

Regular Session, 2013

HOUSE BILL NO. 79

BY REPRESENTATIVE HENSGENS

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

1 AN ACT

2 To amend and reenact R.S. 17:416.16(A)(2), (B), and (C) and to enact R.S. 17:416.16(D)
3 through (F) and 3996(B)(33), relative to school crisis management and response
4 plans; to provide relative to the preparation, content, rehearsal, review, revision, and
5 approval of such plans; to provide relative to rules and regulations; and to provide
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:416.16(A)(2), (B), and (C) are hereby amended and reenacted and
9 R.S. 17:416.16(D) through (F) and 3996(B)(33) are hereby enacted to read as follows:

10 §416.16. School crisis management and response plans

11 A.

12 * * *

13 (2) A school crisis management and response plan shall be prepared by each
14 public school principal jointly with local law enforcement, fire, public safety, and
15 emergency preparedness officials. ~~in accordance with guidelines adopted pursuant~~
16 ~~to school board policy.~~ In preparing the plan, the principal and such officials shall
17 consider and include, ~~where~~ if appropriate, input from students enrolled in the school
18 and their parents, teachers at the school, other school employees, and community

1 leaders, ~~local law enforcement, and fire, public safety, and emergency preparedness~~
2 officials.

3 * * *

4 B.(1) Each public school principal, jointly with local law enforcement, fire,
5 public safety, and emergency preparedness officials, shall review the plan at least
6 once annually and shall revise the plan as necessary. In reviewing and revising the
7 plan, the principal and such officials shall consider and include input, if appropriate,
8 from students enrolled in the school and their parents, teachers at the school, other
9 school employees, and community leaders. Each principal shall submit such plan in
10 writing to its ~~the local school board~~ superintendent for approval at least once
11 annually, including upon each revision.

12 (2) ~~Not later than January 1, 2002, each city, parish, and other local public~~
13 ~~school board shall have approved a crisis management and response plan for each~~
14 ~~public school under its jurisdiction. The superintendent shall make an annual report~~
15 ~~to the public school governing authority on the status of the plan of each school~~
16 ~~under the governing authority's jurisdiction.~~

17 C. ~~Each school crisis management and response plan shall be reviewed by~~
18 ~~the public school annually and revised as necessary. Any revised school plan shall~~
19 ~~be resubmitted to the school board for review and approval of the revisions. (1)~~
20 Within the first thirty days of each school year, each public school principal shall
21 conduct a safety drill to rehearse the components of the plan. Not later than seven
22 days after the drill, the principal shall submit a written report summarizing the details
23 of the drill to the local superintendent. The superintendent may comment on the drill
24 to the principal, who may consider such comments in revising the plan.

25 (2) Each public school principal shall notify all teachers and other school
26 employees regarding revisions made to the plan.

27 D. Each plan shall provide that classroom doors with locks that are in
28 compliance with all fire safety standards promulgated by the office of state fire

1 marshal code enforcement and building safety of the Department of Public Safety
2 and Corrections shall remain locked during instructional time.

3 E. For the purposes of this Section, for a charter school, the "local
4 superintendent" shall mean the chief executive officer of the school or other
5 employee holding an equivalent position.

6 F. The governing authority of each public elementary and secondary school
7 may adopt rules and regulations as it deems necessary to provide for the
8 implementation of the provisions of this Section.

9 * * *

10 §3996. Charter schools; exemptions; requirements

11 * * *

12 B. Notwithstanding any state law, rule, or regulation to the contrary and
13 except as may be otherwise specifically provided for in an approved charter, a
14 charter school established and operated in accordance with the provisions of this
15 Chapter and its approved charter and the school's officers and employees shall be
16 exempt from all statutory mandates or other statutory requirements that are
17 applicable to public schools and to public school officers and employees except for
18 the following laws otherwise applicable to public schools with the same grades:

19 * * *

20 (33) School crisis management and response plans, R.S. 17:416.16.

21 * * *

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)]

Hensgens

HB No. 79

Abstract: Provides relative to the preparation, content, rehearsal, review, revision, and approval of school crisis management and response plans.

Definition

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. Proposed law retains present law.

Plan preparation

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, local law enforcement, and fire, public safety, and emergency preparedness officials.

Proposed law requires the principal to prepare the plan jointly with -- not just consider and include input from -- local law enforcement, fire, public safety, and emergency preparedness officials. Deletes the requirement that the plan be prepared in accordance with school board policy. Retains the requirement relative to the consideration and inclusion, if appropriate, of input from teachers and other school employees, students and their parents, and community leaders.

Plan content

Present law requires the plan to detail school employees' roles and responsibilities and coordination agreements, services, and security measures in the event of a violent incident or emergency situation.

Proposed law additionally requires each plan to provide that classroom doors with locks in compliance with fire safety standards remain locked during instructional time.

Plan review, revision, and approval and reporting requirements

Present law requires each public school to review the plan annually. Proposed law specifically requires each principal, jointly with local law enforcement, fire, public safety, and emergency preparedness officials, to review the plan at least once annually and revise it as necessary and, as in initial plan preparation, to consider and include, if appropriate, input from teachers and other school employees, students and their parents, and community leaders in plan review and revision.

Present law requires each school to submit the plan and resubmit any revised plan to the local school board for approval. Proposed law requires each school principal:

- (1) To submit the plan in writing to the local school superintendent for approval, rather than the school board, at least once annually, including upon each revision.
- (2) To notify all teachers and other school employees regarding plan revisions.

Proposed law additionally requires the local superintendent to report annually to the public school governing authority on the status of the plan of each school under the governing authority's jurisdiction.

Plan rehearsal

Proposed law requires each public school principal:

- (1) To conduct a safety drill to rehearse plan components within the first 30 days of each school year.
- (2) To submit a written report summarizing drill details to the local superintendent not later than seven days after the drill; authorizes the superintendent to comment on the drill to the principal, who may incorporate such comments into a revised version of the plan.

Rules and regulations

Proposed law authorizes the governing authority of each public elementary and secondary school to adopt rules and regulations to provide for proposed law implementation.

Charter schools

Proposed law is applicable to all public schools, including charter schools, and for proposed law purposes, "local superintendent" of a charter school means the chief executive officer of the school or other employee holding an equivalent position.

(Amends R.S. 17:416.16(A)(2), (B), and (C); Adds R.S. 17:416.16(D)-(F) and 3996(B)(33))