

LOUISIANA STATE BOARD OF ELEMENTARY AND SECONDARY EDUCATION

MAY 2, 2008

The Thomas Jefferson Room Baton Rouge, LA

The Louisiana State Board of Elementary and Secondary Education met in special session on May 2, 2008, in the Thomas Jefferson Room, located in the Claiborne Building in Baton Rouge, Louisiana. The meeting was called to order at 9:46 a.m. by Board President Linda M. Johnson. Members present were Mr. Dale Bayard, Mr. John Bennett, Ms. Glenny Lee Buquet, Ms. Penny Dastugue, Mr. Jim Garvey, Ms. Louella Givens, Mr. Keith Guice, Ms. Linda Johnson, Mr. Walter Lee, Ms. Tammie McDaniel, and Mr. Chas Roemer.

Representing the Department were Superintendent Paul Pastorek, Mr. Patrick Dobard, Mr. Joe Salter, Dr. Scott Norton, Mr. Jim Owens, Ms. Joan Hunt, Mr. Jim Hrdlicka, Mr. Kenneth Campbell, Mr. John Dupre, Ms. Nancy Beben, and Ms. Monique Preau.

Public comments were received from Mr. Donnie Vandell, Board of Regents; Mr. Steve Monaghan, Louisiana Federation of Teachers/American Federation of Teachers; Ms. Christy Cormier, LaTEACH; Representative Don Trahan, District 31; Ms. Cindy Arceneaux, concerned parent; Ms. Patsye Peebles, National Association of Biology Teachers; Ms. Thelma Harris-French, Orleans Parish School Board; Mr. Pat Harrington, teacher; Ms. Alison Ocmund, Louisiana Federation of Teachers; Mr. Gary Reed, Louisiana School Boards Association; Ms. Erin Bendily, Governor's Education Advisor; Mr. Wayne Free, Louisiana Association of Educators; and Mr. Marston Fowler, Louisiana Children's Education Alliance.

Agenda Item 3 On motion of Ms. Buquet, seconded by Mr. Bayard, the Board approved the agenda as printed and disseminated. (Schedule 1)

At this point in the meeting, Ms. Johnson relinquished the Chair to Ms. Louella Givens, Chair of the Legislative/Policy Oversight Committee.

Agenda Item 4 **Consideration of 2008 Legislation**

4-1 On motion of Ms. Dastugue, seconded by Mr. Lee, the Board supported with amendment House Bill No. 1074, which requires certain local public school boards to develop academic achievement plans and provides for the establishment of the Task Force on Improving Student Academic Achievement.

(Motion continues on page 2)

Amendment is as follows:

- Creation of the task force. Academic Achievement Plans are presently being done as required by Federal Guidelines in the form of School Improvement Plans and District Consolidated applications; therefore, the development of academic achievement plans are not necessary and should be deleted from the bill.

- 4-2 On motion of Ms. Dastugue, seconded by Mr. Lee, the Board opposed House Bill No. 1302, which prohibits not promoting or graduating a student who fails to attain a certain minimum achievement level on a portion of any LEAP test, including the graduation test, if the student meets certain criteria.
- 4-3 On motion of Ms. Dastugue, seconded by Mr. Lee, the Board opposed House Bill No. 1303, which requires BESE to establish a procedure for the State Superintendent of Education to grant a waiver allowing the grade level promotion of certain students under certain circumstances.
- 4-4 On motion of Ms. Dastugue, seconded by Mr. Lee, the Board opposed House Bill No. 1306, which prohibits not promoting or graduating a student who fails to attain a certain minimum achievement level on a portion of any LEAP test, including the graduation test, if the student meets certain criteria.
- 4-5 On motion of Ms. Dastugue, seconded by Mr. Lee, the Board supported with amendment Senate Bill No. 582, which provides for a program to identify and provide assistance to low-performing schools that are at risk of failing.

Amendment is as follows:

- On page 2, line 14, after "shall" delete the remainder of the line, delete lines 15 and 16 in their entirety, and insert the following: "include, but not be limited to, a comprehensive needs assessment, development of corrective action plans, and monitoring."
- 4-6 On motion of Mr. Roemer, seconded by Mr. Bennett, the Board supported with amendment House Bill No. 1223, which provides relative to academic eligibility requirements for participation by certain students in interscholastic athletics and other extracurricular activities.

(Motion continues on page 3)

Amendment is as follows:

- If funds are made available for this purpose.

Ms. Givens voted "No."

4-7 On motion of Mr. Roemer, seconded by Mr. Bennett, the Board opposed House Bill No. 1274, which provides relative to academic tutoring for certain student athletes in public elementary and secondary schools.

4-8 On motion of Mr. Lee, seconded by Ms. Johnson, the Board supported with amendment Senate Bill No. 459, which allows certain over-age students to play sports one grade up.

Amendment is as follows:

- Remove lines 22 through 24 on page 2 of the bill.

Mr. Guice voted "No."

4-9 On motion of Mr. Lee, seconded by Mr. Bennett, the Board opposed House Bill No. 182, which requires BESE to adopt rules and regulations to allow certain students to participate in graduation ceremonies.

4-10 On motion of Mr. Lee, seconded by Mr. Bennett, the Board supported with amendment House Bill No. 511, which establishes the Teacher's Supplies Fund as a special treasury fund to provide for grants to elementary and secondary teachers for classroom supplies.

Amendment is as follows:

- If funds are made available for this purpose.

Ms. McDaniel voted "No."

4-11 On motion of Mr. Lee, seconded by Mr. Bennett, the Board opposed House Bill No. 574, which prohibits interactions between students and school employees in public elementary and secondary schools except in accordance with specified guidelines and limitations adopted by BESE.

- 4-12 On motion of Mr. Lee, seconded by Mr. Bennett, the Board supported House Bill No. 671, which requires the board of directors of the Louisiana School for Math, Science, and the Arts to develop and adopt a policy for sabbatical leave for certified employees prior to the beginning of the 2009-2010 school year.
- 4-13 On motion of Mr. Lee, seconded by Mr. Bennett, the Board supported House Bill No. 721, which adds a member of the Nonpublic School Commission to the High School Redesign Commission.
- 4-14 On motion of Mr. Lee, seconded by Mr. Bennett, the Board supported House Bill No. 812, which removes provision requiring, when the Permanent Trust Fund balance reaches \$2 billion, interest earnings to be credited to the Support Fund and recurring revenues to the State General Fund.
- 4-15 On motion of Mr. Lee, seconded by Mr. Bennett, the Board opposed House Bill No. 907, which requires certain procedures be followed in providing access by any person to a public elementary or secondary school.
- 4-16 On motion of Mr. Lee, seconded by Mr. Bayard, the Board supported with amendment House Bill No. 962, which establishes the Louisiana Statewide Educational Facilities Fund.
- Amendment is as follows:
- If funds are made available for this purpose.
- 4-17 On motion of Mr. Lee, seconded by Mr. Bennett, the Board supported House Bill No. 1007, which provides with respect to background checks for persons with supervisory authority over children.
- 4-18 On motion of Mr. Lee, seconded by Mr. Bennett, the Board supported House Bill No. 1054, which authorizes city, parish, and other local public school boards to create public benefit corporations.
- 4-19 On motion of Mr. Lee, seconded by Mr. Bennett, the Board supported House Bill No. 1069, which requires the board of the New Orleans Center for the Creative Arts/Riverfront (NOCCA) to develop a plan to enter into cooperative agreements to provide educational services to students in public school systems throughout the state.

- 4-20 On motion of Mr. Lee, seconded by Mr. Bennett, the Board supported with amendment House Bill No. 1091, which creates the Louisiana School Dropout Prevention Act of 2008 and provides for the circumstances under which certain students may withdraw from school.

Amendment is as follows:

- Technical amendments to mirror current Louisiana Department of Education language.

- 4-21 On motion of Mr. Lee, seconded by Mr. Bennett, the Board supported House Bill No. 864, which transfers the Motorcycle Safety, Awareness, and Operator Training Program into the Highway Safety Commission.

- 4-22 On motion of Ms. Dastugue, seconded by Ms. Johnson, the Board supported with amendment House Bill No. 1173, which establishes the Louisiana Trade and Industrial Education Fund.

Amendment is as follows:

- Use the modern accepted terminology, "Career and Technical Education Fund."
- Line 18, delete "including federal funds."

- 4-23 On motion of Ms. Dastugue, seconded by Mr. Lee, the Board supported with amendment House Bill No. 1222, which requires BESE, in conjunction with the High School Redesign Commission, to develop and implement two separate curriculum tracks and related diplomas for high school students.

Amendment is as follows:

- If it can be modified to conform to the High School Redesign policies already developed by the High School Redesign Commission and approved by the Board.

- 4-24 On motion of Mr. Lee, seconded by Ms. McDaniel, the Board opposed House Bill No. 1261, which prohibits K-12 public schools from serving to students food containing trans fat.

- 4-25 On motion of Mr. Bennett, seconded by Ms. McDaniel, the Board opposed House Bill No. 1317, which provides relative to the prior approval by the Joint Legislative Committee on the Budget of the salary of the State Superintendent of Education.
- 4-26 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board opposed House Bill No. 1323, which provides relative to leave for parents and legal guardians to attend certain school-related activities.
- 4-27 On motion of Mr. Lee, seconded by Mr. Bennett, the Board supported Senate Bill No. 363, which provides for confidentiality of certain information on the applications of minors submitted for membership on the Legislative Youth Advisory Council and authorizes the designation of certain youth to serve in an advisory, nonvoting capacity to the council.
- 4-28 On motion of Mr. Lee, seconded by Mr. Bennett, the Board supported Senate Bill No. 465, which provides that the driver education programs approved by BESE be in consultation with the Louisiana Highway Safety Commission.
- 4-29 On motion of Mr. Lee, seconded by Mr. Bennett, the Board supported Senate Bill No. 632, which establishes and provides for the Louisiana Statewide Educational Facilities Authority.
- 4-30 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported with amendment Senate Bill No. 719, which provides relative to a universal dyslexia screening and intervention pilot program in grades K-3.
- Amendment is as follows:
- If funds are made available for this purpose.
- 4-31 On motion of Ms. Johnson, seconded by Ms. Dastugue, the Board supported Senate Bill No. 746, which provides eligibility for sabbatical leave to social workers, guidance counselors, and school psychologists employed by the Special School District.
- 4-32 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported House Bill No. 197, which allows certain repair work on school buses to be performed at a repair shop by a manufacturer or distributor authorized provider which is not a school bus dealer.

- 4-33 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board opposed House Bill No. 386, which increases certain rates of compensation paid to specified persons and entities for the operation of a school bus in a public school system.
- 4-34 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported House Bill No. 402, which prohibits school bus operators from using cell phones while driving.
- 4-35 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board took no position on House Bill No. 655, which provides relative to charter schools.
- 4-36 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board opposed House Bill No. 718, which provides relative to the leave of absence granted by a local public school board to an employee who subsequently becomes employed in a charter school.
- 4-37 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board supported with amendment House Bill No. 724, which requires charter schools to reimburse local school boards for the actual cost of transportation services provided by the local school board to the charter school.

Amendment is as follows:

- The bill should include language that establishes a clear process for determining transportation costs.
- 4-38 On motion of Mr. Lee, seconded by Ms. Johnson, the Board supported House Bill No. 725, which extends the maximum allowable length of time a school board shall grant a school employee a leave of absence in order to be employed in a charter school.
- 4-39 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board opposed House Bill No. 813, which requires inclusion of certain charter schools in the MFP formula annually developed and adopted by BESE.
- 4-40 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board opposed House Bill No. 973, which, relative to charter schools, repeals the provision requiring certain minimum per pupil funding pursuant to the most recent legislatively approved MFP formula.

4-41 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board supported with amendment House Bill No. 1105, which provides relative to charter school funding.

Amendment is as follows:

- Amend to remove recalculation of MFP in regard to Type 5 charters.

4-42 On motion of Mr. Bayard, seconded by Ms. Buquet, the Board opposed Senate Bill No. 268, which prohibits renewal of the charter of a failing school unless the school meets certain criteria.

4-43 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board supported with amendment Senate Bill No. 475, which requires charter schools receiving transportation services from a local school board to reimburse the board for the actual cost of providing such transportation.

Amendment is as follows:

- The bill should include language that establishes a clear process for determining transportation costs.

4-44 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board opposed House Bill No. 720, which provides relative to requirements for granting certification to French immersion teachers.

4-45 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board supported with amendment House Bill No. 739, which requires public schools to provide at least 30 minutes of physical activity each school day for students in the seventh and eighth grades.

Amendment is as follows:

- Change the requirement to be 150 minutes per week.

4-46 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board opposed House Bill No. 1168, which provides for the Louisiana Academic Freedom Act.

4-47 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board opposed Senate Bill No. 362, which provides that the TOPS core curriculum shall be the same as the LA Core 4 curriculum adopted by BESE.

4-48 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board supported Senate Bill No. 482, which provides for the participation of certain students in the Board of Regents' dual enrollment program.

4-49 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board supported with amendment Senate Bill No. 487, which requires the TOPS-Tech core curriculum to be the same as the Louisiana Core Curriculum adopted by BESE beginning with the high school graduating class of 2011-2012.

Amendment is as follows:

- To change the name of the curriculum.

4-50 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board supported with amendment Senate Bill No. 504, which requires BESE to develop and implement competency-based testing for secondary school students who earn industry-based certifications.

Amendment is as follows:

- Delete the requirement that BESE develop competency-based tests. Only the certifying agency can develop the tests.

4-51 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board supported Senate Bill No. 537, which establishes a specific date by which an articulation system for transferring college credits between and among secondary and post-secondary schools must be in place.

4-52 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board supported with amendment Senate Bill No. 549, which requires BESE to provide secondary students the opportunity to study critical languages.

Amendment is as follows:

- Change "any child attending a public school" to "any student attending a public high school" and change "the critical languages" to "some of the critical languages."

4-53 On motion of Mr. Lee, seconded by Mr. Bennett, the Board supported Senate Bill No. 706, which creates the TOPS-Tech Plus Award.

- 4-54 On motion of Mr. Lee, seconded by Mr. Garvey, the Board supported with amendment Senate Bill No. 733, which provides for the Louisiana Science Education Act.

Amendment is as follows:

- Paragraph C, add “and approved by the State Board of Elementary and Secondary Education and the Louisiana Department of Education.”

Ms. Buquet and Ms. Givens voted “No.”

- 4-55 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported House Bill No. 210, which prohibits certain early childhood education providers from collecting unemployment benefits.

- 4-56 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported with amendments House Bill No. 722, which provides for phased-in universal access to the Cecil J. Picard LA 4 Early Childhood Education Program and for participation by non-school system providers of early childhood education.

Amendments are as follows:

1. Any non-school system provider must have a SBESE specified star rating on the Quality Rating System (QRS) before a school system can enter into an agreement with them.
2. Additional flexibility needs to be added to the waiver process to allow for school districts:
 - that have the capacity/facilities to serve additional students in their system,
 - that have the ability to choose what qualified non-school system provider they contract/collaborate with,
 - that have the ability to collaborate with non-school system providers that meet required star ratings for only the 4-hour before- and after-school program not just the 6-hour educational portion of the day, and
 - that would incur substantial additional cost above the mandated 10% set aside to place a program in a non-school system site.

4-57 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported Senate Bill No. 129, which requires compulsory Kindergarten attendance.

4-58 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported with amendments Senate Bill No. 286, which provides for phased in universal access to the LA 4 Early Childhood Program and for participation by non-school system providers of early childhood education.

Amendments are as follows:

1. Any non-school system provider must have a SBESE specified star rating on the Quality Rating System (QRS) before a school system can enter into an agreement with them.
2. Additional flexibility needs to be added to the waiver process to allow for school districts:
 - that have the capacity/facilities to serve additional students in their system,
 - that have the ability to choose what qualified non-school system provider they contract/collaborate with,
 - that have the ability to collaborate with non-school system providers that meet required star ratings for only the 4-hour before- and after-school program not just the 6-hour educational portion of the day,
 - that would incur substantial additional cost above the mandated 10% set aside to place a program in a non-school system site.

4-59 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board supported with amendments Senate Bill No. 171, which allows the Recovery School District to enroll any Louisiana student in a school or educational program under the district's jurisdiction.

Amendments are as follows:

- (4) In addition, and notwithstanding any law to the contrary, the district may enroll any student residing in a contiguous city, parish or local school district who is a Louisiana resident in a school or educational program operated

(Motion continues on page 12)

under the jurisdiction of the district upon the request of the student's parent or legal guardian, provided there is sufficient capacity in the appropriate grade level within the requested school after preferential enrollment is provided for students residing in the parish in which the district school or program is located .

The district's ability to enroll under this provision shall be subject to either an agreement reached in accordance with La. R.S. 17:100.2 or an appropriation of State or other funds to the district equal to the number of students enrolled in the district who reside outside the district times the local per pupil amount received by the school system in which the enrolling student resides from all of the following sources as provided in the Minimum Foundation Program approved formula, excluding any portion which has been specifically dedicated by the legislature or by voter approval to capital outlay or debt service or which was actually expended by the school board for facilities acquisition and construction as reported to the state Department of Education:

- (a) Sales and use taxes, less any tax collection fee paid by the school system.
- (b) Ad valorem taxes, less any tax collection fee paid by the school system.
- (c) Earnings from sixteenth section lands owned by the school system.

- 4-60 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board supported Senate Bill No. 447, which allows the parent or legal guardian of a student assigned to attend a school in a Recovery School District the option to enroll their child in any school operated by the original school system if sufficient capacity exists.
- 4-61 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board supported House Bill No. 226, which provides relative to the Teachers' Retirement System of Louisiana with respect to disability retirement rehires.
- 4-62 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board opposed House Bill No. 344, which authorizes school boards to provide group health insurance coverage to certain former school board members.
- 4-63 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board supported House Bill No. 457, which provides funding to the St. Bernard Parish School Board to assist with the payment of Office of Group Benefits insurance premiums for certain retirees.

4-64 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board opposed House Bill No. 522, which provides relative to the Louisiana School Employees' Retirement System, with respect to the Unfunded Accrued Liability, to provide for payment by certain employers.

4-65 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board supported with amendment House Bill No. 783, which authorizes the forfeiture of certain school employee-related retirement benefits for those found guilty of a sex crime against a student.

Amendment is as follows:

- Instead of providing for the forfeiture of benefits, provide that any pension, retirement allowance, or benefit, or any refund of accumulated contributors payable to any member, former member, or retiree under the provisions of any school related public pension or retirement system, plan, or fund shall be subject to garnishment under a writ of fieri facias to pay any court-ordered restitution or fine imposed on such member, former member, or retiree as a result of a conviction of or a plea of guilty or nolo contendere to the commission of a sex crime against a student, including but not limited to, rape and sexual battery.

4-66 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board opposed House Bill No. 983, which, relative to the Teachers' Retirement System of Louisiana, provides with respect to unused annual and sick leave.

4-67 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board supported House Bill No. 996, which, relative to the Louisiana School Employees' Retirement System, provides for the rehiring of retired school bus drivers.

4-68 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board supported with amendment House Bill No. 1013, which requires the forfeiture of retirement benefits of certain public school teachers and employees if found guilty of a sex crime against a student.

Amendment is as follows:

- Instead of providing for the forfeiture of benefits, provide that any pension, retirement allowance, or benefit, or any refund of accumulated contributors payable to any member, former member, or retiree under the provisions of

(Motion continues on page 14)

any school related public pension or retirement system, plan, or fund shall be subject to garnishment under a writ of fieri facias to pay any court-ordered restitution or fine imposed on such member, former member, or retiree as a result of a conviction of or a plea of guilty or nolo contendere to the commission of a sex crime against a student, including but not limited to, rape and sexual battery.

- 4-69 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board supported House Bill No. 1215, which, relative to the Louisiana School Employees' Retirement System, provides for the reemployment of retired school employees.
- 4-70 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board authorized Superintendent Pastorek to negotiate, consistent with the Board's position, amendments to House Bill No. 1233, which provides relative to membership in Teachers' Retirement System of Louisiana for certain alien teachers working under J Visas.
- 4-71 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board supported Senate Bill No. 244, which dedicates state funds for the purpose of providing for health insurance premiums of certain plan members in hurricane-affected areas.
- 4-72 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported House Bill No. 184, which provides for the electronic filing of student immunization compliance reports for elementary and secondary schools.
- 4-73 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported House Bill No. 581, which provides that chief administrators of schools responsible for ensuring the enforcement of immunization requirements by checking students' records must check such records annually.
- 4-74 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported Senate Bill No. 126, which requires school administrators to check students' immunization records to ensure compliance.
- 4-75 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported with amendment Senate Bill No. 440, which requires public schools to provide parents with information regarding making complaints or requesting information.

Amendment is as follows:

- Make applicable to areas with RSD-operated schools only.

- 4-76 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported with amendment House Bill No. 742, which provides penalty for violating certain requirements applicable to the hiring, dismissing, or rehiring in public elementary and secondary schools of persons having a criminal history involving specified crimes.

Amendment is as follows:

- Needs to specify who is to determine if a violation has occurred; who has the power to fine; and who is to collect the fine, if any.

- 4-77 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported House Bill No. 754, which requires public school governing authorities to take certain actions relative to student awareness and understanding of school discipline rules and requirements.

- 4-78 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board opposed House Bill No. 951, which provides certain requirements for the rules and policies used by local school boards for the dismissal of non-tenured school employees.

- 4-79 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported House Bill No. 1256, which provides relative to training and instruction for public school board members and requires that a certain number of hours focus on certain topics.

- 4-80 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported with amendments Senate Bill No 548, which requires BESE to adopt rules requiring local school systems to conduct exit interviews for teachers who leave their employ.

Amendments are as follows:

- Page 1, Line 13, to read as follows:

“ . . . rules and regulations requiring city, parish, and other local public school boards to . . . “

- Page 2, Line 4, to read as follows:

“ . . . in their system to the State Department of Education . . . “

(Motion continues on page 16)

- Page 2, Line 5 – Delete
- Page 2, Line 7, to read as follows:
“ . . . teacher exit interview information (in an aggregate manner) submitted by each city, parish, or other local . . . “
- Page 2, Line 10, to read as follows:
“ . . . January fifteenth of each year regarding the information collected during the . . . “

4-81 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported with amendment House Bill No. 378, which provides relative to noncomplex health procedures performed by certain school employees.

Amendment is as follows:

- Amend proposed legislation to retain current definition of non-complex health. Amend R.S. 436 (B)(2) relative to training; requires school employees who are not medical professionals who volunteer to perform these procedures shall receive annual training for not less than four hours in the area of non-complex health procedures.

4-82 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board opposed House Bill No. 741, which provides extended sick leave benefits to certain public school employees not required to hold a teaching certificate.

4-83 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board opposed Senate Bill No. 473, which provides for extended sick leave for employees who are not teachers.

4-84 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported House Bill No. 178, which requires certain students to be vaccinated against meningococcal disease.

4-85 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported House Bill No. 200, which provides that certain children of military personnel shall be temporarily excused from school under specified circumstances.

- 4-86 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported House Bill No. 328, which deletes provision that certain disruptive students shall be considered delinquents.
- 4-87 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported House Bill No. 359, which requires certain school boards to provide information to certain students relative to human papillomavirus (HPV) and immunization against it.
- 4-88 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board opposed House Bill No. 361, which provides relative to the conditions required for certain expelled students to be admitted or readmitted to public school.
- 4-89 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported House Bill No. 674, which provides relative to public school policies prohibiting the harassment, intimidation, and bullying of a student by another student, and further defines such terms as acts motivated by certain specified characteristics.
- 4-90 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported with amendment House Bill No. 1133, which provides relative to the habitual tardiness of students, including penalties for certain violations by parents and other persons having charge of habitually tardy students.
- Amendment is as follows:
- Retain the current definition of “habitual tardy” or “habitual absence” as the fifth occurrence within any month or a pattern of five absences a month. Further define “tardy” to mean at the beginning of the school day and not between classes during the day.
- 4-91 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported House Bill No. 1226, which allows pupils removed from class, suspended, or expelled to make up missed school work under certain circumstances and provides that certain students may be required to perform certain school service work.
- 4-92 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board took no position on House Bill No. 1247, which provides relative to the classroom placement of certain children.

4-93 On motion of Ms. McDaniel, seconded by Mr. Bayard, the Board took no position on House Bill No. 1331, which provides for the suspension of driver's licenses and revocation of employment certificates issued to certain truant students.

4-94 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board opposed Senate Bill No. 275, which authorizes, subject to the adoption of school board policies, the denial or suspension of driving privileges to a minor who fails to meet compulsory school attendance requirements and has withdrawn from school or is habitually absent or truant.

Mr. Bayard voted "No."

4-95 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board directed the Department to:

- a. present to BESE in October 2008 issues regarding potential legislation that need to considered by BESE for inclusion in the 2009 BESE/DOE legislative package;
- b. present to BESE in March 2009 and April 2009 legislation that has been filed, including BESE/DOE package bills, and on which the Board needs to take a position; and
- c. present any additional legislation to the Legislative/Policy Oversight Committee for action at the May 2009 Board meeting.

4-96 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported as a study resolution House Bill No. 580, which provides for a salary supplement to teachers employed in economically distressed public school systems.

4-97 On motion of Mr. Bayard, seconded by Ms. McDaniel, the Board supported with amendment House Bill No. 717, which mandates a \$1,000 pay raise for all school support personnel.

Amendment is as follows:

- If funds are made available for this purpose.

4-98 On motion of Mr. Bayard, seconded by Ms. McDaniel, the Board supported with amendment House Bill No. 735, which mandates a one-time salary supplement of \$500 for certain paraprofessionals.

(Motion continues on page 19)

Amendment is as follows:

- If funds are made available for this purpose.

4-99 On motion of Mr. Bayard, seconded by Ms. McDaniel, the Board supported House Bill No. 736, which provides for an increase in the rate of compensation for school bus operators that shall be subject to the appropriation of funds for that purpose.

4-100 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported with amendment House Bill No. 817, which provides funding to the Department of Education to implement Act 952 of the 2003 Regular Session relative to speech-language pathologists and audiologists.

Amendment is as follows:

- Amend to include all speech pathologists and audiologists who are eligible, and raise the amount to \$5,000.

4-101 On motion of Mr. Bayard, seconded by Ms. McDaniel, the Board supported with amendment House Bill No. 1037, which provides relative to salary differential amounts for teachers having certain advanced degree.

Amendment is as follows:

- If funds are made available for this purpose.

4-102 On motion of Mr. Bayard, seconded by Ms. McDaniel, the Board supported with amendment Senate Bill No. 201, which includes pay to school bus drivers for certain school-related extracurricular activities in the definition of earnable compensation.

Amendment is as follows:

- If funds are made available for this purpose.

4-103 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported House Bill No. 167, which amends provisions of law regarding battery of a school teacher.

- 4-104 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported House Bill No. 426, which amends provisions of law regarding criminal background information for teachers.
- 4-105 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board supported House Bill No. 719, which provides relative to in-service training for public school teachers, school counselors, principals, and certain other school administrators in suicide prevention.
- 4-106 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board opposed House Bill No. 787, which exempts certain persons with ADD or any learning disability from taking the examination required for teacher certification.
- 4-107 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board opposed House Bill No. 889, which provides tuition and mandatory fee exemptions at public postsecondary education institutions for certain public school teachers.
- 4-108 On motion of Ms. Johnson, seconded by Mr. Bayard, the Board opposed House Bill No. 1060, which exempts certain individuals who meet specified criteria from taking the examination required for teacher certification.
- 4-109 On motion of Ms. Johnson, seconded by Ms. Buquet, the Board opposed House Bill No. 1187, which establishes the Education Vouchers for Foster Children Program.
- 4-110 On motion of Ms. Dastugue, seconded by Ms. McDaniel, the Board opposed House Bill No. 1349, which establishes the Parental Choice Education Reform Program.
- On motion of Mr. Bennett, seconded by Ms. Dastugue, that the Board vote on House Bill No. 1347 and Senate Bill No. 795 separately.
- 4-111 On motion of Mr. Roemer, seconded by Ms. Dastugue, the Board supported with amendment Senate Bill No. 795, which provides for the Student Scholarships For Educational Excellence Act.

Amendment is as follows:

- That the testing requirements be the same for the children exercising this option as it is for public schools.

(Motion continues on page 21)

A Roll Call Vote was taken.

Yeas: Mr. Bennett, Ms. Dastugue, Mr. Garvey, Mr. Lee, Ms. McDaniel, and Mr. Roemer.

Nays: Mr. Bayard, Ms. Buquet, Ms. Givens, Mr. Guice, and Ms. Johnson.

Abstain: None.

The motion passed.

Agenda **Consideration of the State Superintendent's authority to address and**
Item 5 **declare a position on legislation**

5-1 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board granted the State Superintendent, in consultation with the President of the Board and Chair of the Legislative/Policy Oversight Committee, authority to respond to various changes that may be offered to the bills concerning PreK-12 education in a manner consistent with the interests of PreK-12 education and in keeping with the Board's historically-stated positions.

With no further business to come before the Board, the meeting was adjourned at 3:14 p.m.