

2022 Regular Session

SENATE BILL NO. 356

BY SENATOR JACKSON

TEACHERS. Provides for mental health awareness training and care for public school teachers. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:437.1(A), (B)(2)(a)(introductory paragraph), (b), (c), (e), and

3 (g), and (E), and 3996(B)(4) and to enact R.S. 17:47.1, 437.1(F), 1200(D) through

4 (F), and 3997(A)(1)(d), relative to services for public school teachers; to provide

5 relative to sick leave for teachers and certain school employees; to provide

6 definitions; to require annual in-service training and associated materials to address

7 mental health awareness for teachers; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:437.1(A), (B)(2)(a)(introductory paragraph), (b), (c), (e), and (g),

10 and (E), and 3996(B)(4) are hereby amended and reenacted and R.S. 17:47.1, 437.1(F),

11 1200(D) through (F), and 3997(A)(1)(d) are hereby enacted to read as follows:

12 **§47.1. Definitions**

13 **A. As used in this Subpart, the following words shall have the following**

14 **meanings unless the context clearly indicates otherwise:**

15 **(1) "Teacher" means any member of the teaching staff of a special school**

16 **in the state of Louisiana and any social worker, school counselor, or school**

17 **psychologist employed by the special school who holds, as applicable, a valid**

1 professional ancillary certificate in school social work, school counseling, or  
2 school psychology issued by the state Department of Education.

3 (2) "Disabled" or "disability" means unable to or the inability to  
4 perform the essential functions of the job the teacher or school employee was  
5 performing at the time of his injury.

6 (3) "Personal illness" means an accident, injury, illness, disease, or  
7 mental condition that prevents the teacher or school employee from performing  
8 his job duties.

9 (4) "Physician" means a physician, dentist, nurse practitioner, physician  
10 assistant, psychologist, or psychiatrist licensed by the state of Louisiana.

11 B. Any information, whether oral, written, electronic, visual, or of any  
12 other form, that relates to an individual's past, present, or future physical or  
13 mental health status, condition, treatment, service, or provision of care that is  
14 submitted to a school or a school governing authority as required in this  
15 Subpart shall be deemed "protected health information". The protected health  
16 information shall be designated confidential by state or federal law and shall not  
17 be shared for purposes other than official school business relative to the  
18 administration of sick leave policies required in this Subpart without written  
19 consent of the teacher or school employee.

20 \* \* \*

21 §437.1. ~~Suicide~~ Mental health awareness and suicide prevention; in-service  
22 training; materials and supplies; limitation on liability

23 A. The State Board of Elementary and Secondary Education shall develop  
24 and adopt guidelines for in-service training in mental health awareness and suicide  
25 prevention as provided for in Subsection B of this Section. The board, in  
26 coordination with the Louisiana Department of Health, shall identify suitable  
27 programs for use in such training. The state Department of Education shall post on  
28 its website a listing of approved programs. The list shall include instructions on  
29 accessing such programs. The board shall update the list every five years.



1 employee from performing his job duties.

2 E. As used in this Subpart "physician" means a physician, dentist, nurse  
3 practitioner, physician assistant, psychologist, or psychiatrist licensed by the  
4 state of Louisiana.

5 F. Any information, whether oral, written, electronic, visual, or of any  
6 other form, that relates to an individual's past, present, or future physical or  
7 mental health status, condition, treatment, service, or provision of care that is  
8 submitted to a school or a school governing authority as required in this  
9 Subpart shall be deemed "protected health information". The protected health  
10 information shall be designated confidential by state or federal law and shall not  
11 be shared for purposes other than official school business relative to the  
12 administration of sick leave policies required in this Subpart without written  
13 consent of the individual.

14 \* \* \*

15 §3996. Charter schools; exemptions; requirements

16 \* \* \*

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

24 \* \* \*

25 (4) In-service training regarding mental health awareness and suicide  
26 prevention, R.S. 17:437.1.

27 \* \* \*

28 §3997. Charter school employees

29 A.(1) \* \* \*



Proposed law retains present law. Requires the in-service training to focus on both mental health awareness and suicide prevention for students, teachers, and other school employees. Present law authorizes charter schools and exempts charters from the laws relative to public schools, except for those specifically listed in present law. Provides that charter schools may employ faculty and staff as it deems necessary and shall notify the employees of the specific benefits they will be offered.

Proposed law retains present law. Further provides that the sick leave benefits provided by charters allow the use of such leave for mental health care. Requires information submitted by the employee relative to sick leave be deemed as protected health information that is confidential and which may be shared only for administration of sick leave policies unless written consent of the individual is obtained.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:437.1(A), (B)(2)(a)(intro. para.), (b), (c), (e), and (g), and (E), and 3996(B)(4); adds R.S. 17:47.1, 437.1(F), 1200(D)-(F), and 3997(A)(1)(d))