

2020 Regular Session

SENATE BILL NO. 291

BY SENATOR JACKSON

COUNSELING/GUIDANCE. Requires that the state Department of Education develop a program to train and certify volunteers to assist school counselors. (gov sig)

1 AN ACT  
2 To enact R.S. 17:607 and 608, relative to the training and certification of school counseling  
3 volunteers; to require the state Department of Education to develop and implement  
4 a program to train and certify such volunteers; and to provide for related matters.  
5 Be it enacted by the Legislature of Louisiana:  
6 Section 1. R.S. 17:607 and 608 are hereby enacted to read as follows:  
7 **§607. Counseling volunteers; requirements; training; certification**  
8 **A. Notwithstanding any other provision of law to the contrary, the state**  
9 **Department of Education, with the approval of the State Board of Elementary**  
10 **and Secondary Education, shall develop and implement a program to train and**  
11 **certify counseling volunteers to assist school counselors.**  
12 **B. The program shall include training sessions that may be offered in**  
13 **conjunction with other training sessions, continuing education programs, or**  
14 **other professional development programs held by the department. The**  
15 **department shall provide for at least two training sessions a year. The**  
16 **department shall be responsible for disseminating all information relative to the**  
17 **training sessions to each city, parish, and other local school board in a timely**

1 fashion.

2 §608. Review of criminal history information and state central registry of child  
3 abuse and neglect

4 A.(1) No person who has been convicted of or has pled nolo contendere  
5 to a crime listed in R.S. 15:587.1(C) or whose name is on the Louisiana Sex  
6 Offender and Child Predator Registry, any other state's sex offender registry,  
7 or the National Crime Information Center's National Sex Offender Registry  
8 shall be certified by the state Department of Education as a counseling  
9 volunteer.

10 (2) No individual whose name is recorded on the state central registry  
11 within the Department of Children and Family Services as a perpetrator for a  
12 justified finding of abuse or neglect of a child or in any other state's child abuse  
13 and neglect registry or repository shall be certified as a counseling volunteer.

14 B.(1) For each person seeking certification as a counseling volunteer, the  
15 state Board of Elementary and Secondary Education shall establish by  
16 regulation, requirements, and procedures, under which the department shall:

17 (a) Request information from the Louisiana Bureau of Criminal  
18 Identification and Information, consistent with the provisions of R.S. 15:587.1,  
19 concerning whether the person has been arrested for or convicted of or pled  
20 nolo contendere to any criminal offense.

21 (b) Request information from the Department of Children and Family  
22 Services as to whether the person is listed on the state central registry as a  
23 perpetrator for a justified finding of abuse or neglect of a child.

24 (c) Request information from the National Crime Information Center as  
25 to whether the individual's name is recorded on the National Sex Offender  
26 Registry.

27 (2) The department shall require and provide for the submission of a  
28 person's fingerprints in a form acceptable to the Louisiana Bureau of Criminal  
29 Identification and Information prior to certifying such person.

1                   **(3) The department may collect the processing fees charged by the**  
 2                   **Bureau of Criminal Identification and Information for a state criminal history**  
 3                   **report, the Federal Bureau of Investigation for a federal criminal history**  
 4                   **information report, the National Crime Information Center for a search of the**  
 5                   **National Sex Offender Registry, the Department of Children and Family**  
 6                   **Services for a search of its state central registry of child abuse and neglect, and**  
 7                   **processing fees charged by other states. The department shall timely submit the**  
 8                   **appropriate processing fees to the appropriate agencies.**

9                   Section 2. The Louisiana State Law Institute is hereby authorized and directed to  
 10                  redesignate Chapter 19 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of  
 11                  17:3001 through 3006, as designated prior to the enactment of this Act, as Part III of Chapter  
 12                  2 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of sections 601 through  
 13                  606; and is further directed to redesignate any other section of law or internal citations  
 14                  contained herein consistent with the provisions of this Act.

15                  Section 3. This Act shall become effective upon signature by the governor or, if not  
 16                  signed by the governor, upon expiration of the time for bills to become law without signature  
 17                  by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 18                  vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 19                  effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Cheryl Serrett.

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DIGEST

SB 291 Original                                  2020 Regular Session                                  Jackson

Present law generally provides for school guidance counselors.

Proposed law retains present law, further provides for school counseling volunteers.

Proposed law requires the state Department of Education (DOE) to establish a program for training and certifying persons to be counseling volunteers.

Proposed law provides that the DOE training sessions may be held in conjunction with other training sessions, continuing education programs, or other professional development programs held by the department. Requires the DOE to host at least two training sessions a year and disseminate information relative to such sessions to each city, parish, and other local school board in a timely fashion.

Proposed law prohibits persons who are guilty of or who have pled to certain crimes or whose name is recorded on the state central registry for child abuse and neglect from being certified by DOE as a counseling volunteer.

Proposed law further requires the DOE to perform a background review of the criminal history information and state registry of child abuse and neglect of each person seeking certification. Further provides that the DOE may collect the processing fees charged by specified state and federal agencies performing background checks and timely submit the fees to the respective agencies.

Directs the La State Law Institute to recodify specific sections of present law.

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

(Adds R.S. 17:607 and 608)