

RÉSUMÉ DIGEST

ACT 697 (SB 358)

2022 Regular Session

Jackson

Prior law required the governing authority of each public elementary and secondary school to adopt a student code of conduct that prohibited bullying. Defined bullying and provided processes for reporting, investigating, and handling reports of bullying.

New law retains prior law and places the bullying provisions in a new section of law. Further requires all elementary and secondary schools, including nonpublic schools, to institute a program to prohibit and prevent bullying.

New 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.

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

New law requires the school governing authority 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.

New law requires the school governing authority 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.

New law requires the school governing authority to report each finding of a failure to report and the length of suspension issued to each employee who failed to report to the Louisiana Department of Education (DOE) by August 1st and for DOE to report information received to BESE by September 1st.

Effective June 18, 2022.

(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)