



*"Dedicated to promoting strong, professional leadership"*

## LOUISIANA ASSOCIATION OF SCHOOL EXECUTIVES

July, 2010

Lee Faucette, Editor

Volume 32, Number 2

### *Jindal Vetoes Stipends for Nationally Certified Educators: Radical Retirement Bills Fail in 2010 Session*

Governor Bobby Jindal shocked National Board Certified Educators state-wide by vetoing secure funds dedicated in House Bill 1 to pay hard earned stipends to National Board Certified teachers, guidance counselors, speech pathologists, school social workers, school speech-language pathologists and school audiologists.

Despite overwhelming legislative support (House 69-33; Senate 38-1) for the state to pay the supplements in HB 1, Jindal chose to deny secure funding to some 3,200 National Board Certified Educators. "Jindal said local school districts can handle the cost."

*The Advocate, page 6 A, June 26, 2010.*

Three bills, vigorously opposed by LASE and its members, that would have radically changed the Louisiana Teachers' Retirement System, failed to pass in the Legislative Session. The bills were House Bills 930, 931, and 1229 by Speaker Jim Tucker. HB 930 and HB 931, perhaps the most far reaching, would have reduced retirement benefits and diminished efforts to keep promising young teachers in our state. The bills would change teacher retirement *from a defined benefit plan*, where new hires know what kind of benefit they would earn at the end of their years of service, to a *defined contribution plan*, whereby retirement pay would depend on the success of investments in money markets by individual accounts teachers would manage personally.

House Bill number 1229 would have created a single retirement investment board to control all funds of the four statewide retirement systems (Teachers, State Employees, State Police, and School

Employees). The new super board would be empowered to control billions of dollars accumulated from employee and employer contributions from the four systems. It would move control of assets of the 4 systems from the jurisdiction of the 4 sitting boards to a new investment board. The sitting boards would have continued to manage the administrative functions of each system.

LASE and its members maintained steady contact with legislators voicing strong opposition to the bills. LASE also opposed Senate Bill 602 eliminating the DROP program for all employed on or after July 1, 2010. The bill was voluntarily deferred by the author.

Senate Bill 729 by Buddy Shaw was supported by LASE as it would have restored the Experience Account to Teachers' Retirement System and make possible future cost of living adjustments. However, the Senate Retirement Committee deferred SB 729 killing it.

Other significant retirement bills which passed are HB 1337, by Joel Robideaux, which changes retirement benefits for all members hired after January 1, 2011, and HB 229, by Pearson, which requires a 2/3 vote to enact any changes to retirement provisions having an actuarial cost to the public retirement systems.

For a view of all retirement bills considered, see the Louisiana Retired Teachers Association Report Number 10. (*LRTA Legislative Update No. 10 of June 22, 2010*).

**2010 Regular Legislative Session**

**All enrolled bills tracked by LASE are posted on the LASE Website: <http://www.laschexec.org/>. There are links that allow access to each bill's complete text, digest, history, author, amendments, and votes.**

**Enrolled Bills: Retirement**

HB 229, Pearson

Requires a 2/3 vote to enact any changes to retirement provisions having an actuarial cost to public retirement systems

June 9, 2010 Enrolled in the House

HB 519, Cortez

Provides relative to the Teachers' Retirement System of La. and provides relative to rehired retirees

June 21, 2010 Enrolled in the House

HB 709, Brossett

Provides relative to the New Orleans Center for the Creative Arts

June 15, 2010 Enrolled in the House

HB 1337, Robideaux

Relative to the state retirement systems, makes changes to the benefits for persons hired on or after January 1, 2011

June 21, 2010 Enrolled in the House

SB 13, Gautreaux, B.

Allows garnishment of Louisiana public retirement or pension system, plan, or fund benefits of an elected official to pay fines or restitution imposed for a felony associated with his office.

June 16, 2010 Enrolled in the Senate

SB 191, Gautreaux, B.

Provides relative to compliance with applicable federal tax qualification requirements for Teachers' Retirement System of Louisiana, Louisiana School Employees' Retirement System, and State Police Pension and Retirement System

June 16, 2010 Enrolled in the Senate

SB 274, Heitmeier

Requires a charter school teacher who is an active member of the system to remain an active member for the duration of employment at the charter school under certain circumstances

June 21, 2010 Enrolled in the Senate

SB 445, LaFleur

Repeals outdated provisions relative to public school teachers

June 16, 2010 Enrolled in the Senate

SB 594, Gautreaux, B.

Provides relative to investments of public retirement systems

June 21, 2010 Enrolled in the Senate

## **Enrolled Bills: Elementary & Secondary Education**

**Page 3**

HB 1, Fannin

Provides for general appropriations for operation of state government

June 21, 2010 Enrolled in the House

HB 2, Greene

Provides for the comprehensive Capital Outlay budget

June 21, 2010 Enrolled in the House

HB 43, Hardy

Expands drug free zones from 1,000 feet to 2,000 feet from designated properties

June 14, 2010 Enrolled in the House

HB 46, Hutter

Requires instruction with respect to dating violence in public schools

June 4, 2010 Enrolled in the House

HB 97, Cortez

Allows private driving schools to provide classroom instruction to persons ninety days before their fifteenth birthday

June 17, 2010 Becomes Act 227; Effective August 15, 2010

HB 151, Carmody

Authorizes the Bossier and Caddo parish school boards, in accordance with specified guidelines and limitations, to transport to school any student who resides one mile or less from the school

June 14, 2010 Enrolled in the House

HB 216, Foil

Provides for a school choice pilot program for certain students with exceptionalities

June 15, 2010 Enrolled in the House

HB 251, Smith, P.

Requires the state superintendent of education to possess certain qualifications at the time of appointment by BESE

June 9, 2010 Enrolled in the House

HB 303, Henry

Provides relative to eligibility of certain home study students to participate in interscholastic athletics at secondary schools that are members of the LHSAA

June 17, 2010 Enrolled in the House

HB 420, Leger

Provides relative to charter school funding

June 10, 2010 Enrolled in the House

HB 421, Jackson, M.

Provides relative to the authority of a local school board to deny admission or readmission to school of certain students

June 18, 2010 Enrolled in the House

HB 433, Hardy

Requires BESE to establish a uniform grading scale for use in public schools

June 17, 2010 Enrolled in the House

**Enrolled Bills Page 4**

HB 443, Hutter

Provides relative to campuses designated as part of the Louisiana Technical College

June 15, 2010 Enrolled in the House

HB 468, Hoffmann

Provides eligibility for sabbatical leave for certified school nurses employed by state special schools and by city, parish, and other local public school systems

June 14, 2010 Enrolled in the House

HB 486, Harrison

Requires school guidance counselors to complete academic profiles for ninth grade students

June 18, 2010 Enrolled in the House

HB 519, Cortez

Provides relative to the Teachers' Retirement System of La. and provides relative to rehired retirees

June 21, 2010 Enrolled in the House

HB 580, Smith, P.

Authorizes certain special schools to share services and functions under certain conditions June 9, 2010

Enrolled in the House

HB 685, Jones, S.

Raises minimum age at which certain children may attend BESE-approved adult education programs rather than attending school from 16 to 17

June 14, 2010 Enrolled in the House

HB 709, Brossett

Provides relative to the New Orleans Center for the Creative Arts

June 15, 2010 Enrolled in the House

HB 775, Simon

Provides with respect to a GED program for incarcerated offenders

June 17, 2010 Enrolled in the House

HB 923, Leger

Authorizes the Recovery School District to contract with outside legal counsel for certain purposes

June 18, 2010 Enrolled in the House

HB 925, Badon, A.

Provides relative to school and district accountability in elementary and secondary education

June 17, 2010 Enrolled in the House

HB 934, Nowlin

Provides for additional purposes for which public postsecondary education management boards shall use revenues from oil, gas, and mineral leases

June 10, 2010 Enrolled in the House

HB 942, Carter

Provides relative to the employment of the local public school superintendent and the authority of the superintendent and the school board for personnel matters

June 17, 2010 Enrolled in the House

HB 962, Carter

Provides relative to the review process for charter school applications  
June 16, 2010 Enrolled in the House

HB 1000, Waddell

Permits, for purposes of certain skill or occupational training, use of a TOPS Opportunity, Performance, or Honors award at certain schools having a certificate of registration issued by the Bd. of Cosmetology and proprietary schools licensed by the Bd. of Regents  
June 18, 2010 Enrolled in the House

HB 1029, Hoffmann

Provides relative to instruction in Civics and Free Enterprise  
June 8, 2010 Enrolled in the House

HB 1033, Hoffmann

Provides relative to evaluation and assessment programs for teachers and administrators  
May 27, 2010 Becomes Act 54; Effective May 27, 2010

HB 1137, Williams

Provides relative to bicycles and bicycling laws  
June 17, 2010 Enrolled in the House

HB 1141, Landry

Requires certain public school governing authorities with a policy of denying nutrition to students to implement certain procedures  
June 21, 2010 Enrolled in the House

HB 1170, Landry

Disqualifies commercial driver's license holders from operating school buses after conviction of DWI offenses  
June 10, 2010 Enrolled in the House

HB 1180, Smith, P.

Authorizes local public school boards to use state funds to purchase instructional technology and related hardware  
June 8, 2010 Enrolled in the House

HB 1239, Dixon

Requires the State Board of Elementary and Secondary Education to adopt rules and regulations relative to the physical abuse of public school teachers and employees by students  
June 10, 2010 Enrolled in the House

HB 1337, Robideaux

Relative to the state retirement systems, makes changes to the benefits for persons hired on or after January 1, 2011  
June 21, 2010 Enrolled in the House

HB 1368, Smith, J.

Authorizes BESE to exempt a school district from certain laws, rules, and regulations pursuant to a request and proposal for increasing quality of instruction and academic achievement from the school district  
June 18, 2010 Enrolled in the House

**HB 1376, Hines**

Requires local school boards to provide free transportation for students attending BESE-approved schools within the local board's jurisdictional boundaries if the student resides more than 1,000 feet from school  
June 21, 2010 Enrolled in the House

**HB 1396, Burrell**

Requires first aid training for school employees who participate in in-service training  
June 18, 2010 Enrolled in the House

**HB 1442, Carmody**

Provides relative to reporting by public school employees of irregularities or improprieties in the administration of standardized tests  
June 14, 2010 Enrolled in the House

**HB 1458, LaBruzzo**

Provides relative to cyberbullying and student codes of conduct adopted by local school boards  
June 18, 2010 Enrolled in the House

**HB 1491, Downs** Provides relative to the high school core curriculum requirements for certain students to be eligible for a TOPS Opportunity, Performance, or Honors award

June 18, 2010 Enrolled in the House

**SB 57, Broome**

Creates the Council on the Status of Grandparents Raising Grandchildren  
June 18, 2010 Enrolled in the Senate

**SB 83, Appel**

Expands the test type options used in grades three, five, six, seven, and nine as part of LEAP June 8, 2010  
Becomes Act 116; Effective August 15, 2010

**SB 89, Long**

Removes unnecessary statutory provision that placed the La. School of Math, Science, and the Arts within the Dept. of Education  
June 8, 2010 Becomes Act 117; Effective August 15, 2010

**SB 94, Murray**

Creates the crime of the production, manufacture, distribution, or possession of a fraudulent postsecondary degree  
June 17, 2010 Becomes Act 206; Effective June 17, 2010

**SB 111, Long**

Allows the La. School for Math, Science, and the Arts to admit high school sophomores on the same basis as juniors and seniors  
June 8, 2010 Becomes Act 121; Effective June 8, 2010

**SB 112, Long**

Prohibits inclusion of performance data related to students educated in secure facilities under the jurisdiction of the office of juvenile justice in the school or district performance scores of the public school system in which the secure facility is located  
June 8, 2010 Becomes Act 122; Effective August 15, 2010

SB 182, Gautreaux, N.

Provides for certain awards and payments from the Tuition Opportunity Program for Students for Louisiana National Guardsmen

June 14, 2010 Becomes Act 201; Effective June 14, 2010

SB 240, Murray

Allows the Orleans Parish School Board to exclude certain costs from the amount of local funds that it would otherwise be required to transfer to the RSD

June 21, 2010 Enrolled in the Senate

SB 274, Heitmeier

Requires a charter school teacher who is an active member of the system to remain an active member for the duration of employment at the charter school under certain circumstances

June 21, 2010 Enrolled in the Senate

SB 297, Donahue

Eliminates the division of adult and community education within the Dept. of Education and transfers the responsibility for adult education programs from BESE to LCTCS

June 8, 2010 Becomes Act 132; Effective July 1, 2010

SB 309, LaFleur

Provides relative to habitual absence or tardiness of students

June 21, 2010 Enrolled in the Senate

SB 444, LaFleur

Repeals provisions relative to schools that are outdated or have been held unconstitutional

June 16, 2010 Enrolled in the Senate

SB 446, LaFleur

Repeals outdated provisions relative to assignment, placement, and continuance of public school students

June 16, 2010 Enrolled in the Senate

SB 486, Nevers

Allows an alternative eligibility requirement of attainment of the WorkKeys silver level score, in lieu of the minimum ACT score required of students for a TOPS-Tech Award

June 17, 2010 Enrolled in the Senate

SB 487, Nevers

Re-creates the Department of Education

June 14, 2010 Enrolled in the Senate

SB 490, Nevers

Provides that Career Diploma curriculum end-of-course exam questions reflect course content and method of instruction

June 14, 2010 Enrolled in the Senate

SB 493, Nevers

Repeals duplicative and outdated LCTCS reporting requirements

June 14, 2010 Enrolled in the Senate

SB 505, Jackson  
Statutorily creates the Louisiana Go Grant Program  
June 18, 2010 Enrolled in the Senate

SB 509, Long  
Includes the Louisiana School for Math, Science, and the Arts in the MFP  
June 21, 2010 Enrolled in the Senate

SB 527, Broome  
Requires local school districts to provide certain classroom management training to school personnel  
June 8, 2010 Becomes Act 136; Effective June 8, 2010

SB 533, LaFleur  
Requires BESE to increase the availability of electronic textbooks and instructional materials  
June 21, 2010 Enrolled in the Senate

SB 538, Nevers  
Clarifies Board of Regents' powers, duties, and functions  
June 14, 2010 Enrolled in the Senate

SB 568, Jackson  
Authorizes school board members to obtain training or instruction at certain national and regional conferences in meeting the requirements for annual training of school board members upon verification of attendance  
June 16, 2010 Enrolled in the Senate

SB 584, Peterson  
Creates the Louisiana Statewide Education Facilities Authority  
June 21, 2010 Enrolled in the Senate

SB 701, Marionneaux  
Requires persons who do not graduate from high school to serve a minimum of two years in the armed forces  
June 21, 2010 Enrolled in the Senate

SB 704, Shaw  
Provides relative to military service credit and compliance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA)  
June 21, 2010 Enrolled in the Senate

SB 712, Nevers  
Authorizes the LCTCS board to create a Centers of Excellence Program  
June 16, 2010 Enrolled in the Senate

SB 713, Nevers  
Provides limitation of liability for LAICU and member institutions if confidential student information they are required to submit to the Board of Regents is breached as the result of board actions  
June 14, 2010 Enrolled in the Senate

SB 743, Broome  
Provides for the selection process for certain members nominated by school clubs and community organizations to the Legislative Youth Advisory Council and for submission of an annual report  
June 18, 2010 Enrolled in the Senate

SB 746, Jackson

Requires legislative approval of the formula adopted by the Board of Regents for funding institutions of postsecondary education

June 21, 2010 Enrolled in the Senate

SB 752, Long

Creates and provides for the Louisiana Centers of Excellence Financing Corporation and authorizes the issuance of bonds to finance the construction of centers of excellence

June 16, 2010 Enrolled in the Senate

SB 753, Peterson

Provides relative to publication and parental notification of information relative to school system cohort graduation and dropout rates

June 16, 2010 Enrolled in the Senate

SB 798, Walsworth

Provides that a high school diploma awarded by an approved home study program shall receive the same recognition as one awarded by an approved nonpublic school

June 18, 2010 Enrolled in the Senate

**Enrolled Bills: Higher Education**

HB 443, Hutter

Provides relative to campuses designated as part of the Louisiana Technical College

June 15, 2010 Enrolled in the House

HB 464, Kleckley

Provides for technical recodification of certain provisions of the La. Insurance Code relative to health and accident insurance

June 17, 2010 Enrolled in the House

HB 1055, Richmond

Eliminates the division of adult and community education within the Dept. of Education and transfers the responsibility for adult education programs from BESE to LCTCS

June 21, 2010 Enrolled in the House

HB 1171, Tucker

Provides for a Board of Regents program under which postsecondary institutions agree to achieve certain standards in exchange for authority to increase tuition and for exemption from certain limitations

June 21, 2010 Enrolled in the House

HB 1358, Fannin

Makes supplemental appropriations for FY 2009-2010

June 21, 2010 Enrolled in the House

HB 1491, Downs

Provides relative to the high school core curriculum requirements for certain students to be eligible for a TOPS Opportunity, Performance, or Honors award

June 18, 2010 Enrolled in the House

SB 297, Donahue

**Higher Education Enrolled Bills Page 10**

Eliminates the division of adult and community education within the Dept. of Education and transfers the responsibility for adult education programs from BESE to LCTCS

June 8, 2010 Becomes Act 132; Effective July 1, 2010

SB 486, Nevers

Allows an alternative eligibility requirement of attainment of the WorkKeys silver level score, in lieu of the minimum ACT score required of students for a TOPS-Tech Award

June 17, 2010 Enrolled in the Senate

SB 493, Nevers

Repeals duplicative and outdated LCTCS reporting requirements

June 14, 2010 Enrolled in the Senate

SB 538, Nevers

Clarifies Board of Regents' powers, duties, and functions

June 14, 2010 Enrolled in the Senate

SB 712, Nevers

Authorizes the LCTCS board to create a Centers of Excellence Program

June 16, 2010 Enrolled in the Senate

SB 752, Long

Creates and provides for the Louisiana Centers of Excellence Financing Corporation and authorizes the issuance of bonds to finance the construction of centers of excellence

June 16, 2010 Enrolled in the Senate

SB 788, Hebert

Enacts the Louisiana Professional Geoscience Practice Act

June 21, 2010 Enrolled in the Senate

**The above enrolled bills are posted on the LASE website with links that allow you to access the bill's text, digest, history, authors, amendments, and votes.**

**Lee Faucette**

**Governmental Relations Advisor**

**Louisiana Association of School Executives**