

2026 Regular Session

HOUSE BILL NO. 1008

BY REPRESENTATIVES OWEN, AMEDEE, BAYHAM, BRAUD, DICKERSON,
DOMANGUE, EDMONSTON, EGAN, HORTON, JACKSON, MCCORMICK,
SCHAMERHORN, AND WALTERS

COLLEGES/FACULTY: Prohibits public postsecondary education institutions from retaliating against faculty members for disclosing certain alleged violations or exercising academic freedom or free speech

1 AN ACT

2 To enact Part XV of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 17:3399.51, relative to faculty at public postsecondary education
4 institutions; to prohibit a public postsecondary education institution from retaliating
5 against a faculty member for disclosing certain alleged violations or exercising
6 academic freedom or free speech; to provide for definitions; to provide for remedies;
7 to require the Board of Regents to adopt a uniform policy relative to reporting and
8 investigations; to require public postsecondary education institutions to adhere to the
9 policy; to provide for annual reporting; to provide for effectiveness; and to provide
10 for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. The legislature finds that academic freedom and the free exchange of
13 ideas are essential to the mission of public postsecondary education in Louisiana. Faculty
14 members must be free to teach, conduct research, publish, and engage in the rigorous
15 exchange of ideas and evidence to educate students. This Act protects legitimate academic
16 freedom and free speech while preserving the authority of institutions to enforce professional
17 standards of conduct.

1 Section 2. Part XV of Chapter 26 of Title 17 of the Louisiana Revised Statutes of
2 1950, comprised of R.S. 17:3399.51, is hereby enacted to read as follows:

3 PART XV. FACULTY MEMBERS: FREEDOM FROM RETALIATION,

4 ACADEMIC FREEDOM, AND FREE SPEECH

5 §3399.51. Faculty members; freedom from retaliation for disclosing alleged
6 violations, academic freedom, and free speech

7 A. For the purposes of this Part:

8 (1) "Academic freedom" means the right of faculty members to teach,
9 research, publish, and express views on matters within their field of expertise without
10 interference, consistent with professional standards and any applicable state law.
11 Academic freedom includes the freedom to educate and to engage in the open
12 exchange of ideas and evidence but does not include threatening, intimidating,
13 harassing, demeaning, abusive, or coercive language or conduct.

14 (2) "Faculty member" means any tenured or nontenured professor, instructor,
15 lecturer, or other academic employee at a public postsecondary education institution.

16 (3) "Free speech" means expression protected under the First Amendment
17 of the Constitution of the United States of America, as interpreted by the United
18 States Supreme Court, and Article I, Section 7 of the Constitution of Louisiana. This
19 protection does not include threatening, intimidating, harassing, demeaning, or
20 coercive conduct.

21 (4) "Public postsecondary education institution" or "institution" means an
22 institution under the supervision and management of the Board of Supervisors of
23 Louisiana State University and Agricultural and Mechanical College, the Board of
24 Supervisors of Southern University and Agricultural and Mechanical College, the
25 Board of Supervisors for the University of Louisiana System, or the Board of
26 Supervisors of Community and Technical Colleges.

27 (5) "Retaliate against or harm" means to inflict any adverse action, such as
28 discharge, demotion, suspension, denial of promotion or tenure, reduction in pay or

1 benefits, harassment, threats, negative evaluations, reassignment, or any action
2 causing financial, professional, or emotional harm.

3 B.(1) No public postsecondary education institution or any officer,
4 employee, or agent thereof shall retaliate against or harm any faculty member for:

5 (a) Disclosing or reporting concerns about any alleged violation of law,
6 regulatory policy, or ethical standard or any other alleged act of impropriety related
7 to academic, administrative, or operational matters at the institution, including but
8 not limited to reporting concerns to any supervisor, institutional official, state or
9 federal agency, legislator, law enforcement officer, or the public about waste, fraud,
10 abuse, misconduct, or threats to public health, safety, or institutional integrity.

11 (b) Exercising academic freedom, including but not limited to teaching
12 topics that some may consider controversial, conducting research, and publishing
13 findings.

14 (c) Exercising free speech during student instruction consistent with his
15 academic field and the subject matter of the course.

16 (d) Exercising free speech outside the scope of student instruction, including
17 extramural free speech involving public appearances, publications, and other
18 expression on topics outside his academic field.

19 (2) A faculty member is not required to give prior notice to the institution
20 relative to any of the actions provided for in Subparagraphs (1)(a) through (d) of this
21 Subsection in order for the protection provided in this Section against being
22 retaliated against or harmed to apply.

23 (3) The protections of this Subsection apply only when the faculty member's
24 conduct is consistent with any applicable state law and does not involve threatening,
25 demeaning, intimidating, harassing, abusive, or coercive language or conduct.

26 C.(1) A faculty member aggrieved by a violation of Paragraph (B)(1) of this
27 Section may seek all remedies available to civil plaintiffs under applicable state and
28 federal law.

1 (2) In accordance with Article XII, Section 10(B) of the Constitution of
2 Louisiana, an institution shall not be entitled to sovereign immunity for violations
3 of Paragraph (B)(1) of this Section.

4 D. Nothing in this Part shall be construed to do any of the following:

5 (1) Limit or restrict the authority of an institution to make legitimate,
6 merit-based personnel decisions, including the granting or denial of tenure,
7 promotion, or any other employment action.

8 (2) Prohibit an institution from denying tenure, promotion, or any other
9 benefit to a faculty member who fails to satisfy established, codified performance
10 standards, rubrics, teaching effectiveness criteria, research expectations, service
11 requirements, or other legitimate academic or institutional criteria, as long as such
12 decision is not made in retaliation for conduct provided for in Paragraph (B)(1) of
13 this Section.

14 (3) Limit or restrict the authority of an institution to enforce standards of
15 professional conduct, including but not limited to prohibitions on threats,
16 intimidation, harassment, or demeaning or abusive language as provided in any applicable
17 state law, Board of Regents policies, or institutional policies.

18 E. The Board of Regents shall adopt a uniform policy for the implementation
19 of this Section, including procedures for confidential reporting and independent
20 investigations, to which each institution shall adhere.

21 F. Each institution shall submit a written report to the legislature by March
22 first annually relative to any complaints it receives pertaining to violations of
23 Paragraph (B)(1) of this Section and action taken to resolve such complaints.

24 Section 3. This Act shall become effective upon signature by the governor or, if not
25 signed by the governor, upon expiration of the time for bills to become law without signature
26 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
27 vetoed by the governor and subsequently approved by the legislature, this Act shall become
28 effective on the day following such approval.

 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 1008 Reengrossed

2026 Regular Session

Owen

Abstract: Prohibits public postsecondary institutions from retaliating against faculty members for disclosing certain alleged violations or exercising academic freedom or free speech.

Present law provides that any public employee who reports information which he reasonably believes indicates a violation of any law or of any order, rule, or regulation issued in accordance with law or any other alleged acts of impropriety related to the scope or duties of public employment or public office within any branch of state government or any political subdivision shall be free from discipline, reprisal, or threats of discipline or reprisal by the public employer for reporting such acts of alleged impropriety. Proposed law retains present law and additionally:

- (1) Prohibits a public postsecondary education institution or any officer, employee, or agent thereof from retaliating against or harming any faculty member for disclosing certain alleged violations, exercising academic freedom, or exercising free speech.
- (2) Provides that a faculty member is not required to give prior notice to the institution relative to any of those actions in order for proposed law protections to apply.
- (3) Provides that these protections apply only when the faculty member's conduct is consistent with any applicable present law and does not involve threatening, demeaning, intimidating, harassing, abusive, or coercive language or conduct.
- (4) Authorizes an aggrieved faculty member to seek all remedies available to civil plaintiffs under applicable present law and federal law.
- (5) Provides that an institution shall not be entitled to sovereign immunity with respect to violations of proposed law.
- (6) Requires the Bd. of Regents to adopt a uniform policy for proposed law implementation, including procedures for confidential reporting and independent investigations, to which each institution shall adhere.
- (7) Requires each institution to submit a written report to the legislature by March first annually relative to any complaints it receives pertaining to violations of proposed law and resolutions relative to such complaints.

Proposed law provides that nothing in proposed law shall be construed to do any of the following:

- (1) Limit or restrict the authority of an institution to make legitimate, merit-based personnel decisions, including the granting or denial of tenure, promotion, or any other employment action.
- (2) Prohibit an institution from denying tenure, promotion, or any other benefit to a faculty member who fails to satisfy established, codified performance standards, rubrics, teaching effectiveness criteria, research expectations, service requirements, or other legitimate academic or institutional criteria, as long as such decision is not made in retaliation for conduct provided for in proposed law.

- (3) Limit or restrict an institution's authority to enforce standards of professional conduct, including but not limited to prohibitions on threats, intimidation, harassment, or demeaning or abusive language as provided in any applicable present law, Board of Regents policies, or institutional policies.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 17:3399.51)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Revise the definition of "free speech".
2. Make damages with respect to reinstatement, back pay, and restoration of benefits or tenure status conditional on the faculty member proving by a preponderance of the evidence that an adverse action against him was retaliation for conduct provided for in proposed law.
3. Add that nothing in proposed law shall be construed to:
 - (a) Limit or restrict the authority of an institution to make legitimate, merit-based personnel decisions.
 - (b) Prohibit an institution from denying tenure, promotion, or any other benefit as long as such decision is not made in retaliation for conduct provided for in proposed law.

The House Floor Amendments to the engrossed bill:

1. Remove provisions providing for penalties and liability.
2. Add that proposed law protections apply only when the faculty member's conduct is consistent with applicable present law and does not involve threatening, demeaning, intimidating, harassing, abusive, or coercive language or conduct.
3. Add that nothing in proposed law shall be construed to limit or restrict an institution's authority to enforce standards of professional conduct, including but not limited to prohibitions on threats, intimidation, harassment, or demeaning or abusive language as provided in any applicable present law, Board of Regents policies, or institutional policies.
4. Revise provisions relative to remedies.
5. Revise definitions of "academic freedom" and "free speech".
6. Remove retroactive application.
7. Add legislative findings.