

2018
Southern Regional Conference



LEGISLATIVE UPDATE

2018 Legislative Sessions

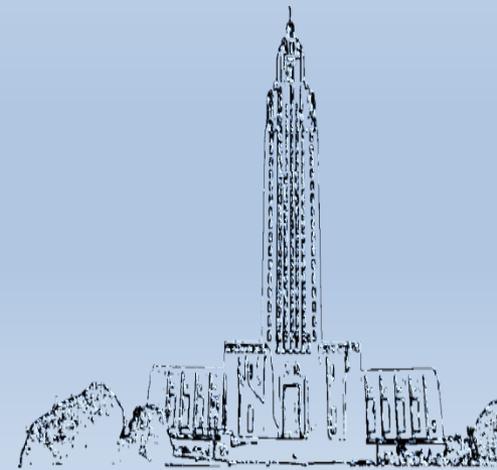
Sessions Summary

- First Extraordinary Session Convened: Monday, February 19th
- Regular Session Convened: Monday, March 12th
- Second Extraordinary Session Convened: Tuesday, May 22nd
- Third Extraordinary Session Convened: Monday, June 18th

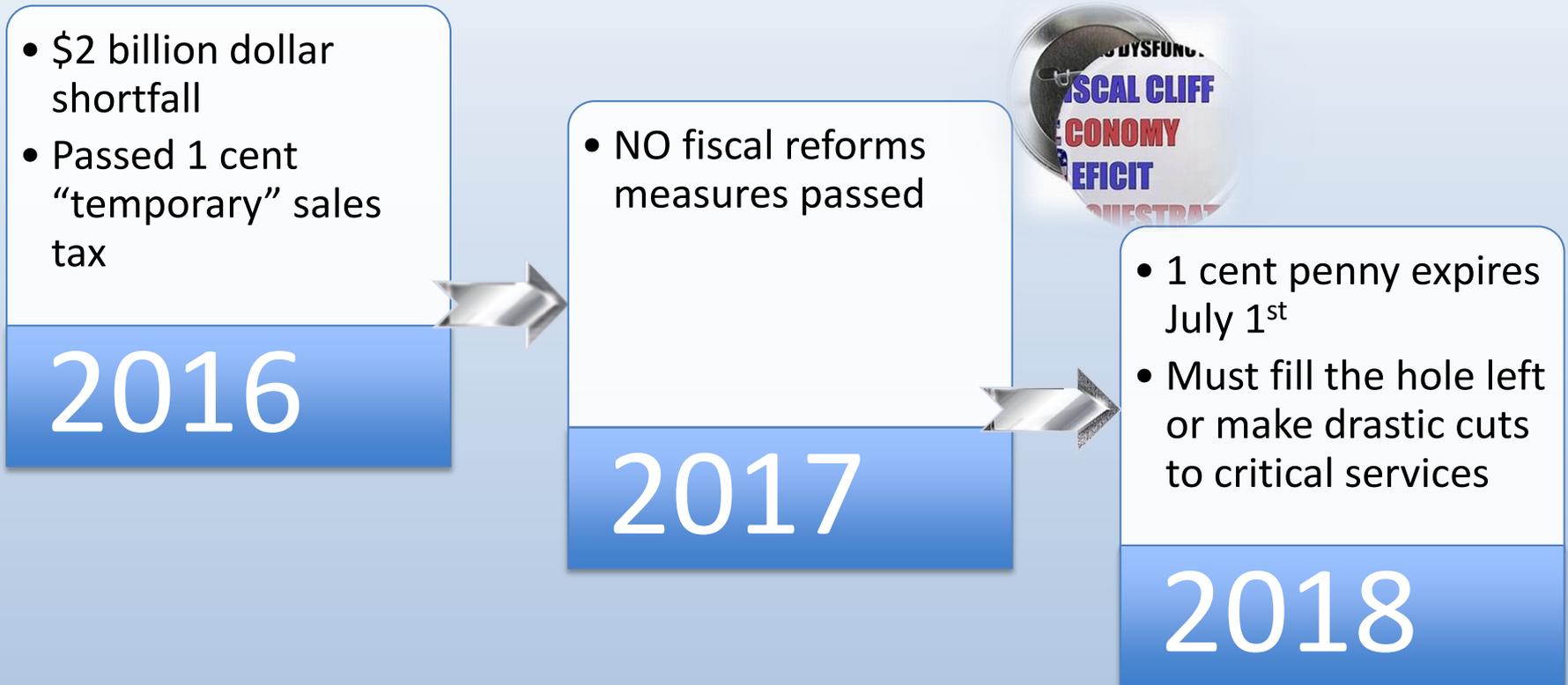


Final Adjournment/Sine Die

Sunday, June 24, 2018



How We Got Here, AGAIN



When the Special Session gaveled in on the Monday afternoon of February 19th , there was little expectation that things would proceed smoothly given the broad spectrum of political priorities represented by 144 legislators and Governor Edwards; however, there was at least the expectation of movement.

dys·func·tion

[dis-fuhngk-shuhn]

any malfunctioning
part or element

Sociology: a consequence of a
social practice or behavior pattern
that undermines the stability
of a social system.

The background of the slide features a faded, circular seal of the State of Louisiana. The seal contains the text "OFFICE OF JUSTICE" and "STATE OF LOUISIANA" around the perimeter, with a central emblem.

The Budget Road Traveled

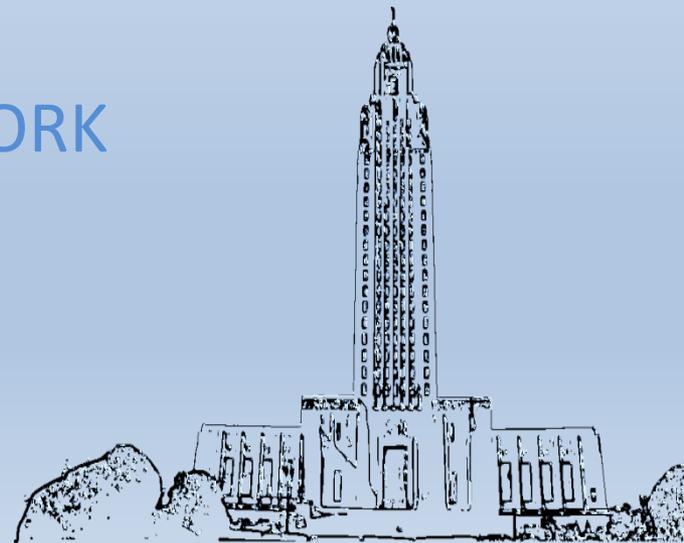
- 1st Extraordinary Session raised \$0
 - Remaining hole \$994M
- Regular Session
 - Inability to Raise revenue in this session. The gap is narrowed to \$648 M because of the effect of the Trump tax cut on the state fisc and increased state income tax collections. (REC recognized \$346 M)
- 2nd Extraordinary Session raised \$33.6 M
- 3rd Extraordinary Session raised \$483 M



LEGISLATIVE UPDATE



LEGISLATIVE FRAMEWORK



2018 Legislative Session

Total Instruments Filed in Combined Sessions
(2,524 – 950 resolutions)

1,574 Bills Introduced



978 bills



596 bills

Legislative Session Focus

- ◆ \$994M Budget Deficit
 - Closing the Budget Gap
 - Budget Reforms & Gov't Operations
- ◆ Education
 - K-12
 - TOPS
 - Student Safety
- ◆ Sexual Harassment
- ◆ Healthcare
- ◆ Corrections and Judicial Reform
- ◆ Gaming



We experienced



State Operating Budget

◆ HB 1 – Henry

- \$29B General Appropriations Bill
- \$9.6B State General Fund and fully funds
 - State-run Special Schools
 - Supplemental Pay for school lunchroom workers for parochial and non publics
 - Higher Education
 - TOPS
 - District Attorneys



Session Focus

Education

- ◆ Funding for Public Education (MFP)
- ◆ Public School Letter Grades
- ◆ Virtual Charter Schools
- ◆ School District Purchasing
- ◆ Early Childhood Education
- ◆ Industrial Property Tax Exemption (ITEP)



Education

School Financing MFP

- ❖ SCR – 48 (Morrish) – Based on BESE approved resolution
 - This is a standstill/flat formula that maintains the current rate of \$3,961 per student
 - MFP totals \$3.72B
 - It anticipates an increase of approximately 2,800 additional students mid year

Education

Public School Letter Grades

SB 152 – Sen. Morrish (Act 522)

- ❖ As a result of BESE decision to implement a more rigorous system of calculating school performance and accountability scores, LSBA filed legislation to require the state to issue (2) public school letter grades and (2) school performance scores.
 - ❖ It will show how students fared under Louisiana's previous grading system and students performed under the new rules.
 - ❖ The legislation allows parents, teachers and other stakeholders to compare how the two systems operate
-

Education

Virtual Charter Schools

SB 562 by Sen. Boudreaux (ACT 478)

- ❖ Establishes and defines virtual charter schools in state law.
 - ❖ A virtual charter school is a school that delivers all or a majority of its instruction and lessons through the internet or other electronic medium such that a student is not required to be at a specific location in order to receive instruction.
 - ❖ Virtual schools are not precluded from hosting some traditional classroom-based instruction and face-to-face meetings as part of their curriculums.
-

Public School Purchasing

Procurement

HB 272 by Rep. Hall (ACT 306)

- ❖ This is purely a clean-up instrument.
 - ❖ It clearly aligns in the statute that cooperative purchasing can be used for material, equipment and supplies throughout the law
-

Education

Early Childhood Care and Education Commission

HB 676 – Rep. Hillferty (Act 639)

- ❖ This instrument attempts to improve kindergarten readiness by authorizing BESE to use public and private funds to create pilot programs to improve affordable early childhood education from birth to age four.
- ❖ The bill also creates the Early Childhood Care and Education Commission to study and create a vision for the future of early childhood care and education. The commission is tasked with collecting data, considering research, determining a sustainable infrastructure, identifying opportunities for collaboration, and determining a time frame and necessary funding.

Education

Academic Improvement Plans

HB 509 – Rep. Carter (Act 555)

- ❖ This bill requires schools that are struggling with academic performance to develop an academic improvement plan that details the need for improvement, what action is being taken, a timeline for implementation and attainment of performance goals, and plan implications for students, families and educators.
- ❖ The action plans must be published on the Department of Education's website and be presented to the community during at least one public interest meeting held at the applicable school.

Student Health

Mental Health Services

HB 766 – Rep. Pierre (ACT 696)

- ❖ Allows private behavioral health providers to treat students during school hours if requested by the student's parent or legal guardian.
- ❖ The parent must present an evaluation that indicates the services are necessary to assist the student with behavioral health impairments.
- ❖ Students can receive services during recess or lunchtime; and, the services can also occur during class time if the school and healthcare provider agree that is in the best interest the student.

Student Health

Meningococcal Vaccine

HB 176 – Rep. Leger (ACT 196)

- ❖ Requires students entering the eleventh grade ~~or~~ who are 16 years old+ to provide proof that they've been immunized against meningococcal disease. Students can be exempt from the requirement if their parent or legal guardian signs a waiver stating that the student is not immunized for religious or other personal reasons, because a physician has deemed it inadvisable for medical reasons, or there is a shortage of available vaccines.
- ❖ Meningococcal disease is a potentially deadly illness caused by bacterial infection.

Student Health

Opioid Education & Prevention at Schools

HB 755 – Rep. Miller (ACT 694)

- ❖ Requires schools to include education relative to opioids in its substance abuse prevention curriculums.
- ❖ The measure also authorizes schools to maintain a supply of naloxone, or any other opioid antagonists.
- ❖ Schools may train school nurses or other school employees on opioid emergencies and administration of opioid antagonists.
- ❖ No civil liability for schools that opt not to provide opioid antagonists

Student Safety

Gun Violence Prevention at Schools and Universities In February 2018, a teen gunman opened fire with a semi-automatic rifle at a high school in Parkland, TX, killing 17 of his former classmates and teachers. This incident, 19 years after the massacre at Columbine High School, sparked a renewed debate on how to protect students from guns and violence at Louisiana schools. Some lawmakers promoted stricter gun control while others championed efforts to arm teachers and others on campuses. In the end, the legislature agreed on a bill to allow students to carry bulletproof backpacks and other measures relative to parent notification of emergency situations as well as recognizing and reporting potential threats.

Student Safety

Bullet Proof Backpacks

SB 178 – Sen. Walsworth (Act 523)

- ❖ This bill just simply allows students to wear bulletproof backpacks at Louisiana schools and on school busses.

Student Safety

Guns within 1,000 feet of schools

HB 602 – Rep. Miguez (Act 629)

- ❖ This bill just clarifies current law to make it clear that concealed carry permit holders can carry a weapon within 1,000 feet of a school or university.
- ❖ Guns are still not allowed on school or campus grounds.

Student Safety

Reporting Threats of Violence

HB 898 – Rep. Bacala (Act 716)

- ❖ Requires any school employee who learns of a threat of violence or terrorism to immediately report the threat to local law enforcement if there is a reasonable belief that the threat is credible and imminent. If the employee does not reasonably believe the threat to be credible or imminent, they must still report the threat to school administrators for further investigation. After receiving the report, the law enforcement agency must begin an investigation no later than the first day that school is in session and endeavor to complete it within three school days.
- ❖ Further, if the reported threat of violence involves a student, the student must not be allowed to return to school until after undergoing a formal mental health evaluation.
- ❖ The measure also requires public school boards to develop threat assessment procedures, reporting procedures for potential threats, and materials regarding recognizing and reporting threats in their crisis management plans.

Student Safety

School Crisis Management and Response Plan

HB 498 – Rep. Jordan (Act 168)

- ❖ Requires a school system plan to provide parental notification in the event of a shooting or other violent incident or emergency situation.

Student Safety

Safety Education

HB 895 – Rep. Norton (Act 641)

- ❖ Requires schools, in consultation with local law enforcement, to develop policies to distribute age appropriate information on recognizing and reporting internet, cell phone, and online content that signifies a potential threat to school safety.
- ❖ The policy shall also provide for guidelines on referring the threats to the appropriate law enforcement agencies.

Tax Matters

Internet Sales Taxes

HB 17 – Rep. Foil (Act 5 – 2nd Special Session)

- ❖ This bill aligns Louisiana law with South Dakota law, recently upheld by the U.S. Supreme Court regarding the definition of a dealer. A dealer is redefined as a person or business not physically present in the state that makes more than \$100,000 in sales in the state or engages in 200 or more separate transactions with Louisiana customers.

Tax Matters

Advanced Payment Agreements with Industries

HB 598 – Rep. Havard (Act 328)

- ❖ This bill allows local governments to, in effect, borrow from taxpayers who are receiving the industrial property tax exemption and agree to pay property taxes in advance. In turn, the local government will provide a tax credit against property taxes owed in later years plus interest. The participating industry cannot claim more than 20% of the credit in any tax year.

Tax Matters

Tax Incentives for Donations to Local Government

HB 684 – Rep. Abramson (Act 513)

- ❖ This bill removes the limitations on the amount of tax incentives that local governments may provide private entities that donate cash, equipment, goods or services to local infrastructure projects.

OTHER IMPORTANT ISSUES

- **Prayer in Schools** (SB 512 – Gatti) – Allows school employees to quietly bow their heads whenever they supervise a student-led, student-initiated prayer at school. **ACT 674**
- **“In God We Trust”** (SB 224 – Barrow) – Requires public schools to display the national motto, “In God We Trust.” At minimum, the motto should be displayed with a paper sign. **ACT 410**
- **Financial Literacy** (SB 315 – Thompson) - Aims to strengthen financial literacy education requirements in Louisiana by requiring all public high school students who enter the ninth grade on or after July 1, 2019 to receive instruction in personal finance as a requirement for graduation. **ACT 154**
- **Parents’ Bill of Rights** (HB 387-Edmonds) – Gives parents the right to obtain their minor child’s attendance records, discipline records, and records associated with screening for learning challenges or exceptionalities. Parents also have the right to receive an annual school calendar, a list of required fees, and uniform requirements. Parents must also be notified if their child’s academic performance could impact their advancement to the next grade level. **ACT 547**

OTHER IMPORTANT ISSUES

- **START K12 Program** (HB 650 – Foil) – Creates the La. Student Tuition Assistance and Revenue Trust Kindergarten Through Grade 12 (START K12) Program. START K12 is similar to the START program for higher education except that it is for certain expenses associated with enrolling children in grades K-12. **ACT 687**
- **Maternity Leave for Adoption** (HB 625 – Edmonds) – Grants public school teachers and other school employees 30 days of leave when they adopt a child. **ACT 631**
- **Teacher Hiring Policies** (HB 796 – Harris) – Prohibits schools from hiring anyone who has been convicted of or has plead no contest to any felony crime, rather than just those specifically enumerated under prior law. They are also prohibited from hiring a teacher who has submitted fraudulent documentation in the hiring process or has been found to have facilitated cheating on any state assessment as determined by BESE. Anyone already employed who has committed these offenses will be dismissed and anyone denied employment could file a formal appeal with BESE. BESE is authorized to assess a fine equal to the amount of the teacher's salary against a school that knowingly employs teachers in violation of this bill. Repeals the ability to let a person work while waiting on the return of the criminal background check. **ACT 634**

LSBA WILL

NEVER



TRYING

Legislation LSBA WORKED to Defeat!

- **Constitutional Convention** (HB 500 – Abramson) Proposed a Constitutional Convention that would have included the ability to remove the protection of the MFP
- **“Lunch Shaming”** (HB 284 – P. Smith) Proposed restrictions on schools taking actions to collect unpaid lunch charges for students who don’t qualify for the federal free lunch program
- **Teacher Bill of Rights** (HB 343 & HB 344 – S. Carter) HB 343 proposed to add mandates and prohibitions on communications with teachers (Teacher Unions also opposed) HB 344 proposed to grant individual teachers control over curriculum
- **Mandatory Recess** (HB 842 – Amedee) Proposed to mandate 30 minutes of recess to the school day in grades K-8
- **School Choice Act** (HB 670 – N. Landry) The bill passed (Act 459) but only after a significant amendment. Originally the bill proposed to have BESE set guidelines for when a school had sufficient capacity to require it to accept a student from another school or school district under the School Choice Act.



The Road Ahead



- **FUNDING!!!**

2019 Fiscal Legislative Session

To convene at noon on Monday, April 8, 2019.

Final adjournment no later than 6:00 p.m., Thursday June 6, 2019.