

# ACT No. 155

HOUSE BILL NO. 672

BY REPRESENTATIVES TRAHAN, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, CARMODY, CHAMPAGNE, CHANDLER, CHANEY, CROMER, DIXON, DOWNS, EDWARDS, ELLINGTON, FRANKLIN, GALLOT, GISCLAIR, GREENE, HARRISON, HENRY, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, KATZ, LABRUZZO, LAMBERT, LIGI, LITTLE, LOPINTO, LORUSSO, MILLS, MONICA, MORRELL, MORRIS, NOWLIN, PEARSON, PETERSON, RICHARD, RICHARDSON, RITCHIE, ROY, SCHRODER, SMILEY, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS CASSIDY, DONAHUE, DUPLESSIS, LAFLEUR, LONG, AND NEVERS

1 AN ACT

2 To amend and reenact R.S. 17:416.18, relative to the rights of teachers; to rename the list  
3 of provisions providing for the rights of teachers; to provide for the immunity and  
4 legal defense of teachers; to provide for the rights of beginning teachers; to provide  
5 for the distribution of such list of rights to schools and to parents and legal guardians  
6 and for the posting of same on school and school system websites; and to provide for  
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:416.18 is hereby amended and enacted to read as follows:

10 §416.18. ~~Educators' Right to Teach; disciplinary actions~~ Teacher Bill of Rights

11 A. Respecting the authority of teachers is essential to creating an  
12 environment conducive to learning, effective instruction in the classroom, and proper  
13 administration of city, parish, and other local public schools. To maintain and  
14 protect that authority, it is important that teachers, administrators, parents, and  
15 students are fully informed of the various rights conferred upon teachers pursuant to  
16 this Section, which are:

17 (1) A teacher has the right to teach free from the fear of frivolous lawsuits,  
18 including the right to qualified immunity and to a legal defense, and to

1 indemnification by the employing school board, pursuant to R.S. 17:416.1(C), 416.4,  
2 416.5, and 416.11, for actions taken in the performance of duties of the teacher's  
3 employment.

4 (2) A teacher has the right to appropriately discipline students in accordance  
5 with R.S. 17:223 and ~~R.S. 17:416~~ through 416.16 and any city, parish, or other local  
6 public school board regulation.

7 (3) A teacher has the right to remove any persistently disruptive student from  
8 his classroom when the student's behavior prevents the orderly instruction of other  
9 students or when the student displays impudent or defiant behavior and to place the  
10 student in the custody of the principal or his designee pursuant to R.S.  
11 17:416(A)(1)(c).

12 (4) A teacher has the right to have his or her professional judgment and  
13 discretion respected by school and district administrators in any disciplinary action  
14 taken by the teacher in accordance with school and district policy and with  
15 R.S.17:416(A)(1)(c).

16 (5) A teacher has the right to teach in a safe, secure, and orderly environment  
17 that is conducive to learning and free from recognized dangers or hazards that are  
18 causing or likely to cause serious injury in accordance with R.S. 17:416.9 and  
19 416.16.

20 (6) A teacher has the right to be treated with civility and respect as provided  
21 in R.S. 17:416.12.

22 (7) A teacher has the right to communicate with and ~~involve~~ to request the  
23 participation of parents in appropriate student disciplinary decisions pursuant to R.S.  
24 17:235.1 and 416(A).

25 (8) A teacher has the right to be free from excessively burdensome  
26 disciplinary paperwork.

27 (9) A beginning teacher has the right to receive leadership and support in  
28 accordance with R.S. 17:3881, including the assignment of a qualified, experienced  
29 mentor who commits to helping him become a competent, confident professional in

1           the classroom and offers support and assistance as needed to meet performance  
2           standards and professional expectations.

3           B. No city, parish, or other local public school board shall establish policies  
4           that prevent teachers from exercising the rights provided in this Section or in any  
5           other provision included in R.S. 17:416 through 416.16.

6           C. The provisions of this Section shall not be construed to supersede any  
7           other state law, State Board of Elementary and Secondary Education policy, or city,  
8           parish, or other local public school board policy enacted or adopted relative to the  
9           discipline of students.

10          D. Each city, parish, or other local public school board shall provide a copy  
11          of this Section to all teachers at the beginning of each school year. Each such school  
12          board also shall post a copy of the rights provided in this Section in a prominent  
13          place in every school and administrative building it operates and provide such a copy  
14          to parents or legal guardians of all children attending such schools in a form and  
15          manner approved by the school board. Each city, parish, or other local public school  
16          board and every school under its jurisdiction that maintains an Internet website shall  
17          post on such website a copy of the Teacher Bill of Rights required by this Section.

18          Section 2. This Act shall become effective upon signature by the governor or, if not  
19          signed by the governor, upon expiration of the time for bills to become law without signature  
20          by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
21          vetoed by the governor and subsequently approved by the legislature, this Act shall become  
22          effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_