

## RÉSUMÉ DIGEST

ACT 680 (HB 121)

2024 Regular Session

Crews

New law prohibits a public school governing authority from adopting a policy that provides for an inquiry of the following:

- (1) An employee's pronouns that are inconsistent with the employee's sex.
- (2) An employee's name other than the employee's legal name, or a derivative thereof.
- (3) A student's pronouns that are inconsistent with the student's sex.
- (4) A student's name other than the student's legal name, or a derivative thereof.

New law defines "sex" as the immutable biological sex as may be evidenced on his original birth certificate, either female or male. Also defines an "employee" as any individual working in any capacity at a public school including but not limited to teachers and other school employees, school bus operators, extracurricular personnel, and independent contractors.

New law prohibits requiring an employee to address a student by a name other than the student's legal name, or a derivative thereof, or a pronoun inconsistent with the student's sex.

New law exempts an employee from adverse employment action and exempts a student from disciplinary action for declining or refusing to do the following:

- (1) Address a person using a name other than his legal name or a derivative thereof or by a pronoun inconsistent with his sex.
- (2) Identify his own pronouns, in violation of new law.

New law authorizes parents to seek corrective action if an employee refers to a minor student by a pronoun that is inconsistent with the student's sex or refers to the student by a name other than the student's legal name, or a derivative thereof.

New law further provides:

- (1) That an employee, parent of a minor student, or a student who has reached the age of majority aggrieved by an intentional violation of new law shall have a private cause of action for injunctive relief, monetary damages, reasonable attorney fees and costs, and any other appropriate relief. Requires such action to be brought within two years of the violation.
- (2) That each public school governing authority is required to adopt policies for new law implementation and provide such policies to employees.

New law applies to charter schools.

Effective August 1, 2024.

(Adds R.S. 17:2122 and 3996(B)(82))