

Regular Session, 2013

HOUSE BILL NO. 659

BY REPRESENTATIVES THOMPSON, BROADWATER, HENRY BURNS,  
CARMODY, CARTER, JEFFERSON, AND NANCY LANDRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

EDUCATION: Provides relative to reporting, instructional, and other requirements for school employees, school governing authorities, and schools

1 AN ACT

2 To amend and reenact R.S. 17:17.1(A), 81(R)(1), 192.1(C), 235.1(B)(1), 263, 279(A),  
3 416.13(B)(2)(introductory paragraph) and (b)(introductory paragraph) and  
4 (D)(introductory paragraph) and (3)(introductory paragraph) and (d)(iii),  
5 416.18(A)(8), and 2112(A)(3), to enact R.S. 17:416.18(A)(10), and to repeal R.S.  
6 17:177 and 266, relative to certain requirements for school employees, school  
7 governing authorities, and schools; to provide relative to reporting requirements with  
8 respect to required physical activity in schools, the denial of meals to students, and  
9 student examinations with respect to sight, hearing, and dyslexia; to provide relative  
10 to instruction pertaining to the state's safe haven relinquishments law, adoption  
11 awareness, and parenthood education; to provide with respect to parent orientation;  
12 to provide relative to school employee training, parental notification, and  
13 interviewing students with respect to bullying; to provide relative to the teacher bill  
14 of rights; to repeal provisions pertaining to the Legislative Academic Achievement  
15 Award and instruction relative to kindness to dumb animals; and to provide for  
16 related matters.

17 Be it enacted by the Legislature of Louisiana:

18 Section 1. R.S. 17.17.1(A), 81(R)(1), 192.1(C), 235.1(B)(1), 263, 279(A),  
19 416.13(B)(2)(introductory paragraph) and (b)(introductory paragraph) and (D)(introductory

1 paragraph) and (3)(introductory paragraph) and (d)(iii), 416.18(A)(8), and 2112(A)(3) are  
2 hereby amended and reenacted and R.S. 17:416.18(A)(10) is hereby enacted to read as  
3 follows:

4 §17.1. Required physical activity in schools

5 A.(1) Each public school that includes any of the grades kindergarten  
6 through eight shall provide at least thirty minutes each school day of quality  
7 moderate to vigorous physical activity for students.

8 ~~(2) No later than September first of each year, each city, parish and other~~  
9 ~~public elementary school shall report to its school board on compliance with the~~  
10 ~~provisions of Paragraph (1) of this Subsection. The school board shall report to the~~  
11 ~~state board on such compliance no later than October first.~~

12 ~~(3)~~ Suitably adapted physical activity shall be included as part of the  
13 individual education plans for students with chronic health problems, other disabling  
14 conditions, or other special needs that preclude participation in regular physical  
15 activity.

16 \* \* \*

17 §81. General powers of local public school boards

18 \* \* \*

19 R.(1) Each city, parish, or other local public school board shall provide ~~each~~  
20 ~~school year~~ to high school students ~~enrolled in Health Education at least thirty~~  
21 ~~minutes of~~ age and grade appropriate classroom instruction relative to the state's safe  
22 haven relinquishments law, Children's Code Articles 1149 through 1160, which  
23 provides a mechanism whereby any parent may relinquish the care of an infant who  
24 is not more than thirty days old to the state in safety and anonymity and without fear  
25 of prosecution.

26 \* \* \*

27 §192.1. Meals; denial to students; procedures

28 \* \* \*





1 D. ~~Prior to January 1, 2013, the~~ The State Board of Elementary and  
2 Secondary Education, in collaboration with the state Department of Education, shall  
3 develop and adopt rules and regulations to implement the provisions of this Section  
4 relative to the procedures and processes to be used to report and investigate bullying  
5 and which shall include but not be limited to:

6 \* \* \*

7 (3) Investigation Procedure. ~~By not later than January 1, 2013, the~~ The State  
8 Board of Elementary and Secondary Education shall develop and adopt a procedure  
9 for the investigation of reports of bullying of a student by another student. The  
10 procedure shall include the following:

11 \* \* \*

12 (d)

13 \* \* \*

14 (iii) Before any student under the age of eighteen is interviewed, his parent  
15 or legal guardian shall be notified by the school official of the allegations made and  
16 shall have the opportunity to attend any interviews with ~~their~~ his child conducted as  
17 part of the investigation. If, after three attempts in a forty-eight-hour period, the  
18 parents or legal guardians of a student cannot be reached or do not respond, the  
19 student may be interviewed.

20 \* \* \*

21 §416.18. Teacher Bill of Rights

22 A. Respecting the authority of teachers is essential to creating an  
23 environment conducive to learning, effective instruction in the classroom, and proper  
24 administration of city, parish, and other local public schools. To maintain and  
25 protect that authority, it is important that teachers, administrators, parents, and  
26 students are fully informed of the various rights conferred upon teachers pursuant to  
27 this Section, which are:

28 \* \* \*

1 (8) A teacher has the right to ~~be free from~~ complete only paperwork that is  
2 not excessively burdensome disciplinary paperwork and that, if required by law or  
3 regulation, adheres to the law or regulation and does not result in overly cumbersome  
4 interpretations of that law or regulation.

5 \* \* \*

6 (10) A teacher has the right to be afforded time during the school day or  
7 week to collaborate with other teachers.

8 \* \* \*

9 §2112. Testing pupils' sight and hearing; testing for dyslexia; notice to parent or  
10 tutor; report to state superintendent

11 A.

12 \* \* \*

13 (3) The school board shall keep a record of such examination, shall be  
14 required to follow up on the deficiencies within sixty days, and shall notify in writing  
15 the parent or tutor of every pupil found to have any defect of sight or hearing. ~~A~~  
16 ~~written report of all such examinations shall be made to the state superintendent of~~  
17 ~~education but shall not be made available to the public.~~

18 \* \* \*

19 Section 2. R.S. 17:177 and 266 are hereby repealed in their entirety.

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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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Thompson

HB No. 659

**Abstract:** Provides relative to reporting, instructional, and other requirements for school employees, school governing authorities, and schools.

Reporting requirements

Required physical activity in schools

Present law requires certain public schools to provide daily physical activity for students. Requires each school to report to its school board, and each school board to report to the state board, annually relative to compliance with present law. Proposed law deletes this reporting requirement.

Examinations (sight, hearing, dyslexia)

Present law provides for student examinations relative to sight, hearing, and dyslexia. Requires school boards to submit a written report of all such examinations to the state superintendent. Proposed law deletes this reporting requirement.

Denial of meals to students

Present law provides procedures with respect to denying meals to students, including requiring documentation. Requires the governing authority of each public elementary school to report annually to the state superintendent and the House and Senate education committees relative to documented instances of such denials. Proposed law deletes this reporting requirement and instead requires that such documentation be provided upon request to the state superintendent, such committees, or the secretary of the Dept. of Children and Family Services.

Legislative Academic Achievement Award

Present law requires school boards to submit to the House Speaker and Senate President a list of high school students who have attained a certain grade point average so that certain students may receive the Legislative Academic Achievement Award. Requires recognition of an award recipient with a certificate and authorizes presentation of such certificate by area legislators at the recipient's school. Proposed law repeals present law.

InstructionSafe Haven law

Present law requires at least 30 minutes of instruction on the state's safe haven relinquishments law to be provided each school year to high school students enrolled in Health Education. Proposed law retains the requirement that this instruction be provided, broadens the applicability of the requirement to all high school students (not just those enrolled in such course), and deletes the requirements relative to the minimum number of minutes of instruction and that the instruction be provided each school year.

Adoption awareness

Present law, for public high schools, requires adoption awareness instruction in Health Education or any other course the State Bd. of Elementary and Secondary Education (BESE) deems appropriate, provided such course is a prerequisite for graduation. Present law requires such instruction for nonpublic high schools in a manner that is the sole discretion of the principal. Proposed law, for both public and nonpublic high schools, requires such instruction in a manner that is deemed appropriate by the principal and does not require that it be provided in any particular course.

Parenthood education

Present law requires that all public high schools offering home economics programs provide instruction in parenthood education for at least one semester in accordance with the course of study and materials prescribed by BESE. Proposed law removes the requirements relative to the minimum duration of instruction and that the course of study and materials be BESE-prescribed.

Kindness to dumb animals

Present law authorizes BESE to provide for the teaching of kindness to dumb animals in public schools. Proposed law deletes present law.

Parent orientation

Present law requires completion of a parent orientation program of least three hours by the parent of any child entering public school for the first time. Proposed law removes the requirement relative to the minimum duration of the program.

Bullying

Present law requires each public school governing authority to create a program to provide at least four hours of training each year for all school employees, including bus drivers, with respect to bullying. Proposed law applies a four-hour requirement only to new employees, provides an annual two-hour requirement for other school employees, and provides that only employees who have contact with students are subject to any such training requirements.

Present law requires that in an investigation of bullying, before a student under the age of 18 is interviewed, his parent or guardian shall be notified and have the opportunity to attend. Proposed law provides that the student may be interviewed after three failed attempts to reach the parents or guardians in a 48-hour period.

Teacher bill of rights

Present law provides for a teacher bill of rights, including the right to be free from excessively burdensome disciplinary paperwork. Proposed law modifies this right to grant teachers the right to complete only paperwork that is not excessively burdensome and that, if required by law or regulation, adheres to the law or regulation and does not result in overly cumbersome interpretations of that law or regulation; grants teachers the additional right to be afforded time during the school day or week to collaborate with other teachers.

(Amends R.S. 17:17.1(A), 81(R)(1), 192.1(C), 235.1(B)(1), 263, 279(A), 416.13(B)(2)(intro. para.) and (b)(intro. para.) and (D)(intro. para.) and (3)(intro. para.) and (d)(iii), 416.18(A)(8), and 2112(A)(3); Adds R.S. 17:416.18(A)(10); Repeals R.S. 17:177 and 266)