

## SENATE SUMMARY OF HOUSE AMENDMENTS

SB 358

2022 Regular Session

Jackson

**KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

SCHOOLS. Provides relative to acts of bullying. (gov sig)

**SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL**

1. Reinstates present law relative to prerequisite for parental relief.
2. Provide for the school governing authority to investigate reports of bullying instead of DOE.
3. Require school governing authorities to annually report to DOE on findings of failures to report bullying and length of suspension for the employee and for DOE to report to BESE on information received.
4. Remove pattern of excluding from activities from definition of "bullying".

**DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE**

SB 358 Reengrossed

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Present law requires the governing authority of each public elementary and secondary school to adopt a student code of conduct that prohibits bullying. Defines bullying and provides processes for reporting, investigating, and handling reports of bullying.

Proposed law requires all elementary and secondary schools to institute a program to prohibit and prevent bullying. Proposed law further requires the program to:

- (1) Define bullying.
- (2) Ensure each student, parent or legal guardian of a student, school administrator, teacher, school employee, and volunteer is aware of their duties and responsibilities relative to preventing and stopping bullying.
- (3) Provide a process for reporting and investigating alleged incidents of bullying.
- (4) Provide for appropriate discipline of a student found guilty of bullying.
- (5) Provide for appropriate remedies for a student found to have been bullied.
- (6) Provide for a process to investigate and report persons for failure to act.

Proposed law requires BESE to adopt rules to require all approved nonpublic schools to implement policies to prohibit bullying.

Proposed law requires the school governing authority to investigate any report of any teacher, counselor, bus operator, administrator, or other school employee, whether full- or part-time, who witnesses bullying or receives a firsthand report of bullying from a student and who fails to report such incident to the appropriate school administrator. Further requires the governing authority to suspend the individual who failed to report an incident without pay. Provides that the length of the suspension shall be based on the severity of the bullying incident.

Proposed law requires the school governing authority to investigate any report of a school administrator or official who has failed to notify a parent or legal guardian of a report of bullying, timely investigate a report of bullying, take prompt and appropriate disciplinary action against a student that was determined to have engaged in bullying, or report criminal conduct to the appropriate law enforcement official. Further requires the governing

authority to suspend the individual who failed to report an incident without pay. Provides that the length of the suspension shall be based on the severity of the bullying incident.

Proposed law requires the school governing authority to report each finding of a failure to report and the length of suspension issued to each employee who failed to report to DOE by August 1<sup>st</sup> and for DOE to report information received to BESE by September 1<sup>st</sup>.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:416(A)(1)(b)(ii) (intro. para.) and (c)(ii)(dd), (2)(a), and (A)(4)(intro. para.), (b), and (c), 416.13, 416.20(A), and 3996(B)(32); Adds R.S. 17:416.14)

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Dawn Romero Watson  
Executive Director