

Louisiana Bullying Awareness and Treatment Task Force

House Resolution 208 Report of the 2017 Regular Legislative Session

Calendar Year 2019 Annual Report

Prepared by: Task Force Members

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Introduction

House Resolution 208 of the 2017 Regular Session created the Louisiana Bullying Awareness and Treatment Task Force. HR 208 directs the Task Force to, at a minimum, make recommendations regarding all of the following:

- 1) Positive reforms to prevent bullying;
- 2) Counseling and other treatment services for youths who are victims of bullying as well as youths who are involved in bullying; and
- 3) Best practices for establishing a safe and healthy environment for all children to learn, grow and develop.

The legislation identified 20 different members including state agencies, medical and behavioral health service provider associations and other relevant and interested parties to serve as members.

As required by HR 208, this report is submitted to the House Committee on Health and Welfare by the Louisiana Bullying Awareness and Treatment Task Force; charged with developing a comprehensive, coordinated plan to prevent bullying and address the mental health needs of youths who are victims of bullying as well as youths who are involved in bullying.

Creating safe, healthy, and supportive school environments with collaborative services is a necessary foundation for improving outcomes for all children. Bullying is aggressive behavior that is intentional and that involves an imbalance of power or strength. Bullying prevention requires positive action to establish the environment and resources that will stop bullying before it starts, and requires a focus both on preventing youth from engaging in bullying behavior, and helping those who may be targeted.

Addressing Bullying

It is imperative to intervene with youths involved in bullying to provide psychological supports and address concerns that place youths at risk for bullying or bullying victimization. Mental health professionals have important roles in helping to change the behavior of youths who bully others. Once youths are able to recognize problems with the bullying behavior, mental health professionals can help the youth set and work toward goals for change, track progress toward new behaviors, and feel pride about those changes. Cognitive-behavioral interventions, family systems interventions, and other treatment modalities to improve impulse control and structured social skills training may also be helpful.

More than adequate evidence exists for schools to implement practices that could significantly reduce bullying. Data about incidents are collected and reported to the Louisiana Department of Education but these data are not about prevention or implementation of evidence-based practices that prevent bullying. Therefore, other data are needed to better understand if

evidence-based practices are being implemented and, if not, why that is not occurring. The current perception is that educators are not adequately supported to acquire, implement and sustain these evidence-based practices as part of a school's culture that further underscores the need for additional data.

The lack of sustained, routine implementation of practices known to be effective is a root problem in preventing bullying.

Section 1 – Requirements of the Resolution

House Resolution 208 created the Louisiana Bullying Awareness and Treatment Task Force in 2017 to develop a comprehensive, coordinated plan to prevent bullying and address the mental health needs of youths who are victims of bullying as well as youths who are involved in bullying, and to provide the needed guidance to carry out the goals the Task Force recommends.

Section 2 – Background of Bullying Policy and Legislation

Since 2012, there has been an effort by the Louisiana Legislature, the Board of Elementary and Secondary Education (BESE), the Louisiana Department of Education (LDOE), and Local Education Agencies (LEAs) to address bullying in Louisiana schools.

Act 861 of the 2012 Regular Legislative Session required the LDOE, in collaboration with BESE, to develop procedures and regulations with regard to the proper reporting and investigating of an incident of bullying. These procedures include, but are not limited to, adoption of BESE-approved forms for reporting and investigating incidents of alleged bullying, proper parental notification, and mandatory orientation provided to faculty/staff/ students/parents. It also provides parents/legal guardians the right to appeal when a timely and effective investigation has not been conducted. Specifically, this legislation addresses school code of conduct and requires the development of bullying policies and procedures by LEAs (pursuant to **Louisiana Revised Statute 17:416.13**). Additionally, Act 861 includes what later became the BESE Bulletin 741 which requires each LEA to develop and adopt a policy that prohibits the bullying of a student by another student.

House Concurrent Resolution 91 of the 2013 Louisiana Legislature created the Bullying Prevention Task Force that was charged with evaluating current state bullying policies and best practices relative to the implementation of those policies and developing recommendations relative to the procedures and processes by which incidents of bullying are reported and investigated.

The 2013 Bullying Prevention Task Force submitted the following five recommendations to the House and Senate Education Committees:

- An increased focus on bullying outreach and prevention education for students and parents.

- Comprehensive training for all school employees in regular contact with children.
- Reporting and investigating procedures that allow for resolutions to incidents of bullying.
- Development of necessary and appropriate discipline procedures for bullying offenders.
- Provision of supports for victims of bullying.

HR 38 of the 2016 Louisiana Legislature urged and requested the LDOE to study and evaluate the effectiveness of current state policy to address and prevent student bullying.

In response to HR 38, personnel in Louisiana public schools are required to investigate reports of incidents of bullying behaviors, take appropriate actions to address the behaviors, and collect and report data through the Student Information System *Event Data* (Discipline) records. The *Event Data* (Discipline) record set consists of several records that provide information about an individual student's discipline 'events' during a school year. An event is defined as one or more offense(s) that may be committed by one offender or a group of offenders acting together at the same time and place. There are separate event codes for harassment, intimidation, bullying, and cyberbullying. Each reported incident includes the primary reason code, which is defined as the most serious offense associated with the event [Student Information System (SIS) User Guide 2014-15 Version 1.0IS]. The LEA enters the information about the bullying incident in the SIS *Event Record*, which captures and stores the information about the incident, including student victim, perpetrator(s) data, date, time, event code, actions taken, etc.

Currently, there are no procedures to verify the accuracy of what is reported by LEAs. Data are accepted and reported without ascertaining its veracity.

Section 3 – HR 208 Bullying Prevention Task Force Membership

The Task Force shall be composed of:

- The secretary of the Louisiana Department of Health or his designee.
- The secretary of the Department of Children and Family Services or his designee.
- The executive director of the Louisiana Chapter of the National Association of Social Workers or his designee.
- The president of the Louisiana Counseling Association or his designee.
- The president of the Louisiana Association for Behavioral Health or his designee.
- The president of the Louisiana School Counselor Association or his designee.
- The president of the Louisiana Association of Marriage and Family Therapy or his designee.
- The president of the Louisiana Psychological Association or his designee.
- The deputy secretary of the Department of Public Safety and Corrections, youth services, Office of Juvenile Justice or his designee.
- The president of the Louisiana Association of Child Welfare and Attendance Personnel or his designee.
- The state superintendent of education or his designee.

- An education practitioner who has experience addressing the issue of bullying, designated by the state superintendent of education.
- Four parents or other members of the public who have demonstrated a commitment to addressing the issue of bullying, designated pursuant to the provisions of this Resolution.
- Two elected members of the Louisiana House of Representatives appointed by the speaker of the House of Representatives.
- Two elected members of the Louisiana Senate appointed by the president of the Senate.

All required areas of representation were met.

Section 4 – Process

The Louisiana Bullying Awareness and Treatment Task Force began meeting in 2017 with the inaugural meeting taking place on September 27th. Meetings continued in 2018. In 2019, meetings began in January, and the task force met on January 10th, March 14th, August 8th, October 10th and December 13th.

During 2018, the Task Force was able to secure full Task Force Membership with the addition of two parent/public member positions from the Senate. The Task Force revisited the definition of Bullying in the Law and considered recommended improvements.

The Task Force devoted time to hearing directly from school leadership (principals) and teachers (elementary, middle, and high schools) regarding the impact of the current bullying legislation in schools' response to bullying. The Task Force also heard from parents and youth who had lived experience with bullying.

Much discussion took place about LDOE Bullying reporting requirements. The Task Force reviewed two reports 1) Response to the Senate Concurrent Resolution 76 of the 2018 Legislative Session, and 2) Health and Physical Education in Louisiana's Public Schools (March 2019). Both reports included results of school surveys about bullying prevention; the rate of response ranged from 29-36% of total schools in the state.

Section 5 – Conclusions

The Task Force recognizes that bullying is a complex issue. There is no current legislative requirement for LEAs to report what they are doing to prevent bullying to LDOE. Task forces regarding bullying have been making recommendations that are not sustainable. As this group has discovered, there are currently no evidence-based treatments for bullying and bullying prevention has mainly focused on school climate.

The Children's Cabinet Advisory Board advises the Children's Cabinet on issues that need to be addressed. The Advisory Board is composed of over 60 organizations and providers that serve children and youth. The Children's Cabinet is led by the Governor and the first lady and is

composed of the Secretaries of child serving agencies. The Task Force recommends that a bullying prevention advocate be appointed to the Children’s Cabinet Advisory Board with a preference given to a member of the Bullying Task Force.

Section 6 –HR 208 Task Force Recommendations

1. The LDOE should support a targeted study of why implementation of bullying prevention is not effective in some LEAs. Information gathered from a pilot study should be used for a comprehensive study to assess the ability of our LEAs to effectively implement prevention strategies. The studies should include the following: methods of reporting; procedures of reporting and investigating incidents of bullying; types of materials and resources utilized in LEAs; and basic demographic information on LEA students.
2. The LDOE needs to initiate supportive actions in collaboration with these LEAs to ensure the incidents significantly decrease. The information gleaned from a targeted pilot study is expected to help identify what actions would be supportive to the LEAs.
3. The Task Force recommends that LDOE investigate incentivizing more complete data reporting of incidents of bullying and minimize the negative effects of such reporting.
4. The HR 38 Task Force recommended study of the barriers to valid reporting of data. The HR 208 Task Force should provide input regarding the types of data that should be collected and reported by schools to better monitor the conditions in schools that prevent bullying from occurring.
5. The Task Force should review previous legislation on bullying and provide an update on the status of previous recommendations from House Concurrent Resolution 91 of 2013 and House Resolution 38 of 2016 of the Louisiana Legislature.
6. In the interest of protecting children, the Task Force recommends that “emotional” be added to the bullying definition [LA R.S. 17:416:14 C. Definition of Bullying (2)(b)].
7. The Task Force recommends that a bullying prevention advocate be appointed to the Children’s Cabinet Advisory Board with a preference given to a member of the Bullying Task Force.
8. The Task Force recommends that the Legislature consider revising LA R.S. 17:416.13 (d) Parental Notification (iii) to remove the requirement that a parent be present for interviews for children involved in bullying.

Section 7 – Appendix

House Resolution 208 of the 2017 Regular Session
Louisiana Bullying Awareness and Treatment Task Force
Member/Designee List

	Agency	Member/Designee
1.	Louisiana Department of Health (Co-Chair)	Dr. Leslie Freeman
2.	Louisiana Department of Education (Co-Chair)	Michael Comeaux
3.	Department of Children and Family Services	LaTrese LeCour
4.	Louisiana Chapter – National Association of Social Workers	Dr. Bridgette Webster [formerly Wade]
5.	Louisiana Counseling Association	Royce Hooks
6.	Louisiana Association for Behavioral Health	Laura Tarantino
7.	Louisiana School Counselor Association	Royce Hooks
8.	Louisiana Association of Marriage and Family Therapy	Howie Brownell
9.	Louisiana Psychological Association	Dr. Alan Coulter
10.	Department of Public Safety and Corrections, Youth Services, Office of Juvenile Justice	Beth Touchet-Morgan
11.	Louisiana Association of Child Welfare and Attendance	Brad Prudhomme
12.	Louisiana Senate	Senator Beth Mizell
13.	Louisiana Senate	Senator Gerald Boudreaux
14.	Parent/Public Member - Senate	Erin Cogneviche
15.	Parent/Public Member - Senate	Melissa Licali
16.	Education Practitioner	Erin Pourciau
17.	Parent/Public Member - House of Representatives	Andrea Baxter
18.	Parent/Public Member – House of Representatives	Tamiko Stroud
19.	Louisiana House of Representatives	Representative Barbara M. Norton
20.	Louisiana House of Representatives	Representative Patricia Haynes Smith

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