

New law requires a public school employee to report his arrest for a violation of R.S. 14:42-43.5, 80-81.5, any other sexual offense affecting minors, any of the crimes listed in R.S. 15:587.1, or any justified complaint of child abuse or neglect on file in the central registry pursuant to Art. 615 of the Children's Code. Specifies that new law shall apply to an arrest occurring after Dec. 31, 2011.

Requires the employee to so report within 24 hours to a person or persons as specified by the school governing authority. However, provides that if the arrest is on a Saturday, Sunday, or a school holiday, the report must be made prior to the school employee next reporting for his work assignment at a school. Provides that the report shall be made by the employee (or an agent of the employee) regardless of whether the employee was performing an official duty or responsibility as a school employee at the time of the offense. Requires the school employee to report the disposition of any legal proceedings related to such an arrest and requires that such information be made a part of any related files or records.

Provides that an untenured employee who fails to comply with the provisions of new law shall be suspended with or without pay.

Provides that a tenured employee who fails to comply with new law shall be subject to removal as provided by existing law. Requires that written and signed charges alleging such failure be brought against the employee.

Provides that all information, records, hearing materials, and final recommendations of the school pertaining to a reported arrest shall remain confidential and shall not be subject to a public records request unless criminal proceedings are instituted pursuant to an arrest for which reporting is required pursuant to new law.

Requires BESE to adopt rules, regulations, and procedures for implementation of new law.

Effective upon signature of governor (June 28, 2011).

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