

Edwards: State superintendent not legally in job

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BATON ROUGE - Gov. John Bel Edwards said Louisiana's public schools superintendent hasn't followed the legal requirements for keeping his job, wading into a dispute Wednesday that prompted a now-dismissed lawsuit but not saying whether he'll file his own court challenge. The governor has clashed with Superintendent of Education John White over education policy. But Edwards doesn't have enough votes on the state education board to oust the superintendent directly. On his monthly radio call-in show, Edwards said he believes White needed to be reconfirmed by the Louisiana Senate to stay in the position this term, which didn't happen.

"We're taking a look at that situation," the governor said. He added: "That may be something that needs to be litigated."

However, Edwards, a lawyer, stopped short of saying he'd challenge White's legitimacy in the superintendent's position overseeing Louisiana's 700,000 public school students.

The governor's spokesman Richard Carbo later added that Edwards "is seriously reviewing his options."

More than a dozen residents filed a lawsuit alleging White's reconfirmation was needed, but a Baton Rouge judge dismissed that lawsuit last week, saying only a few elected officials have the legal ability to file such a petition. On the judge's list: the governor.

White was appointed by the 11-member Board of Elementary and Secondary Education, known as BESE, and approved by the Senate in 2012, backed for the job at the time by Gov. Bobby Jindal. A new board and new governor have been elected since then, with new terms beginning last year.

The education board hires and fires superintendents, a decision that requires a two-thirds vote. White's opponents, including Edwards, lack the eight board votes needed to fire him. White's supporters don't have the eight votes required to enter into a new contract with him so he's been working on a month-to-month basis since the board's term began in January 2016.

"I am going to continue to serve the children of Louisiana until BESE tells me to stop doing so. BESE is the body that hires the state superintendent. The board has yet to make an appointment this term, and until they tell me to stop serving in my capacity, I'm going to continue to do so," White said after being told of the governor's remarks Wednesday.

Edwards and his education union allies have been critical of White's support for state-paid vouchers to private schools, his backing of charter school expansions and his decisions on education financing and accountability procedures.

The lawsuit thrown out last week argued that because White wasn't reappointed by the education board or reconfirmed by the Senate, his post should be declared vacant.

White's supporters say that since he wasn't reappointed but continued under previous contract terms, Senate confirmation isn't required.

The judge didn't rule on the merits of the legal argument. Edwards on Wednesday repeated some of the claims made by White's critics in the lawsuit. "As I understand the law, he needed to be reconfirmed," Edwards said.