

2024 Session Guidance



New Law: Student Discipline: Behavior Prevents Orderly Instruction

Act 400 of 2024 Louisiana Legislative Session

Amends sections of the Louisiana discipline law (La. R.S. 17:416) and amends the Teacher Bill of Rights (La. R.S. 17:418B)

Revised: July 18, 2024 (subject to revision)

What does the new law state?

“When a student’s behavior **prevents the orderly instruction of other students or poses an immediate threat to the safety or physical well-being of any student or teacher when a student violates the school’s code of conduct**, the teacher shall have the student immediately removed from his classroom and placed in the custody of the principal or his designee.” (The old law stated that the teach “may” have the student removed.) (Louisiana Revised Statute 17:416(A)(1)(c)(i))

This law gives teachers the right to remove students who prevent the orderly instruction of other students or who pose a threat to the teacher or other students.

Additionally, the new law states, “No principal or administrator shall prohibit or discourage a teacher from taking disciplinary action, recommending disciplinary action, or completing a form to initiate disciplinary action against a student who violates school policy or who interferes with an orderly education process. No principal or administrator shall retaliate or take adverse employment action against a teacher for taking disciplinary action against a student. The provisions of this Item shall apply only if the disciplinary action that the teacher takes is in accordance with policy adopted by the public-school governing authority.”

Additionally, the new law requires, “Upon the third removal from the same classroom pursuant to this Subparagraph, the teacher and the principal shall discuss the disruptive behavior patterns of the student and the potentially appropriate disciplinary measure before the principal implements a disciplinary measure. **In addition, a conference between the teacher or other appropriate school employee and the student’s parent or legal guardian is required prior to the student being readmitted to that same classroom.** Such conference may be in person or by telephone or other virtual means. If such conference is required by the school, the school shall give written notice to the parent.” (The old law stated that a conference “may” be required prior to the student being readmitted after the third removal from the same classroom.) (Louisiana Revised Statute 17:416(A)(1)(c)(v))

This document provides staff and leaders with guidance to address member questions. It will be updated based on input from staff and locals about the new statute’s implementation. Please email Cynthia Posey at cposey@lft-aft.org to share your district’s interpretation and implementation of the law. It is vital that we track how school districts are implementing this law.

Why was this change in the law necessary?

LFT received complaints that principals at some schools discouraged and prohibited teachers from initiating disciplinary action against students. Students should have the right to learn, and teachers should have the right to teach and the right to remove students who prevent that from happening. Under the new law, teachers now have the power and authority to remove students who prevent the orderly instruction of other students or pose an immediate threat to the safety of students and educators.

What should our members do if they suffer retaliation?

File a grievance. Please contact the Federation for assistance and guidance. LFT is compiling information to ensure this law is enforced throughout the state.

What does LFT recommend?

First, we recommend that teachers utilize this law when serious disruption occurs or an immediate threat occurs. By “serious,” we mean a student who prevents you from teaching and prevents the other students from learning. We don’t recommend having a student removed, for example, simply because the student blurts out a funny comment or raises his voice to argue with another student. This law envisions serious misbehavior.

LFT has created a “Referral Form” to accompany the student to the office. A detachable portion will be retained as documentation for the teacher’s records. Please contact your LFT Field Representative or LFT Local for this form.