## SENATE COMMITTEE AMENDMENTS

2018 Regular Session

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 796 by Representative Lance Harris

- 1 AMENDMENT NO. 1
- 2 On page 1, line 2, between "R.S. 17:7(6)(a)(i)" and the comma "," insert "and (b)(i)(aa)"
- 3 AMENDMENT NO. 2
- 4 On page 1, beginning of line 3, delete "(i)" and insert "(10)"
- 5 AMENDMENT NO. 3
- 6 On page 1, line 3, after "repeal" delete "R.S. 17:3974" and insert "R.S. 17:15(A)(1)(c)"
- 7 AMENDMENT NO. 4
- 8 On page 1, line 18, between "R.S. 17:7(6)(a)(i)" and the comma "," insert "and (b)(i)(aa)"
- 9 AMENDMENT NO. 5
- 10 On page 1, line 19, after "R.S. 17:7(6)(h) and "delete "(i)" and insert "(10)"
- 11 AMENDMENT NO. 6
- 12 On page 2, between lines 12 and 13, insert the following:
- 13 "(b)(i)(aa) On and after September 15, 1978, any person applying for initial 14 certification as a teacher in a public school shall have passed satisfactorily an 15 examination, which shall include English proficiency, pedagogical knowledge, and knowledge in his area of specialization, as a prerequisite to the granting of such 16 certificate. However, a person who is employed as a foreign language teacher in a 17 Certified Foreign Language Immersion Program pursuant to R.S. 17:273.2, and who 18 19 is not otherwise eligible to receive state authorization to teach through participation in the Foreign Associate Teacher Program, shall not be required to pass the 20 21 examination required by this Subsubitem, but shall at least have a baccalaureate 22 degree and shall be subject to all provisions of state law relative to background 23 checks and criminal history review applicable to the employment of public school 24 personnel.

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- 26 AMENDMENT NO. 7
- On page 2, line 20, delete "Three" and insert "Five"
- 28 AMENDMENT NO. 8
- 29 On page 2, line 21, after, "contendere," delete the remainder of the line, delete line 22 and
- insert the following:
- "or the date of receipt of notification from the board of its determination that
- he submitted fraudulent documentation or facilitated cheating on a state assessment.
- 33 AMENDMENT NO. 9
- On page 2, between lines 25 and 26 insert asterisks "\* \* \*"

- 1 AMENDMENT NO. 10
- 2 On page 2, line 26, delete "(i)" and insert "(10)"
- 3 AMENDMENT NO. 11
- 4 On page 2, line 28, after "employment" delete "in" and insert "as an administrator, teacher,
- 5 or substitute teacher in any school, including"
- 6 AMENDMENT NO. 12
- 7 On page 2, at the end of line 29, after "teacher" delete "or" and insert a period "."
- 8 AMENDMENT NO. 13
- 9 On page 3, delete line 1, and insert the following:
- "Such rules and regulations shall be limited"
- 11 AMENDMENT NO. 14
- On page 3, line 5, after "students" and before the period "." insert ", has been convicted of
- or has pled nolo contendere to a felony offense,"
- 14 AMENDMENT NO. 15
- On page 3, line 18, between "not" and "hire" insert "knowingly"
- 16 AMENDMENT NO. 16
- On page 3, line 19, after "as" delete "a teacher" and insert "an administrator, teacher,"
- 18 AMENDMENT NO. 17
- On page 3, line 29, after "as" delete "a teacher" and insert "an administrator, teacher,"
- 20 AMENDMENT NO. 18
- 21 On page 4, delete lines 13 through 25
- 22 AMENDMENT NO. 19
- On page 4, delete lines 27 through 29, on page 5 delete lines 1 and 2, and insert the
- 24 following:

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- "(i) Any An administrator or teacher upon the final conviction of such teacher of any crime listed in R.S. 15:587.1(C), except R.S. 14:74, and any teacher who has
   pled or submission of a plea of nolo contendere to any crime listed in R.S. 15:587.1(C), except R.S. 14:74 felony offense, after a hearing held pursuant to the
- 29 provisions of Part II of Chapter 2 of this Title."
- 31 AMENDMENT NO. 20
- 32 On page 5, line 3, delete "A" and insert "An administrator or"
- 33 AMENDMENT NO. 21
- On page 5, line 7, delete "A" and insert "An administrator or"

## 1 AMENDMENT NO. 22

- 2 On page 5, delete line 18, and insert "of a crime, except a crime listed in R.S. 15:587.1(C),
- 3 except R.S. 14:74, pursuant to Subparagraph"
- 4 AMENDMENT NO. 23
- 5 On page 7, delete line 1, and insert "(2) Any person An administrator, teacher, or substitute
- 6 teacher who fails to report a"
- 7 AMENDMENT NO. 24
- 8 On page 7, line 6, after "than" and before "or" delete "a teacher" and insert "an administrator,
- 9 teacher,"
- 10 AMENDMENT NO. 25
- On page 7, delete lines 10 through 16, and insert the following:
- 12 "F. (1) The State Board of Elementary and Secondary Education may assess 13 a civil fine against a school governing authority, equal to the average state yearly 14 compensation for a public school teacher, inclusive of salary and benefits, that 15 knowingly employs a person without requesting the criminal records required by this Section or who knowingly hires a person who has been convicted of or pled nolo 16 17 contendere to any felony offense and who the State Board of Elementary and 18 Secondary Education has not provided a teaching authorization pursuant to the provisions of R.S. 17:7(10) or who has not completed the formal appeal process 19 20 required by the state board and been granted a new teaching certificate or other 21 teaching authorization as provided in R.S. 17:7(6)(h).
- 22 (2) Such fine shall be levied only after a final judgement is rendered pursuant 23 to an adjudication process conducted in accordance with the provisions of R.S. 24 49:955 et seq.
  - (3) The state board shall report any such instances of fine"
- 26 AMENDMENT NO. 26
- 27 On page 7, between lines 22 and 23, insert the following:
- 28 "G. At the request of his parent or legal guardian, a student shall be removed from the class of any teacher who has a felony conviction and placed in another
- 30 <u>class.</u>"

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- 31 AMENDMENT NO. 27
- On page 7, delete lines 28 and 29, on page 8, delete lines 1 through 5, and insert the
- 33 following:
- 34 "(5)(a) Hire a person:
- 35 (i) As an administrator, teacher, substitute teacher, bus operator, substitute
  36 bus operator, janitor, or other school employee who might reasonably be expected
  37 to be placed in a position of supervisory or disciplinary authority over school
  38 children who has been convicted of or has pled nolo contendere to a crime listed in
  39 R.S. 15:587.1(C) as a teacher, substitute teacher, bus operator, substitute bus
  40 operator, janitor, or a school employee who might reasonably be expected to be
  41 placed in a position of supervisory or disciplinary authority over school children.
- 42 (ii) As an administrator, teacher, or substitute teacher if any of the following apply to the person:"
- 44 AMENDMENT NO. 28
- On page 8, at the beginning of line 6, change "(i)" to "(aa)"

- 1 AMENDMENT NO. 29
- 2 On page 8, at the beginning of line 8, change "(ii)" to "(bb)"
- 3 AMENDMENT NO. 30
- 4 On page 8, at the beginning of line 12, change "(iii)" to "(cc)"
- 5 AMENDMENT NO. 31
- 6 On page 8, at the beginning of line 14, delete "(iv) A" and insert the following:
- 7 "(iii) Notwithstanding any other provision of law, a"
- 8 AMENDMENT NO. 32
- 9 On page 8, line 22, after "school" delete "systems" and insert "governing authority"
- 10 AMENDMENT NO. 33
- On page 8, line 24, after "to" delete the remainder of the line, delete lines 25 and 26, and
- insert "any felony offense. Included in this regulation these"
- 13 AMENDMENT NO. 34
- On page 9, delete line 16, and insert the following:
- 15 "(45) Authorization to teach, R.S. 17: 7(10).
- 16 (46) Criminal history review, R.S. 17:15."
- 17 AMENDMENT NO. 35
- 18 On page 9, line 18, delete "17:3974" and insert "17:15(A)(1)(c)"