

House Committee on Education

Minutes of Meeting
2020 Second Extraordinary Session
October 7, 2020

I. CALL TO ORDER

Representative Raymond E. Garofalo, Jr., chairman of the House Committee on Education, called the meeting to order at 9:07 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Raymond E. Garofalo, Jr., chairman
Representative Beryl A. Amedée
Representative Kendrick "Ken" Brass
Representative Gary M. Carter Jr.
Representative Rick Edmonds
Representative Aimee Adatto Freeman
Representative Barbara Reich Freiberg
Representative Stephanie Hilferty
Representative Patrick O. Jefferson
Representative Blake Miguez
Representative Charles Anthony Owen
Representative Tammy T. Phelps
Representative Vincent "Vinney" J. St. Blanc, III
Representative Polly Thomas
Representative Mark Wright, vice chairman

MEMBERS ABSENT:

Representative Phillip Eric Tarver

STAFF MEMBERS PRESENT:

Elizabeth L. Borne, legislative analyst
Lisa Lovello, legislative analyst
Jacqueline Snowden, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Myrtis Jarrell, sergeant at arms

Faye Talbot, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 31 by Representative Zeringue**

Representative Zeringue presented House Bill No. 31, which extends authority of public postsecondary education institutions to exercise certain operational autonomies.

Representative Garofalo offered a motion to voluntarily defer action on House Bill No. 31. Without objection, action on House Bill No. 31 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Garofalo, Amedée, Brass, Edmonds, Freeman, Freiberg, Jefferson, Charles Owen, Phelps, St. Blanc, Thomas, and Wright voted yea.

Senate Bill No. 32 by Senator Fields

On behalf of Senator Fields, Representative Zeringue presented Senate Bill No. 32, which grants certain operational autonomies to certain public postsecondary education institutions.

Terrence Ginn, Board of Regents, 1201 North Third Street, Baton Rouge, LA, (225) 342-4253, spoke for information only on Senate Bill No. 32.

Representative Thomas offered a motion to report Senate Bill No. 32 favorably. Without objection, Senate Bill No. 32 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Garofalo, Amedée, Brass, Carter, Edmonds, Freeman, Freiberg, Jefferson, Charles Owen, Phelps, St. Blanc, Thomas, and Wright voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support, and 3 for information only. Witness cards are included in the committee records.

House Bill No. 56 by Representative Bagley

Representative Bagley presented House Bill No. 56, which authorizes administration of medical marijuana to a student by a parent, guardian, or authorized school employee at a public school.

Representative Garofalo offered amendments to House Bill No. 56 that:

1. Add requirements regarding policies for the administration of medical marijuana to a public school student.
2. Add an exemption from prosecution for authorized school personnel who administer the medication.

Representative Garofalo offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Garofalo, Amedée, Brass, Carter, Edmonds, Freeman, Freiberg, Jefferson, Charles Owen, Phelps, St. Blanc, and Wright voted yea.

Katie Mayers, 70231 The Grove, no city or state given, (337) 281-7966, spoke in support of House Bill No. 56.

Michele Hall, 125 Jean Picard Drive, Maurice, LA 70508, spoke in support of House Bill No. 56.

Representative Garofalo offered a motion to report House Bill No. 56 with amendments. Without objection, House Bill No. 56 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Garofalo, Amedée, Brass, Carter, Edmonds, Freeman, Freiberg, Jefferson, Charles Owen, Phelps, St. Blanc, 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.

House Bill No. 18 by Representative Gadberry

Representative Gadberry presented House Bill No. 18, which provides relative to sick leave benefits for certain teachers at schools under the jurisdiction of the office of juvenile justice.

Representative Garofalo offered amendments to limit the application of proposed law to unclassified instructors.

Representative Garofalo offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 12 nays. Representatives Garofalo, Amedée, Brass, Carter, Freiberg, Jefferson, Charles Owen, Phelps, St. Blanc, and Wright voted yea.

Representative Wright offered a motion to report House Bill No. 18 with amendments. Without objection, House Bill No. 18 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Garofalo, Amedée, Brass, Freiberg, Jefferson, Charles Owen, Phelps, St. Blanc, Thomas, and Wright voted yea.

Beth Touchef-Morgan, office of juvenile justice, 7919 Independence Boulevard, Baton Rouge, LA 70816, (225) 200-6779, spoke for information only on House Bill No. 18.

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

House Concurrent Resolution No. 25 by Representative Gadberry

Representative Gadberry presented House Concurrent Resolution No. 25, which requests that the State Civil Service Commission establish the same or substantially similar sick leave benefits for classified employees serving as teaching staff within the Department of Public Safety and Corrections, office of juvenile justice, as those provided for public school teachers injured or disabled while acting in their official capacity.

Representative Freiberg offered a motion to report House Concurrent Resolution No. 25 favorably. Without objection, House Concurrent Resolution No. 25 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Garofalo, Amedée, Brass, Freiberg, Jefferson, Charles Owen, Phelps, St. Blanc, Thomas, and Wright voted yea.

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

House Bill No. 16 by Representative Frieman

Representative Frieman presented House Bill No. 16, which provides relative to limitations of liability for public and nonpublic schools and postsecondary education during public health emergencies.

Representative Hilferty offered amendments to reinstate present law prohibition against a public school governing authority's adoption of a policy, rule, or regulation that imposes a lesser standard than what is prescribed in a rule or regulation adopted by the State Board of Elementary and Secondary Education.

Representative Hilferty offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Garofalo, Amedée, Brass, Carter, Edmonds, Freeman, Freiberg, Hilferty, Jefferson, Charles Owen, Phelps, St. Blanc, Thomas, and Wright voted yea.

Joan Hunt, Louisiana Department of Education, 1201 North Third Street, Baton Rouge, LA 70802, spoke for information only on House Bill No. 16.

Representative Wright offered a motion to report House Bill No. 16 with amendments. Without objection, House Bill No. 16 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Garofalo, Amedée, Brass, Carter, Edmonds, Freeman, Freiberg, Hilferty, Jefferson, Charles Owen, Phelps, St. Blanc, Thomas, and Wright voted yea.

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

House Bill No. 83 by Representative Romero

Representative Romero presented House Bill No. 83, which provides relative to student discipline.

Representative Amedée offered amendments that the proposed law shall be known as the Ka'Mauri Harrison Act. Representative Amedée offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Garofalo, Amedée, Brass, Carter, Freeman, Freiberg, Jefferson, Miguez, Phelps, St. Blanc, Thomas, and Wright voted yea.

Ka'Mauri Harrison, 3640 Magazine Street, New Orleans, LA 70115, spoke in support of House Bill No. 83.

Nyron Harrison, 3640 Magazine Street, New Orleans, LA 70115, spoke in support of House Bill No. 83.

Chelsea Cusimano, Brener and Kraus, LLC, no address provided, (504) 302-7902, spoke in support of House Bill No. 83.

Liz Murrill, office of the Louisiana attorney general, 1885 North Third Street, Baton Rouge, LA, (225) 325-3677, spoke in support of House Bill No. 83.

Joan Hunt, no witness card provided, spoke for information only on House Bill No. 83.

Timothy Brown, 199 Vidrine Lane, Grand Isle, LA 70358, (985) 209-6793, spoke in support of House Bill No. 83.

Cynthia Posey, Louisiana Federation of Teachers, 9623 Brookline Avenue, Baton Rouge, LA 70809 (225) 603-1969, spoke in support of House Bill No. 83.

Wes Watts, Louisiana Association of School Superintendents, 3761 Rosedale Road, Port Allen, LA 70767, (225) 343-8309, spoke in opposition to House Bill No. 83.

Representative Garofalo offered a motion to report House Bill No. 83 with amendments. Without objection, House Bill No. 83 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Garofalo, Amedée, Brass, Edmonds, Freeman, Freiberg, Jefferson, Miguez, Charles Owen, Phelps, St. Blanc, 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.

House Concurrent Resolution No. 17 by Representative Romero

Representative Romero presented House Concurrent Resolution No. 17, which requests the State Board of Elementary and Secondary Education to discuss possible adjustments to the Minimum Foundation Program formula in order to ensure adequate funding for school systems affected by Hurricane Laura.

Representative Edmonds offered a motion to report House Concurrent Resolution No. 17 favorably. Without objection, House Concurrent Resolution No. 17 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Garofalo, Amedée, Edmonds, Freeman, Freiberg, Jefferson, Miguez, Charles Owen, Phelps, St. Blanc, 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.

House Concurrent Resolution No. 1 by Representative Dwight

On behalf of Representative Dwight, Representative Bourriaque presented House Concurrent Resolution No. 1, which requests the State Board of Elementary and Secondary Education to take all necessary measures to ensure that the Calcasieu and Cameron parish school systems are not penalized in terms of funding due to Hurricane Laura.

Representative Thomas offered a motion to report House Concurrent Resolution No. 1 favorably. Without objection, House Concurrent Resolution No. 1 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Garofalo, Amedée, Brass, Edmonds, Freeman, Freiberg, Jefferson, Charles Owen, Phelps, St. Blanc, 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.

Senate Bill No. 30 by Senator Milligan

On behalf of Senator Milligan, Representative Pressly presented Senate Bill No. 30, which provides regarding purchase of telecommunications and video equipment by certain educational entities.

Representative Garofalo offered amendments to:

1. Change a reference to federal provision from Section 889 of the Fiscal Year 2019 National Defense Authorization Act to Section 889(a) of the same Act.
2. Specify that the telecommunications and video surveillance equipment subject to proposed law is the equipment described in the federal provision.

Representative Garofalo offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Garofalo, Amedée, Brass, Edmonds, Freeman, Freiberg, Jefferson, Charles Owen, Phelps, St. Blanc, and Thomas voted yea.

Bill Hattier, Louisiana Life Safety and Security Association, 5000 West Esplanade Avenue #286, Metairie, LA 70006, (504) 669-6791, spoke in opposition to Senate Bill No. 30.

Representative Thomas offered a motion to report Senate Bill No. 30 with amendments. Without objection, Senate Bill No. 30 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Garofalo, Amedée, Brass, Carter, Freiberg, Jefferson, Charles Owen, Phelps, St. Blanc, and Thomas voted yea.

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

Senate Concurrent Resolution No. 6 by Senator Abraham

Senator Abraham presented Senate Concurrent Resolution No. 6, which requests the State Board of Elementary and Secondary Education to adopt adjustments to the Minimum Foundation Program formula to ensure that school districts impacted by Hurricane Laura do not lose funding during the 2020-2021 fiscal year due to decreases in student enrollment.

Representative Garofalo offered a motion to report Senate Concurrent Resolution No. 6 favorably. Without objection, Senate Concurrent Resolution No. 6 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Garofalo, Amedée, Brass, Carter, Freiberg, Jefferson, Charles Owen, Phelps, St. Blanc, 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.

House Bill No. 48 by Representative Duplessis

Representative Duplessis presented House Bill No. 48, which requires that student identification cards issued by certain postsecondary education institutions meet certain requirements.

Representative Garofalo offered amendments to change the maximum period of validity for student identification cards for the purpose of voting from four years to six years. Representative Garofalo offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Garofalo, Amedée, Brass, Carter, Edmonds, Freiberg, Hilferty, Jefferson, Charles Owen, Phelps, St. Blanc, Thomas, and Wright voted yea.

Representative Carter offered a motion to report House Bill No. 48 with amendments. Without objection, House Bill No. 48 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Garofalo, Amedée, Brass, Carter, Edmonds, Freiberg, Jefferson, Charles Owen, Phelps, St. Blanc, Thomas, and Wright voted yea.

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

House Bill No. 42 by Representative Wright

Representative Wright presented House Bill No. 42, which authorizes parents to appeal a local school board's denial of school enrollment requests to the State Board of Elementary and Secondary Education.

Kelli Bottger, American Federation for Children, no address provided, (225) 936-9800, spoke for information only on House Bill No. 42.

Joan Hunt, Louisiana Department of Education, 1201 North River Road, Baton Rouge, LA, spoke for information only on House Bill No. 42.

Dannie Garrett, Louisiana School Boards Association, 635 Main Street #3, Baton Rouge, LA 70820, (225) 382-0333, spoke in opposition to House Bill No. 42.

Representative Thomas offered a motion to report House Bill No. 42 favorably. Without objection, House Bill No. 42 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Garofalo, Amedée, Brass, Carter, Edmonds, Freeman, Freiberg, Hilferty, Jefferson, Miguez, Charles Owen, Phelps, St. Blanc, Thomas, and Wright voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support, 4 in opposition, and 1 for information only. Witness cards are included in the committee records.

The committee recessed at 2:06 p.m. The committee reconvened at 2:53 p.m.

House Concurrent Resolution No. 26 by Representative Freiberg

Representative Freiberg presented House Concurrent Resolution No. 26, which requests that the State Board of Elementary and Secondary Education, in collaboration with the Department of Education, issue guidance and policies relative to micro schools.

Representative Freiberg offered amendments to change the deadline from January 1, 2021, to March 1, 2021, for issuance of guidance and policies from the Board of Elementary and Secondary Education. Representative Freiberg offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Garofalo, Edmonds, Freeman, Freiberg, Hilferty, Jefferson, Miguez, Charles Owen, St. Blanc, Thomas, and Wright voted yea.

Representative Edmonds offered a motion to report House Concurrent Resolution No. 26 with amendments. Without objection, House Concurrent Resolution No. 26 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Garofalo, Edmonds, Freeman, Freiberg, Hilferty, Jefferson, Miguez, Charles Owen, St. Blanc, 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 Bill No. 80 by Representative Charles Owen

Representative Charles Owen presented House Bill No. 80, which provides relative to the use of student assessment results for the 2020-2021 school year with respect to school and district accountability, teacher evaluation, and student promotion.

Representative Charles Owen offered amendments:

1. Relative to school and district letter grades:
 - (a) To remove proposed law subjecting the assignment of school and district letter grades to legislative approval.
 - (b) To require the State Board of Elementary and Secondary Education (BESE) to prepare a petition to the U.S. Department of Education for a waiver relative to issuing letter grades and submit it if the state superintendent deems that such issuance would

be detrimental and require BESE and the superintendent to present a report to the House and Senate education committees regarding this decision by June 15, 2021.

2. To extend the deadline for the superintendent's 2021 report to the education committees relative to assessment results from the end of April to the end of May.

Representative Charles Owen offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Garofalo, Edmonds, Freeman, Freiberg, Hilferty, Jefferson, Miguez, Charles Owen, St. Blanc, Thomas, and Wright voted yea.

Representative Freiberg offered a motion to report House Bill No. 80 with amendments. Without objection, House Bill No. 80 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Garofalo, Edmonds, Freeman, Freiberg, Hilferty, Jefferson, Miguez, Charles Owen, St. Blanc, Thomas, and Wright voted yea.

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

House Bill No. 40 by Representative Garofalo

Representative Garofalo presented House Bill No. 40, which provides relative to qualifications for Taylor Opportunity Program for Students scholarships.

Dr. Sujuan Boutte, Louisiana office of student financial assistance, 602 North 5th Street, Baton Rouge, LA 70802, spoke for information only on House Bill No. 40.

Representative Garofalo offered a motion to report House Bill No. 40 favorably. Without objection, House Bill No. 40 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Garofalo, Edmonds, Freeman, Freiberg, Hilferty, Jefferson, Miguez, Charles Owen, St. Blanc, Thomas, and Wright voted yea.

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

House Bill No. 81 by Representative Garofalo

Representative Garofalo presented House Bill No. 81, which prohibits a school from sharing a student's personally identifiable information relative to illness or disease with the Department of Health for purposes of the Sanitary Code or any other purpose without parental consent.

Representative Garofalo offered a motion to voluntarily defer action on House Bill No. 81. Without objection, action on House Bill No. 81 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Garofalo, Freeman, Freiberg, Hilferty, Jefferson, Miguez, Charles Owen, St. Blanc, Thomas, and Wright voted yea.

House Bill No. 82 by Representative Amedée

Representative Amedée presented House Bill No. 82, which prohibits a school from sharing a student's personally identifiable information relative to illness or disease with the Louisiana Department of Health for purposes of the Sanitary Code or any other purpose without parental consent.

Representative Garofalo offered a motion to voluntarily defer action on House Bill No. 82. Without objection, action on House Bill No. 82 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Garofalo, Freeman, Freiberg, Hilferty, Jefferson, Miguez, Charles Owen, St. Blanc, Thomas, and Wright voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 3:18 p.m.

Respectfully submitted,

Chairman Raymond E. Garofalo, Jr.
House Committee on Education

Date adopted:

The committee has acknowledged on _____, that these minutes were prepared in accordance with the rules of the House of Representatives.