

Lafourche Parish School Board

STUDENT CODE OF CONDUCT

Administrative Policy/Guidelines

2020-2021

Revised November 2020

INTRODUCTION

It is the purpose of the LPSD to operate the schools in a manner that will provide an orderly process of education and that will provide for the welfare and safety of all students who attend these schools. Our schools must provide environments for students that are conducive to student success. Such environments are safe, preventive, predictable, and provide a continuum of positive behavior intervention support for all students. The school's primary goal is to educate, not to discipline; however, when the behavior of the individual student comes in conflict with rights of others, corrective actions may be necessary both for the benefit of that individual and the school as a whole.

Individual teachers have the responsibility for order and control within their classrooms and adjacent areas where it is necessary. All necessary referrals of disciplinary actions shall go to the principal or the administrative personnel designated by the principal.

According to state law, every teacher and other school employee shall endeavor to hold every student to a strict accountability for any disorderly conduct in school or on the playground of the school, on the street or road while going to or from school, on any school bus, during intermission or recess, or at any school sponsored activity or function. Each teacher may take disciplinary action to correct a student who disrupts normal classroom activities, who is disrespectful to a teacher, who willfully disobeys a teacher, who uses abusive or foul language directed at a teacher or another student who engages in bullying, who violates school rules, or who interferes with an orderly education process.

In addition to those procedures set forth in R.S. 17:416.13 regarding bullying disciplinary action may include but is not limited to:

1. Oral or written reprimands;
2. Referral for a counseling session, which shall include but shall not be limited to conflict resolution, social responsibility, family responsibility, peer mediation, and stress management;
3. Written notification to parents of disruptive or unacceptable behavior, a copy of which shall be provided to the principal;
4. Any other disciplinary measures authorized by the principal and faculty of the school and in compliance with school board policy.

In accordance with LA R.S. 17:416(A) (4), any teacher or other school employee is permitted to report to the appropriate principal/administrator any alleged student discipline violation using the LPSD Student Information System (JCampus)/School Bus Behavior Report. The teacher or other school employee who initiated the referral shall have access to the corrective action taken within 48 hours (excluding non-work days) via JCampus. In all cases where a student's discipline violation(s) is submitted to the school administration via the Student Information System and the School Bus Behavior Report, parents shall be notified of the specific act(s) of misconduct. In each case of suspension or expulsion, the school shall notify the parent/guardian by mail and telephone or home visit. However, in any case involving the expulsion recommendation of a student, the contact with the parent shall include a certified letter.

SPECIAL NOTE: School Operations during a Pandemic or Other Health Emergency

The LPSB remains committed in keeping the health, safety, and well-being of our students and staff as our highest priority in coping with the COVID-19 Coronavirus pandemic for the 2020-2021 school year.

All decisions regarding changes to the school environment and schedule, including a possible interruption of in-person learning, will be made by the superintendent in consultation with and, if necessary, at the direction

of the Governor, Louisiana Department of Public Health, local health department, emergency management agencies, and/or the state Board of Elementary and Secondary Education .

All **school disciplinary rules** remain in effect even during the interruption of in-person learning. Students are subject to discipline for disrupting the remote learning environment to the same extent that discipline would be imposed for disruption of the traditional classroom. Students are also expected to follow all student safety protocols.

Violations of school disciplinary rules are subject to disciplinary action as provided by the District Code of Conduct.

School-Wide Positive Behavior Intervention Support (SWPBIS)

SWPBIS is a collaborative, assessment-based approach to developing effective interventions that address the behavior of all students. This process of positive behavior intervention support emphasizes the use of proactive-based strategies and aims to build effective environments in which positive behavior is more prevalent than problem behavior. Student behavior is addressed on a school- wide, classroom, and, when needed, individual student level by creating a sequence of behavior supports in which all school personnel participate. Features of SWPBIS include establishing behavioral competence of students through instruction, creating clearly stated rules and expectations for all settings on the school campus, and establishing clearly stated consequences for misbehavior and clearly stated procedures for rewarding appropriate behaviors. This process requires collaboration among administration, staff, and students at the district and school-wide levels to affect changes that influence positive student behavior and school climate.

All Lafourche Parish designated staff have been trained in the SWPBIS process and as a result are responsible for effective implementation and subsequent training updates. Lafourche Parish administrative staff are required to organize school leadership teams, prepare SWPBIS Books of Products for their individual schools, and make any recommendations (if applicable) for revisions of the Lafourche Parish Student Code of Conduct and Attendance regulations. The SWPBIS model is required to be incorporated into school campus's School Improvement Plan (SIP) when necessary.

New and continued training is offered to all Lafourche Parish designated staff in an effort to maintain and enhance the SWPBIS process. In accordance with the Louisiana State mandate, Lafourche Parish has created a District SWPBIS Leadership Team to evaluate the continued effectiveness of the SWPBIS process. The use of SWPBIS Walk- Through, Tiered Fidelity Inventory (TFI) and the School Evaluation Tool (SET) provides the direct and indirect assessment data.

SWPBIS refresher training offered on an annual basis include Universal – Tier One training, Secondary: Check-In Check-Out- Tier Two training, Tertiary: Prevent, Teach and Reinforce – Tier Three training, and Facilitator training.

Suspensions and Expulsions

Because of the severity of the sanction of suspension or expulsion, the LPSD requires preventive interventions prior to consideration of these sanctions and the formal recording of all actions taken. Interventions may include referrals to school counselor, referrals to support staff, parent/family contacts, referrals to mental health services, academic interventions, etc.

For discipline options that are **less severe** than suspension or expulsion, all schools shall incorporate "in- school suspension" (ISS) and "detention" (recess and/or after school).

There are two types of suspensions: A Suspension–In-School (SIS) and an Out-of-School Suspension (OSS).

The most severe discipline option is an expulsion. An expulsion shall mean the student is temporarily removed from his or her usual classroom placement to an alternative setting for a period of **not less than one complete semester** with no interruption of instructional services.

The Board has approved alternative general education programs called the PASS program and the VAL PASS program for suspended/expelled/excluded students as provided for in LA R.S. 17:416.2. Students suspended/expelled/excluded **for more than ten (10) days** from school or suspended until a formal expulsion hearing, shall remain under the supervision of the governing authority of the school system through an appropriate alternative placement.

The PASS program is located in the northern part of the parish in the Thibodaux area on the East Thibodaux Middle School campus. In the PASS program, students receive instructions via computers at the site as well as at home.

The VAL (Virtual Academy of Lafourche) PASS program is an approved alternative education program for suspended/expelled/excluded students in the central and southern parts of the parish. In the VAL PASS program, students receive instructions via computers at the VAL PASS sites as well as at home.

Students who receive special education services will continue to receive those services consistent with his/her I.E.P. and/or I.A.P plan while attending either the PASS program or the VAL PASS program.

The PASS program and the VAL PASS program are designed to offer variations of traditional instructional programs and strategies for the purpose of increasing the likelihood that pupils who are unmotivated or unsuccessful in traditional programs or who are disruptive in the traditional school environment remain in school and obtain a high school diploma.

A student who is suspended out of school **for ten days or fewer** shall be assigned schoolwork missed while he or she is suspended and shall receive either partial or full credit for such work if it is completed satisfactorily and timely as determined by the principal or his or her designee, upon the recommendation of the student's teacher.

A student who is suspended for more than ten days, or is expelled, shall receive educational services in an alternative educational placement, shall be assigned work by a certified teacher and shall receive credit for schoolwork if it is completed satisfactorily and timely as determined by the teacher. Such work shall be aligned with the curriculum used at the school from which the student was suspended or expelled.

Discipline of 504 Students

No 504 student shall be excluded from educational services for more than ten (10) days within the school year without prior notice to the LEA 504 Coordinator or designee (Pupil Appraisal-School Psychologist or Social Worker). The following discipline procedures shall be followed for 504 students who commit acts of misconduct resulting in disciplinary actions that exclude the student from instruction for more than ten (10) days within the school year.

504 Students that commit an act(s) of misconduct are subject to disciplinary removal if it is determined by a representation of relevant IAP committee members that must include the parent, a person knowledgeable about the student and a person knowledgeable about the disability that the misconduct is not a manifestation of his or her disability. This team shall determine if the student's act(s) of misconduct are "related" to the student's disability. This determination is to be documented as part of an SBLC meeting held for this purpose.

If it is determined that the misconduct **is not related** to the student's disability, then the disciplinary action may proceed. If it is determined that the misconduct **is related** to the student's disability, then the disciplinary action shall cease and alternate means of addressing the misconduct (i.e. interventions, strategies, etc.) must be determined, implemented and monitored for effectiveness.

Discipline for Special Education Students:

Expulsion/Exclusion

(NOTE: Gifted and Talented students are treated as regular education students with regard to discipline). Discipline for Special Education Students shall be in accordance with the provision of BESE Bulletin 1706, Louisiana Administrative Code, Title 28, Sections 530, et seq. For a complete review of the procedures required under law, please visit www.louisianabelieves.com, BESE, Bulletin 1706, Subchapter B. "Discipline Procedures for Students with Disabilities".

Generally, a disabled student under this section may not be removed from his or her current placement for more than ten (10) school days, consecutively or cumulatively, or violations of the Student Code of Conduct without a determination of whether the conduct in question was caused by, or had a direct and substantial relationship to the student's disability (a Manifestation Determination Review). Other circumstances may exist where the removal is for fewer than ten (10) days, but the student has been subjected to a series of removals that constitutes a pattern which exceed ten (10) days in a school year. In such case, a Manifestation Determination Review shall be conducted.

The Manifestation Determination Review, is an I.E.P. Committee meeting convened by the School, within ten (10) school days of any decision to change the placement of the student because of a code of conduct violation, and is attended by the parents and relevant members of the student's I.E.P. team. The reviewing members of the meeting will consider all relevant information in the student's file, including the student's I.E.P., teacher observations, and any relevant information provided by the parents to assist in arriving at a manifestation determination. **The parent, or the student when age appropriate, shall be provided a copy of educational rights and procedural safeguards prior to conducting the review meeting to determine relatedness.**

Special circumstances may exist which permit the School to remove the student to an interim alternative educational setting without regard to whether the behavior is determined to be a manifestation of the student's disability. These circumstances include carrying or possessing a weapon while at school, or on school premises, or to a school function under the jurisdiction of the School; knowingly possessing or using illegal drugs, or sells or solicits the sale of a controlled substance while at school, or on school premises, or at a school function under the jurisdiction of the School; or has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the State or the School. In these instances, the Superintendent may assign a designee to serve on a Manifestation Determination Review Committee, if warranted.

On the date on which the decision is made to make a removal that constitutes a change of placement of a student with a disability because of a violation of the code of student conduct, the School shall notify the parents of that decision, and provide the parents the procedural safeguards notice described in Section 505 of Bulletin 1706, which includes the right of appeal.

NOTE: The above information is intended to provide only general information regarding the rules and regulations governing the discipline of special education students. For more detailed information, please contact the Lafourche Parish Pupil Appraisal Center at 985-447-8181 or download Bulletin 1706 from the State's website.

VIRTUAL INSTRUCTION

Students must maintain virtual settings and behaviors that are conducive for instruction and that minimize distractions.

Virtual Work Settings

1. Students are expected to have a designated work area in their home cleared of everything other than what is required for class. Working stations must be free of foreign objects that are not being utilized for instruction.
2. The recording device being used for instruction **must be positioned** to allow teachers to observe both the working space and student, especially during testing.
3. **Eating and drinking** are not allowed during virtual classes. This can potentially damage electronic devices and can be distracting during instruction.
4. When possible, students are encouraged to work in areas that are **isolated from other individuals and pets**. If circumstances exist that do not allow complete seclusion, the parent will need to share this information separately with the instructor. Instructors will only require what the parent can reasonably provide.
5. **Additional electronic devices** should not be kept or used within the visible working area, unless they are being utilized for instruction and are teacher approved. This includes televisions, phones, earphones and other devices that may provide distractions from teacher guided instruction.
6. Students will follow daily guidance from their teachers regarding best methods of communicating and participating during **virtual classes**. Instructions regarding when and how to interact verbally and how to use audio and camera options will be dependent on the design of instruction and direction of the teacher.
7. Students are expected to **remain positively engaged** in instruction and participate.
8. Behavior that is disruptive to the virtual class setting will be addressed using **progressive discipline measures as outlined in the LPSD Student Code of Conduct**

Student Dress & Conduct

Students are to wear **appropriate dress** that does not distract from the virtual learning process.

Inappropriate attire including but not limited to the following **are prohibited**: Pajamas or clothing that is transparent or overly revealing, clothing with profanity; derogatory terms; racial slurs; or sexual content.

School uniforms will not be required for virtual classes.

Discipline for Virtual Learners

Students should refrain from engaging in any of the behaviors identified in LPSD Code of Conduct while engaged in virtual classes. The Lafourche Parish School District has extended its existing behavior guidelines to the virtual classroom **in a manner that addresses virtual instruction in remote locations.**

Behaviors that could result in disciplinary actions for online students include but are not limited to **cyberbullying, wearing inappropriate clothing, repeated tardiness, inappropriate use of electronic media, threats, and intentional disturbance of an online class.**

Students who violate the student code of conduct will be subject to one, or more of the following **virtual disciplinary consequences:** Student Conference/Warning, Out-Of-School Suspension and Expulsion/Exclusion.

Student Conference/Warning entails either a teleconference or an in-person conference with the student, parent/guardian(s) and a school administrator. The teacher will refer the infraction to the principal or designee to enter into the JCampus data reporting system. The student would not have a disruption in schooling and will not be removed from the class.

Out-of-school suspension entails a student only having access to power points and or assignments/materials outside of live learning sessions. Students will be suspended from live sessions and interactions with peers during the suspension. The student is not allowed to attend school-sponsored programs or activities during the suspension. The length of a suspension is determined by the school administrator with suspensions of more than 3 days requiring approval from Child Welfare and Attendance. The teacher will refer the infraction to the principal or designee to enter into the JCampus data reporting system.

Recommended Expulsion/Exclusion will be reserved for serious discipline infractions. The LPSD will ensure that the student's constitutional rights are observed and upheld during the course of a recommendation for expulsion/exclusion.

Discipline for Students with Disabilities

If a student with a disability violates a code of conduct, he or she will be disciplined according to the discipline measures described above for up to 10 days. Upon subsequent violations that result in suspensions that exceed 10 days, the school will determine if the behavior was a manifestation of the student's disability. If the school determines that the violation is not a manifestation of the student's disability, the school will apply the discipline procedures to the student in the same manner and for the same duration as the procedures that would be applied to students without disabilities. However, if it is determined that the violation was a manifestation of the student's disability, the school will conduct a functional behavior assessment and develop a behavior plan to address the violation so that it does not recur.

Seclusion and Restraint

LPSD recognizes that, in order for students to receive a free and appropriate education, a safe environment needs to be provided. In doing so, the LPSD also recognizes that there are circumstances in school under which reasonable and appropriate measures and techniques will need to be employed in dealing with violent or noncompliant student behavior.

LPSD shall sanction the use of student seclusion and restraint techniques when such use is consistent with the student's Individualized Education Plan (I.E.P.), Section 504 plan, or behavior intervention plan, and with the requirement that I.E.P. Teams consider the use of positive behavioral interventions and support when the

student's behavior impedes his or her learning or the learning of other students. However, this does not preclude the use of seclusion or restraint techniques in circumstances where school personnel reasonably believe that the student's behavior involves an imminent risk of harm to the student or others.

Seclusion shall mean a procedure that isolates and confines a student in a separate room or area until he or she is no longer an immediate danger to self or others. Restraint shall mean the application of bodily force or any device or object used to limit a person's movement. Imminent risk or harm shall mean an immediate and impending threat of a person causing substantial physical injury to self or others.

The parent or other legal guardian of a student who has been placed in seclusion or physically restrained shall be notified as soon as possible. The student's parent or other legal guardian shall also be notified in writing, within twenty-four (24) hours, of each incident of seclusion or physical restraint. Such notice shall include the reason for such seclusion or physical restraint, the procedures used, the length of time of the student's seclusion or physical restraint, and the names and titles of any school employee involved.

The Director or Supervisor of Special Education or his or her designee shall be notified any time a student is placed in seclusion or is physically restrained.

A school employee who has placed a student in seclusion or who has physically restrained a student shall document and report each incident. Such report shall be submitted to the school principal not later than the school day immediately following the day on which the student was placed in seclusion or physically restrained and a copy shall be provided to the student's parent or legal guardian.

The rules and guidelines adopted for the appropriate use of Seclusion and Restraint shall be provided to all school employees and every parent of a student with an exceptionality.

The rules and guidelines shall not be applicable to a student or the parent of a student who has been deemed to be gifted or talented unless the student has been identified as also having a disability.

All instances where seclusion or physical restraint is used to address student behavior shall be reported by LPSD to the Louisiana Department of Education.

Guidelines and Procedures

The School Board shall require the Superintendent and staff to maintain adequate procedures governing the use of seclusion and physical restraint of students that are in accordance with federal and state law, as well as regulations promulgated by the Louisiana Board of Elementary and Secondary Education (BESE). At a minimum, the guidelines and procedures shall include the following:

1. No student shall be subjected to any form of mechanical restraint.
2. Physical restraint shall be used only:
 - a) When a student's behavior presents a threat of imminent risk of harm to self or others and only as a last resort to protect the safety of self and others.
 - b) To the degree necessary to stop dangerous behavior.
 - c) In a manner that causes no physical injury to the student, results in the least possible discomfort, and does not interfere in any way with a student's breathing or ability to communicate with others.
3. No student shall be physically restrained in a manner that places excessive pressure on the student's chest or back or that causes asphyxia.
4. A student shall be physically restrained only in a manner that is directly proportionate to the circumstances and to the student's size, age, and severity of behavior.
5. Seclusion and physical restraint shall not be used as a form of discipline or punishment, as a threat to control, bully, or obtain behavioral compliance, or for the convenience of school personnel.
6. No student shall be subjected to unreasonable, unsafe, or unwarranted use of seclusion or physical restraint.

7. A student shall not be placed in seclusion or physically restrained if he or she is known to have any medical or psychological condition that precludes such action, as certified by a licensed health care provider in a written statement provided to the school in which the student is enrolled.
8. A student who has been placed in seclusion or has been physically restrained shall be monitored continuously. Such monitoring shall be documented at least every fifteen (15) minutes and adjustments made accordingly, based upon observations of the student's behavior.
9. A student shall be removed from seclusion or released from physical restraint as soon as the reasons for justifying such action have subsided.

Follow-Up Procedures

Following any situation resulting in the use of seclusion or restraint of a student, a Functional Behavioral Assessment (FBA) should be considered.

If a student is involved in five incidents in a single school year involving the use of physical restraint or seclusion, the student's Individualized Education Plan team shall review and revise the student's behavior intervention plan to include any appropriate and necessary behavioral supports.

The documentation compiled for a student who has been placed in seclusion or has been physically restrained and whose challenging behavior continues or escalates shall be reviewed at least once every three weeks.

Employee Training Requirements

The Superintendent or his or her designee shall be responsible for conducting and maintaining appropriate training programs for school personnel designed to address the use of seclusion and restraint techniques with students with disabilities. In addition, positive behavioral intervention strategies, crisis intervention, and de-escalation, as well as other procedures, may also be included in any training. The provisions of these guidelines shall not be construed to conflict with any federal or state rules or regulations or other guidelines affecting special education students with disabilities as defined in LA R.S. 17:1943, et seq.

ADMINISTRATIVE POLICY/GUIDELINE GOALS

The goals of this policy are to be followed in the administration of disciplinary action. They are designed to:

1. Provide students with a program that includes ample opportunity for modification of behavior utilizing principles of effective teaching and strategies consistent with the school-wide PBIS process;
2. Provide consistency in the administration of disciplinary actions, i.e., a fair program in that all students charged with the same level of misconduct will receive the same action;
3. Provide students, parents, and school personnel, clearly stated, advance knowledge of the courses of action to be followed in handling disciplinary matters;
4. Provide a discipline program that is sequential (moderate to most severe action) using the disciplinary options/corrective strategies listed in the Student Code of Conduct.

Disciplinary Options

The principal or his or her designee shall provide oral or written notification to the parent or legal guardian of any student removed from the classroom for violating the school's Code of Conduct and/or exhibiting disruptive or inappropriate behavior. Such notification shall include a description of any disciplinary action taken. The

student shall not be readmitted to the class until the principal has implemented one of the following corrective strategies or disciplinary options after the student is assured of his or her due process:

1. Administrative conference
 2. One or more of the following options:
 - a. Recess detention
 - b. In-school suspension
 - c. Refer student to the Response To Intervention Team (RTI)
 - d. After school detention
 - e. Require completion of assigned regular and/or remedial school and homework
 - f. Refer to Guidance Counselor
 - g. Require an administrative conference with the parent or guardian (include the teacher in conference upon the teacher's request)
 - h. Deny participation in school events and/or extracurricular activities including, but not limited to, sports and field trips
 - i. Schedule adjustment
 - j. Behavior contract
 - k. Refer to the School Building Level Committee
 - l. Refer to the Office of Child Welfare and Attendance for action (Truancy/Families in Need of Services [FINS])
 - m. Refer to Pupil Appraisal
 - n. Any other disciplinary measure pursuant to law or board policy
 - o. Refer to SWPBIS Committee
 - p. Denial of driving privileges on school property
 - q. Denial of electronic device privileges
 3. One-day suspension
 4. Two or three-day suspension
 5. Only with the approval of the Office of Child Welfare and Attendance greater than three, but not more than ten days of suspension. Additionally, one or more of the following interventions may be used:
 - a. Contact School Crisis/Safety Response Team or School Building Level Committee (SBLC)
 - b. Require the parent/guardian(s) and student to meet with the .guidance counselor, school psychologist, or school social worker.
- Note: Submit a FINS (Families In Need of Services) referral on a student's second suspension and third suspension to the Office of Child Welfare and Attendance as incorrigible.**
6. Suspension and recommendation for expulsion/exclusion

Acts of Student Misconduct, Definitions, and Disciplinary Options

Repeated offenses may require the next step in the discipline option sequence. This includes instances for any disorderly conduct in school, on the playgrounds of the school, on the street or road while going to or returning from school or on any school bus, during intermission or recess, or at any school sponsored activity or function.

Code, Infraction, Definition, Discipline Options, Notes

01, Willful disobedience, Deliberate choice to break a rule or disobey a directive given by a person in authority, 1, 2, 3, 4, or 5

02, Treats an authority with disrespect, Talking back, mocking, gesturing. Any act which demonstrates a disregard for or interference with authority or supervising personnel, 1, 2, 3, 4, or 5

03, Makes an unfounded charge against authority, Accusing a member of school staff of an act that is unlawful and/or a violation of school rules or policy not supported by evidence. False statements or representations

about individuals or identifiable groups of individuals that harm the reputation of the individuals or the group by demeaning them or deterring others from associating or dealing with them, 1, 2, 3, 4, 5, or 6

04, Uses profane and/or obscene language, Vulgar verbal messages, words or gestures that include swearing, or name calling., 1, 2, 3, 4, or 5

05, Is guilty of immoral or vicious practices, Isolated incident that is an unwelcome act or comment that is hurtful, degrading, humiliating or offensive to another person with a sexual, physical or racial component; Act that is dangerous, aggressive, or would be perceived as disturbing and not conforming to approved standard of social behavior and/or local community norms., 2, 3, 4, 5, or 6

06, Conduct or habits injurious others, Any intentional but not malicious act that causes injury, damage, or pain to another, 1, 2, 3, 4, 5, or 6

07, Uses/possesses controlled dangerous substances, The possession, use, cultivation, manufacturing, distribution, intent to distribute, concealment, sale, or purchase of any drug, narcotic, controlled substance, or any paraphernalia linked to above on school grounds, at school-sponsored events, or on school transportation vehicles., 6, Refer student for drug testing/ screening, **Notify local law enforcement; Notify Dept. of Motor Vehicles** (between ages 14-18)

08, Uses /possesses tobacco and/or lighter, The possession, use, purchase, intent to distribute, concealment, distribution or sale of tobacco products or any paraphernalia, e-cigarettes, etc. linked to the above on school grounds, at school- sponsored events, or on school transportation vehicles., 1, 2, 3, or 4, **Notify local law enforcement for tobacco possession, use, etc.**

09, Uses /possesses alcoholic beverages, The possession, use, purchase, intent to distribute, concealment, distribution or sale of alcohol products on school grounds, at school- sponsored events, or on school transportation vehicles, 3, 4, 5, or 6, **Notify local law enforcement. Note: Students under 18 yrs. of age may be reported to FINS.** Any or all of the following stipulations *may also* be employed by the principal appropriate to the infraction:

1. The student seeks assistance from a certified Community Agency.
2. The student and at least one parent participate for at least 3 hours in an appropriate educational program outside the school setting.
3. The student participates in a structured support group upon returning to school.
4. Any costs associated with participation in a structured support group as a condition of the student's return to school shall be borne by the parents/student/guardian and not the district

10, Disturbs the school/habitually violates rules, Behavior causing *major* disruption of instruction or any school activity and/or repeatedly violating any school rules in any area, includes but is not limited to sustained loud talking, yelling or screaming, noise with materials, and/or sustained out-of-seat behavior., 2, 3, 4, 5, or 6

11, Cuts, defaces, injures school/vandalism, Damage, destruction, or defacement of property belonging to the school or others, 1, 2, 3, 4, 5, or 6, Acceptable provisions for restitution, repair or replacement of damaged property by the student's parent/adult student (18 yrs. or older) **May notify local law enforcement.**

12, Writes or draws obscene/profane language/pictures, Writes or draws pictures, words, or images considered indecent or offensive (e.g., graffiti, letters, notes, posters, etc.), 1, 2, 3, 4, 5, Acceptable provisions for restitution, repair or replacement of damaged property by the student's parents /adult student (18 yrs. or older)

13, Possesses weapons, prohibited under federal law, Possessing weapon designed to expel a projectile by action of an explosive, Use of this code requires Firearms and Explosives Weapon Code per SIS User Guide, 6, **Notify superintendent and immediate supervisor, Notify local law enforcement, Notify Dept. of Motor Vehicles** (between ages 14-18)

14, Possesses firearms (not prohibited by federal law), knives, or other implements, which may be used as weapons, the careless use of which might inflict harm or injury (Excludes pocket knives with a blade length of less than 2 ½ inches), - possesses firearms (not covered by Code 13), knives or blades greater (>) than two and one-half (2.5) inches, or any object, device, instrument, material or substance, which may be used to inflict bodily injury or damage to property; or possession of any look-alike weapon or object (not prohibited by federal law) which can place a person in reasonable fear or apprehension of serious harm. *Use of this code requires "Other Weapon Code" per SIS User Guide 3, 4, 5, or 6, **Notify superintendent and immediate supervisor, May notify local law enforcement**

Note A: For knives with a blade length of *less* (<) than 2.5 inches, refer to code 78.

Note B: In the case of a student less than eleven years of age in pre-kindergarten through grade five, the principal **may**, but shall not be required to, recommend the student's expulsion.

Note C: As related to IDEA students only, an IDEA student possessing a "dangerous weapon" as defined under 18 USC 930(G)(2), i.e., a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily, except that such term does not include a pocket knife with a blade of less (<) than two and one-half (2 ½) inches in length, may be removed to an Interim Alternative Education Setting for up to forty-five (45) school days, without regard to whether the behavior is determined to be a manifestation of the student's disability.

15, Throws missiles liable to injure others, Throws any object toward a person that is either heavy, sharp and/or otherwise perceived to be harmful or with such velocity and force that it would cause physical harm or precipitate a fight or campus disturbance. *Use of this code requires *Other Weapon Code* per SIS User Guide. 1, 2, 3, 4, 5, or 6, **May notify local law enforcement**

16, Instigates or participates in fights, A hostile confrontation with physical contact involving two or more individuals, 2, 3, 4, 5, or 6, **Notify local law enforcement**

Note: If his/her actions are determined to be consistent with the definition of *self-defense* the student shall not be disciplined.

17, Violates traffic and safety regulations, To break any law that pertains to the obstruction and flow of traffic and/or safety regulations, 1, 2, 3, or 4

18, Leaves school or classroom without permission, Leaving the school campus and/or assigned classroom or location (including ISS) without permission and/or failure to return to school/class, 1, 2, 3, or 4

19, Is habitually tardy and/or absent, Reporting late to school or class (or checking out before dismissal time) when the day/period begins without permission, 1 or 2, Parents and /or CWA may be notified

20, Is guilty of stealing, Taking or obtaining the property of another without permission or knowledge of the owner without violence, 1, 2, 3, 4, 5, or 6, Counseling to include parent conference, acceptable provisions for restitution of stolen property by the student's parents /adult student (18 yrs. or older). **May notify local law enforcement; theft of \$300.00 or more shall notify local law enforcement.**

21, Commits any other serious offense, Any serious, harmful incident not covered by any other of these codes, but by the nature of the offense would be commonly considered an unacceptable behavior in a school environment. Disciplinary action determined by the principal appropriate to the infraction and age of the student, 1, 2, 3, 4, 5, or 6, **May notify local law enforcement.**

28, Gambling, Wagering money or property, 1, 2, 3, 4, 5,

32, Dress Code Violation, Out of dress code or ID violation, 1 or 2

33, Failure to Serve Assigned Consequence, Failure to serve Detention, Time Out Room, ISS or other assigned consequences., (ISS), 2, 3, 4, 5

38, Sexual Harassment, Intimidation, bullying, or coercion of a sexual nature, 1, 2, 3, 4, 5, or 6, Complete Sexual Harassment form; **May notify local law enforcement.**

41, Dishonesty, forging signature, grades or cheating, Cheating, plagiarism, fabrication, deception, and/or forging signature or grades, and/or lying to a school official 1 2, 3, 4, 5, or 6, **May notify local law enforcement.**

45, Bullying, Any pattern of obscene gestures, written electronic or verbal communication that threatens harm, taunting, malicious teasing, physical acts, but not limited to hitting, kicking, pushing or damaging personal property and repeatedly shunning or excluding students from activities., 1, 2, 3, 4, 5, or 6, Complete Bullying forms; **May notify local law enforcement. See LPSD Policy JCDAF**

51, Unauthorized use of Technology, Unauthorized use or operation of pager/cellular telephone (texting, talking, etc.), camera or video device or other communication devices during the school day , 1, 2, 3, 4, 5, or 6

Note: Consequences will be determined by the principal appropriate to the infraction, which may include *confiscation* of the device and/or *loss of privileges* to possess the device in school, on school grounds, and on school buses. Confiscation means until a parent/guardian can pick up the device or can arrange to have some other responsible adult pick up the device.

56, Rape/Sexual Assault/Battery, Forced, attempted, or actual anal, oral, or vaginal penetration by using a sexual organ or an object simulating a sexual organ, or the anal or vaginal penetration of another by any body part or object, 6, **Notify local law enforcement.**

57, Arson (starting a fire), Intentional damaging by any explosive substance or setting fire to any property of another without the consent of the owner, 6, Acceptable provisions for restitution, repair or replacement of damaged property by the student's parent/adult student (18 yrs. or older), **Notify Fire Marshal and local law enforcement.**

59, Causing a False Fire Alarm or making Bomb Threats, Initiating a warning of fire or other catastrophe without valid cause, misuse of 911, bomb threats, or discharging a fire extinguisher, 5 or 6, If school is evacuated-Option 6; **Notify local law enforcement.**

61, Burglary, The unauthorized entering of any school structure, vehicle or property, movable or immovable, with the intent to commit a felony or any theft therein., 3, 4, 5, or 6, Acceptable provisions for restitution of stolen property by the student's parents /adult student (18 yrs. or older). **Notify local law enforcement.**

66, Possession of over-the-counter or Prescription drugs, The possession and/or distribution of any over-the-counter medicine whether prescribed or not without permission from school officials, 2, 3, 4, 5, or 6, **May notify local law enforcement.**

67, Possession of Body Armor (except bullet-resistant backpacks), Possession, including the wearing of any type of gear (except bullet-resistant backpacks) that protects the person from attack by another, 5 or 6, **Notify local law enforcement.**

69, Murder, Unlawful killing of another human being, 6, **Notify local law enforcement.**

70, Assault and/or Battery, Aggressive action *directed at* school staff or students, which may involve threats and/or unwanted physical contact, while on school grounds, or at a school related activity, including a situation where a staff member is intervening in a fight or other disruptive activity., 3, 4, 5, or 6, **Notify local law enforcement.**

71, Kidnapping, Intentional, forcible seizing and carrying of any person from one place to another without his consent, 6, **Notify local law enforcement.**

72, Criminal Damage to Property, Intentional damage by any means other than fire or explosion to any property that requires a report to law enforcement (R.S. 14:55 may co-occur with other violations)., 3, 4, 5, or 6,

Acceptable provisions for restitution, repair or replacement of damaged property by the student's parent /adult student (18 yrs. or older) and counseling. **Notify local law enforcement.**

73, Misappropriation with violence to the person, Taking something of value using force, intimidation or weapons, 3, 4, 5, or 6, Acceptable provisions for restitution, repair or replacement of damaged property by the student's parent/ adult student (18 yrs. or older) and counseling. Complete bullying form. **May notify local law enforcement.**

74, Illegal carrying, and discharge of weapon(s) prohibited by federal law, Discharge or use of weapon described under "Weapon Type Code" in SIS User Guide. Use of this code requires *Firearms and Explosives* Weapon Code per SIS User Guide, 6, **Notify superintendent and immediate supervisor, Notify local law enforcement.**

75, Serious Bodily Injury, An injury that involves unconsciousness; extreme physical pain; protracted and obvious disfigurement; protracted loss or impairment of the function of a bodily member, organ, or mental faculty; or a substantial risk of death, 6, **Notify superintendent and immediate supervisor, Notify local law enforcement.**

77, Cyber-bullying, Unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, which is carried out through any use of technology. Cyber-bullying can occur on or off school property, 1, 2, 3, 4, 5, or 6, May complete Bullying Form; **May Notify local law enforcement.**

78, Possesses pocket knife with a blade length of less than 2.5 inches, Possesses a knife not otherwise defined in Section 14, e.g., a pocket knife, blade cutter, etc., with blade length less (<) than two and one-half (2.5) inches. *Use of this code requires *Other Weapon Code* per SIS User Guide, 2, 3, 4, 5, or 6, **May notify local law enforcement.**

Note A: No student shall be permitted to carry or possess a knife of any blade length except for purposes of involvement in a school class or course or school approved co-curricular or extracurricular activity or any other activity approved by the appropriate school officials. A principal may recommend expulsion or suspension if the student is found carrying or possessing a knife with a blade less (<) than two inches in length; however, in those instances such student, at a minimum, shall be placed in in-school suspension.

Note B: The principal shall immediately suspend a student who is found carrying or possessing a knife the blade of which equals or exceeds two (2) inches in length and recommend the student's expulsion except that, in the case of a student less than eleven (11) years of age in PK-5, the principal **may**, but shall not be required to, recommend the student's expulsion.

79, Public Indecency, Exposure of body parts such as genital/buttocks areas and female breasts in view of public, 2, 3, 4, 5, or 6, **May notify local law enforcement.**

80, Obscene behavior or Possession of Obscene/Pornographic Material, Engaging in behavior of a sexual nature including consensual sexual activity; Possession of sexual images in any form (e.g., computer, book, magazine, phone, drawing, etc.), 2, 3, 4, 5, or 6, **Notify local law enforcement.**

81, Trespassing, Unauthorized entering onto school property or on property once requested to leave including the unauthorized presence of a student on school property while on a restrictive access, suspension, or expulsion., 1, 2, 3, 4, 5, or 6, **May notify local law enforcement.**

82, Misusing Internet, Violating the district Internet Use Policy, 1, 2, 3, 4, 5, or 6, **May include loss of use privileges.**

101, Dating Violence, A pattern of behavior where one person threatens to use, or actually uses, physical, sexual, verbal, or emotional abuse to control his or her dating partner., 1, 2, 3, 4, 5, or 6, **May notify local law enforcement.**

102, Threatening faculty, An expression of intent to do harm or act out violently against a school employee. Can be spoken, written or symbolic. 1, 2, 3, 4, 5, or 6. **May notify local law enforcement.**

105, Crime of Violence, Violent crime including murder, assault and battery, rape and sexual battery, kidnapping, arson, criminal damage to property, burglary, misappropriation w/violence to person, serious bodily injury, 6 **Notify local law enforcement.**

Element Name: SIS **Weapons Code**

Code Values:

01 - Single Bladed Knife with blade less than 2.5 inches – includes box cutter if max length is less than 2.5 inches

02 - Single Bladed Knife with blade 2.5 inches or greater – includes box cutters if max length is 2.5 inches or more

03 - Large or dual bladed implement (Sword, machete, saber, bowie knife, dagger)

10 - Makeshift Sharp Object (i.e., sharp stick, pencil, comb with pointed end, fork, etc.)

20 - Makeshift Blunt Object (i.e., rocks, stick or board used as club, book, etc.)

30 - Substance used as a weapon (i.e., mace, tear gas, acid, etc.)

40 – Gun not described under Firearms and Explosives Weapons Code (i.e., air gun, BB gun, pellet gun, etc.)

50 - Manufactured Device normally or easily used as weapon not previously defined (i.e., nunchaku, crossbow, shiv throwing star, dart, axe, hammer, bow and arrow, stun gun, brass knuckle, etc.)

99 - Other Weapon

NOTE: Weapon code required if Primary Reason Code 14, 15 or 31 used

Element Name: SIS ***Firearms and Explosives Weapons Code***

Code Values:

01 - No longer used as of school year 1997-1998

02 - The frame or receiver of any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive

03 - Any firearm muffler or firearm silencer

04 - Any explosive, incendiary, or poison gas, such as a: bomb; grenade; rocket having a propellant charge of more than four ounces; missile having an explosive or incendiary charge of more than one-quarter ounce; mine; or similar device

05 - Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter

06 - Any combination of parts either designed or intended for use in converting any device into any destructive device described in 04 and 05, above, and from which a destructive device may be readily assembled

07 - Handguns

NOTE: *Firearms and Explosives* Weapon code required if Primary Reason Code 13, 30 used

Glossary of Terms

Arson – intentional damaging by any explosive substance or setting fire to any property of another without the consent of the owner.

Assault – an attempt to commit a battery, or the intentional placing of another in reasonable apprehension of receiving a battery.

Battery - the intentional use of force or violence upon the person of another; or the intentional administration of a poison or other noxious liquid or substance to another.

BIP (Behavior Intervention Plan) – An individualized plan that identifies strategies to teach positive alternative behaviors and includes positive strategies, programs or curricular modifications, and supplementary aids and supports required to address behaviors of concern.

Body Armor – shall mean bullet-resistant metal or other material intended to provide protection from weapons or bodily injury. Does not include bullet-resistant backpacks.

Bullying – a pattern of any inappropriate acts of gesturing, communication, physical contact, or shunning as defined in LPSD Policy JCDAF and La. R.S. 17:416.13

Contraband – items which are prohibited at school.

Criminal Damage to Property – intentional damaging of any property of another, without the consent of the owner, and except as provided in R.S. 14:55 by any means other than fire or explosion.

Corporal Punishment- is defined as “using physical force to discipline with or without an object”. Corporal punishment includes hitting, paddling, striking, spanking, slapping, or and other physical force that causes pain or physical discomfort. It is the policy of the LPSD to prohibit the use of corporal punishment as a disciplinary measure in any of the schools under the jurisdiction of the school board (policy JDA)

Creditable and Imminent Threat – means that the available facts, when viewed in light of surrounding circumstances, would cause a reasonable person to believe that the person communicating the threat actually intends to carry out the threat in the near future or has the apparent ability to carry the threat in the near future.

Cyber Bullying – means harassment, intimidations, or bullying of a student on school property by another student using a computer, mobile phone, or other interactive, or digital technology, or harassment, intimidation, or bullying of a student while off school property, by another student using any such means when the action or actions are intended to have an effect on the student when the student is on school property.

Dating Violence – a pattern of behavior where one person threatens to use, or actually uses, physical, sexual, verbal, or emotional abuse to control his or her dating partner.

Detention – shall mean activities, assignments, or work held before the normal school day, after the normal school day, or on a weekend. Failure or refusal by a pupil to participate in the assigned detention may subject the student to immediate suspension. Assignments, activities, or work which may be assigned during detention include, but shall not be limited to, counseling, homework assignments, behavior modification programs, or other activities aimed at improving the self-esteem of the pupil.

Exclusion – A disciplinary change in educational placement for more than 10 days either consecutively or cumulatively of a student receiving special education services. This change in placement must be done in accordance with The Individual with Disabilities Educational Improvement Act (IDEiA).

Expulsion – removal of a student from all regular school settings for a period of not less than one (1) school semester. During an expulsion, the Superintendent shall place the pupil in an alternative school or in an alternative educational placement with no interruption of instructional services.

Extortion – to obtain something by pressure or intimidation.

Fighting – a physical altercation between students.

Firearms – any handgun, rifle, shotgun or any other device that can expel a projectile by the action of an explosive or other propellant.

Good Standing Student- Upon completion of the term of suspension/expulsion/exclusion or PASS assignment, the student will be considered in good standing.

Hazing – Is any intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against another when both of the following apply:

- (i) The person knew or should have known that the act endangers the physical health or safety of the other person or causes severe emotional distress.
- (ii) The act was associated with pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization.

Homicide (killed on campus) – murder and non-negligent manslaughter, killing of one human being by another, killing a person through negligence.

Hooky – unauthorized absence from a scheduled educational activity.

Immoral – not in conformity with accepted principles of right and wrong behavior; contrary to the moral code of the community.

In-School Suspension (ISS) – shall mean temporarily removing a student from his or her normal classroom setting but maintaining him/her under supervision within the school for a minimum of one *complete* school day with no interruption of instructional services. Any students participating in an in-school suspension may receive credit for work performed during the in-school suspension. However, any student who fails to comply fully with the rules for in-school suspension shall be subject to immediate suspension.

Intentional – evidence of pre meditation and/or deliberation – on purpose.

Kidnapping – intentional, forcible, seizing and carrying of any person from one place to another without his or her consent.

Malnutrition – the unhealthy condition that results from not eating enough food or not eating enough healthy food.

Misappropriation with Violence to the Person – the taking of anything of value belonging to another from the person of another or that is in the immediate control of another, by use of force or intimidation, or while armed with a dangerous weapon.

Molestation – to annoy, disturb, or persecute especially with hostile intent or injurious effect and/or to make annoying sexual advances to; especially to force physical and usually sexual contact on.

Out-of-School Suspension (OSS) – a severe disciplinary sanction that is administered as a consequence for a student's inappropriate behavior and requires that a student absent himself/herself from the classroom or school at home under the supervision of his or her parent/guardian(s) for at least one full day but not to exceed ten days.

Note: A student who receives a suspension-in-school (SIS) and/or out- of-school (OSS) for ten days or fewer shall be assigned schoolwork missed while he or she is suspended and shall receive

either partial credit or full credit for such work if it is completed satisfactorily and timely as determined by the principal, upon recommendation from the teacher.

P.A.S.S. - (Positive Action School Site) shall mean an alternative educational program for suspended/expelled/excluded students designed to continue the educational process in the general education curriculum at an alternative site.

PBIS (Positive Behavior Intervention Supports) – A school-wide, classroom, or individual process of behavior supports that emphasizes the use of proactive, educative, and reinforcement based strategies to achieve meaningful and durable behavior and lifestyle outcomes.

Possession – physical control of prohibitive items as listed in the LPSD Student Code of Conduct. Possession may be *actual* or *constructive*

Actual Possession – when the student has immediate access to the prohibitive item.

Constructive Possession – when the student has control over the locations, in which the prohibitive items are found (i.e., car, locker, book bag, etc.). School officials shall have discretion in imposing any disciplinary actions for constructive possession of a firearm or knife when stored in a motor vehicle and there is no evidence of intent to use it in a criminal manner.

Possessing a Weapon Prohibited by Federal Law – any firearm, explosive device, incendiary, or poison gas such as: bomb, grenade; rocket or other object that can place a person in reasonable fear or apprehension of serious harm that is on the student’s person and/or student’s belongings, locker, and/or other personal storage space.

Restitution – restoring or paying for damaged or stolen property.

School Functions/Activity –anything sponsored/controlled by school officials. Even if the event is held somewhere other than school property. This would include graduation ceremonies, sporting events, dances, plays, pep rallies, fundraisers, field trips, etc.

School Grounds – areas defined as part of the campus. This includes the main campus, auditoriums, sporting arenas, football and baseball fields, tracks, vocational facilities, the cafeteria, school bus, etc.

Self-Defense – a reasonable and apparently necessary use of force to protect oneself from injury if physically assaulted. A pupil who is the aggressor or who brings on a difficulty cannot claim the right provided to defend himself.

Serious Bodily Injury – bodily injury, which involves unconsciousness; extreme physical pain; protracted and obvious disfigurement; protracted loss or impairment of the function of a bodily member, organ, or mental faculty; or a substantial risk of death.

Sexual Battery (includes attempted) – any sexual act directed against another person, forcible and/or against the person’s will or not forcible or against the person’s will, where the victim is incapable of giving consent because of his or her youth or because of temporary or permanent mental incapacity.

Sexual Harassment – intimidation, bullying, or coercion of a sexual nature.

Sex Offense/Sexual Misconduct – inappropriate bodily contact of a sexual nature.

Significant Value – money or property with a value at or exceeding \$300.

Starvation – suffering caused by having nothing to eat or not enough to eat.

Suspension-In-School (SIS) – a severe disciplinary sanction that is administered as a consequence for a student’s inappropriate behavior and requires that a student absent himself/herself from the classroom but is assigned to an ISS room within the school for at least one full day but not to exceed ten days.

Terrorizing – the intentional communication of information that the commission of a crime is imminent or in progress or that a circumstance dangerous to human life exists or is about to exist, thereby causing any person to be in sustained fear of his or her or another person's safety.

Threat – an expression of intent to do harm or act out violently against someone or something – can be spoken, written or symbolic.

VAL – Virtual Academy of Lafourche.

Vandalism – intentional cutting, defacing or otherwise damaging property owned by or contracted to LPSD and/or others.

Weapon – any instrument or substance (animate or inanimate, including gases), which may inflict bodily injury.

Willful Disobedience – deliberate choice to break a rule or disobey a directive given by a person of authority.

Due Process

No student otherwise eligible for attendance at the schools of this parish shall be suspended or expelled/excluded from school without **due process**.

Each student suspended by a school official shall be afforded an informal hearing as soon as possible after the event causing the suspension with one exception. A pupil whose presence in or about a school poses a continued danger to any person or property or an ongoing threat of disruption to the academic process shall be "immediately" removed from the school premises without the benefit of an informal hearing, however, this necessary procedure shall follow as soon as is practicable. Any parent of a student suspended shall have the right to appeal to the superintendent of schools. The decision of the superintendent shall be final.

In each case of suspension or expulsion, the school shall notify the parent/guardian *by mail and telephone or home visit*. However, in any case involving the expulsion recommendation of a student, the contact with the parent *shall* include a certified letter.

In case of a suspension if the parent, tutor, or legal guardian of a student not emancipated by law willfully refuses to respond to the request for a conference with the principal, the principal may reinstate the suspended student on *not more than one occasion each year*. Thereafter, if the parent/guardian fails to attend the required conference within five (5) days of mailing a letter or other contact with the parent, the principal may send a Request for Assistance form to the Office of Child Welfare and Attendance requesting referral to court through Families in Need of Services (FINS). Pending a conference with the parent, the student may not be out of school more than three (3) days past the suspension period imposed by the principal. Special Education students may not be denied F.A.P.E. based upon the failure of the parent to comply with the request for a conference.

On a student's **second** suspension, it is **mandatory** that the Administrator or his or her designee hold a conference with the student's parent/legal guardian(s) and document that conference on a form supplied by the Office of Child Welfare and Attendance. Parent/legal guardian(s) are to sign this form acknowledging participation in the conference. Copies of this form are to be given to the parent/legal guardian(s) and a copy kept in the student's discipline folder. A signed copy is to be included in the student's expulsion packet, if warranted. The principal must send a **request for assistance form** to **CWA** requesting a referral to court for **FINS**.

Upon the recommendation by a principal for the **expulsion** of any student, a **formal hearing** shall be conducted by an Expulsion Hearing Committee designated by the superintendent. At such hearing, the student may be represented by any person of his or her choice. Until such hearing takes place for either a regular education student or a special education student, the student will be suspended and assigned to an appropriate alternative placement.

Appeal Process

Any parent of a student receiving a discipline option less severe than a suspension **shall have the right to appeal to the principal** of the school and shall not be heard by the superintendent or school board. The decision of the principal shall be **FINAL**.

Any parent, tutor, or legal guardian of a pupil suspended shall have the right to appeal to the Superintendent or his/her designee, who shall conduct a hearing on the merits. If the parent or legal guardian is not present for the hearing after having been properly notified, the hearing may proceed and the results of the hearing shall be mailed to the parent or legal guardian within three (3) school days by certified mail, return receipt requested. The decision of the Superintendent on the merits of the case, as well as the term of suspension, shall be **final**, reserving to the Superintendent the right to remit any portion of the time of suspension.

The parent or tutor of the pupil who has been recommended for expulsion in accordance with state law may, within five (5) days after the decision to expel has been rendered, request the School Board to review the findings of the Superintendent or designee at a time set by the School Board; otherwise the decision of the Superintendent shall be **final**.

If requested, as herein provided, and after reviewing the findings of the Superintendent or his/her designee, the School Board may affirm, modify, or reverse the action previously taken. The parent or tutor of the pupil shall have such right of review even if the recommendation is reduced to a suspension.

The parent or tutor of the pupil who has been recommended for expulsion in accordance with state law may, within ten (10) days, appeal to the district court for the parish in which the student's school is located, an adverse ruling of the School Board in upholding the action of the Superintendent or his/her designee.

The court may reverse or revise the ruling of the School Board upon a finding that the ruling of the School Board was based on an absence of any relevant evidence in support thereof. The parent or tutor of the pupil shall have such right to appeal to the district court even if the recommendation for expulsion is reduced to a suspension

Sequence of Suspensions

The sequence below will be followed whenever a student is suspended:

1. 1st suspension — Principal's option: Out-of-School Suspension (OSS) or Suspension-In-School (SIS) counting as an Out-of-School Suspension (1 or 2 days).
2. 2nd suspension – OSS (1 to 3 days)
3. 3rd suspension –OSS (3 days, greater than 3 but not more than 10 days with approval from CWA)
4. Multiple suspensions - Principal's option which may include recommendation for Expulsion.

Removal of Students from the Classroom by the Teacher

When a student's behavior prevents the orderly instruction of other students or poses an immediate threat to the safety or physical well-being of any student or teacher, when a student exhibits disrespectful behavior toward the teacher such as using foul or abusive language or gestures directed at or threatening a student or a teacher, when a student violates the school's code of conduct, or when a student exhibits other disruptive, dangerous, or unruly behavior, including inappropriate physical contact, inappropriate verbal conduct, sexual or other harassment, throwing objects, inciting other students to misbehave, or destroying property, the teacher

may have the student immediately removed from his classroom and placed in the custody of the principal or his designee. A student removed from the classroom pursuant to this Subparagraph shall be assigned school work missed and shall receive either partial or full credit for such work if it is completed satisfactorily and timely as determined by the principal or his designee, upon the recommendation of the student's teacher; however, the teacher shall not be required to interrupt class instruction time to prepare any such assignment. Students participating in in-school suspension may receive credit for work performed during in-school suspension. The teacher may require that the parent/guardian of the student have a conference with the teacher in the presence of the principal or his designee before the student is readmitted. Upon the third removal from the same classroom for the above cited reasons, the teacher and the principal shall discuss the disruptive behavior patterns of the student and the potentially appropriate disciplinary measure before the principal implements a disciplinary measure. If appropriate, a referral of the matter may be made to an appropriate building level committee. In addition, upon the third removal a conference between the teacher or other appropriate school employee and the student's parent/guardian(s) shall be required prior to the student being readmitted. Parent/Guardian(s) of students repeatedly removed from a teacher's classroom (3 or more removals) may be required to attend after school intervention sessions (P.A.R.C. Program) with the student. Parent/Guardian(s) who fail to attend such a session may be referred to F.I.N.S. (Family in Need of Services)

Return of Students to the Classroom

A student in kindergarten through grade 6 removed from a class shall not be permitted to return to the class for at least thirty minutes unless agreed to by the teacher initiating the disciplinary action. A student in grades 7 –12 removed from the class will not be permitted to return to the class during the same class period unless agreed to by the teacher initiating the disciplinary action. Additionally, the student shall not be readmitted to the class until the principal has implemented one or more of the following disciplinary measures outlined in Discipline Option 1 through 6 or any other disciplinary measure with the concurrence of the teacher or the building level committee pursuant to the law and board policy.

If disruptive behavior persists, the teacher may request that the principal transfer the student into another setting. Whenever a student has been found guilty at an expulsion hearing of committing an assault or battery on any school employee, that student shall not be assigned to attend or shall not attend the school in which the school employee battered by the student is assigned. LPSD shall not be required to provide transportation to any student reassigned. The only exception shall be if the Lafourche Parish School system has no other school of suitable grade level for the student to attend or in the case of an exceptional student whose I.E.P cannot be implemented on any other LPSD campus.

Loss of Function/Activity Privileges and Notification to Law Enforcement

Students may be suspended from participation in or being present at school related functions/activities. When a student is under a term of expulsion and returns to the regular school site under probation the student shall not participate in any co-curricular or extra-curricular functions/activities that take place outside of the instructional day on any Lafourche Parish school campus until the term of the expulsion is complete. Functions and activities include school dances, athletic events, certain band activities and graduation to name a few. Alternate assignments will be assigned in place of the after school activities to ensure that the student has every opportunity to earn the highest grade. This should be stipulated in the return to school contract. A student granted permission by the superintendent to return to school on probation is still considered an expelled student.

When a student is under suspension or assigned to an appropriate alternative placement, a student shall not participate in or be present at any school related function/activity prior to completion of the suspension or the assignment to an appropriate alternative placement without the permission of the school administrator. Upon completion of the term of the suspension/expulsion/exclusion the student will be considered in good standing.

Nothing in this policy is intended to limit a teacher's or other school employee's authority to require a student to leave a particular extracurricular activity when the teacher has evidence that the student's behavior has been in violation of Board policies or school rules regarding student conduct. A report of misconduct of such a pupil and the action taken by the teacher or other school employee shall be reported to the appropriate school administrator at the earliest possible opportunity, preferably not later than the beginning of the next school day. Parent/Guardian(s) shall be advised when notification is made to local law enforcements.

Felonies

The conviction of any student of a felony or the incarceration of any student in a juvenile institution for an act which had it been committed by an adult would have constituted a felony **may** be cause for an expulsion of the student for a period of time as determined by LPSD. Any student that commits a felony on campus shall be subject to a recommendation for expulsion.

Disciplinary Infractions during Summer/After School Hours (R.S. 17:416.1)

Considering the obligation of LPSD to the education of all children, LPSD's disciplinary rules will apply to criminal, quasi criminal and civil disturbances performed by students during the summer months, or times during when students are not under the direct supervision of the school authority (ex. After school hours, weekends, holidays, emergency days) as follows:

1. Any act where there is a connection to the learning environment as determined by the hearing officer;
2. Any act that in the opinion of the hearing officer would constitute a health and safety factor;
3. Any act whether criminal, quasi criminal or a civil violation that would cause the hearing officer, after listening to all of the facts, to deem it a threat or a heinous repudiation of the Lafourche Parish School System.

Bullying

It is the policy of LPSD to prohibit bullying by any means, including but not limited to electronic, written, oral or physical acts, either direct or indirect, when such intentional acts substantially interfere with a student's education and/or substantially disrupt the operation of school. This prohibition shall apply to all LPSD employees, volunteers, parents/guardians, and students, including conduct between students, between adults, and between adults and students.

Defines bullying as:

1. A pattern of any of the following:
 - a. Gestures, including but not limited to obscene gestures and making faces.
 - b. Written, electronic, or verbal communications, including but not limited to calling names, threatening harm, taunting, malicious teasing, or spreading untrue rumors. Electronic communication includes but is not limited to a communication or image transmitted by email, instant message, text message, blog, or social networking website through the use of a telephone, mobile phone, pages, computer, or other electronic device.
 - c. Physical acts, including but not limited to hitting, kicking, pushing, tripping, choking, damaging personal property, or unauthorized use of personal property.
 - d. Repeatedly and purposefully shunning or excluding from activities.
2. Where the pattern of behavior is exhibited toward a student, more than once, by another student or group of students and occurs, or is received by, a student while on school property, at a school-sponsored or school-related function or activity, in any school bus or van, at any designated school bus stop, in any other school or private vehicle used to transport students to and from school, or any school-sponsored activity or event.

3. The pattern of behavior must have the effect of physically harming a student, placing the student in reasonable fear of physical harm, damaging a student's property, placing the student in reasonable fear of damage to the student's property, or must be sufficiently severe, persistent, and pervasive enough to either create an intimidating or threatening educational environment, have the effect of substantially interfering with a student's performance in school, or have the effect of substantially disrupting the orderly operation of the school.

The effects of bullying on students are numerous and may include feelings of fear, depression, loneliness, low self-esteem, health problems, poor grades, suicidal thoughts, etc. There may also be consequences for children who are bystanders to bullying such as fear, low self-esteem, a sense of guilt for not acting and even a temptation to participate.

School sanctions for bullying vary from conferences to recommendation for expulsion/exclusion, while criminal sanctions may result in charges of assault, harassment, etc. LPSD will investigate and report all allegations of bullying pursuant to law and LPSD policy.

Any student, school employee, or school volunteer who in good faith reports an incident of bullying shall be immune from a right of action for damages arising from any failure to remedy the reported incident.

Assignments/Transfers to Unadjustable or Incurable Children (Act 1034 of 1992/R.S. 17:224)

Notwithstanding the provisions of R.S. 17:416 to the contrary, any student who exhibits disruptive behavior, an incurable attitude, or any other discipline problems in general, may be recommended by the principal for expulsion, assignment to an appropriate alternative educational program, or transfer to adult education if such student is:

1. Seventeen years of age or older with less than five (5) units of credit toward graduation;
2. Eighteen years of age or older with less than ten (10) units of credit toward graduation;
3. Nineteen years of age or older with less than fifteen (15) units of credit toward graduation.

Driving is a Privilege (Act 732/HB 1686 of 2003)

Act 732 of the 2003 Legislative Session provides for the suspension of driving privileges of a student who is expelled or suspended from school for ten (10) or more consecutive school days for committing certain infractions. The infractions listed below are the only suspendable/expellable offenses:

1. Sale/Possession of drugs, alcohol, or other illegal substance
2. Possession of a firearm
3. An infraction involving assault or battery on a member of the school faculty or staff

The principal must notify the Department of Public Safety and Corrections and the Office of Motor Vehicles of any student between the ages of 15 and 18 who has been subjected to a disciplinary infraction described above, so that the process of suspension of driving privileges of a student may occur. The suspension will not exceed the student's 18th birthday. A hardship license may be requested by the student to drive to and from school, work, a drug or alcohol treatment counseling program or a mental health treatment program when no other transportation is available. If after six (6) months of suspension the student displays exemplary behavior, the principal may send a signed letter on official school letterhead stating this and the suspension of the student's license will end.

Electronic/Telecommunication Devices

No student, unless authorized by the school principal or his or her designee, shall possess, use or operate any electronic telecommunication device, including but not limited to, any, facsimile system, radio paging system, cell or smart phone/device, intercom, or electronic mechanical paging device, MP3, iPod, or gaming device in any elementary, middle, or secondary school building or on the grounds during the instructional day or in any school bus used to transport public school students. A violation of these provisions may be grounds for disciplinary action, including but not limited, to suspension from school.

Students are not to use and operate cell or smart phones during scheduled school events (fire drills, assemblies, or other school evacuations) or during times of testing and other student evaluations.

All confiscated electronic telecommunication devices shall be returned to the parent/guardian. A form provided by the school must be signed by the parent in person.

The school and its employees are in no way responsible for any theft or damage of electronic telecommunication devices while on school grounds. The school is not obligated to investigate the loss or damage of any cellular phone.

Nothing shall prohibit the use and operation by any person of any electronic telecommunication device in the event of an emergency. Emergency shall mean an actual or imminent threat to public health or safety which may result in loss of life, injury, or property damage.

Dating Violence

Dating Violence is defined as a pattern of behavior where one person threatens to use, or actually uses, physical, sexual, verbal, or emotional abuse to control his or her dating partner.

Dating Violence Warning Signs:

1. For Victim - Physical signs of injury; isolation from family and friends; loss of interest in activities that were once enjoyable; making excuses for dating partner's behavior; noticeable changes in eating or sleeping patterns; alcohol or drug use; loss of self-confidence; excessive text messaging or calling from dating partner.
2. For Perpetrator – Threatening to hurt others in any way; insulting a dating partner in public or private; frequently insisting on walking a dating partner to class; damaging or destroying a dating partners' belongings; attempting to control what a dating partner wears; extremely jealous.

Instructions for Reporting or Seeking Help – Any student who is a victim of, or a witness to, dating violence should immediately talk to someone they trust like a parent, teacher, school administrator, counselor, nurse or school resource officer.

Lafourche Parish Victim Help - The Haven: 872- 0757 or 853-0045

Louisiana Coalition Against Domestic Violence (Free Confidential 24 hrs. Help)

Statewide Hotline: 1-888-411-1333 National Hotline: 1-800-799-7233

School Bus Conduct

The driver of a school bus shall be in authority with regard to student behavior in or about the vehicle, which he or she operates. He or She shall report disorderly or unmanageable student conduct to the Transportation Administrator of the school, in which the student is enrolled, on a School Bus Behavior Report form. Such conduct by a student shall be good cause for the principal to suspend the privilege of riding any school bus; however, drivers **may not** administer disciplinary action and **shall continue**, except in extreme emergencies,

to transport a student until disciplinary action is administered by the school. It shall be the responsibility of the parent/guardian to provide transportation to and from school during any period of bus suspension. Suspensions of **more than ten (10) days** must be approved by the Transportation Department. All school bus suspensions shall be for both morning and afternoon bus routes unless indicated in writing by the principal or designee on the School Bus Behavior Report form.

Please be reminded that bus suspensions for Special Education students, when transportation is not provided, count as exclusion from school and thus invoke certain procedural requirements. The suspension of a Special Education student from the bus must follow the same procedure as a suspension of a Special Education student from school when transportation is not provided. **Any such removal must be reported to the Pupil Appraisal Center.** A pupil who causes damage to a school bus may be subject to suspension from school as long as the total number of days does not exceed 10 school days and acceptable provisions for restitution will be made for such damage.

The procedures throughout the school system for reporting alleged student bus misconduct is as follows:

1. All schools and school bus operators will be provided with School Bus Behavior Report forms.
2. In the event a student's behavior at a bus stop or on a school bus is inappropriate, the bus operator/school employee shall complete the suitable spaces for filing such incident on a School Bus Behavior Report form and send it to the student's Transportation Administrator.
3. In all cases, the student shall be notified and given due process by the principal or designee when a report of misconduct is filed.
4. The School Administrator may take the following courses of action:
 - a. First Offense: The principal will warn the student and inform the student about further problems.
 - b. Second Offense: A conference with the principal will be held. It is essential that parents help to prevent a recurrence.
 - c. Third Offense: The principal will suspend a student's daily riding privileges with the length of time to depend on the seriousness of the problem. Incidents involving violence, disrespect for authority, and the likelihood of harm caused by unsafe practices usually result in a long-term suspension of riding privileges or expulsion from the bus.
5. **NOTE: This does not limit the principal's options for additional disciplinary actions which may include suspension from the school site, etc.**
5. **In cases of severe misconduct, any of the above sequences may be omitted. The principal, or designee, may temporarily suspend the student's bus privilege until appropriate disciplinary action is taken. The student's parents shall be immediately notified of the temporary suspension.**
6. In cases where law enforcement is contacted due to disturbances while students are onboard a school bus, a School Bus Behavior Report will be completed by the bus operator or LPSD employee and submitted to the principal or designee. Upon review by the principal or designee, disciplinary sanctions may be taken that can include suspension from all school transportation, suspension from school.
7. The principal or designee shall complete the spaces on the School Bus Behavior Report form included with his or her signature and date for the action taken.
8. The principal shall return a completed copy of this form to the bus driver who initiated the referral within 48 hours (excluding non-work days) of the time it was submitted to the principal.
9. The school administration shall insure that copies of the completed form have been supplied to the student's parent or other responsible person, the school's student file, the school employee filing the incident report, the supervisor/manager of transportation services for the school system, and the principal.
10. The copy sent to the student's parent/guardian(s) should be signed and dated by the parent/guardian(s) with any comments and returned to the principal.

Student Discipline Records

According to Section 701D of Bulletin 741 – *Louisiana Handbook for School Administrators*, each LEA/school shall maintain necessary records for the effective operation of the LEA/school. The LEA (Local Education Authority) shall comply with the requirements of R.S. 44.411 regarding schedules for the retention of official records.

Although kept on file at the district office as required for statistical studies and other purposes, **student discipline records** are “purged” annually each summer at the school level so that the student begins each new school year with a clean discipline record.

Contrary to belief, student discipline records **are not** forwarded to postsecondary institutions upon a student’s graduation.

Dissemination of the Discipline Administration Policy/Guidelines

It is the responsibility of each school in the Lafourche Parish School District to provide each student and his or her parent/guardian(s) a copy of the current **discipline policy**, via the parent/student handbook *Educating You About Your Education System*. Each school shall plan and conduct meetings necessary to fully inform all employees and students of all such discipline policies within the first week of each school year.

The parent/student handbook, *Educating You About Your Education System*, shall also be available for viewing on the school board’s website www.mylpsd.com

Approved November 3, 1976 (Minute Book No 10, page 454)

Amended May 5, 1982 (Minute Book No 12, page 164)

Amended June 1, 1994 (Minute Book No 15 page 269)

Amended February 1, 1995 (Minute Book No 15, pages 377-386)

Legal References: Louisiana Revised Statutes: 17:223, 17:416, 17:416.2
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