

Regular Session, 2013

HOUSE CONCURRENT RESOLUTION NO. 91

BY REPRESENTATIVE SMITH

STUDENT/DISCIPLINE: Creates the Task Force on Bullying Prevention in Public Schools to study the procedures and processes by which incidents of bullying are reported and investigated

1                               A CONCURRENT RESOLUTION

2 To create the Task Force on Bullying Prevention in Public Schools to study the procedures  
 3       and processes by which incidents of bullying are reported and investigated and to  
 4       provide for submission of a written report of task force findings, conclusions, and  
 5       recommendations to the House Committee on Education and the Senate Committee  
 6       on Education not later than sixty days prior to the beginning of the 2014 Regular  
 7       Session of the Legislature of Louisiana.

8       WHEREAS, as stated in the Constitution of Louisiana, it is the goal of the public  
 9       education system to provide learning environments and experiences at all stages of human  
 10      development that are humane, just, and designed to promote excellence in order that every  
 11      individual may be afforded an equal opportunity to develop to his full potential; and

12       WHEREAS, R.S. 17:416.13(B) requires the governing authority of each public  
 13      elementary and secondary school to incorporate into a student code of conduct a policy  
 14      prohibiting the bullying of a student by another student; and

15       WHEREAS, R.S. 17:416.13(D) requires the State Board of Elementary and  
 16      Secondary Education, in collaboration with the state Department of Education, to develop  
 17      and adopt rules and regulations relative to the procedures and processes used to report and  
 18      investigate bullying, including a time line for investigation, written reports, parental  
 19      notification, and the interviewing of students regarding bullying incidents; and

1           WHEREAS, student safety should be the utmost priority at both the state and local  
2 levels, and in spite of current law, there are students who are bullied by other students; and

3           WHEREAS, it is vital that the procedures and processes for the reporting and  
4 investigation of bullying effectively provide for the thorough investigation of bullying  
5 incidents, the appropriate responses to students who exhibit bullying behaviors and to  
6 students who are bullying targets, and the establishment of preventative measures to reduce  
7 the recurrence of bullying; and

8           WHEREAS, in order for the public education system to meet its constitutional goal  
9 of providing learning environments and experiences at all stages of human development that  
10 are humane, just, and designed to promote excellence, it is imperative that every possible  
11 precaution be taken to ensure the protection of Louisiana's students from bullying.

12           THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
13 create the Task Force on Bullying Prevention in Public Schools to study the procedures and  
14 processes by which incidents of bullying are reported and investigated.

15           BE IT FURTHER RESOLVED that the task force shall be composed of the  
16 following members:

17           (1) A member of the staff of the state Department of Education who shall be  
18 designated by the state superintendent of education and who shall serve as chair of the task  
19 force and, by August 1, 2013, shall convene the task force for its first meeting at which the  
20 task force shall adopt rules of procedure, a work schedule, and any additional measures that  
21 it deems necessary for the timely performance of its duties.

22           (2) A representative of the school climate section of the state Department of  
23 Education's division of consolidated programming, designated by the director of this  
24 division.

25           (3) A representative of the Louisiana Association of School Executives, designated  
26 by the executive director of the association.

27           (4) A representative of the Louisiana Federation of Teachers, designated by the  
28 president of the federation.

29           (5) A representative of the Louisiana Association of Educators, designated by the  
30 president of the association.

1 (6) A representative of the Association of Professional Educators of Louisiana,  
2 designated by the executive director of the association.

3 (7) The president of the Louisiana School Counselor Association or his designee.

4 (8) A representative of the Louisiana Assembly on School-Based Health Centers,  
5 designated by the executive director of the assembly.

6 (9) A representative of the Schools First Project of the Juvenile Justice Project of  
7 Louisiana, designated by the director of the Schools First Project.

8 (10) The executive director of the Louisiana chapter of the National Association of  
9 Social Workers or his designee.

10 (11) A representative of the office of the governor, designated by the governor.

11 (12) Any additional education practitioner who has experience addressing the issue  
12 of bullying, designated by the state superintendent of education.

13 BE IT FURTHER RESOLVED that the task force shall submit a written report of  
14 findings, conclusions, and recommendations to the House Committee on Education and the  
15 Senate Committee on Education not later than sixty days prior to the beginning of the 2014  
16 Regular Session of the Legislature of Louisiana and that such recommendations shall include  
17 but not be limited to those relative to the following:

18 (1) The notification of parents of students involved in bullying investigations.

19 (2) The time line for the investigation of bullying, including the commencement of  
20 the investigation after a written report is received and the duration of the investigation.

21 (3) The nature of written reports required to be filed by teachers, principals, and  
22 other school employees in the course of bullying investigations, including recommendations  
23 relative to the appropriate level of detail required in a bullying incident report.

24 (4) Best practices for identifying the underlying causes or motives for bullying,  
25 including identifying attributes of students who exhibit bullying behavior, students who are  
26 targets of bullying, and students who are bystanders, effective interventions at various grade  
27 levels, and evidence-based prevention programs.

28 (5) Best practices for responding to bullying incidents and preventing future bullying  
29 incidents, including measures such as restorative justice practices that take into account the

1 full context of the bullying incident in the school community and the age, development  
2 status, and history of the students involved.

3 (6) Legislation, if any, relative to the issue.

4 BE IT FURTHER RESOLVED that the report shall also include a report on the  
5 implementation of R.S. 17:416.13(B)(2)(b), which requires the governing authority of each  
6 public elementary and secondary school to create a program to provide a minimum of four  
7 hours of training each year for all school employees, including bus drivers, with respect to  
8 bullying.

9 BE IT FURTHER RESOLVED that the state superintendent of education or his  
10 designee shall be responsible for designating staff to assist the task force in performing its  
11 duties.

12 BE IT FURTHER RESOLVED that the task force shall meet at least three times  
13 prior to the submission of its written report and that members of the task force shall serve  
14 without compensation.

15 BE IT FURTHER RESOLVED that copies of this Resolution be transmitted to the  
16 president of the State Board of Elementary and Secondary Education, and to the state  
17 superintendent of education who shall be responsible for transmitting a copy to each of the  
18 offices, associations, or organizations from which the members of the task force are being  
19 selected or designated.

---

#### 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)]

---

Smith

HCR No. 91

Creates the Task Force on Bullying Prevention in Public Schools to study the procedures and processes by which incidents of bullying are reported and investigated.

Provides that the task force shall have the following members, who shall serve without compensation:

- (1) A member of the staff of the state Dept. of Education who shall be designated by the state superintendent of education and who shall serve as chair of the task force and convene the first meeting prior to Aug. 1, 2013.
- (2) A representative of the school climate section of the state Dept. of Education's division of consolidated programming, designated by the director of the division.

- (3) A representative of the La. Assoc. of School Executives, designated by the executive director.
- (4) A representative of the La. Federation of Teachers, designated by the president.
- (5) A representative of the La. Assoc. of Educators, designated by the president.
- (6) A representative of the Assoc. of Professional Educators of La., designated by the executive director.
- (7) The president of the La. School Counselor Association or his designee.
- (8) A representative of the La. Assembly on School-Based Health Centers, designated by the executive director.
- (9) A representative of the Schools First Project of the Juvenile Justice Project of La., designated by the director of the Schools First Project.
- (10) The executive director of the La. chapter of the National Assoc. of Social Workers or his designee.
- (11) A representative of the office of the governor, designated by the governor.
- (12) Any additional education practitioner who has experience in addressing the issue of bullying, designated by the state superintendent of education.

Provides that the state superintendent of education or his designee shall designate staff to assist the task force. Provides that the task force shall meet at least three times before the submission of its written report. Provides that at least 60 days before the 2014 R.S., the task force shall submit to the House and Senate education committees a written report of findings, conclusions, and recommendations, including but not limited to:

- (1) A report on the implementation of present law (R.S. 17:416.13(B)(2)(b)), which requires each public school governing authority to create a program to provide at least four hours of training each year for all school employees, including bus drivers, with respect to bullying.
- (2) Recommendations relative to the following:
  - (a) The notification of parents of students involved in bullying investigations.
  - (b) The time line for the investigation of bullying.
  - (c) The nature of written reports required to be filed by teachers, principals, and other school employees for bullying investigations.
  - (d) Best practices for identifying the underlying causes or motivations behind bullying, including identifying attributes of students who exhibit bullying behavior, students who are targets of bullying, and students who are bystanders, effective interventions at various grade levels, and evidence-based prevention programs.
  - (e) Best practices for responding to bullying incidents and preventing future bullying incidents.
  - (f) Legislation, if any.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original resolution.

1. Changes the chair of the task force from the director of the state Dept. of Education's division of consolidated programming or his designee to a department staff member designated by the state superintendent of education.
2. Additionally provides for membership on the task force of any education practitioner who has experience in addressing the issue of bullying, designated by the state superintendent of education.