
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Nancy Vicknair.

DIGEST

Morrell (SB 370)

Present law requires the governing authority of each public elementary and secondary school to create a training program for school employees with respect to bullying. Requires such training to include how to identify students at each grade level who are most likely to become victims of bullying while not excluding any student from protection from bullying.

Proposed law retains present law and requires the department to provide school employees with annual data regarding bullying incidents specific to their school site.

Present law requires such training to include how to use appropriate intervention and remediation techniques and procedures.

Proposed law retains present law and requires the training to include how to implement an age and developmentally appropriate prevention curriculum, Internet safety and cyberbullying issues.

Present law requires school officials to notify a student's parent or legal guardian upon receiving a report of bullying.

Proposed law retains present law and authorizes a principal to use his discretion regarding such notification if he determines it may result in physical or emotional harm to a victim of bullying. Requires school officials to consider the age, health, well-being, safety, and privacy of any students involved in a bullying incident prior to notifying the parent or legal guardian of any student involved in such incident. Requires school officials to ensure the continued safety of the victim once an investigation has been concluded.

Proposed law requires the governing authority of each public elementary and secondary school to collect, if applicable, information about reported incidents of bullying and requires such information to be recorded by the school personnel submitting written reports of bullying. Requires the information collected to include:

- (1) Names of the victim, the bully, and any witness and reliable contact information for each.
- (2) Relevant information about the victim, the bully, and any witnesses including connection of the victim, the bully, and any witness to the incident.
- (3) The location and time of the incident, whether adult supervision was in place, and the names of school staff members who were witnesses to the incident, if applicable.
- (4) Any other relevant information required to be collected by state or federal education

authorities, including but not limited to the biennial United States Department of Education Civil Rights Data Collection survey.

Proposed law provides that beginning with the 2015-2016 school year and continuing annually thereafter, the department is required to publish reports including school- and district-level statistics regarding bullying incidents based on the data reported by the governing authority of each public elementary and secondary school pursuant to proposed law. Prohibits such published reports from including identifying information about students involved in a bullying incident in order to ensure confidentiality. Requires the data to be reported only in the aggregate.

Present law requires equal protection of all students without regard to the subject matter or the motivating animus of the bullying. Proposed law provides that no provision of proposed law be construed to prevent the collection and reporting of educationally relevant data regarding bullying incidents provided that such reporting does not violate the equal protection or privacy rights of students or school personnel.

Effective August 1, 2014.

(Amends R.S. 17:416.13(B), (D)(3)(d)(i) and (g), and (H))