



Teachers' Bill of Rights Legislation in the South

Executive Summary

In recent years, several U.S. states have enacted or proposed a "Teacher's Bill of Rights" to affirm and protect educators' professional autonomy, safety, and working conditions. These laws vary significantly in scope and intent, from codifying classroom discipline authority to expanding due process protections and limiting administrative burdens. This memo provides an overview of these laws, identifies key policy themes, and highlights implications for education policy and workforce stability. In the South, only **Alabama, Florida, Louisiana, Tennessee, and Texas** have an explicit "Teachers' Bill of Rights" law with such rights cataloged within one measure or law. Still, other states in the South – along with nearly every other state in the country – do have various measures in law designed to empower educators to remove violent or disruptive students, which may serve similar purposes.

State	Discipline/Removal Authority	Legal/Liability Protections	Other Provisions
Alabama	- Teachers can exclude students for disorderly conduct, willfully disobeying, or using profane language. - Readmission requires the principal and teacher to agree on a disciplinary course.	- Immunity from civil/criminal liability for conforming actions, except for excessive force/malicious intent. - Reimbursement for reasonable legal expenses upon successful defense. - Includes an anti-retaliation clause.	A teacher is required to have an approved classroom management plan to use the exclusion right.
Florida	Teachers can direct classroom instruction, establish rules, and remove disruptive students for behavior management intervention.	- Immunity from civil/criminal liability for actions conforming to State Board of Education rules (except for excessive force or cruel/unusual punishment). - Reimbursement for reasonable legal expenses if charges arise out of assigned duties.	- Right to work may not be denied based on union membership or non-membership. - Right to continuing professional development.
Louisiana	Teachers can appropriately discipline students and remove persistently disruptive/defiant students to the principal.	Right to qualified immunity, a legal defense, and indemnification by the employing school board for actions in the performance of duties.	Right to a safe environment, professional judgment respected, non-burdensome paperwork, a qualified mentor, and collaboration time.



State	Discipline/Removal Authority	Legal/Liability Protections	Other Provisions
Tennessee	Teachers can defend themselves and students from physical violence/harm.	Right to receive benefits if absent due to injury from a physical assault or violent criminal act during employment.	- Right to review all instructional material or curriculum before use. - Right to be treated with civility and respect, and to have professional judgment respected. - Right not to use personal money to equip a classroom.
Texas	- Mandates teachers document disruptive behavior and attempt positive interventions before formal discipline. - Limits out-of-school suspensions (3 days) and in-school suspensions (10 days).	A district filing a civil action for student removal would not be subject to the readmission conference requirement.	- Permits judicial removal (court-ordered placement in an alternative setting for up to 60 days) if a threat assessment team deems a student a risk. - Addresses student discipline for open-enrollment charter schools.

Findings and Analysis

Alabama

During the 2024 session, lawmakers unanimously passed [Senate Bill 157](#) to establish its “teachers’ bill of rights” law, which focuses primarily on teacher authority regarding student discipline and legal protections for education employees.

Beginning with the 2024-2025 school year, a teacher may exclude a student from the classroom for the following conduct:

- Engaging in disorderly conduct – defined as intentionally disrupting, disturbing, or interfering with teaching, or disturbing the peace, order, or discipline at any school;
- Behaving in a manner that obstructs the teaching or learning process of others;
- Threatening, abusing, intimidating, or attempting to intimidate an education employee or another student;
- Willfully disobeying an education employee; and/or
- Using abusive or profane language directed at an education employee.

The measure also addressed exclusion and readmission procedures to protect educators and school staff better. For the initial exclusion, an excluded student is placed under the principal's or their designee's control. The excluding teacher must have followed their own approved classroom management plan. A student may be readmitted only after the principal provides the teacher with written certification of readmittance, specifying any disciplinary action taken. If disciplinary action is warranted, the principal must provide written and, if possible, telephonic notice of the action to the student's parent or guardian.

If a student is excluded two times in one semester and other reasonable means of discipline have been exhausted, readmittance requires all of the following:

- A conference between the principal, teacher, and, if possible, the parent/guardian to discuss the disruptive behavior;
- The teacher must be informed of the course of discipline in the future; and



- The parent/guardian must be informed of the course of discipline.

Additionally, if disruptive behavior persists after readmittance under the above procedure, the principal shall provide the maximum discipline offered by the student code of conduct, including transfer to an alternative school, upon the teacher's request. Students in grades six through 12 who are removed for certain conduct may not be readmitted to the referring teacher's classroom for at least the remainder of the school day. If a student in these grades is excluded for the remainder of the day a total of three times in one 30-day period, they shall receive in-school or out-of-school suspension, or may be recommended for alternative school placement, as determined by the principal.

Lastly, the bill addresses legal immunity, liability issues, appeals, and reporting procedures. Specifically, an education employee may not be held civilly or criminally liable for actions taken to address student behavior that could lead to exclusion, provided the actions conform with State Board of Education rules or local board policies. Exceptions include engaging in excessive force, acting willfully/maliciously, or violating the state or U.S. Constitution or state laws. The state's Educators' Liability Trust Fund (ELTF) may reimburse reasonable legal expenses for an education employee charged with civil or criminal actions arising out of their assigned duties, including if an employee successfully represents themselves. If the ELTF does not pay a claim, reimbursement may be made by the employing local board of education.

Each local board of education must also adopt a policy establishing an appeal process for a teacher to appeal to the local board in two scenarios:

- 1) If a principal refuses to allow a student to be excluded.
- 2) If a teacher believes the principal has prematurely ended the exclusion of a student

There is a rebuttable presumption that a teacher was taking necessary actions to restore or maintain the safety or instructional atmosphere of the classroom if they face legal action, disciplinary action, or professional sanctions based on their principal-approved classroom management plan. Additionally, the State Board of Education must adopt a model policy, and each local board must adopt a policy that meets the minimum requirements of this act.

Florida

As part of a series of educator-related bills in 2023, lawmakers enacted [House Bill 1035](#), which established a “teachers’ bill of rights.” The measure cataloged existing and new educator rights into a single statute section pursuant to legislative findings and study reports. Specifically, the law now reiterates that a teacher has a right to:

- Work regardless of union membership, pursuant to [s. 447.301, F.S.](#);
- Liability coverage pursuant to [s. 1012.75, F.S.](#);
- Reimbursement of specified legal services, pursuant to [s. 1012.26, F.S.](#);
- Be free from discrimination pursuant to [s. 1000.05, F.S.](#);
- Earn an educator certificate through multiple pathways pursuant to [s. 1012.56, F.S.](#);
- A continuing education pursuant to [ss. 1012.98](#) and [1012.26, F.S.](#);
- Control their classroom pursuant to [s. 1003.32, F.S.](#); and
- Receive student assessment data promptly pursuant to [s. 1008.25, F.S.](#).

The law reaffirmed that a teacher can direct classroom instruction per general law and SBE rules. It also established a new state-level administrative process to protect a teacher who is directed to violate such laws or regulations. The bill authorized a teacher to request that the Commissioner of Education appoint a specified special magistrate to determine the facts and render a recommended decision for resolution to the SBE within 30 days after receipt of the request. The SBE must approve or reject the special magistrate’s recommended decision at its next scheduled board meeting, and the school district must bear any costs of the special magistrate. It may withhold the superintendent's salary until the violation is corrected if the school district is found to be violating general law or SBE rules.



Under the new provisions, when a teacher sends a student to the principal's office for behavioral issues, the principal must determine whether the student violated the code of conduct. If a principal finds no violation occurred, he or she is prohibited from imposing disciplinary action on the student.

However, a principal who determines that a student's disruptive behavior, coupled with his or her overall disciplinary behavioral record, warrants more serious disciplinary action than the teacher recommended may impose a more serious disciplinary action. Additionally, a principal must inform the referring teacher of any disciplinary action, or lack thereof, if the situation so warrants. If a principal deviates from the teacher's recommended course of action, they must inform the teacher in writing of the basis for such a deviation from the recommendation.

Louisiana

The Pelican State was among the first in the country to implement a comprehensive teachers' rights law in 2003 ([La. R.S. 17:416.18](#)). The law confers several key rights upon teachers, which can be summarized into three main categories: disciplinary authority and classroom control, personal and legal protections, and professional support and workload.

In addressing disciplinary authority and classroom control, the law states that a teacher has the right to remove any persistently disruptive student from the classroom and place them in the custody of the principal or designee when the student's behavior prevents the orderly instruction of others or displays impudent/defiant behavior. Teachers also have the right to appropriately discipline students per state law and local school board regulations. Teachers also have the right to have their professional judgment and discretion respected by school and district administrators regarding any disciplinary action taken, as well as the right to communicate with and request the participation of parents in appropriate student disciplinary decisions.

The personal and legal protection sections address legal immunity, safe environment, and respectful workplaces. Specifically, it states that teachers have the right to teach free from the fear of frivolous lawsuits, which includes the right to qualified immunity and to a legal defense and indemnification (protection from financial loss) by the employing school board for actions taken within the scope of their employment duties. For environments, educators have the right to teach in a safe, secure, and orderly environment that is conducive to learning and free from recognized serious dangers or hazards.

Finally, regarding professional support and workload, the law allows teachers to complete only paperwork that is not excessively burdensome and that adheres to the law without overly cumbersome interpretations. They also have the right to be afforded time during the school day or week to collaborate with other teachers. For beginning educators, the law also provides the right to receive leadership and support, including the assignment of a qualified, experienced mentor. The law also mandates that no local school board establish policies preventing teachers from exercising these rights. Furthermore, school boards must provide a copy of this code section to all teachers at the beginning of each school year and post it prominently in every school and administrative building.

Subsequently, during the 2025 legislative session, lawmakers enacted [Senate Bill 178](#), which expanded upon the earlier law to create the "School Employee Bill of Rights." The bill consolidated existing protections and included rights such as working in a safe environment, protection from frivolous lawsuits, respect for professional judgment, involvement in student behavior management, and fair compensation, including extra pay for substitute teachers. The bill also prohibits school boards from creating policies that would prevent employees from exercising these rights and from retaliating against employees who do so.

Tennessee



The Volunteer State enacted its “Educators’ Bill of Rights” law in 2017 via [House Bill 174](#). Notably, the measure defined “educator” as any teacher, principal, supervisor, or other licensed individual employed at a public school. More limited than other states’ provisions, the law states that an educator has the right to:

- Be treated with civility and respect;
- Have their professional judgment and discretion respected;
- Report any errant, offensive, or abusive content or behavior of students to school officials or appropriate agencies;
- Provide students with a classroom and school in which the educators, students, the property of the educator and students, and peers will be safe;
- Defend themselves and their students from physical violence or physical harm pursuant to [Tenn. Code § 49-6-4008](#);
- Share information regarding a student's educational experience, health, or safety with the student's parent or legal guardian unless otherwise prohibited by state law or the federal Family Educational Rights and Privacy Act (FERPA) – [20 U.S.C. § 1232g](#);
- Review all instructional material or curriculum prior to those materials being utilized for instruction of students; and
- Not be required to use their money to equip a classroom appropriately.

Texas

Lawmakers enacted a “Teachers’ Bill of Rights” in 2025 through [House Bill 6](#). It authorizes the principal or other appropriate administrator of a school to suspend a student who engaged in conduct for which a student could be subject to an in-school or out-of-school suspension, as identified in the district’s student code of conduct. An out-of-school suspension could not exceed three school days, and an in-school suspension could not exceed 10 school days. For a student enrolled in a grade below third grade, the bill would establish that the student could only be placed in out-of-school suspension if, while on school property or while attending a school-sponsored or related activity, the student engaged in conduct that:

- threatened the immediate health and safety of other students; or
- resulted in repeated or significant disruption to the classroom, as determined by the campus administrator in agreement with the classroom teacher.

The bill removes conduct that contains the elements of a violent offense, such as assault or sexual assault, from the types of conduct that could lead to out-of-school suspension for a student in a grade below third grade.

On a student’s return to the classroom after removal, the teacher would be required to employ appropriate classroom management techniques that could reasonably be expected to improve the student’s behavior, and document the student’s behavior that the teacher determined either:

- repeatedly interfered with the teacher’s ability to communicate with the class or with the ability of the class to learn; or
- was so unruly, disruptive, or abusive that it seriously interfered with the teacher’s ability to communicate with the class or with the class's ability to learn.

The bill also removes the requirement that conduct resulting in a student’s expulsion must occur on school property or while attending a school-sponsored or related activity on or off school property.

The bill authorizes a school district to place an expelled student in a virtual or in-person disciplinary alternative education program or a juvenile justice alternative education program. The bill also would authorize the board of



trustees of a school district or the board's designee to place a student expelled for a felony offense in a virtual or in-person disciplinary alternative education program.

For a juvenile court in a county that operated a juvenile justice alternative education program, the bill would authorize the court to order an expelled student to attend a school district's virtual disciplinary alternative education program if:

- the district had established such a virtual education program; and
- the county's juvenile justice alternative education program had no available positions for the grade level of the expelled student.

Additionally, the bill authorizes a school district's board of trustees or the board's designee to place an expelled student in a virtual disciplinary alternative education program established by the district and provide virtual instruction and instructional materials for remote learning to the student. A student in such a program must be counted toward the district's average daily attendance for Foundation School Program funding purposes. The education commissioner would be required to adopt necessary rules, including rules providing a method of taking attendance for students placed in such programs.

It also removes the requirement for a student to be removed from class for possessing, using, selling, giving, or delivering to another person an e-cigarette. The bill would amend the list of offenses for off-campus conduct for which a student would be required to be removed from class and placed in a disciplinary alternative education program to include, if the student received deferred prosecution for such conduct:

- deadly conduct;
- disorderly conduct involving a firearm; and
- unlawfully carrying weapons, except for an offense punishable as a Class C misdemeanor (maximum fine of \$500).

If a special education student were the subject of a threat assessment, the team conducting the evaluation would be required to include at least one of the following professionals who had specific knowledge of the student's disability and the disability's manifestations:

- a special education teacher assigned to the student;
- a licensed behavior analyst;
- a licensed clinical or licensed master social worker; or
- a licensed specialist in school psychology.

If, pursuant to a threat assessment conducted on a special education student, the school district in which the student was enrolled determined that the student's continued placement in the student's current educational setting was substantially likely to result in physical harm to the student or another person, the district could file a civil action for injunctive relief in a district court to authorize the district to immediately remove the student from the current educational setting and place the student in an alternative education setting. The district requesting injunctive relief would be required to show that:

- the district had made reasonable efforts to maintain the student's current educational setting and minimize the likelihood of physical harm to the student or another person; and
- despite the district's efforts, maintaining the student's current educational setting was substantially likely to harm the student or another person physically.

By the fifth calendar day after the date a school district filed a civil action, the district court would be required to determine whether the school district had provided sufficient evidence to satisfy the requirements above, and, if so, could order the school district to remove the student from the student's current educational setting and place the student in an alternative educational setting for no more than 60 instructional days. In making the determination, the



court must consider the threat assessment results, any recommendations or findings made by the student's admission, review, dismissal (ARD) committee or team if the student has a disability, and any other relevant information.

On the expiration of an order to remove a special education student, the school district could file another civil action to extend the student's alternative educational setting placement if the district determined, pursuant to an additional threat assessment, that the student's return to the previous educational setting was substantially likely to result in physical harm to the student or another person. The bill requires a school district to ensure that a student with a disability placed in an alternative educational setting continues receiving all required educational services. A school district that had filed a civil action for the removal of a student would not be subject to the requirements to schedule a conference, following the removal of a student from class, between certain administrators, the student's parent or guardian, the student's teacher, and the student.

It also amends provisions on student discipline at open-enrollment charter schools. The bill prohibits discrimination in admission policy based on a student's discipline history. It allows a charter to provide for the exclusion of a student who was currently:

- placed in a disciplinary alternative education program or juvenile justice alternative education program; or
- subject to an order of expulsion from a school district or charter school.

The bill removes the authorization for a charter to exclude students with a documented history of a criminal offense, a juvenile court adjudication, or specific discipline problems.

Lastly, the measure also authorizes a charter to provide for the exclusion of a student from a charter school campus that includes a child-care facility based on the student's conviction for a criminal offense that would preclude the student from being admitted to a school district campus that consists of a child-care facility.