

RÉSUMÉ DIGEST

ACT 392 (SB 197)

2023 Regular Session

Peacock

Existing law requires the Board of Elementary and Secondary Education (BESE) to provide for the certification of teachers, which includes qualifications and requirements to indicate proficiency of the teacher to educate at the grade level and in the assigned subjects.

New law redesignates various provisions of existing law relative to teacher and educator certification and makes technical changes.

Prior law required certified teachers to have completed an approved teacher education program and prescribes the minimum requirements for students entering an approved teacher education program.

New law provides for conditional acceptance of students into approved teacher education programs.

Existing law requires an applicant who participated in an undergraduate teacher education program to take coursework in the teaching of reading. Allows any applicant who has participated in any alternate teacher education program the option of either completing the same coursework required of an undergraduate program applicant or possessing the reading and literacy competencies identified in scientifically based reading research at the national level and approved by BESE for the teaching of reading. Prior law prohibited any secondary teacher from using more than three semester hours of teaching of reading for certification purposes.

New law removes the maximum hours allowed to be used for certification purposes. Requires each applicant, regardless of whether the applicant participated in an undergraduate teacher education program, to meet at least one of the following requirements:

- (1) Complete the prescribed coursework.
- (2) Possess the identified reading and literacy competencies.

New law changes the recipient of required reports in existing law from the legislature to BESE and requires the posting of the reports on the BESE and state Department of Education (LDOE) website.

Existing law allows certain persons who have not completed an approved teacher education program to teach on provisional certificates in areas with a shortage of certified teachers.

New law provides that a person with a bachelor's degree may teach on a provisional certificate in a shortage area in a secondary school if the person graduated from an accredited postsecondary education institution with at least a 2.50 average on a 4.00 scale and has passed all requisite examinations covering content knowledge.

Existing law provides for the certification of principals and superintendents. Prior law allowed a principal certified from another state with four years of successful experience in that state to be certified in Louisiana after one year of successful employment in Louisiana as a principal. Existing law provides that an out-of-state principal who has not passed the required assessment may be granted a nonrenewable provisional certificate in order to take the exam.

New law removes the requirement that a successful out-of-state principal have one year of successful employment prior to certification in Louisiana. Changes the length of the provisional certificate from three years to five years to match the provisions of teachers.

Existing law requires BESE to prescribe the qualification standards for school psychologists, which shall at a minimum be equal to the requirements set by the National Association of School Psychologists. Further provides for the certification of persons who meet those qualifications.

New law allows BESE to deem certified a person who meets the qualifications.

Existing law allows certain individuals to appeal a denial of a certification. Further prohibits appeals from persons who have been convicted of or pled nolo contendere to certain crimes listed in R.S. 15:587.1(C). Prior law allowed appeals from individuals convicted of or who had pled guilty to certain crimes relative to the manufacture and distribution of drugs.

New law removes the ability for any person who has been convicted of or pled nolo contendere to the manufacture and distribution of drugs to appeal the denial of a teaching certification.

Existing law requires any person who has been convicted of or pled nolo contendere to a felony offense to report the conviction or plea to the employing school district.

New law requires the person to also report the conviction or plea to the LDOE. Requires LDOE to revoke the certification of any person who has been convicted of or who has entered a plea for a crime listed in R.S. 15:587.1(C).

Existing law requires criminal history checks for both employment and certification purposes.

New law requires LDOE to maintain and make available on its website the identity of any person whose teaching certification or teaching authorization has been denied, suspended, or revoked for any one of these reasons:

- (1) The person has been convicted of or has pled nolo contendere to a crime listed in existing law (R.S. 15:587.1(C)) for protection of children, or any felony, even if adjudication was withheld or a pardon or expungement was granted.
- (2) The person has been found to have submitted fraudulent documentation to BESE or LDOE as part of an application for a teaching certificate or other teaching authorization.
- (3) The person has been found to have facilitated cheating on any state assessment as determined by BESE.

New law repeals prior law provisions that prohibited BESE from limiting the number of times a temporary teaching permit was allowed to be issued.

New law repeals prior law requiring BESE to issue teacher authorizations for persons not required to be certified for the limited purposes of ascertaining whether the person had submitted fraudulent documents or if proper background checks had been done by the employing school.

Effective June 14, 2023.

(Amends R.S. 15:571.1(A), (B)(1)(a), (C)(intro para), (D)(2), and (E) and R.S. 17:7(6), 7.1, and 15(B) and (C); adds R.S. 17:8.1-8.9; repeals R.S. 17:7(6)(e) and (10))