

Citizens for 1 Greater New Orleans

## 2013 Legislative Report

### Education

In the 2012 legislative session, 3 comprehensive bills were passed: Act 1: linked tenure to performance, made effectiveness the primary criterion for personnel decisions, and granted authority for hiring and placement of personnel to school superintendents; Act 2: enacted the “dollar follows the child” concept in diverting MFP dollars from school districts to scholarship (voucher) schools, virtual schools, state specialized schools and more; Act 3: provided for kindergarten readiness through an evaluation process of Early Childhood providers.

Acts 1 and 2 were challenged through the courts, and the lower court rulings were unfavorable. Therefore, many of the bills submitted in the 2013 legislative session were intended to be backup support in the event that the provisions of the respective acts were ruled unconstitutional by the Louisiana Supreme Court. Ultimately, Act 2 was ruled unconstitutional because of the use of MFP funding; however, the higher court upheld that Act 2 was a single object and did not violate dual-object provision in the state Constitution. This was an important distinction in the Act 1 challenge, which was based on the dual-object provision. The Supreme Court ultimately vacated the lower court decision on Act 1.

Citizens for 1 Greater New Orleans took positions on the following bills:

#### *Position/Outcome:*

**HB 160** by Rep. Reynolds would delay the impact of the new teacher evaluations for one year. Citizens for 1 Greater New Orleans opposed this bill and it was defeated.

**HB 467** by Rep. Edwards would have subjected charter schools to the same BESE rules and regulations as traditional schools with respect to employment eligibility requirements. Citizens for 1 Greater New Orleans opposed this bill and it was defeated.

**HB 478** by Rep. Champagne reinstated the requirements that school board Reduction in Force policies take performance into account, while also prohibiting the use of “last in, first out” policies. (This language was included in Act 1.) Citizens for 1 Greater New Orleans supported this bill.

**HB 596** by Rep. Carter reinstated authority for superintendents and principals to hire, fire, pay, and place personnel (rather than elected school boards). Citizens for 1 Greater New Orleans supported this bill.

**HB 643** by Rep. Miller would have extracted MFP dollars from charters, course providers and scholarship providers to go into TRSL, the state teachers’ retirement plan. Citizens for 1 Greater New Orleans opposed this bill, and it was involuntarily deferred in committee.

**HB 644** by Rep. Whitney would reinstate requirements for school boards to maintain policies that would financially reward the most effective teachers. (Most districts comply with this provision because of Act 1.) Citizens for 1 Greater New Orleans supported this bill.

**HB 661** by Rep. W. Bishop would create and provide for Type 3B charter schools and provide for charter school funding. Citizens for 1 Greater New Orleans supported this bill. It passed and was signed into law by the Governor as Act 330.

**HB 666** by Rep. Pearson would have instructed BESE to direct dollars directly into TRSL. Citizens for 1 Greater New Orleans opposed this bill, and it was involuntarily withdrawn in committee.

**SB 89** by Sen. Appel would have reinstated the provisions on teacher tenure provided in Act 1. Citizens for 1 Greater New Orleans supported this bill.

**SCR 68** by Sen. Crowe would have requested BESE to withdraw from Common Core State Standards and to cease implementation of this measure. Citizens for 1 Greater New Orleans opposed this resolution. It was withdrawn from the files of the Senate.

**SB 130** by Sen. Appel would have created the Early Childhood Care and Education Network and the Tiered Kindergarten Readiness Improvement System. Citizens for 1 Greater New Orleans joined a coalition of Early Childhood advocates in support of the bill; however, it was killed on the House Floor.

**SB 222** by Sen. Walsworth provided for licensure procedures for Early Childhood learning centers. Citizens for 1 Greater New Orleans joined a coalition of Early Childhood advocates in support of this bill. It passed and was signed into law by the Governor as Act 179.

Finally, this was a fiscal session, which occurs every other year. Since the Supreme Court ruling on Act 2 nullified the re-routing of MFP dollars to scholarship (voucher) schools, virtual school and other state specialty schools, it put the MFP back at the 2011-12 formula. This meant that the state owed districts the money it had diverted in 2012-13 in addition to the money that had already been allocated to these types of schools for 2012-13. Since the ruling came after the 2013-14 enrollment, there were approximately 8,000 students enrolled in the scholarship program for this school year.

Ultimately, the legislature passed a budget and supplemental budget that included:

\$69 M is additional funding for K-12 to be divided between school districts and certified teachers; funding for the 2013-14 scholarship program; and funding for the current year's expenditures for scholarship, virtual, and other related schools.