
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 688 Reengrossed

2017 Regular Session

Pierre

Abstract: Prohibits a public postsecondary education institution from inquiring about a prospective student's criminal history, except for history pertaining to specified offenses, prior to his acceptance for admission.

Criminal History Inquiry prior to Admission Decision

Proposed law prohibits a public postsecondary education institution (an "institution") from inquiring about a prospective student's criminal history on an initial application or at any time during the admissions process prior to its decision relative to the prospective student's acceptance for admission, except for inquiries relative to convictions for stalking, rape, and sexual battery. Provides that if an institution elects to deny admission based on any such conviction, it shall notify the person, who may appeal the decision to the entity that considers the institution's disciplinary matters.

Criminal History Inquiry after Admission Decision

Proposed law authorizes an institution, after a student has been accepted for admission, to inquire about his criminal conviction history (beyond stalking, rape, and sexual battery) for the following purposes:

- (1) Offering supportive counseling and services.
- (2) Making decisions relative to a student's participation in campus life and determining if the institution shall limit such participation.

Proposed law authorizes an institution to make such inquiries when obtaining secondary information, such as immunizations, financial aid, or housing information. Requires an institution, if it elects to make such inquiries, to consider all of the following:

- (1) The nature and gravity of the criminal conduct and whether it bears a direct relationship to a particular aspect of a student's participation in campus life, including but not limited to campus residency and campus activities.
- (2) The time that has passed since the occurrence of the criminal conduct.
- (3) The student's age at the time of the conduct underlying the criminal conviction.

- (4) Any evidence of rehabilitation or good conduct produced by the student.

Programs Designed to Prepare Students for Careers Requiring Occupational Licensing

Proposed law provides that an institution shall not deny, based solely on criminal conviction history, admission to or continuation in an academic program designed to prepare a student for a career that requires an occupational license. Requires that an institution offer counseling relative to the licensing requirement to assist a student in making an informed decision about pursuing such a program.

Allows certain institutions to consider criminal conviction history if such information is provided on certain applications or forms, as follows:

- (1) Grants such authority to the LSU Health Sciences Centers (New Orleans and Shreveport) and the LSU vet school if such information is provided on an application that is designed by a national application service, tailored for admission to a specific degree program, and used by postsecondary education institutions in multiple states.
- (2) Grants such authority to an institution offering a teacher preparation program if such information is provided on the professional conduct form developed by the state Dept. of Education for use in the teacher certification process.

Common Applications

Present law requires the Bd. of Regents to provide for the development and implementation of a common application that prospective students may use to apply to any institution in the state. Proposed law prohibits the inclusion on this application of questions pertaining to criminal history except as authorized by proposed law.

Present law authorizes public colleges and universities to accept the "Common Application" developed and administered by The Common Application, Inc., in lieu of the La. common application. Proposed law prohibits consideration of any criminal history information provided on such application at any point during the admissions process except as provided in proposed law.

(Amends R.S. 17:3138(A)(1)(a) and (D); Adds R.S. 17:3152)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Remove authorization for LSU Health Sciences Center (HSC) to consider criminal history if information is provided on applications to specified degree programs. Instead authorizes the Health Sciences Centers to consider such information if the information

is provided on an application designed by a national application service, tailored for admission to a specific degree program, and used by postsecondary education institutions in multiple states. Also broadens this authority to apply to the LSU vet school.

2. Additionally grant this authority to institutions offering teacher education programs if the information is provided on the professional conduct form developed by the state Dept. of Education for use in the teacher certification process.