

2018 Regular Session

HOUSE RESOLUTION NO. 170

BY REPRESENTATIVE SMITH

A RESOLUTION

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

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

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

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

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

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

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

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

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby 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.

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

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

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

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES