

COMPARISON DOCUMENT

Title 28

EDUCATION

Part CXXXI. *Bulletin 746—Louisiana Standards for State Certification of School Personnel*

Chapter 17. Certification Appeal Process

§1701. Overview

A. The certification appeal process is available to an individual who has applied for certification and has been denied the requested certification due to the absence of certification requirements. The process provides such an individual the opportunity to have the appeal evaluated by the Teacher Certification Appeals Council (TCAC). TCAC will evaluate all appeals and submit a written report of decisions to BESE. The decision of the TCAC is final, except as provided in §1705 of this Chapter.

B. – B.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), R.S. 17:3902, and R.S. 17:8.8.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:474 (March 2022), repromulgated LR 48:1082 (April 2022), LR 50:31 (January 2024), LR 52:

§1705. **BESE Appeal Request**

A. The Board of Elementary and Secondary Education (BESE) may override the council’s denial of an appellant’s appeal if the denial was based on circumstances beyond the appellant’s control as determined by the state board. Applications for appeals are retroactive to January 1, 2025.

1. BESE will not consider an appeal if the board determines that the certification of the appellant would conflict with state or federal law.

2. Only an individual who has been denied certification by TCAC is eligible to file an appeal to be considered by BESE.

3. Appeals of a denied certification through TCAC from January 1, 2025 to December 1, 2026, shall be submitted within six months of the effective date of this policy. All other appeals shall be submitted within 90 calendar days of the denial of a certification through TCAC.

4. Circumstances beyond the appellant’s control are an event, condition, or action that the appellant could not reasonably foresee, prevent, or remedy through the exercise of ordinary diligence. Such circumstances shall not include an appellant’s negligence, lack of diligence, misunderstanding of applicable requirements, or voluntary acts or omissions by the appellant.

5. Requests for an appeal shall be submitted by certified mail and addressed to:

Board of Elementary and Secondary Education
Attn: Executive Director
P.O. Box 94064, Capital Station
Baton Rouge, LA 70804

6. A copy of the form to request an appeal can be obtained:

- a. from the BESE website;
- b. by requesting a copy sent through the U.S. Mail; or
- c. by means of facsimile.

B. Within 30 days of receipt of the completed appeal request, either BESE or the board president shall notify the petitioner in writing of a final determination.

1. The BESE president is authorized to make ad hoc decisions for the board, when the board is not in regular or special session, on any request that would exceed the 30-day timeframe.

2. All ad hoc decisions of the BESE president shall be presented at the next convening BESE meeting for ratification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), and R.S. 17:8.8.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 52: