
DIGEST

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LaBruzzo

HB No. 311

Abstract: Requires a public school employee to report his arrest for certain sexual offenses involving minors and provides relative to the failure of the employee to so report.

Proposed law requires a public school employee to report his arrest for a violation of R.S. 14:42-43.5, 80-81.5, or any other sexual offense affecting minors or any offense affecting sexual morality. Specifies that proposed law shall apply to an arrest occurring after Dec. 31, 2011.

Provides that the employee shall make the report to a person or persons as specified by the governing authority of the school. Requires that the report be made within 24 hours of the arrest or prior to the employee next reporting for his work assignment at a school, whichever time period is shorter. Provides that the report shall be made by the employee regardless of whether the employee was performing an official duty or responsibility as a school employee at the time of the offense.

Provides that a school employee who fails to comply with the provisions of proposed law shall be terminated if such employee is serving a probationary term of employment or if the provisions of law relative to probation and tenure are not applicable to the employee.

Provides that a school employee of a local school board who is tenured shall be subject to removal as provided by present law (R.S. 17:45, 443, 462, 493, 523, or 533, all relative to removal procedures for certain public school employees), as applicable, for failure to comply with the provisions of proposed law. Requires that written and signed charges alleging such failure be brought against the employee.

Requires the governing authority of a public elementary or secondary school (including a charter school), by not later than Oct. 1, 2011, to adopt rules, regulations, and procedures necessary to administer the provisions of proposed law. Specifies that such rules, regulations, and procedures shall be consistent with proposed law.

For proposed law purposes, defines "school employee" as any employee of a city, parish, or other local public school board or other governing authority of a public elementary or secondary school, including a teacher, substitute teacher, bus driver, substitute bus driver, or janitor, and shall include all temporary, part-time, and permanent school employees.

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

(Adds R.S. 17:16 and 3996(B)(28))