



Proposed law retains present law and further provides that:

- (1) No school employee shall be discharged, demoted, suspended, threatened, harassed, or discriminated against in any manner in the terms and conditions of his employment because of any lawful act engaged in by the employee in furtherance of any required or authorized action taken pursuant to present and proposed law. Further provides that an employee may seek any and all relief to which he is entitled under state or federal law.
- (2) No school employee shall be threatened, harassed, or discriminated against in any manner by a business organization, government agency, or other person because of any lawful act engaged in by the employee or on behalf of the employee in furtherance of any required or authorized action taken pursuant to present or proposed law. Further provides that an employee may seek any and all relief for his injury to which he is entitled under state or federal law.

Present law requires a public school governing authority to notify the student's parent or legal guardian upon receipt of a report of bullying.

Proposed law retains present law.

Present law provides that before any student under the age of 18 is interviewed, his parent or legal guardian must be notified of the allegations made and given the opportunity to attend any interviews conducted with his child as part of an investigation.

Proposed law repeals present law.

Present law provides that after four or more reports of separate incidences of bullying, and no investigation has occurred, the parent or legal guardian of the victim has the option to have the student enroll in or attend another school.

Proposed law modifies present law by providing that the parent or legal guardian of a student who has been the victim of bullying has two options:

- (1) Have the student who was determined to be the victim of an act of bullying transferred to another school operated by the governing authority of the public elementary or secondary school in which the student was enrolled when the documented incident of bullying occurred.
- (2) Have the student who was determined to have committed the act of bullying transferred to another school operated by the governing authority of the public elementary or secondary school in which the student was enrolled when the documented incident of bullying occurred.

Proposed law provides that:

- (1) No cause of action shall exist against any school employee who in good faith makes a report, cooperates or participates in any investigation, or takes any required or authorized action

pursuant to the provisions of present and proposed law. Further provides that such school employee shall have immunity from civil or criminal liability that otherwise might be incurred or imposed.

- (2) Immunity shall not be extended to a school employee who either:
- (a) Takes any action pursuant to present and proposed law that the employee knows to be based upon false information.
  - (b) Fails to take a required action with regard to a bullying incident.

Proposed law provides that the removal of a student from school for bullying shall not be considered in itself a final judicial determination of fault or wrong doing.

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

(Amends R.S. 17:416.13(D)(2)(a), (c), and (d), and (3)(f)(i); adds R.S. 17:416.13(I) and (J); repeals R.S. 17:416.13(D)(3)(d)(iii))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Changes the required period for retaining bullying reports from ten years to four years.
2. Makes technical corrections.