

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 197** SLS 23RS 389

Bill Text Version: **RE-REENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 9, 2023	10:00 AM	Author: PEACOCK
Dept./Agy.: Education		Analyst: Julie Silva
Subject: Teacher certification and criminal history record checks		

TEACHERS RR INCREASE SG EX See Note
Provides relative to teacher certification. (gov sig)

Proposed legislation amends current law concerning criminal background checks (CBCs) for administrators, teachers, and other employees who have educator credentials or teaching authorizations. Proposed legislation requires, effective January 1, 2025, all applicants for an initial teacher certification to undergo a CBC. Proposed legislation additionally removes the requirement that employing schools request a separate CBC for an applicant who has been issued a teaching credential or authorization issued by the state board or the Louisiana Department of Education (LDE), unless such applicant's teaching certification or teaching authorization has been denied, suspended, or revoked by the state board or the state department. Proposed legislation additionally expands certification pathways for teachers.

EXPENDITURES	2023-24	2024-25	2025-26	2026-27	2027-28	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						
REVENUES	2023-24	2024-25	2025-26	2026-27	2027-28	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION

Proposed legislation will result in an increase in state expenditures. The Louisiana Department of Education (LDE) reports an additional one (1) Education Program Consultant 2 position would be necessary to comply with the provisions in proposed legislation, estimated to cost \$97,584 (\$67,299 annual salary and \$30,285 related benefits). LDE anticipates there will be additional costs to purchase software licenses, equipment, and the professional services for continued operations of a software system to request, receive, and review CBCs. LDE notes that many costs associated with initial development of such a system are related to Act 745 of the 2022 Regular Session, and funding for these requirements is included in the current version of HB 1 of the 2023 Regular Session.

LDE reports the requirements of proposed legislation will increase the number of educator certification applications, and associated CBCs received and processed by the department. LDE is authorized to collect a \$25 fee for each new CBC and a \$50 fee for educator certification applications. Increases in fee collections are expected to offset the increase in costs to the department due to proposed legislation.

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REVENUE EXPLANATION

LDE will see an increase in SGR as a result of the proposed legislation. Act 745 of the 2022 Regular Session allows LDE to charge a fee of \$25 to process CBCs. Present law allows for a 5% annual increase in the amount of the processing fee; however, whether LDE will increase this fee annually is indeterminable. LDE also collects a \$50 processing fee for each teacher certification application. The expected increase in certification applications will result in additional fees collected. If \$50 is charged for each certification application, along with a \$25 dollar fee for CBC processing, for an estimated additional 5,000 applications per year, LDE can expect an annual increase in revenues of \$375,000, beginning in FY 26. Note: CBCs will not be required to be processed until the third quarter of FY 25; therefore, in FY 24 revenue is estimated to equal \$250,000 (5,000 x \$50), as only fees related to certification will be collected, and in FY 25 revenue is estimated to equal \$312,500 ((5,000 x \$50) + (2,500 x \$25)), to account for a half year of CBC fee collections.

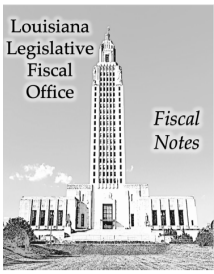
The Office of State Police (OSP) charges \$26 for state background checks and \$13.25 for federal background checks. OSP retains \$2 of the \$13.25 fee charged for the federal background checks and remits the remainder to the Federal Bureau of Investigation. The expected increase in CBCs requested will result in additional fees collected by OSP. Based on the estimate associated with additional certification applications, OSP could expect an additional \$70,000 (28 x 2,500) in FY 25 and \$140,000 (\$28 x 5,000) in revenues per year beginning in FY 26. OSP and local sheriffs' offices may receive additional revenue if they provide fingerprinting services for the background checks.

Senate
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux
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Interim Deputy Fiscal Officer

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Proposed legislation expands certification pathways for teachers. LDE reports that while the actual number of new certification applications the department can expect is indeterminable, they assume a similar impact as experienced over the last year following the implementation of comparable expansions. LDE estimates the proposed legislation will lead to an approximate 5,000 new applications for certifications in FY 24, and expects this increase to remain steady in future years. Based on this, the department anticipates a need for additional staff to handle the expected increase in workload.

Proposed legislation removes the requirement that local school systems obtain a CBC before hiring employees who have been certified by LDE. The department is required to maintain on its website a list of individuals who have had their certification denied, revoked, or suspended. LDE does not report any additional costs to the department associated with this requirement.

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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