

Regular Session, 2014

HOUSE BILL NO. 758

BY REPRESENTATIVE NORTON

CHILDREN: Creates the Bullying Awareness and Treatment Task Force

1 AN ACT

2 To enact Chapter 12 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 28:801 through 806, and R.S. 36:259(A), relative to bullying; to create the
4 Louisiana Bullying Awareness and Treatment Task Force within the Department of
5 Health and Hospitals; to provide for legislative purpose; to provide for membership,
6 compensation, meetings, and domicile of the task force; to provide for powers and
7 duties of the task force; to require an annual report to the legislature; to require
8 cooperation by other state entities; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Chapter 12 of Title 28 of the Louisiana Revised Statutes of 1950,
11 comprised of R.S. 28:801 through 806, is hereby enacted to read as follows:

12 CHAPTER 12. BULLYING AWARENESS AND TREATMENT TASK FORCE

13 §801. Short title

14 This Chapter shall be known and may be cited as the "Louisiana Bullying
15 Awareness and Treatment Act".

16 §802. Declaration of purpose

17 A. The legislature hereby recognizes all of the following:

18 (1) The children and youths of Louisiana represent the hope and future of
19 Louisiana.

20 (2) It is imperative to protect and assist the children and youths of Louisiana
21 if this state is to move forward and realize its potential in the future.

1 (3) Creating safe, healthy, and supportive environments with collaborative
2 services is a necessary foundation for improving outcomes for all children.

3 (4) Bullying is aggressive behavior that is intentional and that involves an
4 imbalance of power or strength.

5 (5) It is imperative to intervene with youths involved in bullying to provide
6 psychological supports and address concerns that place youths at risk for bullying or
7 bullying victimization.

8 (6) Mental health professionals have important roles in helping to change the
9 behavior of youths who bully others.

10 (7) Once a youth is able to recognize problems with the bullying behavior,
11 mental health professionals can help the youth set and work toward goals for
12 change, help the youth track progress toward new behaviors, and feel pride about
13 those changes.

14 (8) For some youths, bullying and other forms of social aggression are more
15 related to impulsiveness and poor social skills than to an effort to control others. For
16 these youths, cognitive-behavioral interventions to improve impulse control and
17 structured social skills training may also be helpful.

18 B. The legislature declares, therefore, that it is the purpose of this Chapter
19 to create the Louisiana Bullying Awareness and Treatment Task Force, to develop
20 a comprehensive, coordinated plan to address the mental health needs of youths who
21 are victims of bullying as well as youths who are involved in bullying, and to provide
22 needed guidance to carry out the goals the task force recommends.

23 §803. Task force; creation; appointments of members; terms; officers;
24 compensation; meetings; domicile

25 A. The Louisiana Bullying Awareness and Treatment Task Force, hereafter
26 referred to as the "task force", is hereby created within the Department of Health and
27 Hospitals.

28 B. The task force shall consist of the following members:

29 (1) The secretary of the Department of Health and Hospitals or his designee.

1 (2) The secretary of the Department of Children and Family Services or his
2 designee.

3 (3) The executive director of the Louisiana chapter of the National
4 Association of Social Workers or his designee.

5 (4) The president of the Louisiana Counseling Association or his designee.

6 (5) The president of the Louisiana Association for Behavioral Health or his
7 designee.

8 (6) The president of the Louisiana School Counselor Association or his
9 designee.

10 (7) An education practitioner who has experience addressing the issue of
11 bullying, designated by the state superintendent of education.

12 (8) Four parents or other members of the public who have demonstrated a
13 commitment to addressing the issue of bullying, designated pursuant to Subsection
14 C of this Section.

15 (9) Two elected members of the Louisiana House of Representatives
16 appointed by the speaker of the House of Representatives.

17 (10) Two elected members of the Louisiana Senate appointed by the
18 president of the Senate.

19 C. Each of the elected members of the Louisiana House of Representatives
20 appointed by the speaker of the House of Representatives pursuant to Paragraph
21 (B)(9) of this Section and the elected members of the Louisiana Senate appointed by
22 the president of the Senate pursuant to Paragraph (B)(10) of this Section shall
23 designate one of the parents or other members of the public provided for in
24 Paragraph (B)(8) of this Section.

25 D. The secretary of the Department of Health and Hospitals, or his designee,
26 shall serve as chairman of the committee.

27 E. Members of the task force shall serve three-year terms. Each member of
28 the task force shall hold office until the appointment and qualification of a successor.

29 Whenever a vacancy occurs in a position, the vacancy shall be filled in the same

1 manner and under the same terms and conditions as required for the original
2 appointment.

3 F. The task force shall convene for its first meeting no later than October 1,
4 2014. At the first meeting of the task force, the members shall elect a vice chairman
5 and other officers as they may deem appropriate.

6 G. All legislative members of the commission shall receive the same per
7 diem and travel allowance for attending meetings of the task force or any meeting
8 thereof as is normally provided for members of the legislature.

9 H. Except as provided in Subsection F of this Section, members of the task
10 force shall receive no compensation for their services and shall serve at no expense
11 to the state.

12 I. The task force shall be domiciled in Baton Rouge but may hold public
13 meetings elsewhere in the state.

14 J. The task force shall meet every sixty days at such times and at places as
15 it may designate. The task force may also hold additional meetings upon the call of
16 the chairman or at the request of at least three members of the task force. A majority
17 of the task force shall constitute a quorum for the transaction of business. All
18 official actions of the task force shall require the affirmative vote of a majority of the
19 members.

20 §804. Powers and duties

21 A. The task force shall make a thorough study of the feasibility and
22 practicality of providing counseling and other treatment services to youths who are
23 victims of bullying as well as youths who are involved in bullying. It may render
24 objective, fiscally feasible recommendations to the legislature for the implementation
25 of policies that could be adopted by the state of Louisiana.

26 B.(1) With respect to youths who bully, the task force shall consider mental
27 health treatment solutions which will accomplish but shall not be limited to the
28 following:

29 (a) Help the youth who bullies fully acknowledge the behavior.

1 (b) Emphasize that the youth had other options, no matter what the
2 provocation, and that the youth is fully responsible for the decision made.

3 (c) Confront excuses by the youth that minimize the behavior or externalize
4 the cause of the bullying behavior.

5 (d) Support parents and educators in holding these youths fully accountable
6 for their actions and not suggesting or allowing rationalizations.

7 (e) Once the youth is able to recognize problems with the bullying behavior,
8 help the youth set and work toward goals for change, including focusing on helping
9 to discover the specific positive goals that the aggression is directed toward and
10 finding other pathways to reach those goals, track progress toward new behaviors,
11 and feel pride about those changes.

12 (f) Help adults in the youth's family and environment recognize and affirm
13 the gradual progress the youth makes toward new, nonaggressive behaviors.

14 (2) With respect to youths who are the victims of bullying, the task force
15 shall consider mental health treatment solutions which will address issues, including
16 but not limited to all of the following:

17 (a) Social isolation.

18 (b) Decreased academic performance.

19 (c) Anxiety.

20 (d) Depression.

21 (e) Low self-esteem or lack of self-confidence.

22 (f) Suicidal thoughts.

23 C. The task force may receive and expend funds appropriated or otherwise
24 made available by the legislature or from any other source, including donations or
25 gifts of money or services from public or private organizations or from any other
26 sources, to be utilized for the purposes of the Chapter.

1 §805. Report

2 The task force shall submit a report of its findings and recommendations,
3 including proposed legislation if necessary, on an annual basis to the legislature not
4 later than sixty days prior to the commencement of the regular legislative session.

5 §806. Cooperation by other state entities

6 A. All departments, commissions, boards, agencies, officers, and institutions
7 of the state and all subdivisions thereof shall cooperate with the task force in
8 carrying out the powers and purposes of this Chapter.

9 B. The Department of Health and Hospitals and the Department of Children
10 and Family Services shall assist the task force in determining the availability of
11 funding sources to carry out the purposes of this Chapter.

12 Section 2. R.S. 36:259(A) is hereby enacted to read as follows:

13 §259. Transfer of agencies and functions to Department of Health and Hospitals

14 A. The Louisiana Bullying Awareness and Treatment Task Force (R.S.
15 28:801 et seq.) is placed within the Department of Health and Hospitals and shall
16 exercise and perform its powers, duties, functions, and responsibilities in the manner
17 provided for agencies transferred in accordance with the provisions of R.S. 36:801.

18 * * *

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)]

Norton HB No. 758

Abstract: Creates the La. Bullying Awareness and Treatment Task Force within the Dept. of Health and Hospitals.

Proposed law shall be known and may be cited as the "La. Bullying Awareness and Treatment Act".

The purpose of proposed law is to create the La. Bullying Awareness and Treatment Task Force (task force), to develop a comprehensive, coordinated plan to address the mental health needs of youths who are victims of bullying as well as youths who are involved in bullying, and to provide needed guidance to carry out the goals the task force shall recommend.

Proposed law provides that the task force shall consist of the following members:

- (1) The secretary of the Dept. of Health and Hospitals (DHH) or his designee.
- (2) The secretary of the Dept. of Children and Family Services (DCFS) or his designee.
- (3) The executive director of the La. chapter of the National Association of Social Workers or his designee.
- (4) The president of the La. Counseling Association or his designee.
- (5) The president of the La. Association for Behavioral Health or his designee.
- (6) The president of the La. School Counselor Association or his designee.
- (7) An education practitioner who has experience addressing the issue of bullying, designated by the state superintendent of education.
- (8) Four parents or other members of the public who have demonstrated a commitment to addressing the issue of bullying.
- (9) Two elected members of the La. House of Representatives appointed by the speaker of the House of Representatives.
- (10) Two elected members of the La. Senate appointed by the president of the Senate.

Proposed law provides that each of the four elected members of the legislature serving on the task force shall designate one of the parents or other members of the public provided for in proposed law.

Proposed law provides that the secretary of DHH or his designee, shall serve as chairman of the committee.

Proposed law provides that members of the task force shall serve three-year terms and shall hold office until the appointment and qualification of a successor. Proposed law further provides that, whenever a vacancy occurs in a position, the vacancy shall be filled in the same manner and under the same terms and conditions as required for the original appointment.

Proposed law requires the task force to convene for its first meeting no later than Oct. 1, 2014. Proposed law further requires the members of the task force, at the first meeting, to elect a vice chairman and other officers as they may deem appropriate.

Proposed law authorizes legislative members of the commission to receive the same per diem and travel allowance for attending meetings of the task force or any meeting thereof as is normally provided for members of the legislature.

Proposed law provides that nonlegislative members of the task force shall receive no compensation for their services and shall serve at no expense to the state.

Proposed law provides that the task force shall be domiciled in Baton Rouge but may hold public meetings elsewhere in the state.

Proposed law requires the task force to meet every 60 days at such times and at places as it may designate. The task force may also hold additional meetings upon the call of the chairman or at the request of at least three members of the task force.

Proposed law requires a majority of the task force to constitute a quorum for the transaction of business. Proposed law further requires all official actions of the task force to require the affirmative vote of a majority of the members.

Proposed law requires the task force to make a thorough study of the feasibility and practicality of providing counseling and other treatment services to youths who are victims of bullying as well as youths who are involved in bullying. Proposed law authorizes the task force to render objective, fiscally feasible recommendations to the legislature for the implementation of policies that could be adopted by the state.

Proposed law requires the task force to consider mental health treatment solutions for youths who bully which will accomplish but shall not be limited to the following:

- (1) Help the youth who bullies fully acknowledge the behavior.
- (2) Emphasize that the youth had other options, no matter what the provocation, and that the youth is fully responsible for the decision made.
- (3) Confront excuses by the youth that minimize the behavior or externalize the cause of the bullying behavior.
- (4) Support parents and educators in holding these youths fully accountable for their actions and not suggesting or allowing rationalizations.
- (5) Once the youth is able to recognize problems with the bullying behavior, help the youth set and work toward goals for change, including focusing on helping to discover the specific positive goals that the aggression is directed toward and finding other pathways to reach those goals, track progress toward new behaviors, and feel pride about those changes.
- (6) Help adults in the youth's family and environment recognize and affirm the gradual progress the youth makes toward new, nonaggressive behaviors.

Proposed law requires the task force to consider mental health treatment solutions for youths who are victims of bullying to address issues, including but not limited to all of the following:

- (1) Social isolation.
- (2) Decreased academic performance.
- (3) Anxiety.
- (4) Depression.
- (5) Low self-esteem or lack of self-confidence.
- (6) Suicidal thoughts.

Proposed law authorizes the task force to receive and expend funds appropriated or otherwise made available by the legislature or from any other source, including donations or gifts of money or services from public or private organizations or from any other sources, to be utilized for the purposes of proposed law.

Proposed law requires the task force to submit a report of its findings and recommendations, including proposed legislation if necessary, on an annual basis to the legislature not later than 60 days prior to the commencement of the regular legislative session.

Proposed law requires all departments, commissions, boards, agencies, officers, and institutions of the state and all subdivisions thereof to cooperate with the task force in carrying out the powers and purposes of proposed law.

Proposed law requires DHH and the DCFS to assist the task force in determining the availability of funding sources to carry out the purposes of proposed law.

Proposed law places the La. Bullying Awareness and Treatment Task Force within DHH and authorizes the task force to exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of proposed law.

(Adds R.S. 28:801-806 and R.S. 36:259(A))