
The original instrument was prepared by Cheryl Serrett. The following digest, which does not constitute a part of the legislative instrument, was prepared by Michael Bell.

DIGEST

SB 197 Re-Reengrossed

2023 Regular Session

Peacock

Present law requires the Board of Elementary and Secondary Education (BESE) to provide for the certification of teachers, which includes qualifications and requirements to indicate proficiency of the teacher to educate at the grade level and in the assigned subjects.

Proposed law redesignates various provisions of present law relative to teacher and educator certification and makes technical changes.

Present law requires certified teachers to have completed an approved teacher education program and prescribes the minimum requirements for students entering an approved teacher education program.

Proposed law provides for conditional acceptance of students into approved teacher education programs.

Present law requires an applicant who participated in an undergraduate teacher education program to take coursework in the teaching of reading. Allows any applicant who has participated in any alternate teacher education program the option of either completing the same coursework required of an undergraduate program applicant or possessing the reading and literacy competencies identified in scientifically based reading research at the national level and approved by BESE for the teaching of reading. Prohibits any secondary teacher from using more than three semester hours of teaching of reading for certification purposes.

Proposed law removes the maximum hours allowed to be used for certification purposes. Requires each applicant, regardless of whether the applicant participated in an undergraduate teacher education program, to meet at least one of the following requirements:

- (1) Complete the prescribed coursework.
- (2) Possess the identified reading and literacy competencies.

Proposed law changes the recipient of required reports in present law from the legislature to BESE and requires the posting of the reports on the BESE and state Department of Education (LDOE) website.

Present law allows certain persons who have not completed an approved teacher education program to teach on a provisional certificate in an area with a shortage of certified teachers.

Proposed law provides that a person with a bachelor's degree may teach on a provisional certificate

in a shortage area in a secondary school.

Present law provides for the certification of principals and superintendents. Requires that a principal who is certified from another state and who has four years of successful experience in that state may be certified in Louisiana after one year of successful employment in Louisiana as a principal. Further provides that an out-of-state principal who has not passed the required assessment may be granted a three-year nonrenewable provisional certificate in order to take the exam.

Proposed law removes the requirement that a successful out-of-state principal have one year of successful employment prior to certification in Louisiana. Changes the length of the provisional certificate to five years to match the provisions of teachers.

Present law requires BESE to prescribe the qualification standards for school psychologists, which shall at a minimum be equal to the requirements set by the National Association of School Psychologists. Further provides for the certification of persons who meet those qualifications.

Proposed law allows BESE to deem certified a person who meets the qualifications.

Present law allows for certain individuals to appeal a denial of a certification. Further prohibits appeals from persons who have been convicted of or pled nolo contendere to certain crimes listed in R.S. 15:587.1(C). However, present law provides exceptions and allows appeals from individuals convicted of or who have pled guilty to certain crimes relative to the manufacture and distribution of drugs.

Proposed law removes the ability for any person who has been convicted of or pled nolo contendere to the manufacture and distribution of drugs to appeal the denial of a teaching certification.

Present law requires any person who has been convicted of or pled nolo contendere to a felony offense to report the conviction or plea to the employing school district.

Proposed law requires the person to also report the conviction or plea to the LDOE. Requires LDOE to revoke the certification of any person who has been convicted of or who has entered a plea for a crime listed in R.S. 15:587.1(C).

Present law requires criminal history checks for both employment and certification purposes. Requires the employer to run a check for employment purposes and LDOE to run a check for credentialing purposes.

Proposed law requires LDOE to maintain and make available on its website the identity of any person whose teaching certification or teaching authorization has been denied, suspended, or revoked for any one of these reasons:

- (1) The person has been convicted of or has pled nolo contendere to a crime listed in present law (R.S. 15:587.1(C)) for protection of children, or any felony, even if adjudication was withheld or a pardon or expungement was granted.

- (2) The person has been found to have submitted fraudulent documentation to BESE or LDOE as part of an application for a teaching certificate or other teaching authorization.
- (3) The person has been found to have facilitated cheating on any state assessment as determined by BESE.

Proposed law repeals present law provisions that prohibit BESE from limiting the number of times a temporary teaching permit may be issued.

Proposed law repeals present law requiring BESE to issue teacher authorizations for persons not required to be certified for the limited purposes of ascertaining whether the person had submitted fraudulent documents or if proper background checks had been done by the employing school.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 15:571.1(A), (B)(1)(a), (C)(intro para), (D)(2), and (E) and R.S. 17:7(6), 7.1, and 15(B) and (C); adds R.S. 17:8.1-8.9; repeals R.S. 17:7(6)(e) and (10))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Allow BESE, upon receiving notification that an association with nominating authority relative to the teacher certification appeals council, to name a similar association to act as a nominating authority.
2. Retain present law provisions allowing any person who has been convicted of or pled nolo contendere to the manufacturing and/or distribution of drugs to appeal the denial of a teaching certification.
3. Require each applicant, regardless of whether the applicant participated in an undergraduate teacher education program to meet at least one of the following requirements:
 - (a) Complete the prescribed coursework.
 - (b) Possess the identified reading and literacy competencies.
4. Change from 48 hours to two business days exclusive of weekends and holidays the timeframe for an administrator, teacher, or other school employee who has an educator credential or teaching authorization issued by BESE or LDOE to report to LDOE a final conviction or plea of guilty or nolo contendere to any felony offense.
5. Remove requirement that LDOE request a new criminal background check upon receiving the notification of a final conviction or plea of guilty or nolo contendere to

any felony offense.

Committee Amendments Proposed by Senate Committee on Revenue and Fiscal Affairs to the engrossed bill

1. Add new statutory designation to the list of statutes under which the La. Bureau of Criminal Identification and Information provides certain information on whether a person has been arrested for or convicted of, or pled nolo contendere to, any criminal offense for the purpose of protecting children.
2. Remove requirement for LDOE to be the central fingerprint repository for persons with educator credentials or teaching authorizations.
3. Require LDOE to maintain and make available on its website the identity of any person whose teaching certification or teaching authorization has been denied, suspended, or revoked for any one of three specific reasons.

Senate Floor Amendments to reengrossed bill

1. Technical amendment.
2. Clarify that a student granted conditional acceptance must achieve a 3.00 average on the first 12 credit hours of the program.