

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 283

2026 Regular Session

Newell

SCHOOLS: Provides relative to incidents of assault and battery on school employees

Synopsis of Senate Amendments

1. Applies proposed law to incidents of assault and battery on school employees only instead of also including students.
2. Applies proposed law to an incident that occurs off of school property only if the incident is a continuation of a documented altercation that began on school property.
3. Provides that the discipline of a student with exceptionalities shall not conflict with present law or federal law except as otherwise provided in present law and proposed law.
4. Adds that each school shall annually provide written notice to teachers and school employees about their rights to take or request disciplinary action against a student and about sick and personal leave following an incident of assault or battery.
5. Adds that negligent hiring statutes or rules shall not apply to a dispute, litigation, or any allegations when a school board or nonpublic school or school system has hired a person as an administrator, teacher, substitute teacher, athletic director, coach, or assistant coach, if the person has a valid teaching certificate or authorization provided by the State Bd. of Elementary and Secondary Education.

Digest of Bill as Finally Passed by Senate

Proposed law provides that proposed law shall be known and may be cited as the "Teacher's Shield Act".

Student Discipline

Present law provides that when a student is formally accused of violating present law or school disciplinary rules, or both, by committing a battery or an assault on any school employee, the principal shall suspend the student from school immediately and the student shall be removed immediately from the school premises.

Proposed law retains present law, applies present law to incidents that occur on or off of school property, and defines "school employee" as any person employed by the school and any substitute teacher, substitute bus operator, or school volunteer. Provides for application to an incident that occurs off of school property only if the incident is a continuation of a documented altercation that began on school property.

Present law prohibits a student found guilty by a court of competent jurisdiction of violating present law or found guilty at a school system suspension hearing of committing a battery or assault on any school employee, or both, from being assigned to attend or attending the school to which the school employee battered or assaulted by the student is assigned, except when the school system has no other school of suitable grade level for the student to attend.

Proposed law retains present law but requires that the student be immediately recommended for expulsion and provides that any such expulsion shall be no less than two complete school

semesters in duration, during which time the superintendent shall place the student in an alternative school or in an alternative educational placement as provided in present law and the student shall participate in an anger management program. Further provides that a student expelled as provided in proposed law shall not, under any circumstances, be assigned to or allowed to attend the school to which the school employee battered or assaulted by the student is assigned. Provides, however, that except as otherwise provided in present law and proposed law, the discipline of a student with exceptionalities shall not conflict with present law relative to student discipline, present law relative to students with exceptionalities, and federal law. Requires all documentation relative to present law and proposed law to be included and maintained in student records.

Present law authorizes teachers and school employees to take disciplinary action to correct a student who violates school rules. Proposed law retains present law and requires each school to annually provide written notice at the beginning of the school year to each teacher and school employee, including bus operators, of their rights to take or request disciplinary action against a student in accordance with present law and proposed law. Requires that the notice include eligibility for sick and personal leave in the event that a school employee is injured by a student who committed an assault or battery against a teacher.

Employee Sick Leave

Present law allows up to a year of sick leave, without loss of pay or loss of accumulated leave, for teachers and other school employees if injured or disabled while acting in their official capacity as a result of assault or battery by any student or person; circumstances vary depending on whether the employee is employed by a state special school or a local public school board and is a teacher, a bus operator, or other school employee. Proposed law retains present law and specifies that such sick leave may be used for purposes including but not limited to medical treatment, psychological treatment, and physical rehabilitation.

Criminal History Review

Present law prohibits schools from hiring anyone who has been convicted of or pled nolo contendere to certain crimes and authorizes the hiring of a person who is otherwise prohibited from being hired if the State Bd. of Elementary and Secondary Education (BESE) approves a formal appeal request submitted by the person and issues a teaching certificate or authorization.

Proposed law retains present law and additionally provides that negligent hiring statutes or rules shall not apply to a dispute, litigation, or any allegations when a city, parish, or other local public school board or a nonpublic school or school system has hired a person as an administrator, teacher, substitute teacher, athletic director, coach, or assistant coach, if the person has a valid teaching certificate or authorization provided by BESE.

(Amends R.S. 17:416(A)(1)(b)(i) and (c)(vii)(aa) and (cc); Adds R.S. 17:15(A)(1)(b)(iii), 47(C)(1)(a)(iv), 416(A)(1)(c)(vii)(ee), 500.1(C)(3), 1201(C)(3), and 1206.1(A)(3))