

RÉSUMÉ DIGEST

ACT 745 (HB 156)

2022 Regular Session

Freiberg

Existing law provides relative to the criminal history review of educators and teachers and to their hiring, dismissal, and credentials or authorizations with respect thereto. New law requires criminal background checks at the state and federal level, including the following:

- (1) A requirement that all applicants for an educator credential or teaching authorization undergo a criminal background check.
- (2) The authority of the state Dept. of Education (DOE) to charge a processing fee of up to \$25 and to collect the fees associated with state and federal record checks and with fingerprinting. Further authorizes an annual increase in the fee of up to 5%.

New law authorizes BESE to adopt rules under which the board itself, separately from DOE, may request criminal background information on any applicant for or recipient of an educator credential or teaching authorization.

New law requires anyone granted an educator credential or teaching authorization prior to June 1, 2023, to obtain a criminal history record check when seeking renewal, advancement, or any other modification of the credential or authorization, or by June 1, 2028, whichever occurs sooner.

Existing law prohibits BESE from granting an educator credential or teaching authorization to anyone who has been convicted of or has pled nolo contendere to any offense listed in existing law (R.S. 15:587.1(C)). New law further prohibits BESE from renewing, advancing, or otherwise modifying the credential or authorization of anyone who has been convicted of or has pled nolo contendere to any offense listed in existing law (R.S. 15:587.1(C)).

New law requiring an applicant for an educator credential or teaching authorization to undergo a criminal history record check shall not be implemented until June 1, 2023.

Effective August 1, 2022.

(Amends R.S. 15:587(A)(1)(j)(ii) and 587.1(B)(1)(c) and R.S. 17:15(C); Repeals R.S. 15:587.1(A)(2))