

ACT No. 31

Regular Session, 2009

HOUSE BILL NO. 183

BY REPRESENTATIVE HOFFMANN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To enact R.S. 17:7(6)(f), relative to teacher certification; to require the State Board of
3 Elementary and Secondary Education to establish an appeals process with respect to
4 the denial of teacher certification; to provide for appeals to the Teacher Certification
5 Appeals Council; to provide for the membership of the council; to provide for rules
6 and regulations; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:7(6)(f) is hereby enacted to read as follows:

9 §7. Duties, functions, and responsibilities of board

10 In addition to the authorities granted by R.S. 17:6 and any powers, duties, and
11 responsibilities vested by any other applicable laws, the board shall:

12 * * *

13 (6)

14 * * *

15 (f)(i) The board shall establish an appeals process which provides for the
16 circumstances under which an applicant who has been denied certification may
17 appeal such denial to the Teacher Certification Appeals Council, referred to in this
18 Subparagraph as the "council".

19 (ii) The council shall consist of nine members recommended by the state
20 superintendent of education and approved by the board as follows:

21 (aa) Three council members shall be college of education faculty members,
22 each of whom shall represent a postsecondary education institution participating in
23 both traditional and alternative certification programs. The Louisiana Association
24 of Colleges for Teacher Education, the Louisiana Association of Independent

1 Colleges and Universities, and the Louisiana Association of Teacher Educators shall
2 each submit a list of three nominees. The superintendent shall recommend one
3 college of education faculty member from each such list.

4 (bb) Three council members shall be classroom teachers. The Associated
5 Professional Educators of Louisiana, the Louisiana Association of Educators, and the
6 Louisiana Federation of Teachers shall each submit a list of three nominees. The
7 superintendent shall recommend one classroom teacher from each such list.

8 (cc) Three council members shall be certified school or system
9 administrators. The Louisiana Association of School Executives, the Louisiana State
10 Association of School Personnel Administrators, and the Louisiana Association of
11 School Superintendents shall each submit a list of three nominees. The
12 superintendent shall recommend one administrator from each such list.

13 (iii) Council members shall serve four-year terms after initial terms as
14 provided in this Item. As determined by lot at the first meeting of the council, initial
15 terms shall be as follows:

16 (aa) One college of education faculty member, one classroom teacher, and
17 one certified school or system administrator shall serve an initial term of two years.

18 (bb) One college of education faculty member, one classroom teacher, and
19 one certified school or system administrator shall serve an initial term of three years.

20 (cc) One college of education faculty member, one classroom teacher, and
21 one certified school or system administrator shall serve an initial term of four years.

22 (iv) A majority of council members, not including vacancies, shall constitute
23 a quorum. All actions of the council shall be approved by the affirmative vote of a
24 majority of the members present and voting.

25 (v) The council shall evaluate the appeals of persons seeking Louisiana
26 certification, including a review of the documents and transcripts of appellants, and
27 shall submit a written report of its findings to the board. A decision of the council
28 shall be a final decision.

29 (vi) The council shall not consider appeals of persons who are nondegreed,
30 lack any examination scores required by the board for initial certification or

1 administrative certification, or lack fifty percent or more of required course work.

2 The council shall not consider requests to waive state or federal statutes pertaining

3 to teacher certification.

4 (vii) The board shall establish by rules and regulations, in accordance with

5 the Administrative Procedure Act, all guidelines and procedures for carrying out the

6 provisions of this Subparagraph.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____