

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.

TEACHERS/CERTIFICATION: Authorizes BESE to establish an appeals process for applicants who have been denied teacher certification

1 AN ACT

2 To enact R.S. 17:7(6)(f), relative to teacher certification; to authorize 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 may 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 appointed by the state
20 superintendent of education and approved by the board as follows:

1 (aa) Three council members shall be college of education faculty members,
2 each of whom shall represent a postsecondary education institution participating in
3 both traditional and alternative certification programs. The Louisiana Association
4 of Colleges for Teacher Education, the Louisiana Association of Independent
5 Colleges and Universities, and the Louisiana Association of Teacher Educators shall
6 each submit a list of three nominees. The superintendent shall appoint one college
7 of education faculty member from each such list.

8 (bb) Three council members shall be classroom teachers. The Associated
9 Professional Educators of Louisiana, the Louisiana Association of Educators, and the
10 Louisiana Federation of Teachers shall each submit a list of three nominees. The
11 superintendent shall appoint one classroom teacher from each such list.

12 (cc) Three council members shall be certified school or system
13 administrators. The Louisiana Association of School Executives, the Louisiana State
14 Association of School Personnel Administrators, and the Louisiana Superintendents
15 Association shall each submit a list of three nominees. The superintendent shall
16 appoint one administrator from each such list.

17 (iii) Council members shall serve four-year terms after initial terms as
18 provided in this Item. One member shall serve an initial term of one year; two shall
19 serve initial terms of two years; three shall serve initial terms of three years; and
20 three shall serve initial terms of four years, as determined by lot at the first meeting
21 of the council.

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.

