



**House Education Policy Reported Substitute for  
SB157**

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A BILL  
TO BE ENTITLED  
AN ACT

Relating to public education employees; to authorize a teacher to exclude students from the classroom in certain circumstances; to authorize the placement of an excluded student under the control of a principal; to provide procedures relating to the return of an excluded student to the classroom; to authorize a school principal to suspend or recommend for alternative school a student who is excluded from the classroom three times in one month in certain circumstances; to require each local board of education to adopt a process for a teacher to appeal a principal's decision relating to a student's return to the classroom; to provide immunity to education employees for civil and criminal actions related to the performance of their duties; to authorize, and in certain circumstances, require, the Educators' Liability Trust Fund reimburse certain expenses for certain legal fees incurred by education employees; to require the Educators' Liability Trust Fund to provide an annual report; to create a rebuttable presumption that teachers take necessary actions relating to classroom maintenance; and to require the State Board of Education to adopt a model policy and each local board of education to adopt a policy.



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29 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

30 Section 1. This act shall be known and may be cited as  
31 the Teachers' Bill of Rights.

32 Section 2. For the purposes of this act, the following  
33 terms have the following meanings:

34 (1) DISORDERLY CONDUCT. Any conduct that intentionally:

35 (i) disrupts, disturbs, or interferes with the teaching of  
36 students; or (ii) disturbs the peace, order, or discipline at  
37 any school.

38 (2) EDUCATION EMPLOYEE. Any of the following  
39 individuals:

40 a. A certified or noncertified employee of the State  
41 Department of Education or any local board of education.

42 b. An employee of the Alabama Institute for Deaf and  
43 Blind.

44 c. An employee of the Alabama School of Fine Arts.

45  
46 d. An employee of the Alabama School of Mathematics and  
47 Science.

48 e. An employee of the Alabama School of Cyber  
49 Technology and Engineering.

50 f. An employee of a public charter school.

51 (3) PRINCIPAL. The principal, assistant principal, vice  
52 principal, or administrative head of a school, or his or her  
53 designee.

54 (4) SCHOOL. A public K-12 school.

55 (5) TEACHER. A professional educator who has a direct  
56 instructional or counseling relationship with students and who



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57 spends the majority of his or her time in this capacity.

58 Section 3. (a) Beginning with the 2024-2025 school  
59 year, a teacher may exclude from his or her classroom any  
60 student who does any of the following:

61 (1) Engages in disorderly conduct.

62 (2) Behaves in a manner that obstructs the teaching or  
63 learning process of others in the classroom.

64 (3) Threatens, abuses, intimidates, or attempts to  
65 intimidate an education employee or another student.

66 (4) Willfully disobeys an education employee.

67 (5) Uses abusive or profane language directed at an  
68 education employee.

69 (b) (1) Any student excluded from the classroom pursuant  
70 to subsection (a) shall be placed under the control of the  
71 school principal or his or her designee, provided that the  
72 excluding teacher has followed his or her own approved  
73 classroom management plan. The excluded student may be  
74 readmitted to the classroom only after the principal, or his  
75 or her designee, provides written certification to the  
76 classroom teacher that the student may be readmitted and  
77 specifies the type of disciplinary action, if any, that was  
78 taken.

79 (2) If the principal, or his or her designee, finds  
80 that disciplinary action is warranted, he or she shall provide  
81 written and, if possible, telephonic notice of the action to  
82 the student's parent or guardian.

83 (c) If a student is excluded from the classroom  
84 pursuant to subsection (a) two times in one semester and all



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85 other reasonable means of classroom discipline have been  
86 exhausted, the student may be readmitted to the classroom only  
87 if all of the following are satisfied:

88 (1) The principal, teacher, and, if possible, the  
89 student's parent or guardian have held a conference to discuss  
90 the student's disruptive behavior patterns.

91 (2) The principal informs the teacher of any course of  
92 discipline for the student going forward.

93 (3) The student's parent or guardian has been informed  
94 of the course of discipline.

95 (d) Following a student's readmittance to the classroom  
96 pursuant to subsection (c), if the student's disruptive  
97 behavior persists, upon the teacher's request, the principal  
98 shall mete out the maximum discipline provided for by the  
99 student code of conduct for the infraction, including, but not  
100 limited to, transfer to an alternative school that is approved  
101 by the local superintendent of education.

102 (e) (1) If the student removed from the classroom  
103 pursuant to subsection (a) is in grades six through 12 and is  
104 removed for his or her disorderly conduct, interference with  
105 an orderly educational process, or obstruction of the teaching  
106 or learning process of others in the classroom, the student  
107 may not be readmitted to the referring teacher's classroom for  
108 at least the remainder of the school day. The principal must  
109 communicate with the teacher regarding the student before he  
110 or she may be readmitted to the classroom.

111 (2) A student who is excluded for the remainder of a  
112 school day pursuant to this subsection for a total of three



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113 times in one 30-day period shall receive, as determined by the  
114 principal, in-school or out-of-school suspension, or may be  
115 recommended for placement in an alternative school, if one is  
116 available within the school district.

117 (f) Beginning with the 2024-2025 school year, each  
118 local board of education shall adopt a policy establishing an  
119 appeal process that allows a teacher to appeal to the local  
120 board of education in both of the following scenarios:

121 (1) If a principal refuses to allow a student to be  
122 excluded from the classroom pursuant to this section.

123 (2) If a teacher believes the school principal has  
124 prematurely ended the exclusion of a student from the  
125 classroom pursuant to this section.

126 Section 4. (a) An education employee may not be held  
127 civilly or criminally liable for his or her actions while  
128 addressing student behavior that could lead to exclusion  
129 pursuant to Section 3, if those actions are carried out in  
130 conformity with rules of the State Board of Education or  
131 policies of the local board of education where he or she is  
132 employed, except in the following cases:

133 (1) The education employee engages in excessive force  
134 or cruel and unusual punishment.

135 (2) The education employee acts willfully, maliciously,  
136 fraudulently, in bad faith, beyond his or her authority, or  
137 under a mistaken interpretation of the law.

138 (3) The education employee violates the United States  
139 Constitution, the Constitution of Alabama of 2022, or the laws  
140 of this state.



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141 (b) (1) The Educators' Liability Trust Fund may  
142 reimburse reasonable expenses for legal services for an  
143 education employee if he or she is charged with civil or  
144 criminal actions arising out of and in the course of the  
145 performance of his or her assigned duties and responsibilities  
146 under this act.

147 (2) No later than the first legislative day of each  
148 regular session of the Legislature, the Educators' Liability  
149 Trust Fund shall provide a report detailing expenditures made  
150 during the preceding year pursuant to this act, including a  
151 breakdown of expenditures by employing school district, to the  
152 State Superintendent of Education, the Chair of the House of  
153 Representatives Ways and Means Education Committee, and the  
154 Chair of the Senate Finance and Taxation Education Committee.

155 (c) (1) If an education employee charged with civil or  
156 criminal actions arising out of and in the course of the  
157 performance of his or her assigned duties and responsibilities  
158 under this act successfully defends himself or herself, the  
159 Educators' Liability Trust Fund shall provide for  
160 reimbursement of reasonable expenses for his or her legal  
161 services.

162 (2) If the Educators' Liability Trust Fund is unable to  
163 pay a claim for reimbursement pursuant to this subsection,  
164 reimbursement may be made by the employing local board of  
165 education.

166 (d) (1) In cases in which a teacher faces legal action,  
167 disciplinary action, or professional sanctions for an action  
168 taken based on his or her classroom management plan that was



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169 approved by the school principal, there is a rebuttable  
170 presumption that the teacher was taking necessary actions to  
171 restore or maintain the safety or instructional atmosphere of  
172 his or her classroom.

173 (2) Principals shall review and act upon classroom  
174 management plans promptly. Each classroom management plan  
175 shall be approved by the principal before the tenth day of  
176 instruction for students during each academic year.

177 (e) This section shall not be construed to eliminate,  
178 alter, or otherwise modify any other immunity regarding  
179 officers, employees, or agents of the state established under  
180 the Constitution of Alabama of 2022, and the laws of this  
181 state.

182 (f) A teacher may not be reprimanded or otherwise be  
183 subjected to disciplinary action by his or her principal, a  
184 local board of education, or the State Board of Education for  
185 any action taken pursuant to this act if his or her actions  
186 are found to be legal and in conformance with the policy of  
187 the local board of education or the State Board of Education.

188 Section 5. Beginning with the 2024-2025 school year,  
189 the State Board of Education shall adopt a model policy that  
190 reflects the requirements of this act. Each local board of  
191 education may adopt and implement the model policy, or may  
192 adopt and implement another policy, provided that each local  
193 board of education shall adopt policies that meet the minimum  
194 requirements of this act.

195 Section 6. (a) Nothing in this act shall be construed  
196 to infringe on any right provided to a student pursuant to the



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197 Individuals with Disabilities Education Act (IDEA), the Family  
198 Educational Rights and Privacy Act (FERPA), Section 504 of the  
199 Rehabilitation Act of 1973, or the Americans with Disabilities  
200 Act of 1990, provided that student information related to this  
201 act shall be included as necessary into any and all  
202 Individualized Education Plans (IEPs), behavioral intervention  
203 plans, and other similar documents.

204 (b) Principals and other relevant administrators shall  
205 carry out this act in a manner that complies with the laws  
206 listed in subsection (a), including, but not limited to: (i)  
207 promptly carrying out manifestation determinations after  
208 misconduct; (ii) meting out discipline in accordance with the  
209 student code of conduct where misconduct is not determined to  
210 be a manifestation of disability; (iii) performing functional  
211 behavior assessments and adjusting behavior intervention plans  
212 as needed in a timely manner; and (iv) performing any other  
213 duties and responsibilities provided by those laws.

214 Section 7. This act shall become effective on June 1,  
215 2024.