

HOUSE SUMMARY OF SENATE AMENDMENTS**HB 121****2024 Regular Session****Crews**

EDUCATION: Provides relative to the use of certain names and pronouns for students

Synopsis of Senate Amendments

1. Remove authorization for parents to request a transfer to another class if a teacher declines to use a name other than a student's legal name or a derivative thereof or a pronoun for a student that is consistent with the student's sex.
2. Prohibit an employee from being required to address a student by a name other than the student's legal name, or a derivative thereof, instead of prohibiting a school employee from knowingly and intentionally addressing a student in such a manner, unless granted written permission by parents to do otherwise.
3. Prohibit an employee from being required to use a pronoun that is inconsistent with a student's sex.
4. Authorize parents to seek corrective action if a school employee refers to a minor student by a pronoun that is inconsistent with the students's sex or refers to the student by a name other than the student's legal name, or a derivative thereof.
5. Prohibit public school governing authorities from adopting certain policies relative to pronouns and names used for employees and students.
6. Add definition of "legal name".
7. Make technical changes.

Digest of Bill as Finally Passed by Senate

Proposed law 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, and defines "sex" as the immutable biological sex as may be evidenced on his original birth certificate, either female or male.

Proposed law prohibits an employee from being required 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.

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

Proposed 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.

Proposed 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 proposed law shall have a private cause of action for injunctive relief, monetary damages, reasonable attorneys 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 proposed law implementation and provide such policies to employees.
- (3) That public school governing authorities are prohibited from adopting policies that provide for inquiries of employees' and students' names inconsistent with their legal names and pronouns inconsistent with their sexes.

Proposed law applies to charter schools.

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