



**2024 ANNUAL REPORT REGARDING EDUCATOR CERTIFICATION REVOCATIONS
AND RECORDS REVIEWS**

RESPONSE to LOUISIANA REVISED STATUTE 17:8.7

PREPARED by BESE: December 2024

OVERVIEW

Louisiana Revised Statute 17:7 provides relative to the duties, function, and responsibilities of the Board of Elementary and Secondary Education. More specifically, R.S. 17:7(6) prescribes for the qualifications and certification of teachers in accordance with applicable law, such that the qualifications and requirements shall ensure that certification shall be a reliable indicator of the minimum current ability and proficiency of the teacher to educate at the grade level and in the subjects to which the teacher is assigned.

ACT 392 of the 2023 Regular Legislative Session amended R.S. 17:8.7 and provides relative to criminal background checks for certification and authorization to teach; and explicitly prohibits BESE from granting a teaching certificate, authorization, or appeal to those who have been convicted of or have pled nolo contendere to any other crime listed in R.S. 15:587.1; and prohibits the hiring of and requires the dismissal of an administrator, teacher, or substitute teacher who has been convicted or pled nolo contendere to certain offenses.

Finally, statute stipulates that no later than December 31 of each year, BESE shall post a report to the BESE website detailing the number of appeals filed with the board for the calendar year, the offense upon which the appeal is based, the disposition of each appeal, and the number of teacher certification or other authorization to teach issued as the result of all successful appeals. The information in the report shall be reported in aggregate and by individual school and school system.

POLICY AND PROCEDURES

Teaching certificates can be denied, suspended, or revoked for certain criminal offenses, for the submission of fraudulent documentation, for participating in cheating, for failure to meet the standards for effectiveness, or for professional license censure. Bulletin 746, *Louisiana Standards for State Certification of School Personnel*, mandates denial or revocation of certification and teaching authorization under certain circumstances.

Teacher Certification Applications Denied for Initial Issuance and/or Renewal

An application for a Louisiana teaching certificate or an initial application for the renewal of an expired Louisiana teaching certificate shall be denied if the Louisiana Department of Education (LDOE) determines that the individual applying for the certificate is in violation of any of the restrictions outlined in Bulletin 746.

With respect to denials based upon criminal convictions, an application for an initial Louisiana teaching certificate or for a renewal of a certificate shall be denied if the individual has been convicted of or pled nolo contendere to, even if adjudication was withheld, any offense listed in R.S. 15:587.1 or any felony offense whatsoever. If the individual has been convicted of a felony offense, this information shall be reported to the National Association of State Directors of Teacher Education and Certification (NASDTEC) Clearinghouse by the LDOE. Criminal convictions that are set aside pursuant to Article 893 or Article 894 of the *Louisiana Code of Criminal Procedures*, expunged, or which are pardoned subject to Louisiana first offender pardon laws; nonetheless, shall be treated as convictions for the purpose of denial or revocation. Eligibility consideration also includes pretrial diversion programs and deferred adjudication. Such individuals will be notified of all actions taken per the process outlined in BESE policy.

Denial of Initial Teacher Certification Applications

A person convicted of a criminal offense, as defined herein, or who has submitted fraudulent documentation, has participated in cheating, or has professional license censure may apply for an initial teaching certificate after the designated period of time has elapsed; however, all applications that have met the waiting period requirement will be denied by the LDOE until BESE has received all of the necessary documentation and can consider an appeal via a records review regarding the denial of the application.

Denial of Renewals of Teacher Certification Applications

A person convicted of an offense, as defined herein, or who has submitted fraudulent documentation, been found to have participated in cheating, or had professional license censure may apply for renewal of a teaching certificate after the designated period of time has elapsed; however, all applications that have met the waiting period requirement will be denied by the LDOE until BESE has received all of the necessary documentation and can consider an appeal via a records review regarding the denial of the renewal application.

Teacher Certification Suspensions and Revocations for Active and Expired Licenses

Suspension and Revocation of Certificates for Criminal Offenses

A Louisiana teaching certificate shall be suspended and revoked if the individual holding the certificate has been convicted of or pled nolo contendere to, even if adjudication was withheld, any offense listed in R.S. 15:587.1 or any felony offense whatsoever. If the individual has been convicted of a felony offense, this information shall be reported to the National Association of State Directors of Teacher Education and Certification (NASDTEC) Clearinghouse by the LDOE. Such individuals will be notified per the process outlined in BESE policy. Criminal convictions that are set aside pursuant to Article 893 or Article 894 of the *Louisiana Code of Criminal Procedures*, expunged, or which are pardoned subject to Louisiana first offender pardon laws; nonetheless, shall be treated as convictions for the purpose of denial or revocation. Eligibility consideration also includes pretrial diversion programs and deferred adjudication.

Suspension and Revocation of Certificates/Endorsements Due to Participation in Cheating

Louisiana teaching or educational leadership certificates shall be suspended and revoked if the individual holding the certificate has been found by the LDOE to have participated in cheating, as defined in Bulletin 746. If the individual has been found to have participated in cheating, this information shall be reported to the National Association of State Directors of Teacher Education and Certification (NASDTEC) Clearinghouse by the LDOE. Such individuals will be notified per the process outlined in policy.

Suspension and Revocation of Certificates due to Submission of Fraudulent Documentation Pertaining to Certification

A Louisiana teaching or leadership certificate shall be suspended or revoked if a teacher presents fraudulent documentation pertaining to his/her certificate to the State Board of Elementary and Secondary Education or the Louisiana Department of Education. If the individual has submitted fraudulent documents pertaining to certification, this information shall be reported to the National Association of State Directors of Teacher Education and Certification (NASDTEC) Clearinghouse by the LDOE. Such individuals will be notified per the process outlined in policy.

Suspension and Revocation of Certificates due to Professional License/Certificate Censure

A Louisiana teaching or leadership certificate may be suspended and/or revoked if a teacher is found to have had a professional license/certificate related to the area of certification sanctioned by actions including but not limited to denial, suspension, revocation, reprimand, investigation, or voluntary surrender.

BESE Records Review Process and Criteria

The Records Review Process is an appeals process for the issuance of denied certificates and for the reinstatement of suspended or revoked certificates to include the processes regarding teaching authorizations.

BESE will consider requests for issuance of denied certificates and for reinstatement of suspended, revoked or expired certificates via the BESE Records Review Process. Individuals seeking a records review must contact the BESE office and request a records review for issuance of the certificate that was denied or for reinstatement of a certificate revoked due to the submission of fraudulent documentation, participation in cheating, professional license/certification censure, a conviction for a crime listed in R.S. 15:587.1, or any felony conviction whatsoever.

In accordance with state statute, educators who have been convicted of a felony for crimes defined in R.S. 15:587.1 will never be eligible for a records review, as BESE is not required, nor does BESE have authority, to conduct a records review for offenses against children, crimes of violence, and sex offenses. The board may summarily deny a request for issuance of certification for any of the above crimes per Bulletin 746. Also, the board may deny a request for a records review for failure to disclose prior criminal convictions or expungements; falsified academic records; participation in cheating during the administration of standardized tests; professional license censure; failure to meet the standards for effectiveness; or for further criminal convictions or personnel violations as noted.

Issuance or reinstatement of certificates shall not be considered until the designated waiting period has elapsed. In criminal cases, consideration is contingent upon there having been no further convictions or violations, and successful completion of all sentencing conditions/requirements is mandated.

Further, the applicant must provide a current state and FBI criminal history background check from state police that is clean and clear, evidence that there has been successful completion of sentencing requirements, and relevant documentation of the satisfaction of all conditions/requirements of any parole or probation. The applicant may also provide letters of support from past/present employers, school board employees and officials, faculty and administrative staff from the college of education, law enforcement officials, or other community leaders.

The board may deny a request for a records review for any applicant who failed to disclose prior criminal convictions or expungements; falsified academic records; has been found to have participated in cheating in the administration of standardized tests; received further criminal convictions or participated in cheating; or has had additional professional license/certificate censure.

Once all information is received, BESE considers the request for issuance/reinstatement and documentation provided at the next scheduled meeting of the board. The committee of the board shall make a recommendation to the full board regarding certification issuance or reinstatement. The action of the board is a final decision and can only be appealed to a court of proper jurisdiction in accordance with law.

Summary of Records Review Process

It is important to note is that there is a vetting process, and due to the strict criteria in determining eligibility for a records review, a number of individuals are eliminated or delayed from appearing before BESE for consideration of a records review. The established eligibility criteria summarily impacts the overall number of certificates reinstated or issued via the records review process when compared to the overall number of denied and revoked certificates as a whole. Further, the data detailing the number of appeals filed with the board for the calendar year, the offense upon which the appeal is based, the disposition of each appeal, and the number of teacher certifications or other authorizations to teach issued as the result of all successful appeals contained herein is limited to individuals who have met the eligibility criteria.

The primary consideration of BESE during the records review is the rehabilitation of the individual. The Records Review “appeal” is not a format for debate and dialog concerning the details of the conviction, nor is it a time to dispute the findings of the court. In accordance with R.S. 42:17(A)(1), the board may meet in executive session for discussion of the character, professional competence, or physical or mental health of a person.

DATA COLLECTION RESULTS

January 2024 thru December 2024:

Teacher Credentials Suspended

For this calendar year, of the educators processed for consideration via a records review/appeal, the LDOE denied or suspended 111 certification/authorization applications for issuance or renewal, referring the applicants to BESE. Suspended credentials were revoked by the board.

Records Reviews

In total, BESE considered 42 records reviews for educator credentials. Candidates met all criteria for consideration and applied for an appeal (records review), noting the following:

- 20 records review applications regarding the issuance of a denied application were due to criminal conviction(s) or professional license censure;
- 22 records review applications regarding the reinstatement of revoked credential were due to criminal conviction(s) or professional license censure; and
- 23 records review applications were for individuals who received an Expungement/First Offender Pardon.

BESE granted certification issuance/reinstatement in 37 cases. It is important to note that regarding 2024 records reviews, the length of time between conviction and the actual records review consideration varies from 5 to 45 years. Of those cases, 30 of the records review applications considered were for convictions that occurred over 10 years prior to the appeal.

The attached Appendix includes the data reporting required for records reviews considered by BESE in 2024.

CONCLUSION

Louisiana Revised Statute 17:7 provides for restrictions and regulations relative to educator certification, authorization, and employment. The law also requires BESE to promulgate rules and regulations to establish a process for issuance. In response to the Acts noted herein and in accordance with R.S. 17:7, BESE complied with this statute by revising current policy or establishing new policy in accordance with the law.

In conclusion, BESE considers individual agenda items regarding records reviews both in executive session and in open meetings. In accordance with Bulletin 746, *Louisiana Standards for State Certification of School Personnel*: §1919. D., “The Board of Elementary and Secondary Education reserves the right to accept or reject any document as evidence of rehabilitation and the right to determine if adequate rehabilitation has occurred and will itself determine if and when an applicant is eligible for reinstatement of a teaching certificate.” Further, “the action of the board is a final decision and can only be appealed to a court of proper jurisdiction in accordance with law.” BESE and the LDOE staff notify and communicate with constituents, educators, districts, law enforcement, and courts to enact the duties set forth in mandate. A number of persons seeking certification appeals are notified by staff of eligibility deficiencies that delay or indefinitely prohibit a request for a records review. Consideration by BESE is only possible upon full and complete compliance with the regulations established in policy and/or outline in Louisiana law. Thorough and thoughtful deliberation is given to each candidate prior to BESE action.