishop
Representative Chris Broadwater
Representative Henry L. Burns
Representative Thomas G. Carmody, Jr.
Representative John Bel Edwards
Representative Jeffrey "Jeff" Hall
Representative Cameron Henry
Representative Paul Hollis
Representative Barry Ivey
Representative Nancy Landry
Representative Walt Leger, III
Representative Edward J. Price
Representative H. Eugene Reynolds
Representative Jerome Richard
Representative Robert E. Shadoin
Representative Patricia Haynes Smith

MEMBERS ABSENT:

None

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
Ken Scheer, Sergeant at Arms

III. DISCUSSION OF LEGISLATION**House Bill No. 546 by Representative Price**

Representative Price presented House Bill No. 546, which provides relative to courses of study or programs eligible for TOPS-Tech awards for certain students.

Representative Broadwater offered a substitute bill to House Bill No. 546. Representative Broadwater offered a motion to adopt the substitute bill. Without objection, the substitute bill was adopted by a vote of 11 yeas and 0 nays. Representatives Broadwater, Henry Burns, Carmody, Carter, Hall, Hollis, Nancy Landry, Leger, Price, Shadoin, and Smith voted yea.

Speaking in support of the bill were:

Ms. Erin Bendily, representing the State Board of Elementary and Secondary Education (BESE) and the state Department of Education, Claiborne Bldg., 1201 North 3rd St., Baton Rouge, LA 70894.

Mr. Curt Eysink, representing LWC, 1601 North 23rd St., Baton Rouge, LA, (225) 342-3001.

Dr. Sujuan Boutte, executive director, Louisiana Office of Student Financial Assistance, 602 North 5th St., Baton Rouge, LA 70802, (225) 219-7294.

Witness cards submitted by individuals who did not speak are as follows: 15 in support, one in opposition, and one for information only. Witness cards are included in the committee records.

Representative Broadwater offered a motion to report House Bill No. 546 by substitute. Without objection, House Bill No. 546 was reported by substitute by a vote of 11 yeas and 0 nays. Representatives Broadwater, Henry Burns, Carmody, Carter, Hall, Hollis, Nancy Landry, Leger, Price, Shadoin, and Smith voted yea.

House Bill No. 446 by Representative Miguez

Representative Miguez presented House Bill No. 446, which provides relative to firearm familiarity and safety instruction for elementary school students.

Representative Reynolds offered amendments to House Bill No. 446 that would provide as follows:

1. Authorize instead of requiring firearm accident prevention and safety instruction in elementary schools.
2. Change the content of the instruction from "firearm familiarity and safety" to "firearm accident prevention and safety".
3. Add requirement that the school board determine the timing and duration of the instruction.

Representative Reynolds offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 17 yeas and 0 nays. Representatives Wesley Bishop, Broadwater, Henry Burns, Carmody, Carter, Edwards, Hall, Henry, Hollis, Ivey, Jefferson, Nancy Landry, Leger, Price, Reynolds, Shadoin, and Smith voted yea.

Representative Edwards offered amendments to House Bill No. 446 that would provide that the instruction may adopt or be based on the Eddie Eagle program instead of requiring that it do so. Representative Edwards offered a motion to adopt the proposed amendments, to which Representative Nancy Landry objected. The secretary called the roll, and the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Wesley Bishop, Broadwater, Henry Burns, Carter, Edwards, Hall, Henry, Ivey, Jefferson, Nancy Landry, Reynolds, Shadoin, and Smith voted yea.

Witness cards submitted by individuals who did not speak are as follows: one in opposition and two were available to provide information only. Witness cards are included in the committee records.

Representative Jefferson offered a motion to report House Bill No. 446 with amendments. Without objection, House Bill No. 446 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Wesley Bishop, Broadwater, Henry Burns, Carter, Edwards, Hall, Henry, Ivey, Jefferson, Nancy Landry, Reynolds, Shadoin, and Smith voted yea.

House Bill No. 342 by Representative Gisclair

Representative Gisclair presented House Bill No. 342, which provides relative to vaccinations required prior to enrolling in an educational institution.

Witness cards submitted by individuals who did not speak are as follows: eight in support. Witness cards are included in the committee records.

Representative Broadwater offered a motion to report House Bill No. 342 favorably. Without objection, House Bill No. 342 was reported favorably by a vote of 12 yeas and 0 nays.

Representatives Wesley Bishop, Broadwater, Henry Burns, Carter, Edwards, Hall, Henry, Jefferson, Nancy Landry, Reynolds, Shadoin, and Smith voted yea.

House Bill No. 734 by Representative Seabaugh

Representative Seabaugh presented House Bill No. 734, which provides with respect to registration and regulation of certain child day care centers.

Witness cards submitted by individuals who did not speak are as follows: two in support and one for information only. Witness cards are included in the committee records.

Representative Henry Burns offered a motion to report House Bill No. 734 favorably. Without objection, House Bill No. 734 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Wesley Bishop, Broadwater, Henry Burns, Carter, Edwards, Hall, Henry, Hollis, Jefferson, Nancy Landry, Reynolds, Shadoin, and Smith voted yea.

House Bill No. 180 by Representative Bouie

Representative Bouie presented House Bill No. 180, which prohibits the construction of schools on former waste sites.

Testifying in support of House Bill No. 180 were:

General Russell Honore, representing Green Army, 14445 Memorial Tower, Baton Rouge, LA, (404) 221-1520.

Ms. Monique Harden, representing Advocates for Environmental Human Rights, 832 Topaz St., New Orleans, LA 70124, (504) 799-3064.

Dr. Beverly Wright, representing Deep South Center for Environmental Justice, 6841 Lake Willow Dr., New Orleans, LA 70126, (504) 265-0734.

Testifying in opposition to House Bill No. 180 was Mr. Derrell Cohoon, representing Capitol Partners for AFL and representing the Department of Environmental Quality for information only, 717 N. 5th St., Baton Rouge, LA 70802, (225) 336-4657.

Witness cards submitted by individuals who did not speak are as follows: 36 in support, one in opposition, and one for information only. Witness cards are included in the committee records.

Representative Leger offered a motion to report House Bill No. 180 favorably. Without objection, House Bill No. 180 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Wesley Bishop, Broadwater, Henry Burns, Carmody, Carter, Edwards, Hall, Henry, Hollis, Jefferson, Nancy Landry, Leger, Price, Richard, and Smith voted yea.

House Bill No. 166 by Representative Bouie

Representative Bouie presented House Bill No. 166, which provides relative to the return of schools from the Recovery School District to the transferring local school system.

Testifying in support of House Bill No. 166 were:

Ms. Elizabeth Jeffers, 29 Pelican Ave., New Orleans, LA 70119, (504) 237-3741.

Mr. Raynard Sanders, representing the N.O. Imperative, 5719 Aris St., New Orleans, LA, (504) 228-2141.

Ms. Deirdre M. Lewis, representing New Orleans Talk Network, Women in Politics, New Orleans, LA, (504) 258-9267.

Ms. Ann Burrus, representing Power of Public Education, Lafayette, 2008 Johnston St., Ste. 189, Lafayette, LA 70506, (337) 852-3668.

Mr. Kwame Smith, representing NOLA 7th Ward Neighborhood, 4612 St. Anthony Ave., New Orleans, LA, (318) 999-9531.

Mr. Darryl Kilbert, representing the Orleans Parish School Board, 3520 General deGualle, New Orleans, LA, (504) 884-1664.

Mr. Steven Kennedy, representing Justice and Beyond, 1312 Congress St., New Orleans, LA 70117, (504) 287-3007.

Ms. Cynthia Cade, representing the Orleans Parish School Board, 3520 General De Gualle, New Orleans, LA, (504) 717-5130.

Ms. Nakita Shavers, representing Justice and Beyond, 3304 Seine St., New Orleans, LA 70114, (504) 909-2084.

Mr. Willie Zanders, 909 Poydras St., New Orleans, LA, (504) 258-7312.

Ms. Ashana Bigard, representing FFLIC CEPNO, 1840 St. Thomas, New Orleans, LA (504) 322-6562.

Mr. Frank Buckley, 2437 Orleans Ave., New Orleans, LA 70119, (404) 434-4874.

Mr. Scott Richard, executive director, Louisiana School Boards Association, 7912 Summa Ave., Baton Rouge, LA 70809, (225) 769-3191.

Speaking in opposition to House Bill No. 166 were:

Ms. Veronica Brooks, representing the Louisiana Association of Public Charter Schools, 1555 Poydras St., New Orleans, LA, (225) 301-1759.

Ms. Caroline Roemer Shirley, representing the Louisiana Association of Public Charter Schools, 4200 St. Peter St., New Orleans, LA 70119.

Mr. Ben Kleban, representing New Orleans College Prep, 2301 Marengo St., New Orleans, LA, (504) 756-5577.

Providing information were:

Mr. Patrick Dobard, representing the Recovery School District (no address given).

Ms. Holly Reid, representing the Recovery School District, 1315 Peniston St., Apt. 2, New Orleans, LA, (504) 373-6200.

Witness cards submitted by individuals who did not speak are as follows: 53 in support, eight in opposition, and one for information only. Witness cards are included in the committee records.

Representative Smith offered a motion to report House Bill No. 166 favorably, to which Representative Carter objected. The secretary called the roll, and House Bill No. 166 was reported favorably by a vote of 9 yeas and 8 nays. Representatives Wesley Bishop, Edwards, Hall, Jefferson, Leger, Price, Reynolds, Richard, and Smith voted yea. Representatives Broadwater, Henry Burns, Carmody, Carter, Henry, Ivey, Nancy Landry, and Shadoin voted nay.

House Bill No. 457 by Representative Talbot

Representative Henry presented House Bill No. 457 on behalf of Representative Talbot. The bill provides relative to school membership in associations that prescribe eligibility to participate in athletics.

Representative Talbot returns to the committee room.

Representative Carmody offered amendments to House Bill No. 457 that would add an exception to the proposed law prohibition if the association's rule that limits an incoming freshman's eligibility based on his previous school only applies if the student's previous school had grades nine through 12. Representative Carmody offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Broadwater, Henry Burns, Carmody, Carter, Edwards, Hall, Henry, Ivey, Jefferson, Nancy Landry, Price, Reynolds, Richard, Shadoin, and Smith voted yea.

Speaking in support of House Bill No. 457 were:

Ms. Emily Nguyen, 149 Natchez Trace Dr., Harvey, LA 70058, (504) 362-9597.

Ms. Hong Nguyen, 149 Natchez Trace Dr., Harvey, LA 70058, (504) 362-9597.

Speaking in opposition to House Bill No. 457 were:

Mr. Eddie Bonine, representing the Louisiana High School Athletic Association (LHSAA), 12720 Old Hammond Hwy., Baton Rouge, LA, (225) 300-4211.

Mr. Brian M. LeJeune, superintendent of schools, Jefferson Davis Parish School Board, P. O. Box 640, Jennings, LA 70546, (337) 824-1834.

Mr. Terence Williams, representing the LHSAA, 1215 Plantation Ave., Port Allen, LA, (713) 254-2253.

Witness cards submitted by individuals who did not speak are as follows: one in support and five in opposition. Witness cards are included in the committee records.

Representative Richard offered a motion to report House Bill No. 457 with amendments, to which Representative Price objected. A roll call vote was taken and House Bill No. 457 was reported with amendments by a vote of 10 yeas and 6 nays. Representatives Wesley Bishop, Broadwater, Henry Burns, Carmody, Carter, Henry, Ivey, Nancy Landry, Richard, and Shadoin voted yea. Representatives Edwards, Hall, Jefferson, Price, Reynolds, and Smith voted nay.

House Bill No. 410 by Representative Patrick Williams

Representative Henry Burns, on behalf of Representative Patrick Williams, presented House Bill No. 410, which requires the State Board of Elementary and Secondary Education to promulgate rules relative to requirements for student lunch time.

Providing information on the bill was Ms. Doris Voitier, representing the Louisiana Association of School Superintendents, (504) 301-2000.

Witness cards submitted by individuals who did not speak are as follows: five in support and two for information only. Witness cards are included in the committee records.

Representative Henry Burns offered a motion to voluntarily defer action on House Bill No. 410. Without objection, action on House Bill No. 410 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Broadwater, Henry Burns, Carmody, Carter, Edwards, Hall, Ivey, Nancy Landry, Price, Richard, and Smith voted yea.

House Bill No. 287 by Representative Reynolds

Representative Reynolds presented House Bill No. 287, which provides relative to textbooks and other instructional materials.

Representative Reynolds offered amendments to House Bill No. 287 that would provide as follows:

1. Authorize public school governing authorities to adopt policies and regulations for the adoption and use of textbooks other than those available through the State Board of Elementary and Secondary Education (BESE) instead of requiring them to adopt policies and regulations that sufficiently support the needs of students in meeting state content standards.
2. Instead of requiring that public school governing authorities post review committee evaluations and public comments on their websites, require that they post a link to the website where the state Department of Education conducts the online review process.

Mr. Scott Richard, executive director, Louisiana School Boards Association, 7912 Summa Ave., Baton Rouge, LA 70809, (225) 769-3191, explained the amendments and spoke in support of House Bill No. 287.

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

Ms. Sandy McDade, representing LPC, 3112 Pines Rd., Shreveport, LA, (318) 458-1410, spoke in opposition to House Bill No. 287.

Witness cards submitted by individuals who did not speak are as follows: 10 in support. Witness cards are included in the committee records.

Representative Richard offered a motion to report House Bill No. 287 with amendments. Without objection, House Bill No. 287 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Broadwater, Henry Burns, Carmody, Carter, Edwards, Hall, Ivey, Jefferson, Price, Reynolds, Richard, Shadoin, and Smith voted yea.

House Concurrent Resolution No. 64 by Representative Broadwater

Representative Broadwater presented House Concurrent Resolution No. 64, which creates the Education in Alternative Settings Study Commission to study education in juvenile justice settings and in transitions between the community and juvenile justice settings.

Representative Carmody offered a motion to report House Concurrent Resolution No. 64 favorably. Without objection, House Concurrent Resolution No. 64 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Broadwater, Henry Burns, Carmody, Carter, Edwards, Hall, Ivey, Jefferson, Price, Reynolds, Shadoin, and Smith voted yea.

The committee recessed at 1:30 p.m. The committee reconvened at 7:08 p.m.

House Bill No. 171 by Representative Jefferson

Representative Jefferson presented House Bill No. 171, which provides relative to performance agreements between the Board of Regents and certain public historically black colleges and universities.

Representative Price offered amendments to House Bill No. 171 that would provide as follows:

1. Add that proposed law shall not apply to agreements entered into for the 2018-2019 academic year and thereafter.
2. Require the Board of Regents annually to report the effect of the proposed law exemptions.

Representative Price offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Wesley Bishop, Broadwater, Henry Burns, Carmody, Carter, Edwards, Hall, Jefferson, Leger, Price, Shadoin, and Smith voted yea.

Ms. Uma Subramanian, representing the state Board of Regents, (225) 342-4253, provided information on House Bill No. 171.

Witness cards submitted by individuals who did not speak are as follows: 14 in support, one in opposition, and five for information only. Witness cards are included in the committee records.

Representative Price offered a motion to report House Bill No. 171 with amendments. Without objection, House Bill No. 171 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Wesley Bishop, Broadwater, Henry Burns, Carmody, Carter, Edwards, Hall, Jefferson, Leger, Price, Shadoin, and Smith voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

Any legislation scheduled on this Notice that is not discussed before the House convenes on Wednesday, May 6, will be heard on Wednesday, May 6, upon adjournment of the House.

VI. ADJOURNMENT

The meeting was adjourned at 7:43 p.m.

Respectfully submitted,

Stephen F. Carter, chairman
House Committee on Education