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## DIGEST

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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.