HLS 10RS-6346 ORIGINAL

Regular Session, 2010

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**HOUSE RESOLUTION NO. 197** 

BY REPRESENTATIVE THIBAUT

SCHOOLS/PROPRIETARY: Requests the Board of Regents to study certain issues relative to yoga teacher training and the licensing of facilities that offer such training as proprietary schools

A RESOLUTION

2 To urge and request the Board of Regents to study certain issues relative to yoga teacher 3 training and the licensing of facilities that offer such training as proprietary schools; 4 to provide for a written report on study findings and recommendations to be 5 submitted to the House Committee on Education by not later than sixty days prior 6 to the start of the 2011 Regular Session of the Legislature of Louisiana; and to 7 provide for related matters. 8 WHEREAS, for the purposes of licensing, regulating, and otherwise providing for 9 the oversight of proprietary schools in Louisiana, the legislature has adopted R.S. 17:3141.1 10 through 3141.19; and 11 WHEREAS, the legislature, in R.S. 17:3141.2(5), has defined "proprietary school" 12 to mean any business enterprise operated for a profit or on a nonprofit basis which maintains 13 a place of business within Louisiana or which sells or offers for sale any course of 14 instruction in Louisiana, either by correspondence using the mails or by any other means of 15 communication, or by personal solicitation, and which offers or maintains a course or 16 courses of instruction or study, or at which place of business such a course or courses of 17 instruction or study is available through classroom or internet instruction, or both, to a 18 person or persons for the purpose of training or preparing such person for a field of endeavor 19 in a business, trade, technical, or industrial occupation, except as specifically excluded by 20 R.S. 17:3141.2(5)(a) through (n); and

WHEREAS, R.S. 17:3141.2(5)(c) specifically excludes a school or training program
which offers instruction primarily in the field of recreation, health, entertainment, or
personal enrichment and which does not purport to prepare or qualify persons for
employment as determined by the commission; and
WHEREAS, there are yoga teacher training facilities in Louisiana that are licensed
and regulated by the Board of Regents as proprietary schools, that support such licensing and
regulation and believe that it is both appropriate and proper and that have expressed serious
concern to legislators about any moratorium on such licensing as proposed by House
Concurrent Resolution No. 242 of the 2010 Regular Session of the Legislature of Louisiana;
and
WHEREAS, legal counsel representing the Coalition of Louisiana Yoga Studies
asserts that yoga teacher training does not fall within the legal definition of a proprietary
school and that yoga instruction, in general, does not train or prepare a person for a field of
endeavor in a business, trade, technical, or industrial occupation; and
WHEREAS, such counsel further asserts that yoga teacher training is not a trade
school that offers to prepare an individual for employment and that the main focus of the
training hours offered is for the primary purpose of deepening a student's spirituality and for
the secondary purpose of developing a physical yoga practice; and
WHEREAS, counsel for the coalition has further advised the Board of Regents that
she knows of no yoga studio in Louisiana that gives instruction on how to make a living
teaching yoga or that provides credentials that can be used to gain employment.
THEREFORE, BE IT RESOLVED that the House of Representatives of the
Legislature of Louisiana does hereby urge and request the Board of Regents to study current
law and board policies and procedures relative to the licensing and regulation of yoga
teacher training facilities as proprietary schools, determine if such law, policies, and
procedures provide sufficient authority to the board to make necessary distinctions among
programs at such facilities as to those that meet the definition of being a proprietary school
and those that do not, and make recommendations concerning any needed changes in law
or in board policies and procedures on this issue.

BE IT FURTHER RESOLVED that the Board of Regents shall report in writing on

- 2 study findings and recommendations to the House Committee on Education by not later than
- 3 sixty days prior to the start of the 2011 Regular Session of the Legislature of Louisiana.

## **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)]

Thibaut HR No. 197

Requests the Board of Regents to study current law and board policies and procedures relative to the licensing and regulation of yoga teacher training facilities as proprietary schools, determine if such law, policies, and procedures provide sufficient authority to the board to make necessary distinctions among programs at such facilities as to those that meet the definition of being a proprietary school and those that do not, and make recommendations concerning any needed changes in law or in board policies and procedures on this issue.

Provides that the Board of Regents shall report in writing on study findings and recommendations to the House education committee by not later than 60 days prior to the start of the 2011 RS.