

Regular Session, 2013

HOUSE BILL NO. 155

BY REPRESENTATIVE COX

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS: Provides relative to school safety, security, and crisis

1 AN ACT

2 To amend and reenact R.S. 17:416.16(A) and (C) and to enact R.S. 17:416.16(D) through
3 (F) and 3996(B)(33), relative to school safety, security, and crisis; to provide relative
4 to school safety, security, and crisis preparedness, prevention, response, and after
5 action management and review plans and the definition, preparation, content, review,
6 and provision of copies thereof; to provide relative to training; and to provide for
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:416.16(A) and (C) are hereby amended and reenacted and R.S.
10 17:416.16(D) through (F) and 3996(B)(33) are hereby enacted to read as follows:

11 §416.16. School safety, security, and crisis preparedness, prevention, management
12 and response, and after action management and review plans

13 A.(1) For the purposes of this Section, a "school safety, security, and crisis
14 preparedness, prevention, management and response, and after action management
15 and review plan", referred to in this Section as a "plan", means a plan to address
16 school safety and the incidence of a shooting or other violence at schools, on school
17 buses, and at school-related activities; to respond effectively to such incidents; and
18 to ensure that every student, teacher, and school employee has access to a safe,
19 secure, and orderly school that is conducive to learning. Such plans shall also address
20 the management of any other emergency situation.

1 (2) A ~~school crisis management and response plan~~ shall be prepared by each
2 public school principal jointly with local law enforcement, fire, public safety, and
3 emergency preparedness officials and the local school superintendent in accordance
4 with guidelines adopted pursuant to school board policy. In preparing the plan, ~~the~~
5 ~~principal~~ these individuals shall consider and include input from teachers and school
6 employees and may consider and include, ~~where appropriate~~, input from students
7 enrolled in the school, ~~and their parents, teachers at the school, other school~~
8 ~~employees, and~~ community leaders, local law enforcement, and fire, public safety,
9 ~~and emergency preparedness officials.~~

10 (3) The plan, which shall focus on preventing the loss of life and the injury
11 of students and teachers and other school employees, shall detail the specific roles
12 and responsibilities of local law enforcement, fire, public safety, and emergency
13 preparedness officials and of each school employee and the relevant coordination
14 agreements, services, and security measures of a school in the event of a shooting or
15 other violent incident or emergency situation. The plan shall include contingencies
16 based upon different scenarios of varying threat levels.

17 (4) The plan ~~may~~ shall include provision for the counseling of students by
18 mental health professionals in the event of a shooting or other violent incident or
19 emergency situation, encouraging peer helper programs, and identifying students
20 who may have experienced rejection or other traumatic life events.

21 * * *

22 C. Each ~~school crisis management and response plan~~ shall be reviewed by
23 the public school principal jointly with local law enforcement, fire, public safety, and
24 emergency preparedness officials and the local school superintendent annually and
25 following any shooting or other violent incident or emergency situation. Each plan
26 shall be revised for maximum effectiveness every three years at a minimum but may
27 be revised more frequently as these individuals deem necessary. Any revised school
28 plan shall be resubmitted to the school board for review and approval of the
29 revisions.

1 D. If a school has a resource officer as authorized in R.S. 17:416.19 or a
2 Junior Reserve Officer Training Corps instructor, he shall join the principal, local
3 law enforcement, fire, public safety, and emergency preparedness officials, and the
4 local school superintendent in preparing the plan and participate in any review or
5 revision of the plan.

6 E. Each school year, each principal shall be responsible for providing in-
7 service training for all teachers and school employees pertaining to the plan and may
8 involve local law enforcement, fire, public safety, and emergency preparedness
9 officials in the preparation and presentation of the training.

10 F. Each principal shall keep a copy of the approved plan in his office and
11 shall provide a copy to the following individuals, each of whom shall be responsible
12 for keeping in his respective office a copy of the plan that is readily accessible in the
13 event of a school shooting or other violent incident or emergency situation:

- 14 (1) The president of the local school board.
- 15 (2) The local school superintendent.
- 16 (3) The chief of police of the municipality or the sheriff of the parish where
17 the school is located, as applicable, as well as the local fire chief whose office is in
18 closest geographic proximity to the school.

19 * * *

20 §3996. Charter schools; exemptions; requirements

21 * * *

22 B. Notwithstanding any state law, rule, or regulation to the contrary and
23 except as may be otherwise specifically provided for in an approved charter, a
24 charter school established and operated in accordance with the provisions of this
25 Chapter and its approved charter and the school's officers and employees shall be
26 exempt from all statutory mandates or other statutory requirements that are
27 applicable to public schools and to public school officers and employees except for
28 the following laws otherwise applicable to public schools with the same grades:

29 * * *

1 (33) School safety, security, and crisis preparedness, prevention, response,
2 and after action management and review plans, R.S. 17:416.16.

3 * * *

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)]

Cox

HB No. 155

Abstract: Provides relative to school emergency plans and to the definition, preparation, content, review, revision, and provision of copies thereof; requires in-service training, applicable to all public schools, including charter schools.

Definition

Present law defines a "crisis management and response plan" as a plan to:

- (1) Address school safety and the incidence of violence, at schools, on school buses, and at school-related activities.
- (2) Respond effectively to such incidents.
- (3) Ensure that every student, teacher, and school employee has access to a safe, secure, and orderly school that is conducive to learning.

Present law provides that these plans shall also address the management of any other emergency situation. Proposed law specifically adds shootings to the incidences of violence a plan shall address and changes the terminology from "crisis management and response plan" to "school safety, security, and crisis preparedness, prevention, response, and after action management and review plan".

Plan preparation

Present law requires each public school principal to prepare a plan and to consider and include, where appropriate, input from students and their parents, teachers and other school employees, community leaders, local law enforcement, fire, public safety, and emergency preparedness officials.

Proposed law requires the principal to prepare the plan jointly with the local school superintendent and with – not just consider and include input from – such officials. Requires considering and including input from teachers and other school employees and authorizes the consideration and inclusion of input from students, their parents, and community leaders.

Proposed law adds that if a school has a resource officer or Junior Reserve Officer Training Corps instructor, he shall join the principal, such officials, and the local school superintendent in preparing the plan and participate in plan review and revision.

Plan content

Present law requires the plan to detail the roles and responsibilities of each school employee and the relevant coordination agreements, services, and security measures of a school in the event of a violent incident or emergency situation.

Proposed law additionally requires that the plan:

- (1) Focus on preventing loss of life and injury.
- (2) Detail the specific roles and responsibilities of local law enforcement, fire, public safety, and emergency preparedness officials.
- (3) Include contingencies based upon different scenarios of varying threat levels.

Present law authorizes the plan to include provision for encouraging peer helper programs and identifying students who may have experienced rejection or other traumatic life events. Proposed law requires rather than authorizes this and also requires the plan to provide for student counseling.

Plan review, revision, and approval

Present law requires each public school to review the plan annually. Proposed law specifically requires each principal jointly with local law enforcement, fire, public safety, and emergency preparedness officials and the local school superintendent to review the plan annually and following any shooting or other violent incident or emergency situation. Further requires each plan to be revised for maximum effectiveness every three years at a minimum but authorizes further revision as these individuals deem necessary.

Present law requires each school to submit the plan and resubmit any revised plan to the local school board for approval. Proposed law retains present law.

Providing training on and distributing copies of the plan

Proposed law requires each principal to provide:

- (1) In-service training each school year for all school employees pertaining to the plan; authorizes the principal to involve local law enforcement, fire, public safety, and emergency preparedness officials in the training.
- (2) A copy of the plan to (a) the president of the local school board, (b) the local school superintendent, and (c) the local police chief or sheriff, as applicable, as well as the local fire chief, each of whom shall be responsible for keeping a readily accessible copy of the plan in his respective office.

(Amends R.S. 17:416.16(A) and (C); Adds R.S. 17:416.16(D)-(F) and 3996(B)(33))