

2026 Regular Session

SENATE BILL NO. 157

BY SENATOR JENKINS

SCHOOLS. Provides for paid parental leave for eligible employees. (gov sig)

1 AN ACT

2 To enact Subpart C-1 of Part X of Chapter 2 of Title 17 of the Louisiana Revised Statutes

3 of 1950, to be comprised of R.S. 17:1214 and 1215, and R.S. 17:3996(B)(92), and

4 to repeal R.S. 17:48, 500.2(A)(1)(b), 1202(A)(1)(b), 1206.2(A)(1)(b), and 1211,

5 relative to parental leave for educators; to provide for paid leave for eligible

6 employees; to provide for definitions; to provide for requirements to qualify for

7 parental leave; to provide for compensation and length of time for use of parental

8 leave; to provide for policies and procedures to implement the parental leave; to

9 provide for certain notification; to provide for a special fund; to provide for

10 implementation; to provide for an effective date; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. Subpart C-1 of Part X of Chapter 2 of Title 17 of the Louisiana Revised

13 Statutes of 1950, comprised of R.S. 17:1214 and 1215, and R.S. 17:3996(B)(92) are hereby

14 enacted to read as follows:

15 **SUBPART C-1. PARENTAL LEAVE**

16 **§1214. Parental leave for educators; tenure status unaffected; definitions**

17 **A. As used in this Subpart, the following terms have the following**

1           meanings:

2                   (1) "Child" means under the age of eighteen years, the biological,  
3 adopted, or foster child, stepchild, legal ward, or other minor to whom a  
4 covered individual stands in loco parentis.

5                   (2) "Department" means the Louisiana Department of Education.

6                   (3) "Eligible employee" means any individual identified in R.S. 17:43,  
7 17:411, 17:441, 17:491, 17:1170, 17:1200, or 17:1205 who is classified as full or  
8 part time and has been employed for at least twelve months with a local  
9 education agency.

10                  (4) "LEA" means local education agency, which has the same definition  
11 as in R.S. 17:1942.

12                  (5) "Paid parental leave" means six weeks, or two hundred forty hours,  
13 of paid leave at one hundred percent of the eligible employee's base pay without  
14 deduction to an eligible employee's current or accrued annual, sick, or  
15 compensatory leave balances.

16                  (6) "Qualifying event" means:

17                   (a) Before and after the birth of a child, including but not limited to  
18 prenatal and postnatal appointments.

19                   (b) Pregnancy loss, including stillbirth.

20                   (c) Placement of a child with the employee for adoption, including but  
21 not limited to mandatory meetings related to adoption or preplacement and  
22 post-placement court proceedings.

23                   (d) Placement of a child with the employee for foster care, including but  
24 not limited to mandatory meetings related to foster placement or preplacement  
25 and post-placement court proceedings.

26                  (7) "Superintendent" means the superintendent of the Louisiana  
27 Department of Education.

28                  B.(1) Pursuant to this Section, every city, parish, and other local public  
29 school board shall:

1           (a) Grant paid parental leave to an eligible employee who experiences a  
2           qualifying event, and as of the date of the qualifying event has been employed  
3           by the LEA for at least twelve months.

4           (b) Allow the position to be filled by the appointment of substitute  
5           teachers when it has been temporarily vacated by a teacher who has been  
6           granted paid parental leave, or by a teacher transferred to the position when it  
7           has been temporarily vacated by a teacher taking a maternity, foster, or  
8           adoptive leave pursuant to this Section. A substitute teacher appointed,  
9           pursuant to this Subparagraph, shall not acquire any tenure rights or privileges,  
10           unless the substitute teacher has subsequently been appointed to fill a regular  
11           vacancy and has the necessary qualifications.

12           (c) Restore an eligible employee to the same position and same  
13           assignment at the same school held before the taking of paid parental leave  
14           upon return from such leave.

15           (d) Allow an eligible employee to use paid parental leave continuously or  
16           intermittently, provided that the paid parental leave is used within twelve weeks  
17           of the qualifying event.

18           (e) Prohibit an eligible employee who takes fewer than six weeks, or two  
19           hundred forty hours, of paid parental leave reserving his remaining weeks of  
20           paid parental leave for a subsequently occurring qualifying event.

21           (f) Compensate a full-time employee at the rate of one hundred percent  
22           of the employee's base pay pursuant to the salary schedule provided in R.S.  
23           17:418 for a period not to exceed six weeks during the available leave period.

24           (g) Compensate a part-time employee at the rate of one hundred percent  
25           of the employee's base pay for a period not to exceed six weeks, based upon a  
26           prorated basis corresponding to the percentage of hours the employee normally  
27           works.

28           (h) Prohibit the donation of paid parental leave to another employee or  
29           leave pool.

1           (i) Allow both parents, if they are eligible employees, paid parental leave  
2 to be taken concurrently, consecutively, or at a different time as the other  
3 eligible employee.

4           (j) Prohibit requiring the use of an eligible employee's sick, annual, or  
5 other accrued leave before taking paid parental leave. Paid parental leave shall  
6 run concurrently with leave requested under the Family and Medical Leave Act  
7 "FMLA".

8           (k) At least twelve months must elapse from the beginning of one  
9 parental leave period before an employee is eligible for another parental leave  
10 period. For a new parental leave period, there must be a new qualifying event  
11 on or after the twelve month waiting period.

12           (2)(a) It shall be unlawful for an LEA or any other person to commit  
13 interference or restrain or deny the exercise of, or the attempt to exercise, any  
14 right protected under this Section.

15           (b) It shall be unlawful for an LEA's absence control policy to count paid  
16 parental leave taken under this Section, as an absence that may lead to or result  
17 in discipline, discharge, demotion, suspension, or any other adverse action.

18           (3) The granting of paid parental leave shall not affect any of the tenure  
19 rights or privileges which the eligible employee may have acquired.

20           (4)(a) The provisions of this Section does not diminish an employer's  
21 obligation to comply with any of the following that provide more generous leave  
22 or more generous benefits:

23           (i) A collective bargaining agreement.

24           (ii) An employer policy.

25           (iii) An employment contract.

26           (iv) Any applicable local, state, or federal law.

27           (b) An individual's rights, privileges, or remedies to paid parental leave  
28 and benefits under this Section shall not be diminished by a collective  
29 bargaining agreement entered into, retained, amended, or renewed, or an

1 employer policy adopted, amended, or retained, after the effective date of this  
2 Section.

3 (c) The provisions of this Section does not diminish an individual's rights,  
4 privileges, or remedies under a collective bargaining agreement, employer  
5 policy, or employment contract, as applicable.

6 (d) Any agreement by an individual to waive the individual's rights  
7 under the provisions of this Section is null and void as against public policy.

8 C. Every city, parish, and other local public school board shall adopt  
9 policies and procedures to give effect to the intent and purposes of this Section.

10 However, unless as otherwise indicated, the following applies:

11 (1) Prior to taking paid parental leave, an eligible employee shall submit  
12 a request for paid parental leave form thirty days before the qualifying event  
13 to the LEA. However, if an eligible employee learns of the qualifying event less  
14 than thirty days in advance of the qualifying event then the eligible employee  
15 must give written notice of the qualifying event to the LEA as soon as  
16 reasonably possible to receive paid parental leave.

17 (2) Each LEA shall have the requesting employee complete a request for  
18 leave form developed by the superintendent prior to the granting of leave.

19 In addition to the request form, an LEA may require an employee  
20 requesting paid parental leave to produce supporting documents of his request,  
21 such as a birth certificate or insurance certificate confirming his relationship  
22 to the child for whom parental leave is requested or proof of attendance at court  
23 proceedings or other mandated meetings related to adoption or foster  
24 placement. It shall not be required by an LEA that an employee produce  
25 medical records or scientific evidence to prove paternity.

26 (3) Each LEA shall provide written notice to each employee upon hiring  
27 and annually thereafter of all of the following:

28 (a) Its policies and procedures, pursuant to this Subsection.

29 (b) The employee's right to parental leave benefits under this Section and

1 the terms under which it may be used.

2 (c) The amount of parental leave benefits available to the employee.

3 (d) The procedure for applying for parental leave.

4 (e) That discrimination and retaliatory actions against an employee, for  
5 requesting, applying for, or using parental leave benefits, are prohibited under  
6 Subsection B of this Section.

7 (f) That the employee has a right to file a grievance against an LEA for  
8 violating the provisions of this Section.

9 D. Any eligible employee who believes that his rights under this Section  
10 have been violated, restrained, or denied or that he has been discharged or  
11 otherwise discriminated against, may within twenty-four months after the  
12 violation occurs, or the employee should reasonably have known that the  
13 violation occurred, file a grievance pursuant to R.S. 17:100.4.

14 E. Each LEA shall display and maintain a poster in a place accessible to  
15 employees at the employer's place of business that contains the information  
16 required by this Section in a form approved by the department. However, in the  
17 event the LEA does not maintain a physical workplace, or an employee tele-  
18 works or performs work through a web-based or app-based platform,  
19 notification shall be sent by electronic communication or a posting in the  
20 web-based or app-based platform.

21 F.(1) The department shall reimburse an LEA, from the special fund  
22 created pursuant to R.S. 17:1215, that provides paid parental leave in an  
23 amount equal to the cost of substitute employees required to fill the position of  
24 an eligible employee on parental leave not to exceed six weeks.

25 (2) The department shall use existing communication methods to inform  
26 workers and employers regarding the availability of paid parental leave  
27 benefits.

28 G. If any provision of this Section or the application thereof is held  
29 invalid as to any person or circumstance, such invalidity shall not affect other

1 provisions or applications of this Section which can be given effect without the  
2 invalid provisions or applications.

3 §1215. Paid Parental Leave For Educators Fund

4 A. There is hereby established in the state treasury, as a special fund, the  
5 Paid Parental Leave For Educators Fund, hereinafter referred to as the "fund".

6 B. Any money transferred, donated, or appropriated to the fund by the  
7 legislature shall be deposited into the fund.

8 C. All unexpended and unencumbered monies in the fund at the end of  
9 the fiscal year shall remain in the fund. The monies in the fund shall be invested  
10 by the state treasurer in the same manner as monies in the state general fund,  
11 and interest earned on the investment of monies in the fund shall be credited to  
12 the fund.

13 D. Subject to an appropriation by the legislature, monies in the fund  
14 shall be utilized to fund the costs associated with reimbursing LEAs for  
15 substitute employees to fill the position of an eligible employee on paid parental  
16 leave pursuant to R.S. 17:1214.

17 \* \* \*

18 §3996. Charter schools; exemptions; requirements

19 \* \* \*

20 B. Notwithstanding any state law, rule, or regulation to the contrary and  
21 except as may be otherwise specifically provided for in an approved charter, a  
22 charter school established and operated in accordance with the provisions of this  
23 Chapter and its approved charter and the school's officers and employees shall be  
24 exempt from all statutory mandates or other statutory requirements that are  
25 applicable to public schools and to public school officers and employees except for  
26 the following laws otherwise applicable to public schools with the same grades:

27 \* \* \*

28 (92) Paid parental leave, R.S. 17:1214.

29 \* \* \*

1           Section 2. The rules and regulations necessary for the implementation of the  
2 provisions of this Act shall be adopted and promulgated by November 1, 2026.

3           Section 3. The implementation of the provisions of this Act shall be subject to the  
4 appropriation of funds by the legislature for this purpose.

5           Section 4. This Act shall become effective upon signature by the governor or, if not  
6 signed by the governor, upon expiration of the time for bills to become law without signature  
7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
8 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
9 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

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#### DIGEST

SB 157 Reengrossed

2026 Regular Session

Jenkins

Proposed law creates the "Parental Leave For Educators Act".

Proposed law provides for definitions and requires that every city, parish, and other local public school boards allow the appointment of substitute teachers when a teacher is on parental leave under the provisions of proposed law.

Proposed law prohibits an appointed substitute teacher from acquiring tenure rights or privileges, unless the substitute has been appointed to fill a regular vacancy and has the necessary qualifications.

Proposed law provides that an eligible employee who takes fewer than six weeks, or 240 hours, of paid parental leave must be entitled to reserve his remaining weeks of paid parental leave for use at a subsequently occurring qualifying event.

Proposed law provides that a full-time employee must be compensated at the rate of 100% of his base pay pursuant to present law. Proposed law further provides that a part-time employee must be compensated at the rate of 100% of his base pay for a period not to exceed six weeks based upon a prorated basis with the percentage of hours the employee normally works.

Proposed law allows both parents, if they are eligible employees, paid parental leave to be taken concurrently, consecutively, or at a different time as the other eligible employee.

Proposed law prohibits requiring the use of an eligible employee's sick, annual, or other accrued leave before taking paid parental leave. Proposed law further provides that paid parental leave must run concurrently with leave requested under the Family and Medical Leave Act "FMLA".

Proposed law provides that the granting of parental leave cannot affect any of the tenure rights the employee has acquired under present law.

Proposed law provides that each LEA must provide in writing to each employee upon hiring and annually thereafter all of the following:

- (1) Its policies and procedures.
- (2) The employee's right to parental leave benefits and the terms under which it may be used.
- (3) The amount of parental leave benefits available to the employee.
- (4) The procedure for applying for parental leave.
- (5) That discrimination and retaliatory actions against an employee, for requesting, applying for, or using parental leave benefits, are prohibited.

Proposed law provides for an employee to file a grievance within 24 months after a violation occurred if the employee believes that his rights were restrained, violated, denied, or otherwise discriminated against.

Proposed law provides for at least 12 months to elapse before an employee is eligible for another parental leave period.

Proposed law provides for an eligible employee to submit a request for paid parental leave form 30 days before the qualifying event to the local education agency. Proposed law further allows for the eligible employee to give written notice of the qualifying event to the local education agency as soon as reasonably possible if the qualifying event is less than the 30 day advance notice.

Proposed law provides for a severability clause.

Proposed law creates the "Paid Parental Leave For Educators Fund".

Implementation of the provisions of proposed law is subject to the appropriation of funds by the legislature for this purpose.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 17:1214-1215, and 3996(B)(92); repeals R.S. 17:48, 500.2(A)(1)(b), 1202(A)(1)(b), 1206.2(A)(1)(b), and 1211)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Make technical changes.
2. Define eligible employee.
3. Clarify the definition of paid parental leave.
4. Allow for the position of an eligible employee to be filled when it has been temporarily vacated.
5. Require twelve months to elapse before an employee is eligible for another parental leave period.
6. Require submission of a request for paid parental leave form thirty days, with

exceptions, before the qualifying event to the local education agency.

7. Repeal certain statutes.

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Provide that implementation of proposed law is subject to appropriation of funds by the legislature.
2. Delete the provision that proposed law is to be implemented by each city, parish, or other local public school board on January 1, 2027.
3. Make technical changes.