

## **House Committee on Education**

Minutes of Meeting  
2015 Regular Session  
May 20, 2015

### **I. CALL TO ORDER**

Representative Stephen F. Carter, chairman of the House Committee on Education, called the meeting to order at 9:05 a.m. in Room 1, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Stephen F. Carter, Chairman  
Representative Patrick O. Jefferson, Vice Chair  
Representative Wesley T. Bishop  
Representative Henry L. Burns  
Representative Thomas G. Carmody, Jr.  
Representative John Bel Edwards  
Representative Jeffrey "Jeff" Hall  
Representative Cameron Henry  
Representative Paul Hollis  
Representative Nancy Landry  
Representative Walt Leger, III  
Representative Edward J. Price  
Representative H. Eugene Reynolds  
Representative Jerome Richard  
Representative Robert E. Shadoin

#### **MEMBERS ABSENT:**

Representative Chris Broadwater  
Representative Barry Ivey  
Representative Patricia Haynes Smith

#### **STAFF MEMBERS PRESENT:**

Elizabeth L. Borné, Committee Legislative Analyst  
Nancy Y. Jolly, Committee Legislative Analyst  
Jacqueline Snowden, Committee Secretary

Karli Roussel, Committee Clerk

**ADDITIONAL ATTENDEES PRESENT:**

Beverly Vincent, Sergeant at Arms

**III. DISCUSSION OF LEGISLATION**

**Senate Bill No. 48 by Senator Donahue**

Senator Donahue presented Senate Bill No. 48, which provides relative to the minimum ACT score for TOPS eligibility and TOPS award amounts.

Senator Donahue was accompanied by Senator Appel who provided information on the bill.

Speaking in support of Senate Bill No. 48 were:

Ms. Phyllis M. Taylor, representing the Patrick F. Taylor Foundation, One Lee Circle, New Orleans, LA 70130, (504) 589-0410.

Dr. James Callier, representing the Patrick F. Taylor Foundation, One Lee Circle, New Orleans, LA, 70310, (504) 589-0470.

Witness cards submitted by individuals who did not speak are as follows: 11 in support. Witness cards are included in the committee records.

Speaking in opposition to House Bill No. 48 was Ms. Stafford Palmieri, representing the governor's office, 4<sup>th</sup> Floor, State Capitol, Baton Rouge, LA, 70804, (225) 342-7015.

Representative Carmody offered a motion to report Senate Bill No. 48 favorably. Without objection, Senate Bill No. 48 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Wesley Bishop, Henry Burns, Carmody, Carter, Edwards, Hall, Hollis, Jefferson, Nancy Landry, Price, and Reynolds voted yea.

**Senate Bill No. 155 by Senator Donahue**

Senator Donahue presented Senate Bill No. 155, a constitutional amendment to authorize the postsecondary education management boards to establish tuition and fee amounts charged by institutions under their supervision and management.

Presenting information was Mr. Jason Droddy, representing Louisiana State University, 3810 W. Lakeshore Dr., Baton Rouge, LA 70808.

Witness cards submitted by individuals who did not speak are as follows: 11 in support. Witness cards are included in the committee records.

Representative Carmody offered a motion to report Senate Bill No. 155 favorably. Without objection, Senate Bill No. 155 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Wesley Bishop, Henry Burns, Carmody, Carter, Edwards, Hall, Hollis, Jefferson, Nancy Landry, Price, and Reynolds voted yea.

### **Senate Bill No. 52 by Senator Appel**

Senator Appel presented Senate Bill No. 52, which re-creates the Department of Education.

In support of the bill but not wishing to speak was Ms. Erin Monroe Wesley, representing the Baton Rouge Area Chamber, 564 Laurel St., Baton Rouge, LA 70801, (225) 339-1168.

Representative Carter offered a motion to report Senate Bill No. 52 favorably. Without objection, Senate Bill No. 52 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Wesley Bishop, Henry Burns, Carmody, Carter, Edwards, Hall, Hollis, Jefferson, Nancy Landry, Price, and Reynolds voted yea.

### **House Concurrent Resolution No. 126 by Representative Carter**

Representative Carter presented House Concurrent Resolution No. 126, which requests that the State Board of Elementary and Secondary Education, in consultation with the Board of Regents and public school governing authorities, study certain issues relative to educator preparation programs.

Representative Wesley Bishop offered a motion to report House Concurrent Resolution No. 126 favorably. Without objection, House Concurrent Resolution No. 126 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Wesley Bishop, Henry Burns, Carmody, Carter, Edwards, Hall, Hollis, Jefferson, Nancy Landry, Price, and Reynolds voted yea.

### **House Concurrent Resolution No. 136 by Representative Wesley Bishop**

Representative Wesley Bishop presented House Concurrent Resolution No. 136, which requests that the State Board of Elementary and Secondary Education, in consultation with the Board of Regents,

study the feasibility and costs of using state funds to pay for students in approved home study programs to participate in certain dual enrollment programs.

Representative Wesley Bishop offered a motion to report House Concurrent Resolution No. 136 favorably. Without objection, House Concurrent Resolution No. 136 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Wesley Bishop, Henry Burns, Carmody, Carter, Edwards, Hall, Hollis, Jefferson, Nancy Landry, Price, and Reynolds voted yea.

### **Senate Bill No. 31 by Senator Morrell**

Senator Morrell presented Senate Bill No. 31, which authorizes surveys of public school students in Orleans Parish regarding risk behaviors.

Ms. Erin Bendily, representing the state Department of Education, Claiborne Bldg., 1201 North 3<sup>rd</sup> St., Baton Rouge, LA, presented information on the bill.

Representative Wesley Bishop offered amendments to Senator Morrell's bill that would provide as follows:

1. Require public meetings prior to survey administration.
2. Add that school level data are not subject to the Public Records Law.

Representative Wesley Bishop offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Wesley Bishop, Henry Burns, Carmody, Carter, Edwards, Hall, Hollis, Jefferson, Nancy Landry, Price, Reynolds, and Richard voted yea.

Representative Edwards offered amendments to Senate Bill No. 31 that would provide that only high school students may be surveyed and that the only survey that may be administered is the Youth Risk Behavior Survey developed by the Centers for Disease Control and Prevention.

Representative Edwards offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Wesley Bishop, Henry Burns, Carmody, Carter, Edwards, Hall, Hollis, Jefferson, Price, Reynolds, and Richard voted yea.

Speaking in opposition to the legislation were Ms. Leslie Ellison, 1016 Horace, New Orleans, LA 70114, (504) 367-8872.

Ms. Nayita Wilson, a concerned citizen, 17226 Watling Dr., Marrero, LA 70072, (504) 912-3166.

Ms. Kathleen Benfield, representing the Louisiana Family Forum, 655 St. Ferdinand St., Baton Rouge, LA.

Ms. Sandy McDade, representing LPC and Eagle Forum, 3112 Pines Rd., Shreveport, LA 71118, (318) 458-1410.

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

Representative Wesley Bishop offered a motion to report Senate Bill No. 31 with amendments, to which Representative Henry Burns objected. The secretary called the roll and Senate Bill No. 31 was reported with amendments by a vote of 7 yeas and 4 nays. Representatives Wesley Bishop, Carmody, Carter, Edwards, Hall, Jefferson, and Price voted yea. Representatives Henry Burns, Hollis, Reynolds, and Richard voted nay.

#### **Senate Bill No. 129 by Senator Nevers**

Senator Nevers presented Senate Bill No. 129, which authorizes a local public school district to enter into an agreement with a higher-performing district to manage and operate one or more of its low-performing schools.

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

Representative Carter offered a motion to report Senate Bill No. 129 favorably. Without objection, Senate Bill No. 129 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Henry Burns, Carmody, Carter, Edwards, Hall, Hollis, Jefferson, Nancy Landry, Price, and Richard voted yea.

#### **Senate Bill No. 267 by Senator Claitor**

Senator Claitor presented Senate Bill No. 267, which provides relative to charter school funding and enrollment of at-risk students.

Mr. Shawn Fleming, representing the Louisiana Developmental Disabilities Council, 626 Main St., Baton Rouge, LA 70802, (225) 342-6804, provided information on the bill.

Mr. John White, state superintendent of education, representing the state Department of Education and the State Board of Elementary and Secondary Education (BESE), explained the proposed amendments to the bill.

Speaking in support of Senate Bill No. 267 were:

Ms. Ashley McReynolds, 1862 Tudor Dr., Baton Rouge, LA 70815, (225) 715-5710, spoke in support of Senate Bill No. 267.

Mr. Jim Melohn, representing the St. Charles Parish School Board, 13855 River Rd., Luling, LA 70070, (985) 785-6289.

Ms. Sydney Bazan, representing her sons, 1367 Soldiers St., New Orleans, LA 70122, (504) 418-4489.

Mr. Brian M. LeJeune, superintendent, representing the Jefferson Davis Parish School Board, P. O. Box 640, Jennings, LA 70546, (337) 824-1834.

Ms. Jerrie Williams, representing her special needs child, P. O. Box 503, Baker, LA 70704, (337) 343-0949.

Mr. Scott Richard, executive director, representing the Louisiana School Boards Association, 7912 Summa Ave., Baton Rouge, LA 70809, (225) 769-3191.

Ms. Doris Voitier, representing the Louisiana School Superintendents Association, (504) 301-2000.

Mr. Stanley C. Smith, chief financial officer, representing the Orleans Parish School Board, 3520 General DeGaulle Dr., New Orleans, LA 70114.

Representative Carter offered amendments to Senate Bill No. 267 that would provide as follows:

1. Relative to charter school funding purposes, provide that only a Type 3B charter school not acting as its own local education agency is considered an approved public school of the local board instead of all 3B schools and add that a Type 3B not acting as its own local education agency shall receive a per pupil amount each year authorized by BESE as provided in the minimum foundation program (MFP) formula.
2. Relative to per pupil allocations and amounts for charter schools, provide for the inclusion of allocation weights based on student characteristics or needs instead of "special" student characteristics or needs and excludes any supplementary allocations for specific purposes.
3. Require that supplementary allocations be provided to charter schools based solely on the funds generated by the charter school within each specific allocation.

4. Require that the per pupil amount provided to Types 1, 1B, 2, 3, and 4 charter schools is based on the membership count used in the MFP instead of the Oct. 1 membership count.
5. Revise the present law charter school funding process for certain districts located in certain parishes, beginning July 1, 2016, to require use of a district-level allocation based on student characteristics or needs as determined by BESE.
6. Require the state Dept. of Education to facilitate a collaborative process for the development of the district-level allocation policy.

Representative Carter offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Wesley Bishop, Henry Burns, Carmody, Carter, Edwards, Hall, Nancy Landry, Leger, Price, Reynolds, and Richard voted yea.

Representative Leger offered amendments to Senate Bill No. 267 that would provide as follows:

1. Provide for implementation of proposed law (changes to R.S. 17:3995(A)(1)(a) and (3) only) beginning July 1, 2016.

Representative Leger offered a motion to adopt the proposed amendments, to which Representative Richard objected. The secretary called the roll and the amendments were adopted by a vote of 8 yeas and 6 nays. Representatives Wesley Bishop, Henry Burns, Carmody, Carter, Hollis, Nancy Landry, Leger, and Shadoin voted yea. Representatives Edwards, Hall, Jefferson, Price, Reynolds, and Richard voted nay.

Representative Reynolds offered an amendment Senate Bill No. 267 that would amend the first set of amendments already adopted by the committee. The amendment was presented by Ms. Nancy Jolly, committee legislative analyst to . On page 2, line 10, after "schools" insert "in operation on August 1, 2015". Representative Reynolds offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Wesley Bishop, Carmody, Carter, Edwards, Hall, Hollis, Jefferson, Nancy Landry, Leger, Price, Reynolds, and Shadoin voted yea.

Speaking in opposition to Senate Bill No. 267 were:

Ms. Kathleen Espinoza, representing Power of Public Education-Lafayette, 165 N. Arlington, Lafayette, LA 70503, (337) 739-2470.

Ms. Veronica Brooks, representing the Louisiana Association of Public Charter Schools, 1555 Poydras, St., Suite 750, New Orleans, LA 70112, (225) 301-1759.

Ms. Stafford Palmieri, representing the governor's office, 4<sup>th</sup> Floor, State Capitol, Baton Rouge, LA 70804, (225) 342-7015.

Ms. Tania Nyman, 1278 Aberdeen Ave., Baton Rouge, LA 70808, (225) 907-3527.

Presenting information was Dr. Kenneth J. Ducote, representing the Eastbank Collaborative of Charter Schools, 2021 Lakeshore Dr., New Orleans, LA 70122, (504) 301- 2768.

Witness cards submitted by individuals who did not speak are as follows: 21 in support and one for information only. Witness cards are included in the committee records.

Representative Richard offered a motion to report Senate Bill No. 267 with amendments. Without objection, Senate Bill No. 267 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Wesley Bishop, Carmody, Carter, Edwards, Hall, Hollis, Jefferson, Nancy Landry, Leger, Price, Reynolds, Richard, and Shadoin voted yea.

#### **Senate Bill No. 184 by Senator Thompson**

Representative Burns, on behalf of Senator Thompson, presented Senate Bill No. 184, which provides for the threshold allowed for small purchase procurements under food and nutrition programs.

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

Representative Carmody offered a motion to report Senate Bill No. 184 favorably. Without objection, Senate Bill No. 184 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Wesley Bishop, Carmody, Carter, Edwards, Hall, Hollis, Nancy Landry, Price, Reynolds, Richard, and Shadoin voted yea.

#### **House Bill No. 245 by Representative Henry**

Representative Hollis, on behalf of Representative Henry, presented House Bill No. 245, which prohibits the use of state content standards, test questions, or other methods to measure certain noncognitive skills of students.

Ms. Stafford Palmieri, representing the governor's office, 4<sup>th</sup> Floor, Baton Rouge, LA 70804, (225) 342-7015, presented information on the bill at the request of Representative Henry.

#### **Verbatim Testimony**



**House Bill No. 245 by Representative Henry****House Committee on Education****2015 Regular Session****May 20, 2015****Part I*****(Representative Hollis presented on behalf of Representative Henry.)***

What follows is a verbatim account of the hearing on House Bill No. 245. The first portion of the hearings were presented by Representative Hollis for Representative Henry.

CHAIRMAN CARTER: Okay, the next bill is House Bill 245. Representative Hollis will handle for Representative Henry.

Representative Hollis.

REPRESENTATIVE HOLLIS: Thank you, Mr. Chairman. I believe we have amendments.

CHAIRMAN CARTER: Okay, Representative Hollis has offered up a set of amendments that I believe are in your folders; or, that we're passing out now to make sure that you have a copy. Hang on one second and we'll get a copy to you unless it was in your folder. (Pause)

Alright, has everybody had a chance to review the amendments?  
(Pause)

Alright, while we're...you had them yesterday, but if you hadn't had a chance to look at them...Ms. Jolly.

NANCY JOLLY: The amendments offered to House Bill 245 are as follows:

AMENDMENT NO. 1

On page 1, line 4, after "students;" and before "and to" insert "to provide for exceptions;"

AMENDMENT NO. 2

On page 1, at the beginning of line 11, change "K." to "K.(1)"

AMENDMENT NO. 3

On page 1, line 14, after "questions" delete the comma "," and at the beginning of line 15, delete "nor shall any other method be used,"

AMENDMENT NO. 4

On page 1, after line 16, insert the following:

"(2) The provisions of Paragraph (1) of this Subsection shall not apply to the following:

(a) Instruction and assessments conducted in physical education classes.

(b) Optional questions on college entrance exams, Advanced Placement exams, International Baccalaureate exams, and any state assessments administered to students in grades seven through twelve."

CHAIRMAN CARTER: Thank you. Are there any questions on the amendments? Seeing none, are there any objections to the adoption of the amendments? Seeing or hearing none, then those amendments are adopted.

*The vote that occurred on the motion by Representative Hollis to adopt amendments to House Bill No. 245 is as follows:*

Representative Hollis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Wesley Bishop, Carmody, Carter, Edwards, Hall, Hollis, Jefferson, Nancy Landry, Price, Reynolds, Richard, and Shadoin voted yea.

CHAIRMAN CARTER: We're back on the bill. Ms. Palmieri, if you'd like to comment.

STAFFORD PALMIERI: Representative Henry just asked me to be available if the committee had any questions on this bill, since Representative Hollis was handling it for him. So I'm happy to answer any questions.

CHAIRMAN CARTER: Representative Landry.

REPRESENTATIVE LANDRY: It says "By Request"; I'm just wondering who requested it?

STAFFORD PALMIERI: It's probably the one question I cannot answer. I have no idea.

REPRESENTATIVE LANDRY: Do you know what the problem was that this was trying to address?

STAFFORD PALMIERI: Sure. So, there was a concern on assessments being administered in the state that they had these types of cognitive, emotional, physical...questions that were asking emotional, physical, or psychological characteristics, attributes, or skills of students in the preface of the test; so, when you're filling out your name and your address or whatever, that there were questions asking these kinds of questions; and so, this is just clarifying that those kinds of questions are not allowed.

REPRESENTATIVE LANDRY: Is it going to allow, still, for comparison of students across...and compare whether students at risk are getting the services they need, or is this making it completely, only academic testing and can't tell anything else about the student? And, is it going to impact comparison and testing in any way?

STAFFORD PALMIERI: No.

REPRESENTATIVE LANDRY: Okay. Alright, thank you.

CHAIRMAN CARTER: Okay, Representative Bishop.

REPRESENTATIVE BISHOP: I don't know where to even start with this. First of all, in (inaudible) five years, I've never seen "By Request." Secondly, we had a long conversation last week dealing with a well-negotiated compromise that kind of went back and forth that, and since the author is not here I can't ask this question of him; but this tends to...this language seems to mirror some of what we talked about on last week, so I'm actually wondering, and I hate to put you in this position Representative Hollis, but you're here representing the author, what's the purpose of this bill?

REPRESENTATIVE HOLLIS: Well, let me just give my statement. We teach our children English language, arts, math, science, social studies; those are the only subjects I think that we should be teaching our students on. This bill restricts testing on students' emotional,

physical, and psychological skills. I think that's the intent of Representative Henry's bill and...

REPRESENTATIVE BISHOP: Are we doing that now?

REPRESENTATIVE HOLLIS: Stafford if you want to comment on that?

STAFFORD PALMIERI: I think that there is some concern that we are. There was some discussion maybe two weeks ago about whether or not parents can view tests. And so I think since, in general, for test security reasons, the parents can't see the tests, there wanted to be clarity that those are the types of questions that you can't ask. As to whether or not they're on the tests, I really can't answer that either, nor can I tell you who requested the bill, but I don't think that this bill is going to change anything about what's happening with the current tests, the perspective of ... (inaudible)...

REPRESENTATIVE BISHOP: It sounds like it's a solution looking for a problem. I'd like to move that we voluntarily defer this bill.

CHAIRMAN CARTER: Alright, there's a motion to voluntarily defer this bill. Is there any objection?

(Pause)

Okay, only the author can, so...what can we do?

STAFFORD PALMIERI: Well, if I may, I actually...

CHAIRMAN CARTER: Okay, Representative Hollis, you can voluntarily defer the bill...no, we can't...no...not in committee, I don't think you can do it in committee...we're going to voluntarily defer this baby. Representative Hollis, would you make a motion for us or what would you like to...

REPRESENTATIVE HOLLIS: Chairman, I voluntarily defer the bill.

*The vote that occurred on the motion by Representative Hollis that action on House Bill No. 245 be voluntarily deferred was as follows:*

Representative Hollis offered a motion to voluntarily defer House Bill No. 245. Without objection, the motion passed by a vote of 12 yeas and 0 nays. Representatives Wesley Bishop, Carmody, Carter, Edwards, Hall, Hollis, Jefferson, Nancy Landry, Price, Reynolds, Richard, and Shadoin voted yea.

CHAIRMAN CARTER: Okay. Thank you.

### **House Resolution No. 69 by Representative Carmody**

Representative Carmody presented House Resolution No. 69, which directs the State Board of Elementary and Secondary Education and the Department of Health and Hospitals to report on the effectiveness of abstinence-emphasis sex education.

Representative Wesley Bishop offered technical amendments to House Resolution No. 69. Representative Wesley Bishop offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Wesley Bishop, Carmody, Carter, Edwards, Hall, Hollis, Jefferson, Nancy Landry, Price, Reynolds, Richard, and Shadoin voted yea.

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

Representative Carmody offered a motion to report Senate Bill No. 69 with amendments. Without objection, Senate Bill No. 69 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Wesley Bishop, Carmody, Carter, Edwards, Hall, Hollis, Jefferson, Nancy Landry, Price, Reynolds, Richard, and Shadoin voted yea.

*(Representative Henry arrived in the committee room to handle his bill.)*

### **House Bill No. 245 by Representative Henry**

Representative Henry presented House Bill No. 245, which prohibits the use of state content standards, test questions, or other methods to measure certain noncognitive skills of students.

#### **Verbatim Testimony**

#### **House Bill No. 245 by Representative Henry**

#### **House Committee on Education**

#### **2015 Regular Session**

**May 20, 2015**

#### **Part II**

CHAIRMAN CARTER: Okay. Representative Henry.

REPRESENTATIVE HENRY: Okay, members, to very briefly discuss this bill. The parenthesis, "By Request", after that, I don't really know what that means, but this bill was brought by me because I thought it was a good bill. So, I don't know what that flag means to anyone, but, that, you don't have to worry about.

This bill is not part of any, doesn't break any agreement we've made with the PARCC test, the Common Core, and all of those issues. There was a list of about 11 bills - 9 to 11 bills - specific bills that the Department of Education did not think were in their best interest to move forward with. This was not one of those bills because, at the time, and I'm assuming they still don't, they didn't have a problem with the bill. So, as it relates to any deals, I'm going to do nothing at all anywhere in the process to offset that. This bill came out of some questions that were asked on a PARCC test in other states, and they wanted to make sure that we only tested students on questions that they knew the answers for; we didn't ask them what they believe in, what they feel like. That is strictly the reasoning for that bill one hundred percent. If it leaves this committee it will stay in this format; I'm not playing any games with any of it. I know there is an amendment from the Department of Education that I've worked with them on. Three, ah...she can come up and discuss it if ya'll like - to take care of some of the concerns they had - and then I'll answer as many questions as you all would like me to answer.

CHAIRMAN CARTER: Okay, hang on one second. I think...didn't we already approve the amendments?

REPRESENTATIVE HENRY: You've already done the amendments?

CHAIRMAN CARTER: Yeah. Yeah.

REPRESENTATIVE HENRY: Those are the amendments that were at the request of the Department of Education. So that's where we are.

CHAIRMAN CARTER: We adopted the amendments if I recall. Representative Henry let me just ask a question. Will you give your commitment

that in the event that the bill gets to the floor that you will not accept any amendments on your bill?

REPRESENTATIVE HENRY: Yes. I'm telling you all right here, right now. This bill will stay just like it is. If the whole, entire deal for whatever we're working for - the PARCC and Common Core - all falls to you know what, at the end of the day this bill will look just like this. And I give a commitment to everyone here that, assuming it's not a technical amendment, we will keep this bill in its exact format all the way through the process. I don't think I can be any clearer Mr. Chairman.

CHAIRMAN CARTER: I appreciate that. Thank you for that answer.

We're trying to figure out if we have to re-vote based on the fact that it was voluntarily deferred. I've got to make sure, procedurally, that we're in order; so hang on one second.

REPRESENTATIVE HENRY: (Audible comment while at the table.) I think you reconsider that. I think you reconsider that motion.

CHAIRMAN CARTER: Okay. In response to the question about do we have to bring a vote back up. Ms. Jolly.

NANCY JOLLY: I believe since the vote was 12 to 0 to voluntarily defer, everybody was on the prevailing side, so there should not be a reason to have to reconsider a vote. The amendments were already adopted, so it's in the posture with those amendments on it.

CHAIRMAN CARTER: Alright, Representative Carmody.

REPRESENTATIVE CARMODY: Thank you, Mr. Chairman. Representative Henry, just to reiterate. Your bill is to basically test students on the knowledge...on the subject matter that they have been taught.

REPRESENTATIVE HENRY: That's it.

REPRESENTATIVE CARMODY: ...as opposed to asking them about their feelings or...

REPRESENTATIVE HENRY: That's all it does and that's all it will ever do.

REPRESENTATIVE CARMODY: Thank you Mr. Chairman. At the appropriate time, then, I would move House Bill 245 favorably. As amended.

CHAIRMAN CARTER: Alright. there are no further questions, Representative Carmody...I had a couple of cards in...hang on, one second...While we're doing it, in opposition and would like to speak: Stephanie Desselle, with CABL and Sandy McDade. Okay, that's another bill? It said on 245, so I'm okay? Alright. Also, in opposition is Brigitte Neiland with LABI, Barry Erwin with CABL, and Jason Hughes, with Stand for Children. So, yes ma'am, please introduce yourself for the record.

STEPHANIE DESSELLE: Stephanie Desselle with the Council for a Better Louisiana. I agree with the Representative's intent that we...no one wants inappropriate questions about feelings, or emotions, and that sort of thing on any kind of test. And the amendments, of course, we're good. But, the only question we have is does this apply to all testing in schools on the word psychological? Because a lot of psychological tests are used to gauge where some of our special ed students are, and to gauge where their disabilities are. So that's our only question. It's not about the intent or anything like that; that was just our concern; in fact, I almost put in a white card because it was more these questions.

REPRESENTATIVE HENRY: I believe the amendment from the department should have addressed that question? Yes, my understanding that that was one of the department amendments were to address that. That's why we did that; to make sure that that would be taken care of. And, if it's not, we'll find a way to fix it.

STEPHANIE DESSELLE: Thank you, very much. That was our concern.

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

CHAIRMAN CARTER: Okay. Representative Henry, the board is clear. You want to close on your bill?

REPRESENTATIVE HENRY: Members, I appreciate you staying an extra few minutes to get this done. Obviously, as I said before, and I reiterate again,



the way it stands now is the way it will be, unless we have not fixed this lady's concern as it deals with that particular area and we'll address that. And I will speak with you individually before that amendment is brought to the floor.

CHAIRMAN CARTER: So, in the event that someone tries to place an amendment on your bill, you will not accept any amendments on the bill.

REPRESENTATIVE HENRY: We have to fix her...

CHAIRMAN CARTER: I know, but I'm just saying...

REPRESENTATIVE HENRY: Yeah, we're good.

CHAIRMAN CARTER: Alright, Representative Carmody moves to report House Bill 245 favorably with amendments. Is there any objection? Seeing nor hearing none, then we will report HB 245 with amendments.

Representative Carmody offered a motion to report House Bill No. 245 with amendments. Without objection, House Bill No. 245 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Wesley Bishop, Carmody, Carter, Edwards, Hall, Henry, Hollis, Jefferson, Nancy Landry, Price, Reynolds, Richard, and Shadoin voted yea.

REPRESENTATIVE HENRY: Thank you Mr. Chairman and members.

CHAIRMAN CARTER: Okay, are there any other matters of business? Okay, I'll entertain a motion. Okay, Representative Carmody moves to adjourn.

#### **IV. OTHER BUSINESS**

There was no other business.

#### **V. ANNOUNCEMENTS**

There were no announcements.

#### **VI. ADJOURNMENT**

The meeting was adjourned at 12:36 p.m.

Respectfully submitted,

Stephen F. Carter, Chairman  
House Committee on Education