
DIGEST

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Hunter

HB No. 453

Abstract: Relative to employees of the Monroe City School System, provides that school lunch supervisors and school bus operators are eligible to earn tenure; provides relative to the process for removing a tenured teacher.

Present law provides that a school lunch supervisor who was first hired by a local public school board prior to July 1, 2012, who holds a special parish school lunch supervisor's certificate issued by the La. Dept. of Education, and whose employment requires such certificate may acquire tenure. Proposed law provides that a school lunch supervisor employed by the Monroe City School System is eligible to acquire tenure if he has and is required to have such a certificate, regardless of when he was hired.

Present law provides relative to school bus operators becoming regular and permanent operators after a probationary term of three years. Provides that these provisions do not apply to any school bus operator whose date of first employment with the school system is July 1, 2012, or thereafter. Proposed law retains present law except to provide that present law providing for school bus operators becoming regular and permanent operators does apply to an operator employed by the Monroe City School System, regardless of when he was first employed.

Present law authorizes removal of a tenured teacher upon written charges of willful neglect of duty, incompetency, dishonesty, immorality, poor performance or of being a member of an entity prohibited from operating in the state. Provides that a teacher has seven days to respond to written charges, after which time the superintendent may remove the teacher. Requires that the removed teacher be given a hearing if he requests one within seven days of removal. Provides for appointment of a panel to conduct such a hearing; the panel is composed of a designee of the superintendent, a designee of the principal or the administrative head of the state special school, and a designee of the teacher; prohibits the designation of an immediate family member or any full-time employee of the school system by which the teacher was employed who is under the supervision of the person making the designation.

Present law requires the hearing panel to submit its recommendation to the superintendent, who may reinstate the teacher. If he does not reinstate the teacher, he shall notify the teacher in writing. Grants the teacher 60 days to petition a court to review the superintendent's action and to determine whether it was arbitrary or capricious. Requires that the record on review be limited to evidence presented to the tenure hearing panel.

Proposed law retains present law except as applicable to tenured teachers in the Monroe City

School System. With respect to such teachers in that system, proposed law authorizes removal of a tenured teacher upon written charges of willful neglect of duty, incompetency, dishonesty, immorality, or of being a member of an entity prohibited from operating in the state. Provides for a hearing by the school board to determine whether the teacher was guilty of the charges. Provides that if the teacher is found guilty and ordered removed or disciplined by the board, the superintendent, with approval of the board, is required to furnish to the teacher a written statement of recommendation of removal or discipline. Authorizes the teacher to, within one year, petition a court for a full hearing to review the action of the school board. Provides that if the court reverses the finding of the school board and orders the teacher reinstated, the teacher is entitled to full pay for any loss of time or salary. Provides that it does not impair the right of appeal to a court of competent jurisdiction.

(Amends R.S. 17:441(2) and 492(D)(1); Adds R.S. 17:443.1)