

SCHOOL EMPLOYEE BILL OF RIGHTS

ACT 439 (SB 178)

Respecting the authority of school employees is essential to creating a safe environment conducive to learning, effective instruction in the classroom, and proper administration of city, parish, and other local public schools. To maintain and protect that authority, it is important that school employees, administrators, parents, and students are fully informed of the various rights conferred upon school employees pursuant to this Section, which are:

1. A school employee has the right to work in a safe, secure and orderly environment that is conducive to learning and free from recognized dangers or hazards that are causing or likely to cause serious injury in accordance with R.S. 17:416.9 and 416.16.
2. A school employee has the right to work free from the fear of frivolous lawsuits, including the right to qualified immunity and to a legal defense, and to indemnification by the employing school board, pursuant to R.S. 17:416.4, 416.11, and 439, for actions taken in the performance of duties of the school employee's employment.
3. A school employee has the right to hold students accountable for disorderly conduct, in accordance with R.S. 17:416 and 416.14 and any city, parish or other local public school board regulation.
4. A school employee has the right to have his professional judgement and discretion respected by school and district administrators in any disciplinary action taken by the school employee in accordance with school and district policy and with R.S. 17:416(A)(1)(a) and (b).
5. A school employee shall have the right to be involved in decisions regarding student behavior management in accordance with R.S. 17:416.8.
6. A school employee shall have the right to additional compensation in accordance with R.S. 17:418 and 419.2, and any compensation provided by any city, parish or other local school board regulation.
7. A school employee shall not have his wages reduced for any school year below the amount paid to the school employee in hourly wage or annual salary during the previous school year, nor shall the amount of the hourly wage or annual salary paid to any school employee be reduced at any time during an academic year in accordance with R.S. 17:422.6.
8. A school employee serving as a substitute teacher shall have the right to additional compensation as provided in R.S. 17:419.3.
9. A school employee has the right to be treated with civility and respect as provided in R.S. 17:416.12.
10. A school employee shall have the right to perform noncomplex medical procedures only if all the requirements in R.S. 17:436 have been met and documented.
11. A school employee shall have the right to administer medication only if the requirements in R.S. 17:436 have been met and documented.
12. A school employee required by law or regulation to be trained for a specific job requirement shall be required to perform those specific duties only if they have received the mandated training and the training has been documented as required by law or regulation.
13. A school employee shall have the right to professional development and career advancement and should be supported in advancing their careers, pursuant to R.S. 17:7.4, 7.7 and 7.8
14. A school employee has the right to complete only paperwork that is not excessively burdensome and that, if required by law or regulation, adheres to the law or regulation and does not result in overly cumbersome interpretations of that law or regulation.

No city, parish, or other local public school board shall establish policies that prevent school employees from exercising the rights provided in this Section or in any other provision included in R.S. 17:416 and 416.14. No principal or administrator shall retaliate or take adverse employment action against a school employee for exercising the rights provided in this Section. However, the provisions of this Section do not authorize a school employee to violate the provisions of any discipline policy adopted by the public school governing authority. The provisions of this Section shall not be construed to supersede any other state law, State Board of Elementary and Secondary Education policy, or city, parish, or other local public school board policy enacted or adopted relative to the discipline of students.