

# The Times-Picayune

## **Schools want state to back off mandates**

**Ballot issue would require financing**

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**By Rob Nelson**

For public school administrators, it's the culmination of years of political wrangling designed to better protect systems statewide from costs they say bust districts' budgets.

To critics, though, it's somewhat ambiguous legislation that could stifle teacher salary increases and tie the state's hands when it comes to educational reform.

Constitutional amendment No. 9 on Saturday's ballot would include school systems in an existing amendment that bars the state from passing on mandates to local political bodies without providing the money to pay for them, unless that mandate is passed by two-thirds of the members in both houses of the Legislature.

Voters passed the existing amendment in 1991, but it excluded school boards, leaving them vulnerable to mandates that are approved by a simple majority vote.

After hiring a lobbyist in 2003, the Jefferson Parish School Board began pushing for protection from unfinanced mandates, pointing to millions in budget cuts due to increases in employee health insurance costs under a state-managed plan.

Efforts fell short for three years, but a bill this year by state Sen. Julie Quinn, R-Metairie, a former Jefferson Parish School Board member, finally passed the Legislature.

The existing amendment has "worked perfectly for every other government entity, and there's no reason it shouldn't be in practice for a school system," Quinn said, adding that a two-thirds vote forces legislators to scrutinize their financial decisions more carefully.

Her School Board tenure, which included several years of budget cuts, proved the detrimental impact state-mandated costs can have on a school system, Quinn said.

"We were forced to penalize children," she said, adding that so much of school systems' budgets is dedicated to salaries and benefits that cuts inevitably hurt classrooms.

Still, the proposed amendment has drawn its fair share of critics, particularly the local and state teachers unions, which fear the law, if passed, could harm teacher salaries and benefits.

Saying union leaders are "just looking out for themselves," Quinn counters that teacher salary increases rarely, if ever, come without state dollars.

However, Joe Potts, president of the Jefferson Federation of Teachers, said he opposes the amendment because teachers are "not willing to take the risk."

"What you ultimately provide for the teachers has a significant effect on student achievement," he said.

The Louisiana School Boards Association and Louisiana Association of School Superintendents both back the measure and dispute its effect on teacher paychecks.

"In fact, it would make it possible for districts to dedicate funds that would have been used for mandated costs to enhance salaries and benefits and thus be more competitive for personnel," according to a letter from the associations' presidents to group members.

Meanwhile, the Council for a Better Louisiana opposes Quinn's measure, saying some of the exemptions included in the amendment -- those items that still would not need the two-thirds vote even if voters pass the measure -- are either unclear or too broad and could invite litigation.

Among those exemptions: laws dealing with the state's financing formula, state Education Department policies, the state's accountability system, laws requested by a school board and laws having an "insignificant fiscal impact" on a school system.

According to a report by the Public Affairs Research Council of Louisiana, which studied but did not take a stance on the issue, critics say the amendment could also hamper the state's handling of educational reform. "This proposal could potentially restrict the state's ability to require districts to comply with any future statewide reforms without providing additional money," the report states.

The PAR report also quotes "observers of state-local relations" as saying the existing amendment has proved to be an "ineffective deterrent of state mandates" for other political bodies.

But the Bureau of Governmental Research supports the measure.

"While the amendment is of limited use, it would provide some needed protection against imposition of additional unfunded mandates on local school systems," a BGR report states.

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