

Regular Session, 2013

HOUSE BILL NO. 368

BY REPRESENTATIVE NORTON

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

SCHOOLS: Provides relative to school crisis management and response plans and school resource officers

1 AN ACT

2 To amend and reenact R.S. 17:416.16(B) and (C) and 416.19(A) and to enact R.S.  
3 17:416.16(D), relative to school safety; to provide relative to school crisis  
4 management and response plans, including their preparation, content, rehearsal,  
5 review, revision, and approval; to provide relative to the authority of public and  
6 nonpublic schools to provide for school resource officers; to require that such school  
7 resource officers be armed; to provide for rules and regulations; and to provide for  
8 related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:416.16(B) and (C) and 416.19(A) are hereby amended and  
11 reenacted and R.S. 17:416.16(D) is hereby enacted to read as follows:

12 §416.16. School crisis management and response plans

13 \* \* \*

14 B.(†) Each public school principal shall review the plan at least once  
15 annually and shall revise it as necessary. In reviewing and revising the plan, the  
16 principal shall consider and include, if appropriate, input from students enrolled in  
17 the school and their parents, teachers at the school, other school employees,  
18 community leaders, and local law enforcement, fire, public safety, and emergency  
19 preparedness officials. Each school shall submit such plan in writing to its school  
20 board for review and approval at least once annually, including upon each revision.



## 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)]

Norton

HB No. 368

**Abstract:** Provides relative to the preparation, content, rehearsal, review, revision, and approval of school crisis management and response plans; requires school resource officers to be armed with a firearm authorized by a law enforcement agency at all times while serving on duty as a school resource officer.

School crisis management and response plans

Definition and content

Present law defines a "crisis management and response plan" as a plan to:

- (1) Address school safety and the incidence of violence, at schools, on school buses, and at school-related activities.
- (2) Respond effectively to such incidents.
- (3) Ensure that every student, teacher, and school employee has access to a safe, secure, and orderly school that is conducive to learning.

Further requires that plans also address the management of any other emergency situation and detail school employees' roles and responsibilities and coordination agreements, services, and security measures in the event of a violent incident or emergency situation; provides that plans may include provision for encouraging peer helper programs and identifying students who may have experienced rejection or other traumatic life events. Proposed law retains present law.

Plan preparation, review, revision, approval, and rehearsal

Present law requires each public school principal to prepare a plan in accordance with school board policy and to consider and include, if appropriate, input from students and their parents, teachers and other school employees, community leaders, and local law enforcement, fire, public safety, and emergency preparedness officials; requires each public school to review the plan annually and revise it as necessary.

Proposed law retains present law except specifically requires each principal to review the plan at least once annually and revise it as necessary and in such review and revision, as in initial plan preparation, to consider and include, if appropriate, input from such individuals and officials.

Present law requires each school to submit the plan and resubmit any revised plan to the local school board for approval. Proposed law instead requires the plan to be submitted to the board for review and approval at least once annually, including upon each revision.

Proposed law requires each public school to conduct a safety drill to rehearse the components of its plan at least twice per school year.

Rules and regulations

Proposed law requires school boards to adopt rules and regulations to provide for proposed law implementation.

School resource officers

Present law authorizes any city, parish, or other local public school system and any nonpublic school to make or enter into agreements with a local law enforcement agency to provide for school resource officers.

Proposed law authorizes each public school board and the governing authority of each nonpublic school to make every effort to make or enter into agreements to provide for such officers at each school under its jurisdiction for the duration of each school day. Further requires that a school resource officer be armed with a firearm authorized by a law enforcement agency at all times while serving on duty as a school resource officer.

Present law requires public school systems and nonpublic schools to ensure that any school resource officer provided by a local law enforcement agency is in compliance with the following provisions:

- (1) A school resource officer shall be a peace officer as defined in present law (R.S. 40:2402(3)):

A full-time employee of the state, a municipality, a sheriff, or other public agency, whose permanent duties actually include the making of arrests, the performing of searches and seizures, or the execution of criminal warrants, and is responsible for the prevention or detection of crime or for the enforcement of the penal, traffic, or highway laws of this state, but not including any elected or appointed head of a law enforcement department.

- (2) A school resource officer shall be certified by a nationally accredited school resource officer program or a state school resource officer training program certified by the Council on Peace Officer Standards and Training (POST).
- (3) POST shall review and approve any advanced, in-service, or specialized training for school resource officers as it deems advisable.

Proposed law retains present law.

(Amends R.S. 17:416.16(B) and (C) and 416.19(A); Adds 17:416.16(D))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original bill.

1. Deletes the proposed law provision requiring a public school board make or enter into agreements with a local law enforcement agency to provide for school resource officers and instead retains the authority granted in present law to do so.
2. Relative to the proposed law requirement that a school resources officer be armed with a firearm while on duty, provides that such firearm be authorized by rather than issued by a law enforcement agency.