- 1 HB214
- 2 205886-2
- 3 By Representatives Rich, Whorton, Ball, Pettus, Sorrell,
- 4 Wilcox, Kitchens, Ledbetter, Clouse, Greer, Lee, Whitt and
- 5 Faust
- 6 RFD: Education Policy
- 7 First Read: 11-FEB-20

1	ENGROSSED
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4	A BILL
5	TO BE ENTITLED
6	AN ACT
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8	Relating to public K-12 education; to create the
9	Teacher Bill of Rights; and to provide for the distribution
10	and posting of the bill of rights.
11	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
12	Section 1. (a) Respecting the authority of teachers
13	is essential to creating an environment conducive to learning,
14	effective instruction in the classroom, and proper
15	administration of local public K-12 schools. To maintain and
16	protect that authority, it is important that teachers,
17	administrators, parents, and students are fully informed of
18	the various rights conferred upon teachers by this section.
19	Together with, and in addition to, those rights otherwise
20	provided in Title 16 of the Code of Alabama 1975, the rights
21	include, but are not limited to, all of the following:
22	(1) A teacher has the right to teach free from the
23	fear of frivolous lawsuits, including the right to qualified
24	immunity and to a legal defense, and to indemnification by the
25	protections provided by the Liability Insurance Program, for
26	actions taken in the performance of duties of his or her
27	employment.

1 (2) A teacher has the right to use appropriate means 2 of discipline up to and including corporal punishment as may 3 be prescribed by the local board of education, and, so long as 4 the teacher follows approved policy in the exercise of his or 5 her responsibility to maintain discipline in the classroom, 6 the teacher shall be immune from civil or criminal liability.

7 (3) A teacher should have the right to remove any persistently disruptive student from his or her classroom when 8 9 the behavior of the student prevents the orderly instruction 10 of other students, or when the student displays defiant behavior, so long as the teacher follows approved policy in 11 the exercise of his or her responsibility to maintain 12 13 discipline in the classroom, and to place the student in the custody of the principal or his or her designee. 14

(4) A teacher has the right to have his or her
professional discretion and recommendations concerning
disciplinary actions respected by school and district
administrators in accordance with school and district policy.

(5) A teacher should have the right to teach 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.

(6) A teacher has the right to be treated withcivility and respect.

(7) A teacher has the right to communicate with and
to request the participation of parents in appropriate student
disciplinary decisions.

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(8) A teacher has the right to complete only
 paperwork that is not excessively burdensome and that, if
 required by law, regulation, or policy, adheres to the law,
 regulation, or policy and does not result in overly cumbersome
 interpretations of that law, regulation, or policy.

6 (9) A beginning teacher has the right to receive 7 leadership and support, including the assignment of a 8 qualified, experienced mentor who commits to helping him or 9 her become a competent, confident professional in the 10 classroom and offers support and assistance as needed to meet 11 performance standards and professional expectations.

(b) The local board of education shall ensure
policies support teachers in advancing the purposes of this
section and of Title 16, Code of Alabama 1975.

15 (c) In recognition of the rights specified in 16 subdivision (8) of subsection (a), the Paperwork Reduction Committee created by Section 16-6B-11, Code of Alabama 1975, 17 18 shall reconvene within 15 days after the effective date of this act, shall fulfill the duties and responsibilities 19 20 provided by that section, and shall report any findings and 21 recommendations to the State Superintendent of Education not 22 later than December 1, 2020, for presentation to the Legislative Council not later than the first day of the 2021 23 24 Regular Session.

(d) This section may not be construed as creating
any private cause of action or any other private legal
recourse or remedy.

1 (e) This section may not be construed to supersede 2 any other state law, federal law, federal regulation, State 3 Board of Education regulation or policy, or local board of 4 education policy.

5 (f) Each local board of education shall provide a 6 copy of this section to all teachers at the beginning of each 7 school year. Each local board of education shall also post a copy of the rights provided in this section in a prominent 8 9 place in every school and administrative building operated by 10 the local board of education and provide a copy to parents or legal guardians of all children attending those schools in a 11 form and manner approved by the local board of education. Each 12 13 local board of education and every school under its 14 jurisdiction that maintains an Internet website shall post a 15 copy of this section on that website.

16 Section 2. This act shall become effective on the 17 first day of the third month following its passage and 18 approval by the Governor, or its otherwise becoming law.

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3	House of Representatives
4 5 6 7 8	Read for the first time and re- ferred to the House of Representa- tives committee on Education Policy 11-FEB-20
9 10 11 12	Read for the second time and placed on the calendar with 1 substitute and
13 14 15	Read for the third time and passed as amended 10-MAR-20 Yeas 80, Nays 17, Abstains 6

16 17 Jeff Woodard 18 Clerk 19

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