

1 HB214
2 203454-1
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

SYNOPSIS: This bill would create the Teacher Bill of Rights.

A BILL
TO BE ENTITLED
AN ACT

Relating to public K-12 education; to create the Teacher Bill of Rights; and to provide for the distribution and posting of the bill of rights.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) Respecting the authority of teachers is essential to creating an environment conducive to learning, effective instruction in the classroom, and proper administration of local public K-12 schools. To maintain and protect that authority, it is important that teachers, administrators, parents, and students are fully informed of the various rights conferred upon teachers. Together with, and in addition to, those rights otherwise provided in Title 16 of

1 the Code of Alabama 1975, the rights include, but are not
2 limited to, all of the following:

3 (1) A teacher has the right to teach free from the
4 fear of frivolous lawsuits, including the right to qualified
5 immunity and to a legal defense, and to indemnification by his
6 or her employing board of education, for actions taken in the
7 performance of duties of his or her employment.

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

14 (3) A teacher has the right to remove any
15 persistently disruptive student from his or her classroom when
16 the behavior of the student prevents the orderly instruction
17 of other students, or when the student displays impudent or
18 defiant behavior, and to place the student in the custody of
19 the principal or his or her designee.

20 (4) A teacher has the right to have his or her
21 professional judgment and discretion respected by school and
22 district administrators in any disciplinary action taken by
23 the teacher in accordance with school and district policy.

24 (5) A teacher has the right to teach in a safe,
25 secure, and orderly environment that is conducive to learning
26 and free from recognized dangers or hazards that are causing
27 or likely to cause serious injury.

1 (6) A teacher has the right to be treated with
2 civility and respect.

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

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

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

17 (10) A teacher has the right to be afforded time
18 during the school day or week to collaborate with other
19 teachers.

20 (b) No local board of education shall establish
21 policies that prevent teachers from exercising the rights
22 provided in this section or in Title 16, Code of Alabama 1975.

23 (c) This section may not be construed to supersede
24 any other state law, State Board of Education regulation or
25 policy, or local board of education policy adopted relating to
26 the discipline of students.

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

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