

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.

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

1 §17.1. Required physical activity in schools

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

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

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

13 * * *

14 §81. General powers of local public school boards

15 * * *

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

23 * * *

24 §192.1. Meals; denial to students; procedures

25 * * *

26 C. If the governing authority of a public elementary school adopts a policy
27 of denying a scheduled meal to a child, the governing authority shall document each
28 instance that a child is denied a meal in the elementary school under its authority ~~and~~
29 ~~shall report annually to the state superintendent of education, to the House~~
30 ~~Committee on Education, and to the Senate Committee on Education relative to the~~

1 ~~number of instances of denials of meals to children during school hours, the reason~~
 2 ~~for the denial of meals to the child, the age and grade of each child so denied, and~~
 3 ~~whether the child qualifies for free or reduced price lunch programs. Such~~
 4 ~~documentation shall be provided upon request to the state superintendent of~~
 5 ~~education, the secretary of the Department of Children and Family Services, the~~
 6 ~~House Committee on Education, or the Senate Committee on Education.~~

* * *

8 §235.1. Parent orientation; mandatory for school entrance; city and parish school
 9 boards; guidelines; employer responsibilities

* * *

11 B. Each city and parish school board shall conduct a parent orientation
 12 course according to the following guidelines:

13 (1) The program ~~shall be not less than three hours in duration and shall be~~
 14 scheduled to accommodate the attendance of the parents or guardians without the
 15 loss of work.

* * *

17 §263. Adoption awareness; required instruction

18 A. ~~Adoption awareness shall be required instruction included in Health~~
 19 ~~Education or any other course determined by the State Board of Elementary and~~
 20 ~~Secondary Education to be more appropriate, provided it is a course the completion~~
 21 ~~of which is required pursuant to law or action of the state board for a student to~~
 22 ~~graduate from public high school.~~

23 B: Adoption awareness shall be required instruction for high school students
 24 in public and nonpublic secondary schools in a manner ~~that is the sole discretion of~~
 25 deemed appropriate by the nonpublic secondary school principal.

26 C: B. "Adoption awareness" as used in this Section means specific
 27 instruction on the benefits of adoption for families wishing to add a child, for
 28 potential adoptees, and for persons who are pregnant or who have a child for whom
 29 they are unable to care.

* * *

1 §279. Parenthood education; required course

2 A. All public high schools offering home economics programs shall provide
3 instruction in parenthood education. ~~Instruction shall be given for at least one~~
4 ~~semester in accordance with the course of study and materials prescribed by the State~~
5 ~~Board of Elementary and Secondary Education. Beginning with the 1996-1997~~
6 ~~school year, all~~ All other public high schools may provide instruction in parenthood
7 education.

8 * * *

9 §416.13. Student code of conduct; requirement; bullying; prohibition; notice;
10 reporting; accountability

11 * * *

12 B.

13 * * *

14 (2) ~~By not later than January 1, 2013, the~~ The governing authority of each
15 public elementary and secondary school shall:

16 * * *

17 (b) Create a program to provide a minimum of four hours of training for new
18 employees who have contact with students and two hours of training each year for
19 all school employees who have contact with students, including bus drivers, with
20 respect to bullying. The training shall specifically include the following:

21 * * *

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

27 * * *

28 (3) Investigation Procedure. ~~By not later than January 1, 2013, the~~ The State
29 Board of Elementary and Secondary Education shall develop and adopt a procedure

1 for the investigation of reports of bullying of a student by another student. The
2 procedure shall include the following:

3 * * *

4 (d)

5 * * *

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

12 * * *

13 §416.18. Teacher Bill of Rights

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

20 * * *

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

25 * * *

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

28 * * *

1 §2112. Testing pupils' sight and hearing; testing for dyslexia; notice to parent or
2 tutor; report to state superintendent

3 A.

4 * * *

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

10 * * *

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____