AN ACT

To amend and reenact R.S. 17:416(A)(1)(b)(i) and (c)(i) and (v) and 416.18(B), relative to student discipline; to authorize certain authority to teachers; to prohibit retaliation from principals and administrators for certain disciplinary action taken; to require certain disciplinary action; to provide relative to the exercise of teacher rights; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:416(A)(1)(b)(i) and (c)(i) and (v) and 416.18(B) are hereby amended and reenacted to read as follows:

§416. Discipline of students; suspension; expulsion

A.(1)

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(b)(i) Each teacher may take disciplinary action to correct a student who violates school rules or who interferes with an orderly education process. No principal or administrator shall prohibit or discourage 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. No principal or administrator shall

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retaliate or take adverse employment action against a teacher for taking disciplinary action against a student.

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(c)(i) When a student's behavior prevents the orderly instruction of other students or poses an immediate threat to the safety or physical well-being of any student or teacher or when a student violates the school's code of conduct, the teacher **may shall** have the student immediately removed from his classroom and placed in the custody of the principal or his designee.

* * *

(v) Upon the third removal from the same classroom pursuant to this Subparagraph, the teacher and the principal shall discuss the disruptive behavior patterns of the student and the potentially appropriate disciplinary measure before the principal implements a disciplinary measure. In addition, a conference between the teacher or other appropriate school employee and the student's parent or legal guardian **may be** is required prior to the student being readmitted to that same classroom. Such conference may be in person or by telephone or other virtual means. If such conference is required by the school, the school shall give written notice to the parent.

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§416.18. Teacher Bill of Rights

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B. No city, parish, or other local public school board shall establish policies that prevent teachers from exercising the rights provided in this Section or in any other provision included in R.S. 17:416 through 416.16. **No principal or administrator shall retaliate or take adverse employment action against a teacher for exercising the rights provided in this Section.**

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 322 Original 2024 Regular Session Stagni

Abstract: Provides for disciplinary authority to public school teachers in certain scenarios.

Present law (R.S. 17:416) provides relative to student discipline.

Present law authorizes teachers to take disciplinary action against a student who violates school rules or interferes with an orderly education process. Proposed law retains present law and further prohibits a principal or administrator from discouraging a teacher from taking disciplinary action against a student in such scenario. Prohibits retaliation and taking employment action against a teacher for taking disciplinary action against a student.

Present law authorizes a teacher to remove a student whose behavior prevents the orderly instruction of other students, poses an immediate threat to the safety or physical well-being of any student or teacher, or when a student violates the school's code of conduct. Proposed law instead requires such removal.

Present law authorizes, after the third removal in this manner, a conference between the teacher and student's parent before the student returns to the classroom. Proposed law instead requires this conference.

Present law (R.S. 17:416.18) provides for a Teacher Bill of Rights.

Prohibits a public school board from establishing policies that prevent teachers from exercising the rights provided in present law (R.S. 17:416 through 416.16). Proposed law further prohibits a principal or administrator from retaliating and taking employment action against a teacher for exercising rights provided in present law.

(Amends R.S. 17:416(A)(1)(b)(i) and (c)(i) and (v) and 416.18(B))

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