

## RÉSUMÉ DIGEST

ACT 439 (SB 178)

2025 Regular Session

Jenkins

### School Employee Bill of Rights

New law establishes the School Employee Bill of Rights for school employees in city, parish, or other local public schools, a compilation of numerous provisions of existing law.

New law provides that school employees have the following rights:

- (1) To work in a safe, secure, and orderly environment that is conducive to learning and free from recognized dangers or hazards that are causing or likely to cause serious injury in accordance with existing law (R.S. 17:416.9 and 416.16).
- (2) To work free from the fear of frivolous lawsuits, including the right to qualified immunity and to a legal defense, and to indemnification by the employing school board, pursuant to existing law (R.S. 17:416.4, 416.11, and 439), for actions taken in the performance of duties of the school employee's employment.
- (3) To hold students accountable for disorderly conduct, in accordance with existing law (R.S. 17:416 and 416.14) and any city, parish, or other local public school board regulation.
- (4) To have his professional judgment and discretion respected by school and district administrators in any disciplinary action he takes in accordance with school and district policy and with existing law (R.S. 17:416(A)(1)(a) and (b)).
- (5) To be involved in decisions regarding student behavior management in accordance with existing law (R.S. 17:416.8).
- (6) To additional compensation in accordance with existing law (R.S. 17:418 and 419.2), and any compensation provided by any city, parish, or other local public school board regulation.
- (7) To not have his wages reduced for any school year below the amount paid to the school employee in hourly wage or annual salary during the previous school year, nor shall the amount of the hourly wage or annual salary paid to any school employee be reduced at any time during an academic year in accordance with existing law (R.S. 17:422.6).
- (8) When serving as a substitute teacher, to receive additional compensation as provided in existing law (R.S. 17:419.3).
- (9) To be treated with civility and respect as provided in existing law (R.S. 17:416.12).
- (10) To perform noncomplex medical procedures only if all the requirements in existing law (R.S. 17:436) have been met and documented.
- (11) To administer medication only if all the requirements in existing law (R.S. 17:436.1) have been met and documented.
- (12) To receive the mandated training required by law or regulation for a specific job requirement to perform related duties, and have the training be documented as required by law or regulation.
- (13) To professional development and career advancement and to be supported in advancing their careers, pursuant to existing law (R.S. 17:7.4, 7.7 and 7.8).
- (14) To complete only paperwork that is not excessively burdensome and that, if required by law or regulation, adheres to such law or regulation and does not result in overly cumbersome interpretations of such law or regulation.

New law requires each city, parish, or other local public school board to provide a copy of new law to all school employees at the beginning of each school year in a form or manner approved by the school board.

### **Discipline of students**

Existing law (R.S. 17:416) authorizes a public school teacher to take disciplinary action to correct a student who violates school rules or interferes with an orderly education process. New law retains existing law and further authorizes a school employee to take such action.

Existing law (R.S. 17:416) prohibits a public school principal or administrator from the following:

- (1) Prohibiting or discouraging a teacher from taking disciplinary action, recommending disciplinary action, or completing a form to initiate disciplinary action against a student who violates school policy or who interferes with an orderly education process.
- (2) Retaliating or taking adverse employment action against a teacher for taking disciplinary action against a student.

New law retains existing law and further extends such prohibitions on principals and administrators relative to school employees.

### **Discipline policy review committees**

Existing law (R.S. 17:416.8) requires each city and parish school board to establish a discipline policy review committee composed of 16 members.

New law retains existing law but increases the committee membership from 16 to 17 members by adding one paraprofessional to be elected by his peers.

Effective June 20, 2025.

(Amends R.S. 17:416(A)(1)(b)(i) and 416.8(A)(1)(a)(intro. para.); Adds R.S. 17:416.8 (A)(1)(a)(x) and 416.18.1)