



1           WHEREAS, Louisiana law provides that any member of the teaching staff of a  
2 public school who is injured or disabled while acting in his official capacity as a result of  
3 assault or battery by any student or person shall receive sick leave without reduction in pay  
4 and without reduction in accrued sick leave days while disabled as a result of such assault  
5 or battery; in the definition of "teaching staff" for these purposes, the law limits the term to  
6 those employed by a city, parish, or other local public school board, which has caused some  
7 confusion relative to teachers at OJJ facilities who are injured or disabled on the job under  
8 these circumstances; and

9           WHEREAS, adding to this confusion is the fact that students in OJJ facilities are  
10 treated in many ways like students in public schools under the jurisdiction of public school  
11 boards; for example, school-age children in the custody of OJJ and any alternative school  
12 located in a secure care facility under OJJ's jurisdiction are included by the State Board of  
13 Elementary and Secondary Education (BESE) in the formula used to determine the cost of  
14 a minimum foundation program of education in all public elementary and secondary schools  
15 in the state; and

16           WHEREAS, there is a need for clarification as to under what circumstances teachers  
17 in OJJ facilities are treated like teachers in traditional public school settings and under what  
18 circumstances their treatment differs from teachers in such settings, particularly with respect  
19 to OJJ teachers who are injured or disabled on the job.

20           THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
21 urge and request the Department of Public Safety and Corrections to study laws and policies  
22 relative to benefits, including sick leave, for teachers at facilities under the jurisdiction of  
23 the office of juvenile justice who are injured or disabled as a result of assault or battery while  
24 acting in their official capacity and to submit a written report of its findings and conclusions,  
25 including any recommendations for related legislation, to the House Committee on the  
26 Administration of Criminal Justice and the Senate Committee on Judiciary C not later than  
27 sixty days prior to the beginning of the 2020 Regular Session of the Legislature.

28           BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
29 secretary of the Department of Public Safety and Corrections.

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**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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HCR 45 Engrossed

2019 Regular Session

Hoffmann

Requests that the Dept. of Public Safety and Corrections study laws and policies relative to benefits, including sick leave, for teachers at facilities under the jurisdiction of the office of juvenile justice who are injured or disabled as a result of assault or battery while acting in their official capacity and submit a written report of findings and conclusions, including any recommendations for related legislation, to the House Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary C not later than 60 days prior to the beginning of the 2020 R.S.