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## DIGEST

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HB 707 Original

2018 Regular Session

Jenkins

**Abstract:** Revises processes for disciplinary action against nontenured and tenured teachers.

Present law provides relative to disciplinary action against *nontenured* teachers. Present law authorizes a school superintendent to take disciplinary action against any nontenured teacher after providing such teacher with the written reasons therefor and the opportunity to respond. Proposed law revises the process relative to this disciplinary action as follows:

- (1) Proposed law provides that in addition to the written reasons for the disciplinary action, the superintendent or his designee shall provide a copy of all documents containing information relative to the reasons and that the teacher shall have the opportunity to respond at a conference. Requires the superintendent or his designee to provide the teacher with the written reasons and related documents not later than three work days prior to the conference. Provides that the teacher shall have the right to representation at the conference.
- (2) Present law grants the teacher seven days to respond to the written reasons for disciplinary action and provides that such response shall be included in the teacher's personnel file. Proposed law provides that the teacher has an opportunity to respond to the conference rather than to the reasons for disciplinary action and extends it from 7 days to 10 work days.
- (3) Present law requires the superintendent to notify the teacher in writing of his final decision. Proposed law requires the superintendent to review the teacher's response prior to such notification.

Present law provides relative to disciplinary action against *tenured teachers*. Present law prohibits disciplining a *tenured* teacher except upon written and signed charges by the superintendent or his designee of poor performance, willful neglect of duty, incompetency, dishonesty, immorality, or of being a member of or contributing to any group, organization, movement, or corporation that is by law or injunction prohibited from operating in the state, and then only if furnished with a copy of such written charges and given the opportunity to respond. Proposed law revises the process relative to this disciplinary action as follows:

- (1) Proposed law provides that in addition to the written charges, the superintendent or his designee shall provide a copy of all documents containing information relative to the charges and that the teacher shall have the opportunity to respond at a conference. Requires the superintendent or his designee to provide the teacher with the written charges and related documents not later than three work days prior to the conference. Provides that the teacher

shall have the right to representation at the conference.

- (2) Present law grants the teacher 10 calendar days from written notice of the charges to respond in person or in writing. Proposed law provides that the teacher has an opportunity to respond to the conference rather than to the reasons for disciplinary action and changes the time for response from 10 calendar days to 10 work days, requires that such response be written, and requires the response to be included in the teacher's personnel file.

Present law provides for further processes and procedures relative to disciplinary action for *tenured* teachers, including allowing them to request a review hearing before a disciplinary hearing officer. Proposed law retains present law.

(Amends R.S. 17:443(A) and (B)(1); Adds R.S. 17:443(B)(intro. para.))