

Regular Session, 2013

HOUSE BILL NO. 718 (Substitute for House Bill No. 79 by Representative Hensgens)

BY REPRESENTATIVES HENSGENS, COX, HUNTER, JEFFERSON, PRICE,
REYNOLDS, RICHARD, SMITH, AND ST. GERMAIN

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

1 AN ACT

2 To amend and reenact R.S. 17:416.16 and to enact R.S. 17:3996(B)(33), relative to school
3 crisis management and response plans; to provide relative to the preparation, content,
4 rehearsal, review, revision, approval, and provision of copies of such plans; to
5 provide relative to training; to provide relative to rules and regulations with respect
6 to public and nonpublic schools; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:416.16 is hereby amended and reenacted and R.S. 17:3996(B)(33)
9 is hereby enacted to read as follows:

10 §416.16. School crisis management and response plans

11 A.(1) For the purposes of this Section, a "crisis management and response
12 plan" means a plan to address school safety and the incidence of a shooting or other
13 violence at schools, on school buses, and at school-related activities; to respond
14 effectively to such incidents; and to ensure that every student, teacher, and school
15 employee has access to a safe, secure, and orderly school that is conducive to
16 learning. Such plans shall also address the management of any other emergency
17 situation.

18 (2) A school crisis management and response plan shall be prepared by each
19 public school principal jointly with local law enforcement, fire, public safety, and
20 emergency preparedness officials. ~~in accordance with guidelines adopted pursuant~~
21 ~~to school board policy.~~ In preparing the plan, the principal and such officials shall
22 consider and include, ~~where~~ if appropriate, input from students enrolled in the school
23 and their parents, teachers at the school, other school employees, and community

1 ~~leaders, local law enforcement, and fire, public safety, and emergency preparedness~~
2 ~~officials.~~

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 the relevant coordination agreements,
6 services, and security measures of a school in the event of a shooting or other violent
7 incident or emergency situation.

8 (4) The plan may ~~include provision~~ provide for the counseling of students
9 by mental health professionals in the event of a shooting or other violent incident or
10 emergency situation, encouraging peer helper programs, and identifying students
11 who may have experienced rejection or other traumatic life events.

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

20 (2) ~~Not later than January 1, 2002, each city, parish, and other local public~~
21 ~~school board shall have approved a crisis management and response plan for each~~
22 ~~public school under its jurisdiction. The superintendent shall make an annual report~~
23 ~~to the public school governing authority on the status of the plan of each school~~
24 ~~under the governing authority's jurisdiction.~~

25 C. ~~Each school crisis management and response plan shall be reviewed by~~
26 ~~the public school annually and revised as necessary. Any revised school plan shall~~
27 ~~be resubmitted to the school board for review and approval of the revisions. (1)~~
28 Within the first thirty days of each school year, each public school principal shall
29 conduct a safety drill to rehearse the components of the plan. Not later than seven
30 days after the drill, the principal shall submit a written report summarizing the details

1 of the drill to the local superintendent. The superintendent may comment on the drill
2 to the principal, who may consider such comments in revising the plan.

3 (2) Each public school principal shall notify all teachers and other school
4 employees regarding revisions made to the plan.

5 D. Each plan shall provide that classroom doors with locks that are in
6 compliance with all fire safety standards promulgated by the office of state fire
7 marshal code enforcement and building safety of the Department of Public Safety
8 and Corrections shall remain locked during instructional time. Each plan shall
9 provide that a locked door shall not obstruct egress.

10 E. If a school has a resource officer as authorized in R.S. 17:416.19 or a
11 Junior Reserve Officer Training Corps instructor, he shall join the principal and local
12 law enforcement, fire, public safety, and emergency preparedness officials in
13 preparing the plan and participate in any review or revision of the plan.

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

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

24 (1) The president of the local school board.

25 (2) The local school superintendent.

26 (3) The chief of police of the municipality or the sheriff of the parish where
27 the school is located, as applicable, as well as the local fire chief whose office is in
28 closest geographic proximity to the school.

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

4 I.(1) The governing authority of each public elementary and secondary
 5 school may adopt rules and regulations as it deems necessary to provide for the
 6 implementation of the provisions of this Section.

7 (2) The State Board of Elementary and Secondary Education, in consultation
 8 with the Nonpublic School Commission, shall adopt rules and regulations requiring
 9 the governing authorities of nonpublic schools to address school safety. These rules
 10 and regulations shall address management and response in the event of a shooting
 11 or other violent incident on school campuses, school buses, and at school-related
 12 activities and shall provide for a safe, secure, and orderly school that is conducive
 13 to learning for every student, teacher, and school employee. These rules and
 14 regulations may also address management and response in the event of any other
 15 emergency situation.

16 J. In accordance with R.S. 44:3.1, school crisis management and response
 17 plans shall not be subject to the Public Records Law.

18 * * *

19 §3996. Charter schools; exemptions; requirements

20 * * *

21 B. Notwithstanding any state law, rule, or regulation to the contrary and
 22 except as may be otherwise specifically provided for in an approved charter, a
 23 charter school established and operated in accordance with the provisions of this
 24 Chapter and its approved charter and the school's officers and employees shall be
 25 exempt from all statutory mandates or other statutory requirements that are
 26 applicable to public schools and to public school officers and employees except for
 27 the following laws otherwise applicable to public schools with the same grades:

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(33) School crisis management and response plans, R.S. 17:416.16.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____