HLS 18RS-3306

2018 Regular Session

HOUSE RESOLUTION NO. 170

BY REPRESENTATIVE SMITH

CHILDREN/ABUSE: Requests the State Bd. of Elementary and Secondary Education to require public school governing authorities to adopt policies to address sexual abuse by children in schools

1	A RESOLUTION
2	To urge and request the State Board of Elementary and Secondary Education to require each
3	public school governing authority to develop and adopt a policy to address instances
4	of sexual abuse by children in schools and to submit a written report to the House
5	Committee on Education by not later than December 1, 2018, on the status of the
6	development and adoption of such policies.
7	WHEREAS, the State Board of Elementary and Secondary Education is
8	constitutionally and statutorily responsible for the supervision and control of the public
9	elementary and secondary schools and special schools placed under its jurisdiction; and
10	WHEREAS, in exercising such control and responsibility, it is incumbent upon the
11	state board to ensure that the public schools are operated in a manner that provides a safe and
12	secure environment that is conducive to student learning; and
13	WHEREAS, the legislature recognizes and acknowledges that the safety and well-
14	being of all students is of the highest importance; and
15	WHEREAS, all students, including those enrolled in traditional public schools,
16	charter schools, and special schools, have the right to attend schools that provide safe,
17	secure, and orderly learning environments that foster academic achievement and that enable
18	students to go to school without fearing for their safety; and
19	WHEREAS, student-on-student sexual abuse is a difficult reality that must be
20	addressed; and

1 WHEREAS, according to the Associated Press, student-on-student sexual assault 2 threatens thousands of children each year in elementary, middle, and high schools across the 3 country; and 4 WHEREAS, relying on state education records and federal crime data, the Associated 5 Press conducted a year-long investigation and uncovered roughly seventeen thousand official 6 reports of sexual assaults by students over a four-year period; and 7 WHEREAS, although that figure represents the most complete tally yet of sexual 8 assaults among the nation's fifty million K-12 students, it does not fully capture the problem 9 because such instances of abuse are greatly under-reported and some states do not track 10 them; and 11 WHEREAS, while the trauma for the victim is the same as if it had happened by an 12 adult, child sexual abuse by another child often goes unreported for fear of what it will do 13 to the child to have the abuse made public or because it is dismissed by an adult as "kids just 14 being kids"; and 15 WHEREAS, students who are victims of sexual abuse at school need appropriate care 16 to avoid the lifelong trauma that so many survivors of sexual abuse experience; and 17 WHEREAS, the student offenders also need proper care and may also be victims of 18 abuse themselves; and 19 WHEREAS, in recognizing and acknowledging that the safety and well-being of our 20 students is of the highest importance, it is imperative that the state board and the public 21 school governing authorities fulfill their duty and responsibility to ensure that all students 22 are provided with a safe and secure learning environment in schools so they can feel 23 protected and are able to learn and succeed. 24 THEREFORE, BE IT RESOLVED that the House of Representatives of the 25 Legislature of Louisiana does hereby urge and request the State Board of Elementary and 26 Secondary Education to require each public school governing authority to develop and adopt 27 a policy to address instances of sexual abuse by children in schools and to submit a written 28 report to the House Committee on Education by not later than December 1, 2018, on the 29 status of the development and adoption of such policies.

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1	BE IT FURTHER RESOLVED that the State Board of Elementary and Secondary
2	Education, in consultation with the Baton Rouge Child Advocacy Center and Sexual Trauma
3	Awareness and Response (STAR), is requested to provide guidance for use by the public
4	school governing authorities in developing the policies, and such guidance shall include but
5	not be limited to the following information:
6	(1) Age and grade appropriate procedures for recognizing, reporting, and addressing
7	instances of student-on-student sexual abuse.
8	(2) Procedures for counseling to be provided to students who are victims of such
9	abuse and their families.
10	BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
11	president of the State Board of Elementary and Secondary Education, the executive director
12	of the Baton Rouge Child Advocacy Center, the president of STAR, and the state
13	superintendent of education who shall disseminate a copy to each public school governing
14	authority including charter schools and the state's special schools.
	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)]

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Requests the State Bd. of Elementary and Secondary Education to require each public school governing authority (including traditional public schools, charter schools, and special schools) to develop and adopt a policy to address instances of sexual abuse by children in schools and to submit a written report to the House education committee by Dec. 1, 2018, on the status of the development and adoption of such policies. Further requests the state board, in consultation with the Baton Rouge Child Advocacy Center and Sexual Trauma Awareness and Response (STAR), to provide guidance for use by the public school governing authorities in developing the policies and to include information regarding procedures for recognizing, reporting, and addressing instances of student-on-student sexual abuse and for counseling for students who are victims of such abuse and their families.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Education</u> to the <u>original</u> resolution:

1. Request the state board to also consult with STAR in providing guidance to public school governing authorities pursuant to the Resolution.