

1 HB260  
2 208475-1  
3 By Representative Rich  
4 RFD: Education Policy  
5 First Read: 02-FEB-21

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 by this section. Together with, and in addition to, those rights otherwise

1 provided in Title 16 of the Code of Alabama 1975, the rights  
2 include, but are not 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 the  
6 protections provided by the Liability Insurance Program, for  
7 actions taken in the performance of duties of his or her  
8 employment.

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

15 (3) A teacher should have the right to remove any  
16 persistently disruptive student from his or her classroom when  
17 the behavior of the student prevents the orderly instruction  
18 of other students, or when the student displays defiant  
19 behavior, so long as the teacher follows approved policy in  
20 the exercise of his or her responsibility to maintain  
21 discipline in the classroom, and to place the student in the  
22 custody of the principal or his or her designee.

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

1           (5) A teacher should have the right to teach in a  
2 safe, secure, and orderly environment that is conducive to  
3 learning and free from recognized dangers or hazards that are  
4 causing or likely to cause serious injury.

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

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

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

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

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

24          (c) In recognition of the rights specified in  
25 subdivision (8) of subsection (a), the Paperwork Reduction  
26 Committee created by Section 16-6B-11, Code of Alabama 1975,  
27 shall reconvene within 15 days after the effective date of

1 this act, shall fulfill the duties and responsibilities  
2 provided by that section, and shall report any findings and  
3 recommendations to the State Superintendent of Education not  
4 later than December 1, 2021, for presentation to the  
5 Legislative Council not later than the first day of the 2022  
6 Regular Session.

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

10 (e) This section may not be construed to supersede  
11 any other state law, federal law, federal regulation, State  
12 Board of Education regulation or policy, or local board of  
13 education policy.

14 (f) Each local board of education shall provide a  
15 copy of this section to all teachers at the beginning of each  
16 school year. Each local board of education shall also post a  
17 copy of the rights provided in this section in a prominent  
18 place in every school and administrative building operated by  
19 the local board of education and provide a copy to parents or  
20 legal guardians of all children attending those schools in a  
21 form and manner approved by the local board of education. Each  
22 local board of education and every school under its  
23 jurisdiction that maintains an Internet website shall post a  
24 copy of this section on that website.

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

