2024 Regular Session

HOUSE BILL NO. 322

BY REPRESENTATIVE STAGNI

## STUDENT/DISCIPLINE: Provides relative to student discipline

1	AN ACT
2	To amend and reenact R.S. 17:416(A)(1)(b)(i) and (c)(i) and (v) and 416.18(B), relative to
3	student discipline; to authorize certain authority to teachers; to prohibit retaliation
4	from principals and administrators for certain disciplinary action taken; to require
5	certain disciplinary action; to provide relative to the exercise of teacher rights; and
6	to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 17:416(A)(1)(b)(i) and (c)(i) and (v) and 416.18(B) are hereby
9	amended and reenacted to read as follows:
10	§416. Discipline of students; suspension; expulsion
11	A.(1)
12	* * *
13	(b)(i) Each teacher may take disciplinary action to correct a student who
14	violates school rules or who interferes with an orderly education process. No
15	principal or administrator shall prohibit or discourage a teacher from taking
16	disciplinary action, recommending disciplinary action, or completing a form to
17	initiate disciplinary action against a student who violates school policy or who
18	interferes with an orderly education process. No principal or administrator shall

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	retaliate or take adverse employment action against a teacher for taking disciplinary
2	action against a student.
3	* * *
4	(c)(i) When a student's behavior prevents the orderly instruction of other
5	students or poses an immediate threat to the safety or physical well-being of any
6	student or teacher or when a student violates the school's code of conduct, the teacher
7	may shall have the student immediately removed from his classroom and placed in
8	the custody of the principal or his designee.
9	* * *
10	(v) Upon the third removal from the same classroom pursuant to this
11	Subparagraph, the teacher and the principal shall discuss the disruptive behavior
12	patterns of the student and the potentially appropriate disciplinary measure before
13	the principal implements a disciplinary measure. In addition, a conference between
14	the teacher or other appropriate school employee and the student's parent or legal
15	guardian may be is required prior to the student being readmitted to that same
16	classroom. Such conference may be in person or by telephone or other virtual
17	means. If such conference is required by the school, the school shall give written
18	notice to the parent.
19	* * *
20	§416.18. Teacher Bill of Rights
21	* * *
22	B. No city, parish, or other local public school board shall establish policies
23	that prevent teachers from exercising the rights provided in this Section or in any
24	other provision included in R.S. 17:416 through 416.16. No principal or
25	administrator shall retaliate or take adverse employment action against a teacher for
26	exercising the rights provided in this Section.
27	* * *

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

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

<u>Present law</u> authorizes teachers to take disciplinary action against a student who violates school rules or interferes with an orderly education process. <u>Proposed law</u> retains <u>present law</u> 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.

<u>Present law</u> 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. <u>Proposed law</u> instead requires such removal.

<u>Present law</u> authorizes, after the third removal in this manner, a conference between the teacher and student's parent before the student returns to the classroom. <u>Proposed law</u> 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 <u>present law</u> (R.S. 17:416 through 416.16). <u>Proposed law</u> further prohibits a principal or administrator from retaliating and taking employment action against a teacher for exercising rights provided in <u>present law</u>.

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