

2026 Regular Session

HOUSE BILL NO. 28

BY REPRESENTATIVES OWEN, AMEDEE, BROUSSARD, EDMONSTON,  
MARTINEZ, AND TAYLOR

TEACHERS/CERTIFICATION: Provides relative to the appeals process for teacher certification applicants

1 AN ACT

2 To amend and reenact R.S. 17:8.8(E), relative to teacher certification; to provide relative to  
3 the appeals process for applicants who have been denied certification; to authorize  
4 the State Board of Elementary and Secondary Education to override a decision of the  
5 Teacher Certification Appeals Council under certain circumstances; to authorize the  
6 state board to delegate this authority to the board president; to authorize the state  
7 board to call a special meeting for these purposes; to require the state board or board  
8 president to render a decision within a certain time period; to provide for  
9 applicability; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 17:8.8(E) is hereby amended and reenacted to read as follows:

12 §8.8. Certification appeals; appeals council; membership; duties; reporting;  
13 exceptions

14 \* \* \*

15 E.(1) The council shall evaluate the appeals of persons seeking Louisiana  
16 certification, including a review of the documents and transcripts of appellants, and  
17 shall submit a written report of its findings to the board. A decision of the council  
18 shall be a final decision except as provided in Paragraph (2) of this Subsection.

19 (2)(a) The State Board of Elementary and Secondary Education may  
20 override the council's denial of an appellant's appeal if the denial was based on

1 circumstances beyond the appellant's control as determined by the state board;  
2 however, the state board shall not override a denial by the council if it determines  
3 that the certification of the appellant would conflict with state or federal law.

4 (b) The state board may call a special meeting to consider overriding a denial  
5 of the council. The state board may delegate its authority to override such a denial  
6 to the board president. If an appellant submits a request for the board to override a  
7 denial, either the state board or the board president shall render a decision within  
8 thirty days of receiving the request.

9 \* \* \*

10 Section 2. The authority of the State Board of Elementary and Secondary Education  
11 to override the Teacher Certification Appeals Council's denial of appeals as provided in R.S.  
12 17:8.8(E) as amended and reenacted by Section 1 of this Act shall have both prospective  
13 application and retroactive application to denials issued by the council between January 1,  
14 2025, and the effective date of this Act.

---

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 28 Engrossed

2026 Regular Session

Owen

**Abstract:** Authorizes the State Bd. of Elementary and Secondary Education to override the Teacher Certification Appeals Council's denial of appeals under certain circumstances.

Present law requires the State Board of Elementary and Secondary Education (BESE) to establish an appeals process through which applicants who have been denied certification may appeal the denial to the Teacher Certification Appeals Council. Requires the council to evaluate the appeals and submit a written report of findings to BESE. Proposed law retains present law.

Present law provides that a decision of the council shall be a final decision. Proposed law provides an exception to present law by providing that BESE may override the council's denial of an appellant's appeal if the denial was based on circumstances beyond the appellant's control as determined by BESE; provides, however, that BESE shall not override a denial by the council if it determines that the certification of the appellant would conflict with state or federal law.

Proposed law authorizes BESE to call a special meeting to consider overriding a denial of the council and authorizes BESE to delegate the authority to override a denial to the board president. Provides that if an appellant submits a request for BESE to override a denial, either BESE or the board president shall render a decision within 30 days of receipt.

Proposed law provides that BESE's authority to override the council's denial of appeals as provided in proposed law shall have both prospective application and retroactive application to denials issued by the council between Jan. 1, 2025, and the effective date of proposed law.

(Amends R.S. 17:8.8(E))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Grant authority to override the council's denial to BESE instead of the superintendent.
2. Authorize BESE to call a special meeting to consider overriding a denial.
3. Authorize BESE to delegate its authority to the board president.
4. Provide that if an appellant submits a request to override a denial, BESE or the board president shall render a decision within 30 days of receipt of the request.