

2023 Regular Session

SENATE BILL NO. 207

BY SENATOR MILLIGAN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS. Creates the School Safety Act of 2023. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:416.16(A), (B), (C)(1) , (D), (E), (F), (H), and (I), and R.S.

3 29:726.5 and to enact R.S. 17:416.16(G)(4) and (5) and R.S. 29:726.5.1, relative to

4 school safety; to provide relative to school crisis management and response plans;

5 to provide for additional safety drills; to require bleeding control kits in each school;

6 to provide for training of designated employees on traumatic injury response; to

7 provide relative to liability for rendering aid; to require rules relative to training and

8 bleeding control kits; to provide relative to the duties and membership of the

9 Louisiana Commission on School and Nonprofit Security; to provide for the

10 Louisiana Center for Safe Schools; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 17:416.16(A), (B), (C)(1), (D), (E), (F), (H), and (I) are hereby

13 amended and reenacted and R.S. 17:416.16(G)(4) and (5) are hereby enacted to read as

14 follows:

15 §416.16. School crisis management and response plans

16 A.(1) For the purposes of this Section, a **the following terms shall have the**

17 **following meanings:**

1 ~~(a)~~ **"crisis Crisis management and response plan" means shall mean** a plan
2 to address school safety and the incidence of a shooting or other violence at schools,
3 on school buses, and at school-related activities; to respond effectively to ~~such~~ **any**
4 incidents; and to ensure that every student, teacher, and school employee has access
5 to a safe, secure, and orderly school that is conducive to learning. ~~Such plans~~ **The**
6 plan shall also address the management of any other emergency situation.

7 **(b) "District threat assessment team" shall mean a team established by**
8 **each governing authority of public elementary and secondary schools. The team**
9 **shall include the local school superintendent; the principal of each school; a**
10 **person with responsibility over the school facilities; a mental health professional**
11 **employed by the governing authority, or, if the governing authority has no such**
12 **employee, a mental health professional selected by the local school**
13 **superintendent; any school resource officer employed by the governing**
14 **authority; any Junior Reserve Officer Training Corps instructor employed by**
15 **the governing authority; and the emergency preparedness and recovery point**
16 **of contact.**

17 **(c) "Emergency preparedness and recovery point of contact" shall mean**
18 **a person selected by the local school superintendent to serve as a point of**
19 **contact with local and state officials and the media in the event of an emergency.**

20 **(d) "Local superintendent" shall mean the chief executive officer of the**
21 **school or other employee holding an equivalent position.**

22 (2)~~(a)~~ A school crisis management and response plan shall be prepared by
23 each public school principal jointly with local law enforcement, fire, public safety,
24 and emergency preparedness officials. **The plan shall seek to utilize resources and**
25 **information available through the Louisiana Commission on School and**
26 **Nonprofit Security, R.S. 29:726.5 et seq.**

27 **(b)** In preparing ~~or revising~~ the plan, the principal ~~and such officials shall~~
28 ~~consider and include, if appropriate,~~ **shall consult with the district threat**
29 **assessment team. The principal and the threat assessment team shall determine**

1 **whether to consider** input from students enrolled in the school and their parents,
2 teachers at the school, other school employees, and community leaders.

3 (3) The plan, which shall focus on preventing the loss of life and the injury
4 of students and teachers and other school employees, shall detail the roles and
5 responsibilities of each school employee and **of each local and state public safety**
6 **and emergency preparedness office. The plan shall include** the relevant
7 coordination agreements, services, and security measures of a school ~~and~~.

8 **(4) The plan shall provide for an all-hazards approach response plan for**
9 **emergency events including any event with a hostage, an active shooter, or a**
10 **building lock-down.**

11 **(5) The plan shall** provide for ~~parental~~ **the** notification **of parents, faculty,**
12 **staff, and local public safety officials** in the event of a shooting or other violent
13 incident or emergency situation.

14 ~~(4)(6)~~ The plan ~~may~~ **shall** provide for the counseling of students by mental
15 health professionals in the event of a shooting or other violent incident or emergency
16 situation, encouraging peer helper programs, and identifying students who may have
17 experienced rejection or other traumatic life events.

18 B.(1) Each public school principal, jointly with local law enforcement, fire,
19 public safety, and emergency preparedness officials, shall review the plan at least
20 once annually and shall revise the plan as necessary. ~~In reviewing and revising the~~
21 ~~plan, the principal and such officials shall consider and include input, if appropriate,~~
22 ~~from students enrolled in the school and their parents, teachers at the school, other~~
23 ~~school employees, and community leaders.~~ Each principal shall submit ~~such~~ **the** plan
24 in writing to the local school superintendent for approval at least once annually,
25 including upon each revision.

26 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, when
27 conducting the annual review of the crisis management and response plan for a high
28 school, the school principal shall seek and consider input from the students enrolled
29 in the school who shall be represented by either the president of the senior class or

1 the president of the student council and at least one other responsible student selected
2 by the principal.

3 (3) The **local school** superintendent shall make an annual report to the public
4 school governing authority on the status of the plan of each school under the
5 governing authority's jurisdiction **and shall submit a copy of the report to the state**
6 **Department of Education and the Center for Safe Schools provided for in R.S.**
7 **29:276.5.1.**

8 C.(1) Within the first thirty days of each school year, each public school
9 principal shall conduct a safety drill to rehearse the components of the plan,
10 **including an active shooter scenario. In addition, each school year, each**
11 **principal shall conduct at least one additional drill during high traffic or**
12 **transition points in the school day.** Not later than seven days after ~~the~~ **each** drill,
13 the principal shall submit a written report summarizing the details of the drill to the
14 local **school** superintendent. The superintendent ~~may~~ **shall** comment on the drill to
15 the principal, who ~~may~~ **shall** consider ~~such~~ **the** comments in revising the plan.

16 * * *

17 D. Each plan shall provide that ~~classroom:~~

18 **(1) Classroom** doors with locks ~~that are~~ **shall be** in compliance with all fire
19 safety standards promulgated by the office of state fire marshal code enforcement
20 and building safety of the Department of Public Safety and Corrections **and** shall
21 remain locked during instructional time. Each plan shall provide that a locked door
22 shall not obstruct egress.

23 **(2)(a) Bleeding control kits shall be placed in easily accessible locations**
24 **in each school.**

25 **(b) The principal shall designate employees to be trained in the proper**
26 **use of a bleeding control kit and in traumatic injury response.**

27 E. ~~If a school has a resource officer as authorized in R.S. 17:416.19 or a~~
28 ~~Junior Reserve Officer Training Corps instructor, he shall join the principal and local~~
29 ~~law enforcement, fire, public safety, and emergency preparedness officials in~~

1 ~~preparing the plan and participate in any review or revision of the plan.~~ **A person**
 2 **acting in good faith who administers aid for a traumatic injury, including**
 3 **through the use of a bleeding control kit, shall be immune from criminal and**
 4 **civil liability for the administration, unless personal injury results from the**
 5 **gross negligence or willful or wanton misconduct in the administration of aid.**

6 F. Each school year, each public school principal shall be responsible for
 7 providing in-service training, which may be incorporated into a meeting or training
 8 session held for another purpose, for all teachers and school employees pertaining
 9 to the plan and ~~may~~ **shall** involve local law enforcement, fire, public safety, and
 10 emergency preparedness officials in the preparation and presentation of the training.

11 **The training shall include an active shooter exercise. The training shall be**
 12 **reported to the local school superintendent and the state Department of**
 13 **Education.**

14 G. Each public school principal shall keep a copy of the approved plan in his
 15 office and shall provide a copy to the following individuals, each of whom shall be
 16 responsible for keeping in his respective office a copy of the plan that is readily
 17 accessible in the event of a school shooting or other violent incident or emergency
 18 situation:

19 * * *

20 **(4) The state Department of Education.**

21 **(5) The Center for Safe Schools within the Governor's Office of**
 22 **Homeland Security and Emergency Preparedness.**

23 H. ~~For the purposes of this Section, for a charter school, the "local~~
 24 ~~superintendent" shall mean the chief executive officer of the school or other~~
 25 ~~employee holding an equivalent position.~~

26 ~~†(1) The governing authority of each public elementary and secondary school~~
 27 ~~may adopt rules and regulations as it deems necessary to provide for the~~
 28 ~~implementation of the provisions of this Section.~~

29 (2) The State Board of Elementary and Secondary Education, in consultation

1 with the Nonpublic School Commission, shall adopt rules and regulations requiring
 2 the governing authorities of nonpublic schools to address school safety. These rules
 3 and regulations shall address management and response in the event of a shooting
 4 or other violent incident on school campuses, school buses, and at school-related
 5 activities and shall provide for a safe, secure, and orderly school that is conducive
 6 to learning for every student, teacher, and school employee. These rules and
 7 regulations may also address management and response in the event of any other
 8 emergency situation.

9 **I.(1) The state Department of Education shall review national awareness**
 10 **campaigns relative to the response to traumatic injuries and develop and offer**
 11 **annual training, or provide updated links to training, on the response to**
 12 **traumatic injuries and the proper use of a bleeding control kit.**

13 **(2) The State Board of Elementary and Secondary Education shall**
 14 **develop rules relative to bleeding control kits that specify the minimum items**
 15 **to be included in a kit, when a kit shall be inspected and restocked, and how**
 16 **often designated employees shall be trained.**

17 * * *

18 Section 2. R.S. 29:726.5 is hereby amended and reenacted and R.S. 29:726.5.1 is
 19 hereby enacted to read as follows:

20 §726.5. Louisiana Commission on School and Nonprofit Security

21 A. The Louisiana Commission on School and Nonprofit Security, ~~hereinafter~~
 22 referred to **in this Section** as the "commission", is hereby established within
 23 GOHSEP to study and make recommendations on the security needs of schools and
 24 nonprofit organizations that are at high risk of terrorist attacks in Louisiana,
 25 including recommendations on the establishment, administration, and funding of a
 26 grant program for eligible entities to apply for security grants covering security
 27 personnel, security training, facility hardening, and other necessary security
 28 measures.

29 B. The commission shall be comprised of the following members:

- 1 (1) The director of GOHSEP; or his designee.
- 2 (2) The chair of the House Select Committee on Homeland Security or his
3 designee.
- 4 (3) The chair of the Senate Select Committee on Homeland Security or his
5 designee.
- 6 (4) The superintendent of state police or his designee.
- 7 (5) The executive director of the Louisiana Sheriffs' Association or his
8 designee with expertise in terrorist attacks.
- 9 (6) The executive director of the Louisiana Interchurch Conference or his
10 designee.
- 11 (7) The superintendent of the Department of Education or his designee.
- 12 **(8) The executive director of the Louisiana Commission on Law**
13 **Enforcement or his designee.**
- 14 **(9) The executive director of the Louisiana School Boards Association or**
15 **his designee.**
- 16 **(10) The executive director of the Louisiana Association of School**
17 **Superintendents or his designee.**
- 18 **(11) The executive director of the Louisiana Association of Public**
19 **Charter Schools or his designee.**
- 20 **(12) The chair of the Nonpublic School Commission or his designee.**
- 21 **(13) A director of a homeland security and emergency preparedness**
22 **office in a rural area, appointed by the director of GOHSEP.**
- 23 **(14) A director of a homeland security and emergency preparedness**
24 **office in a large metropolitan area, appointed by the director of GOHSEP.**
- 25 **(15) The executive director of the Louisiana Association of Chiefs of**
26 **Police or his designee.**
- 27 **(16) The president of the Louisiana Chapter of the National Emergency**
28 **Number Association or his designee.**
- 29 **(17) The state fire marshal or his designee.**

1 **(18) The secretary of the state Department of Health or his designee.**

2 **(19) The secretary of the state Department of Child and Family Services**
3 **or his designee.**

4 **(20) The chairman of the Senate Committee on Education or his**
5 **designee.**

6 **(21) The chairman of the House Committee on Education or his designee.**

7 **(22) One teacher selected by the Louisiana Association of Educators.**

8 **(23) One teacher selected by the Louisiana Federation of Teachers.**

9 **(24) One member of the Legislative Youth Advisory Council selected by**
10 **majority vote of the council.**

11 C.(1) Members of the commission shall serve without compensation. Travel
12 expenses, per diem, and other expenses may be paid by the member's employer or
13 appointing authority.

14 (2) The commission shall fix a time and place for its meetings and shall meet
15 at least quarterly. Additional meetings may be held upon the call of the chairman. All
16 meetings of the commission shall be held in compliance with the Open Meetings
17 Law.

18 (3) A majority of the total commission members shall constitute a quorum
19 and any official action taken by the commission shall require an affirmative vote of
20 a majority of the members present and voting.

21 (4) The commission shall elect a chair by a majority vote of the members.

22 D. The commission shall issue a report to the Governor's Office of Homeland
23 Security and Emergency Preparedness, the Senate Select Committee on Homeland
24 Security, and the House Select Committee on Homeland Security of its findings and
25 recommendations with respect to the security status and needs of schools and
26 nonprofit organizations ~~that are at high risk of terrorist attacks in Louisiana.~~ The
27 report shall be issued annually and at such other times as deemed necessary by the
28 commission or GOHSEP.

29 **E. The commission shall provide oversight of the Louisiana Center for**

1 Safe Schools. The commission shall annually report to the governor on the
2 activities of the center and any identified needs of the center.

3 F. The commission shall provide recommendations to the legislature
4 relative to legislative changes for increasing school safety.

5 G. GOHSEP shall adopt rules pursuant to the Administrative Procedure
6 Act for the implementation and administration of the activities of the
7 commission and the center with oversight by the Senate Committee on
8 Education and the House Committee on Education.

9 §726.5.1. Louisiana Center for Safe Schools; creation, duties

10 A. The Louisiana Center for Safe Schools, referred to in this Section as
11 the "center", shall be established within GOHSEP.

12 B. The center shall:

13 (1) Identify and prioritize resources available to improve the safety of
14 Louisiana's schools.

15 (2) Facilitate the collection and dissemination of information on school
16 safety, school safety vulnerabilities, school safety needs, training standards, best
17 practices, and available funding programs.

18 (3) Develop, in consultation with the State Board of Elementary and
19 Secondary Education, a statewide comprehensive school safety framework that
20 includes a statewide behavioral threat assessment model and trauma-informed
21 student support.

22 (4) Assist schools in developing and revising their school crisis and
23 management response plans required pursuant to R.S. 17:416.16.

24 (5) Coordinate with the state Department of Education to ensure schools
25 are aware of the resources of the center and that school safety rules are
26 incorporating best practices.

27 (6) Provide training and technical assistance to schools and school
28 governing authorities on school safety issues such as emergency operations
29 planning, emergency drills, behavioral threat assessment, facility security,

1 information technology, digital privacy, vulnerability assessments, and hazard
2 mitigation.

3 (7) Facilitate consistent and comprehensive information sharing between
4 schools, communities, and governmental agencies to promote safety and
5 resiliency.

6 (8) Identify and offer training for school resource officers pursuant to
7 R.S. 17:416.19.

8 C. The center shall provide an annual report to the governor, the State
9 Board of Elementary and Secondary Education, the Senate Committee on
10 Education, and the House Committee on Education regarding the status of
11 school safety in Louisiana, the work of the center, and resources identified to
12 increase school safety.

13 D. No later than December 1, 2023, the center shall provide a statewide:

14 (1) Panic emergency notification system.

15 (2) Anonymous reporting system.

16 (a) The anonymous reporting system shall include a memorandum of
17 understanding that provides for the proper usage of the information reported.

18 (b) The system shall allow for the reporting of threats of violence toward
19 any student or other person or any school or facility through a phone
20 application and an internet website.

21 (c) Aggregate data without personally identifiable information shall be
22 provided to the center relative to anonymous reports received through the
23 system.

24 (3) No later than April 1, 2024, each city, state, or other local school
25 board shall implement the use of the panic emergency notification system and
26 the anonymous reporting system or other systems of equal or exceeding
27 capability. No later than May 1, 2024, each local school board shall report the
28 systems implemented to the State Board of Elementary and Secondary
29 Education and the center.

1 Section 3. This Act shall be known as the "School Safety Act of 2023".

2 Section 4. This Act shall become effective upon signature by the governor or, if not
3 signed by the governor, upon expiration of the time for bills to become law without signature
4 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
5 vetoed by the governor and subsequently approved by the legislature, this Act shall become
6 effective on the day following such approval.

The original instrument was prepared by Cheryl Serrett. The following digest, which does not constitute a part of the legislative instrument, was prepared by LG Sullivan.

	DIGEST	
SB 207 Engrossed	2023 Regular Session	Milligan

Present law provides for each school to have a school crisis management and response plan. Requires an annual safety drill at the beginning of each school year and provides for items to be addressed in each plan.

Proposed law provides additional definitions, requires at least one additional safety drill to be conducted during high traffic or transition points during the school day, and provides additional items to be included in the plan. Further, requires a district threat assessment team to be created and provides for the team to have input into the creation and revision of the plan.

Proposed law provides for bleeding control kits to be placed in easily accessible locations within each school and for the principal to designate employees to be trained on the use of bleeding control kits and traumatic injury response. Further provides immunity from criminal and civil liability for the administration of aid to a traumatic injury, unless personal injury results from the gross negligence or willful or wanton misconduct in the administration of aid.

Present law provides for each public school principal to provide in-service training relative to the crisis management and response plan.

Proposed law requires the in-service training to include an active shooter scenario and to be reported to the local superintendent and the Louisiana Department of Education (LDOE).

Present law requires a copy of the plan to be provided to certain agencies.

Proposed law retains present law and requires a copy of the plan to be provided to the LDOE and the Center for Safe Schools.

Proposed law requires LDOE to review national awareness campaigns relative to response to traumatic injuries and use of a bleeding control kit and develop and offer annual training, or provide updated links to training, on response to traumatic injuries and use of a bleeding control kit.

Proposed law provides for the State Board of Elementary and Secondary Education to develop rules relative to bleeding control kits, including the minimum items required in a kit, the inspection and restocking of a kit, and how often designated employees shall be trained.

Present law provides for the Louisiana Commission on School and Nonprofit Safety within the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP).

Proposed law adds members and duties to the commission.

Proposed law establishes the Center for Safe Schools within GOHSEP, for which the commission shall provide oversight. Further provides that GOHSEP shall adopt regulations and rules for the commission and the center pursuant to the Administrative Procedure Act and provides oversight of those rules to legislative committees on education.

Proposed law provides for the duties of the center and annual reporting requirements.

Proposed law requires the center to develop, by December 1, 2023, a statewide panic emergency notification system and an anonymous reporting system. Further requires each public school board to implement the use of a panic emergency notification system and anonymous reporting system by April 1, 2024, and report the systems implemented to BESE and the Center by May 1, 2024.

Proposed law provides the law shall be known as "The School Safety Act of 2023".

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

(Amends R.S. 17:416.16(A), (B), (C)(1), (D), (E), (F), (H), and (I) and R.S. 29:726.5; adds R.S. 17:416.16(G)(4) and (5) and R.S. 29:726.5.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Add five members to the commission.