
DIGEST

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HB 688 Original

2017 Regular Session

Pierre

Abstract: Prohibits a public postsecondary education institution from inquiring about a prospective student's criminal history, except for history pertaining to specified offenses, prior to his acceptance for admission.

Proposed law prohibits a public postsecondary education institution from inquiring about a prospective student's criminal history at any time during admissions process prior to the institution's decision relative to the prospective student's acceptance for admission, except as otherwise provided by proposed law. Such proposed law authorizes an institution to inquire on an initial application form about a prospective student's criminal conviction history relative to any conviction for an offense defined in proposed law relative to stalking, rape, and sexual battery or an equivalent offense under the laws of another state or under any military, territorial, foreign, tribal, or federal law. Provides that if an institution elects to deny admission based on any such conviction, it shall notify the person, who may appeal the decision to the entity that considers the institution's disciplinary matters.

Proposed law authorizes, after a student has been accepted for admission, an institution to make inquiries relative to his criminal conviction history beyond those offenses enumerated in proposed law for the following purposes:

- (1) Offering supportive counseling and services.
- (2) Making decisions relative to a student's participation in campus life and determining if the institution shall limit such participation.

Proposed law provides that an institution may make such inquiries when obtaining secondary information, including but not limited to information pertaining to immunizations, financial aid, or housing. Provides that if an institution elects to make such inquiries, it shall consider all of the following:

- (1) The nature and gravity of the criminal conduct and whether it bears a direct relationship to a particular aspect of a student's participation in campus life, including but not limited to campus residency and campus activities.
- (2) The time that has passed since the occurrence of the criminal conduct.
- (3) The age of the student at the time of the conduct underlying the criminal conviction.

(4) Any evidence of rehabilitation or good conduct produced by the student.

Proposed law provides that an institution shall not deny based solely on criminal conviction history admission to or continuation in an academic program designed to prepare a student for a career that requires an occupational license. Requires that an institution offer counseling relative to the licensing requirement in order to assist a student in making an informed decision about pursuing such program. Allows the LSU Health Sciences Center to consider criminal conviction history if information pertaining to such history is provided on an application designed for applying for admission to specified degree programs.

Present law requires the Bd. of Regents to provide for the development and implementation of a common application that prospective students may use to apply to any public postsecondary education institution. Proposed law prohibits the inclusion on this application of questions pertaining to criminal history except as authorized by proposed law, which authorizes this for certain crimes.

Present law authorizes public colleges and universities to accept the "Common Application" developed and administered by The Common Application, Inc. in lieu of the La. common application. Proposed law prohibits consideration of any criminal history information provided on such application at any point during the admissions process except as provided in proposed law.

(Amends R.S. 17:3138(A)(1)(a) and (D); Adds R.S. 17:3152)