

2018 Regular Session

HOUSE RESOLUTION NO. 170

BY REPRESENTATIVE SMITH

CHILDREN/ABUSE: Requests the State Bd. of Elementary and Secondary Education to require public school governing authorities to adopt policies to address sexual abuse by children in schools

A RESOLUTION

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To urge and request the State Board of Elementary and Secondary Education to require each public school governing authority to develop and adopt a policy to address instances of sexual abuse by children in schools and to submit a written report to the House Committee on Education by not later than December 1, 2018, on the status of the development and adoption of such policies.

WHEREAS, the State Board of Elementary and Secondary Education is constitutionally and statutorily responsible for the supervision and control of the public elementary and secondary schools and special schools placed under its jurisdiction; and

WHEREAS, in exercising such control and responsibility, it is incumbent upon the state board to ensure that the public schools are operated in a manner that provides a safe and secure environment that is conducive to student learning; and

WHEREAS, the legislature recognizes and acknowledges that the safety and well-being of all students is of the highest importance; and

WHEREAS, all students, including those enrolled in traditional public schools, charter schools, and special schools, have the right to attend schools that provide safe, secure, and orderly learning environments that foster academic achievement and that enable students to go to school without fearing for their safety; and

WHEREAS, student-on-student sexual abuse is a difficult reality that must be addressed; and

1           WHEREAS, according to the Associated Press, student-on-student sexual assault  
2 threatens thousands of children each year in elementary, middle, and high schools across the  
3 country; and

4           WHEREAS, relying on state education records and federal crime data, the Associated  
5 Press conducted a year-long investigation and uncovered roughly seventeen thousand official  
6 reports of sexual assaults by students over a four-year period; and

7           WHEREAS, although that figure represents the most complete tally yet of sexual  
8 assaults among the nation's fifty million K-12 students, it does not fully capture the problem  
9 because such instances of abuse are greatly under-reported and some states do not track  
10 them; and

11           WHEREAS, while the trauma for the victim is the same as if it had happened by an  
12 adult, child sexual abuse by another child often goes unreported for fear of what it will do  
13 to the child to have the abuse made public or because it is dismissed by an adult as "kids just  
14 being kids"; and

15           WHEREAS, students who are victims of sexual abuse at school need appropriate care  
16 to avoid the lifelong trauma that so many survivors of sexual abuse experience; and

17           WHEREAS, the student offenders also need proper care and may also be victims of  
18 abuse themselves; and

19           WHEREAS, in recognizing and acknowledging that the safety and well-being of our  
20 students is of the highest importance, it is imperative that the state board and the public  
21 school governing authorities fulfill their duty and responsibility to ensure that all students  
22 are provided with a safe and secure learning environment in schools so they can feel  
23 protected and are able to learn and succeed.

24           THEREFORE, BE IT RESOLVED that the House of Representatives of the  
25 Legislature of Louisiana does hereby urge and request the State Board of Elementary and  
26 Secondary Education to require each public school governing authority to develop and adopt  
27 a policy to address instances of sexual abuse by children in schools and to submit a written  
28 report to the House Committee on Education by not later than December 1, 2018, on the  
29 status of the development and adoption of such policies.

1 BE IT FURTHER RESOLVED that the State Board of Elementary and Secondary  
2 Education, in consultation with the Baton Rouge Child Advocacy Center, is requested to  
3 provide guidance for use by the public school governing authorities in developing the  
4 policies, and such guidance shall include but not be limited to the following information:

5 (1) Age and grade appropriate procedures for recognizing, reporting, and addressing  
6 instances of student-on-student sexual abuse.

7 (2) Procedures for counseling to be provided to students who are victims of such  
8 abuse and their families.

9 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
10 president of the State Board of Elementary and Secondary Education, the executive director  
11 of the Baton Rouge Child Advocacy Center, and the state superintendent of education who  
12 shall disseminate a copy to each public school governing authority including charter schools  
13 and the state's special schools.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HR 170 Original

2018 Regular Session

Smith

Requests the State Bd. of Elementary and Secondary Education to require each public school governing authority (including traditional public schools, charter schools, and special schools) to develop and adopt a policy to address instances of sexual abuse by children in schools and to submit a written report to the House education committee by Dec. 1, 2018, on the status of the development and adoption of such policies. Further requests the state board, in consultation with the Baton Rouge Child Advocacy Center, to provide guidance for use by the public school governing authorities in developing the policies and to include information regarding procedures for recognizing, reporting, and addressing instances of student-on-student sexual abuse and for counseling for students who are victims of such abuse and their families.