

Regular Session, 2012

HOUSE BILL NO. 705

BY REPRESENTATIVE HOFFMANN

SCHOOLS/BOARDS: Provides relative to the reporting of certain electronic communication between an employee at a public elementary or secondary school and a student enrolled at that school

1 AN ACT

2 To amend and reenact R.S. 17:81(Q)(2)(c), to provide relative to the reporting of certain
3 electronic communication between an employee at a public elementary or secondary
4 school and a student enrolled at that school; to provide relative to the manner and
5 frequency of reporting certain communication that is made or received by an
6 employee using a means other than one provided by or made available by the school
7 system; to provide guidelines; to provide applicability; to provide an effective date;
8 and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:81(Q)(2)(c) is hereby amended and reenacted to read as follows:

11 §81. General powers of city, parish, and other local public school boards

12 * * *

13 Q.

14 * * *

15 (2) The policies, procedures, and practices required by Paragraph (1) of this
16 Subsection, at a minimum, shall:

17 * * *

18 (c)(i) Specify that the occurrence of any electronic communication made by
19 an employee at a school to a student enrolled at that school or that is received by an
20 employee at a school from a student enrolled at that school using a means other than
21 one provided by or made available by the school system shall be reported by the

1 employee in a manner deemed appropriate by the school board. Records of any such
2 reported communication shall be maintained by the school board for a period of at
3 least one year.

4 (ii) In providing for the manner and frequency of reporting required by this
5 Subparagraph, the board may authorize a school principal, or his designee, to permit
6 an employee at the school to contact one or more specifically identified students
7 enrolled at that school and be contacted by such student or students using a means
8 other than one provided by or made available by the school, provided the employee
9 has requested and received permission from the principal, or his designee, to do so
10 and has provided documentation in writing to the principal, or his designee, stating
11 the purpose or purposes for such contact. Such purposes may include but need not
12 be limited to necessary communications relative to extracurricular activities, student
13 athletic activities, community-based youth activities such as scouting, and faith-
14 based activities such as a youth group sponsored by a religious organization.

15 * * *

16 Section 2. This Act shall become effective upon signature by the governor or, if not
17 signed by the governor, upon expiration of the time for bills to become law without signature
18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
19 vetoed by the governor and subsequently approved by the legislature, this Act shall become
20 effective on the day following such approval.

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)]

Hoffmann

HB No. 705

Abstract: Provides relative to the manner and frequency of a school employee having to report certain communication that is made to a student at that school or is received by the employee from a student at that school using a means other than one provided by or made available by the school system.

Relative to policies, procedures, and practices of a public elementary or secondary school governing authority for the reporting of electronic communication between an employee at a school and a student enrolled at that school:

Present law (R.S. 17:81(Q)(2)(c)) provides that when such communication is made using a means other than one provided by or made available by the school system, the employee shall report it in a manner deemed appropriate by the school's governing authority. Specifies that records of such reported communication shall be maintained by the governing authority for a period of at least one year.

Proposed law retains present law.

Proposed law, relative to the manner and frequency of reporting required by R.S. 17:81(Q)(2)(c), additionally provides that the governing authority may authorize a school principal (or designee) to permit an employee at the school to contact one or more specifically identified students enrolled at the school and be contacted by such student or students provided the employee has obtained permission from the principal (or designee) to do so and has provided documentation in writing stating the purpose or purposes for such contact. Provides that such purposes may include (but need not be limited to) necessary communication relative to extracurricular activities, student athletic activities, community-based youth activities such as scouting, and faith-based activities such as a youth group sponsored by a religious organization.

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

(Amends R.S. 17:81(Q)(2)(c))