

House Committee on Education

Minutes of Meeting
2018 Regular Session
May 8, 2018

I. CALL TO ORDER

Representative Nancy Landry, chairman of the House Committee on Education, called the meeting to order at 9:34 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Nancy Landry, chairman
Representative Jeffrey "Jeff" Hall, vice chairman
Representative Beryl A. Amedée
Representative Joseph Bouie, Jr.
Representative Kendricks "Ken" Brass
Representative Stephen F. Carter
Representative Rick Edmonds
Representative Julie Emerson
Representative Reid Falconer
Representative Stephanie Hilferty
Representative Walt Leger, III
Representative Scott M. Simon
Representative Patricia Haynes Smith
Representative Polly Thomas
Representative Mark Wright

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Elizabeth L. Borne, legislative analyst
Nancy Y. Jolly, legislative analyst
Jacqueline Snowden, secretary

ADDITIONAL ATTENDEES PRESENT:

Beverly Vincent, sergeant at arms
Camille Arceneaux, clerk
Andrew Bougard, clerk

III. DISCUSSION OF LEGISLATION**Senate Bill No. 452 by Senator Morrish**

Senator Morrish presented Senate Bill No. 452, which changes certain TOPS initial eligibility requirements and provides relative to the sharing of certain student data.

Sujuan W. Boutté, Ed.D., executive director, Louisiana Office of Student Financial Assistance, Board of Regents, 602 North 5th Street, Baton Rouge, LA 70802, (225) 219-7294, spoke for information only on Senate Bill No. 452.

Robin Lively, Louisiana Office of Student Financial Assistance, Board of Regents, 602 North 5th Street, Baton Rouge, LA 70802, (225) 219-7294, spoke for information only on Senate Bill No. 452. No witness card is available.

Representative Thomas offered a motion to report Senate Bill No. 452 favorably. Without objection, Senate Bill No. 452 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Nancy Landry, Bouie, Brass, Steve Carter, Edmonds, Emerson, Falconer, Hall, Leger, Thomas, and Wright voted yea.

(Vice Chairman Hall in the chair.)

Senate Bill No. 562 by Senator Boudreaux

Senator Boudreaux presented Senate Bill No. 562, which provides relative to virtual schools.

Representative Bouie offered a motion to report Senate Bill No. 562 favorably. Without objection, Senate Bill No. 562 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Nancy Landry, Bouie, Brass, Steve Carter, Edmonds, Emerson, Falconer, Hall, Leger, Simon, Thomas, and Wright voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

(Chairman Landry in the chair.)

Senate Concurrent Resolution No. 48 by Senator Morrish

On behalf of Senator Morrish, Representative Landry presented Senate Concurrent Resolution No. 48, which provides for legislative approval of the MFP formula for the 2018-2019 Fiscal Year.

Representative Nancy Landry offered a motion to report Senate Concurrent Resolution No. 48 favorably. Without objection, Senate Concurrent Resolution No. 48 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Nancy Landry, Bouie, Brass, Steve Carter, Edmonds, Emerson, Falconer, Hall, Leger, Simon, Thomas, and Wright voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support. Witness cards are included in the committee records.

Senate Bill No. 310 by Senator Claitor

Senator Claitor presented Senate Bill No. 310, which provides relative to the collection and reporting of certain data regarding students with exceptionalities and provided data in Exhibit C, "Reporting Requirements per Act 485 of the 2016 Regular Session", which is included in the committee records.

Ashley McReynolds, 1862 Tudor Drive, Baton Rouge, LA 70815, (225) 715-5740, spoke in support of Senate Bill No. 310.

Erin Bendily, State Board of Elementary and Secondary Education, Claiborne Building, 1201 North 3rd Street, Baton Rouge, LA, (225) 247-7787, spoke for information only on Senate Bill No. 310.

Shawn Fleming, Louisiana Developmental Disabilities Council, 626 Main Street, Suite A, Baton Rouge, LA 70802, (225) 342-6809, spoke for information only on Senate Bill No. 310.

Representative Edmonds offered amendments to Senate Bill No. 310 that would require the department to annually report on the status of its compliance with present law reporting requirements relative to students with exceptionalities and remove proposed law requirement that the commissioner of administration withhold state funds from the department if it fails to comply with such reporting requirements. Representative Edmonds offered a motion to adopt the proposed amendments, to which Representative Bouie objected. The secretary called the roll, and the amendments were adopted by a vote of 8 yeas, 3 nays, and 1 abstention. Representatives Brass, Edmonds, Emerson, Hilferty, Leger, Simon, Thomas, and Wright voted yea. Representatives Bouie, Falconer, and Hall voted nay. Representative Nancy Landry abstained.

Representative Edmonds offered a motion to report Senate Bill No. 310 with amendments. Without objection, Senate Bill No. 310 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Nancy Landry, Bouie, Brass, Edmonds, Emerson, Falconer, Hall, Hilferty, Leger, Simon, Thomas, and Wright voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support. Witness cards are included in the committee records.

Senate Bill No. 512 by Senator Gatti

Senator Gatti presented Senate Bill No. 512, which provides relative to school employee participation in student-initiated prayer.

Representative Nancy Landry offered a motion to adopt a two-minute rule on witness testimony for Senate Bill No. 512. Without objection, a two-minute rule on witness testimony was adopted by a vote of 12 yeas and 0 nays. Representatives Nancy Landry, Bouie, Brass, Edmonds, Emerson, Falconer, Hall, Hilferty, Leger, Simon, Thomas, and Wright voted yea.

Representative Nancy Landry offered a motion to adopt a three-minute rule on question and answer sessions for remaining legislation. Without objection, a three-minute rule on question and answer sessions for remaining legislation was adopted by a vote of 12 yeas and 0 nays. Representatives Nancy Landry, Bouie, Brass, Edmonds, Emerson, Falconer, Hall, Hilferty, Leger, Simon, Thomas, and Wright voted yea.

Katie Walker, Protect Prayer, 609 Aubrey Walk, Haughton, LA, 71037, (318) 949-8366, spoke in support of Senate Bill No. 512.

Jacob Rhymes, Protect Prayer, 705 Opal Circle, Haughton, LA, (318) 949-4189, spoke in support of Senate Bill No. 512.

Michelle Ghatti, 18531 Lake Tulip Avenue, Baton Rouge, LA 70817, (225) 933-9029, spoke for information only on Senate Bill No. 512.

Alison Gill, legal and policy director, American Atheists, Inc., no witness card submitted, (908) 276-7300, ext. 9, provided a handout, Exhibit A, "OPPOSITION for SB512 and SB253, Testimony from American Atheists in opposition to bills relating to religious coercion in schools", which is included in the committee records.

Mike Berry, deputy general counsel, First Liberty Institute, 2001 West Plano Parkway, Suite 1600, Plano, TX 75225, (972) 941-4444, no witness card submitted, provided a handout in opposition to Senate Bill No. 512, Exhibit D, "Re: SB512", which is included in the committee records.

Representative Smith offered a motion to report Senate Bill No. 512 favorably, to which Representative Edmonds objected. The secretary called the roll, and Senate Bill No. 512 was reported favorably by a vote of 10 yeas, 4 nays, and 1 abstention. Representatives Bouie, Brass, Steve Carter, Emerson, Hall, Hilferty, Leger, Simon, Smith, and Thomas voted yea. Representatives Amedee, Edmonds, Falconer, and Wright voted nay. Representative Nancy Landry abstained.

Witness cards submitted by individuals who did not speak are as follows: 3 in support, and 1 for information only. Witness cards are included in the committee records.

House Resolution No. 170 by Representative Smith

Representative Smith presented House Resolution No. 170, which requests the State Board of Elementary and Secondary Education to require public school governing authorities to adopt policies to address sexual abuse by children in schools.

Representative Smith offered amendments to House Resolution No. 170 that request the state board to also consult with Sexual Trauma Awareness and Response (STAR) in providing guidance to public school governing authorities pursuant to the resolution. Representative Smith offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Nancy Landry, Amedee, Bouie, Brass, Steve Carter, Falconer, Hall, Hilferty, Leger, Simon, Smith, and Thomas voted yea.

Representative Leger offered a motion to report House Resolution No. 170 with amendments. Without objection, House Resolution No. 170 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Nancy Landry, Amedee, Bouie, Brass, Steve Carter, Falconer, Hall, Hilferty, Leger, Simon, Smith, Thomas, and Wright voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support. Witness cards are included in the committee records.

Senate Concurrent Resolution No. 8 by Senator Morrell

Senator Morrell presented Senate Concurrent Resolution No. 8, which requests the Department of Education to investigate the feasibility and cost of installing silent alarms in all elementary and secondary school classrooms.

Representative Bouie offered a motion to report Senate Concurrent Resolution No. 8 favorably. Without objection, Senate Concurrent Resolution No. 8 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Nancy Landry, Bouie, Brass, Steve Carter, Edmonds, Falconer, Hall, Leger, Simon, Thomas, and Wright voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support. Witness cards are included in the committee records.

Senate Bill No. 465 by Senator Bishop

Senator Bishop presented Senate Bill No. 465, which provides relative to student discipline.

Representative Leger offered amendments to Senate Bill No. 465 that provide for termination of the council by repealing present law and proposed law. Representative Leger offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Nancy Landry, Bouie, Brass, Steve Carter, Falconer, Hall, Leger, Simon, Thomas, and Wright voted yea.

Representative Leger offered a motion to report Senate Bill No. 465 with amendments. Without objection, Senate Bill No. 465 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Nancy Landry, Bouie, Brass, Steve Carter, Falconer, Hall, Leger, Simon, Thomas, and Wright voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support, and 1 for information only. Witness cards are included in the committee records.

Senate Bill No. 253 by Senator Milkovich

Senator Milkovich presented Senate Bill No. 253, which provides relative to school employee participation in student-initiated prayer.

Michelle Ghatti, 18531 Lake Tulip Avenue, Baton Rouge, LA 70817, (225) 933-9029, spoke for information only on Senate Bill No. 253.

Alison Gill, legal and policy director, American Atheists, Inc., no witness card submitted, (908) 276-7300, ext. 9, provided a handout, Exhibit A, "OPPOSITION for SB512 and SB253, Testimony from American Atheists in opposition to bills relating to religious coercion in schools", which is included in the committee records.

Representative Nancy Landry offered a motion to involuntarily defer action on Senate Bill No. 253. Without objection, action on Senate Bill No. 253 was involuntarily deferred by a vote of 11 yeas and 0 nays. Representatives Nancy Landry, Bouie, Brass, Steve Carter, Edmonds, Falconer, Hall, Leger, Simon, Thomas, and Wright voted yea.

Senate Bill No. 303 by Senator Milkovich

Senator Milkovich presented Senate Bill No. 303, which provides relative to bullying.

Representative Leger offered amendments to clarify that immunity provisions shall not be extended when any action is taken which constitutes gross negligence or wilful and wonton misconduct relative to reporting and participating in investigations. Representative Leger offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Nancy Landry, Amedee, Bouie, Brass, Edmonds, Falconer, Hall, Leger, Thomas, and Wright voted yea.

Evelyn Breck Loux, 1908 Capris Sligo Road, Bossier City, LA 71112, (318) 747-9716, spoke in support of Senate Bill No. 303.

Susan East Nelson, Louisiana Partnership for Children and Families, 13609 Landmark Drive, Baton Rouge, LA 70810, (225) 229-2498, spoke for information only on Senate Bill No. 303.

Debra Schum, Louisiana Association of Principals 103 Crawford Street, Winnfield, LA 71483, (504) 909-4650, spoke in opposition to Senate Bill No. 303 and provided a handout, labeled Exhibit B, which is included in the committee records.

Sarah Omojola, Southern Poverty Law Center, 201 St. Charles Avenue, Suite 2000, New Orleans, LA 70170, (504) 526-1520, spoke in opposition to Senate Bill No. 303.

Scott M. Richard, Louisiana School Boards Association, 7912 Summa Avenue, Baton Rouge, LA 70809, (337) 278-5398, spoke in opposition to Senate Bill No. 303.

Erin Bendily, State Board of Elementary and Secondary Education, 1201 North 3rd Street, Baton Rouge, LA 70804, (225) 247-7877, spoke in opposition to Senate Bill No. 303.

Michele Lappin, 21761 Highway 40, Bush, LA 70431, (985) 373-5529, spoke in opposition to Senate Bill No. 303.

Representative Hall offered a motion to voluntarily defer action on Senate Bill No. 303. Without objection, action on Senate Bill No. 303 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Nancy Landry, Amedee, Bouie, Brass, Steve Carter, Edmonds, Emerson, Falconer, Hall, Hilferty, Leger, Thomas, and Wright voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support, 11 in opposition, and 2 for information only. Witness cards are included in the committee records.

Senate Concurrent Resolution No. 76 by Senator Johns

Senator Johns presented Senate Concurrent Resolution No. 76, which requests BESE to ascertain whether all public, approved nonpublic, and charter school teachers, school counselors, principals, and other school administrators for whom suicide awareness training is deemed beneficial are in compliance with the Jason Flatt Act.

Representative Thomas offered a motion to report Senate Concurrent Resolution No. 76 favorably. Without objection, Senate Concurrent Resolution No. 76 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Nancy Landry, Amedee, Bouie, Brass, Steve Carter, Edmonds, Falconer, Hall, Hilferty, Leger, Thomas, and Wright voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

House Concurrent Resolution No. 82 by Representative Bagley

Representative Nancy Landry announced that House Concurrent Resolution No. 82, which creates a task force to study issues relative to the employment of retired teachers to meet shortages in public schools, would be voluntarily deferred upon the request of the author.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 12:49 p.m.

Respectfully submitted,

Chairman Nancy Landry
House Committee on Education

Date adopted: