
 DIGEST

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SB 358 Reengrossed

2022 Regular Session

Jackson

Present law requires the governing authority of each public elementary and secondary school to adopt a student code of conduct that prohibits bullying. Defines bullying and provides processes for reporting, investigating, and handling reports of bullying.

Proposed law requires all elementary and secondary schools to institute a program to prohibit and prevent bullying. Proposed law further requires the program to:

- (1) Define bullying.
- (2) Ensure each student, parent or legal guardian of a student, school administrator, teacher, school employee, and volunteer is aware of their duties and responsibilities relative to preventing and stopping bullying.
- (3) Provide a process for reporting and investigating alleged incidents of bullying.
- (4) Provide for appropriate discipline of a student found guilty of bullying.
- (5) Provide for appropriate remedies for a student found to have been bullied.
- (6) Provide for a process to investigate and report persons for failure to act.

Proposed law requires BESE to adopt rules to require all approved nonpublic schools to implement policies to prohibit bullying.

Proposed law requires the state Department of Education (DOE) to investigate any report of any teacher, counselor, bus operator, administrator, or other school employee, whether full- or part-time, who witnesses bullying or receives a firsthand report of bullying from a student and who fails to report such incident to the appropriate school administrator. Further requires the governing authority to suspend the individual who failed to report an incident without pay. Provides that the length of the suspension shall be based on the severity of the bullying incident.

Proposed law requires DOE to investigate any report of a school administrator or official who has failed to notify a parent or legal guardian of a report of bullying, timely investigate a report of bullying, take prompt and appropriate disciplinary action against a student that was determined to have engaged in bullying, or report criminal conduct to the appropriate law enforcement official. Further requires the governing authority to suspend the individual who failed to report an incident without pay. Provides that the length of the suspension shall be based on the severity of the bullying incident.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:416(A)(1)(b)(ii) (intro. para.) and (c)(ii)(dd), (2)(a), and (A)(4)(intro. para.), (b), and (c), 416.13, 416.20(A), and 3996(B)(32); Adds R.S. 17:416.14)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Requires BESE to develop rules to ensure that approved nonpublic schools implement policies prohibiting bullying.

2. Provides relative to the crime of failure to report bullying.

Senate Floor Amendments to engrossed bill

1. Makes technical changes.
2. Removes crime for failing to report and instead provides that such individuals shall be suspended without pay.
3. Removes making faces from the definition of bullying.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the reengrossed bill:

1. Reinstate present law relative to prerequisite for parental relief.