



TO: Members, Calcasieu Parish School Board

FROM: Robert Barrentine, Chief Operations Officer

DATE: October 26, 2021

SUBJECT: Administrative and Personnel Committee Meeting
5:00 p.m.
3310 Broad Street, Lake Charles, LA 70615

AGENDA

A & P Committee Meeting Items

- Student Conduct – JCD
- Student Discipline – JD
- Suspension of Students – JDD
- Expulsion - JDE
- Student Alcohol and Drug Use - JCDAC
- Dangerous Weapons – JCDAB
- Recruitment – GBC
- Staff Hiring Admin. Procedure – GBD-AP

A & P Committee Members:

Annette Ballard
Russell Castille
Mack Dellafosse, Chair
Fred Hardy
Aaron Natali

Dean Roberts, Vice Chair
Alvin Smith
Eric Tarver
Desmond Wallace
Mark Young

Building Foundations for the Future

Board Members:

Billy Breaux
Bliss Bujard
John Duhon
Glenda Gay
Damon Hardesty

Item #1

Student Conduct

The Student Conduct policy reflects statutory additions requiring the School Board's Code of Conduct to include "progressive levels of minor through major infractions and identify corresponding minor through major interventions and consequences." The new statutory language also requires that the Code of Conduct reserve expulsions for the major tier of infractions involving weapons or drugs, or when the safety of students and staff has been put in jeopardy. The Code of Conduct is also required to include the appeal process for expulsion.

STUDENT CONDUCT

The Calcasieu Parish School Board expects students to be well behaved while attending school or any school activity and conduct themselves in an appropriate manner at all times. Every teacher and every other school employee shall be authorized to hold every student to a strict accountability for any disorderly conduct, and discipline policies shall be applicable, in school or on the playgrounds of the school, on the street or road while going to or returning from school, on any school bus, during intermission or recess, or at any school-sponsored activity or function.

Students have the responsibility to know and respect the rules of the school system. Students shall comply with all Board policies and school regulations, student codes of conduct, and directions of principals, teachers, and other authorized school personnel during any period of time when the student is under the authority of school personnel.

The School Board shall demand reasonable student behavior and administer discipline with fundamental fairness without regard to gender, race, ethnic origin, religion or political belief. Students shall exercise their rights and responsibilities in accordance with rules established for orderly conduct of the school's mission. Students who violate the rules of conduct shall be subject to disciplinary measures designed to correct the misconduct so that an environment conducive to learning can be maintained.

Moreover, the School Board reserves the authority to discipline students for behavior that may constitute a material disruption of the educational process such as audio, video, or other materials/information that may appear on the Internet or be transferred over electronic devices.

STUDENT CODE OF CONDUCT

While the School Board cannot reasonably be expected to develop a *Student Code of Conduct* in such detail as to anticipate every type of misconduct that could possibly occur, the Board shall develop and maintain a *Student Code of Conduct*, which shall enumerate the necessary discipline action to be taken against any student who violates the *Code of Conduct*. It shall be in compliance with all existing policies, rules, and regulations of the Louisiana Board of Elementary and Secondary Education and all state laws relative to student discipline.

The School Board's *Code of Conduct* shall include progressive levels of minor through major infractions and identify corresponding minor through major interventions and consequences. Before an initial referral for a student's expulsion, the *Code of Conduct* shall require the prior administration of interventions in accordance with the minor tiers in the *Code of Conduct*, except in instances where the expulsion referral is the result of accumulated minor infractions in accordance with the *Code of Conduct*, or the underlying incident threatens the safety and health of students or staff. Expulsions shall be reserved

for the major tier of behavioral infractions involving weapons or drugs, or when the safety of students and staff has been put in jeopardy.

The *Code of Conduct* shall also include information detailing the appeal process for expulsion as included in policy *JDE, Expulsion*.

Prior to the beginning of each school year, all schools of the Calcasieu Parish School District shall provide each student, and his/her parent ~~-tutor,~~ or legal guardian with a *Student Handbook* or similar document that identifies and explains discipline policies, rules or regulations, and procedures that are parish-wide and/or specific to that school, as well as outline the consequences for students who violate the *Student Code of Conduct* or any school policy, regulation, or procedure. Such consequences may include, but may not be limited to, oral or written reprimands, parental contact, removal of the student from the classroom, detention, corporal punishment, in-school suspension, suspension from school, assignment to an alternative school, recommending expulsion from school, or any other disciplinary measure authorized by the principal in conjunction with state law and/or Board policy.

ORIENTATION/NOTICE

Students shall be informed by school authorities that violations of Board policy and school rules or regulations may result in a range of disciplinary actions including suspension or expulsion. Each school shall plan and conduct an orientation and other meetings within the first five (5) days of school each year to fully inform all employees and students of all discipline policies, provisions of the *Student Code of Conduct* applicable to such students, and rules and regulations necessary for the safe and orderly operation of the public schools. The orientation shall also include information on the consequences of failure to comply with disciplinary rules and requirements of the *Student Code of Conduct*, particularly bullying and similar prohibited conduct, including suspension, expulsion, the possibility of suspension of student's driver's license, and the possible criminal consequences of violent acts committed on school property, at a school-sponsored function, or in a firearm-free zone, as well as the contents of the *Teacher Bill of Rights*. Meetings shall also be held throughout the school year as may be necessary to inform new employees and new students of such discipline policies, and regulations, contents of the *Student Code of Conduct*, and pertinent school rules.

The orientation instruction shall be age appropriate and grade appropriate and take into consideration whether the student is in a regular or special education program.

Any student who does not receive the orientation during the first five (5) days of the school year shall be provided an orientation during the first five (5) days of the student's attendance.

STATEMENT OF COMPLIANCE

Each student in grades 4-12 and each parent or guardian of a student in grades 4-12,

shall annually sign a *Statement of Compliance*. For students, the *Statement of Compliance* shall state that the student agrees to attend school regularly, arrive at school on time, demonstrate significant effort toward completion of homework assignments, and follow school and classroom rules. For parents, the *Statement of Compliance* shall state that the parent or legal guardian agrees to ensure his/her child's daily attendance at school, ensure his/her child's arrival at school on time each day, ensure his/her child completes all assigned homework, and attend all required parent/teacher/principal conferences. Failure by a student and/or parent or guardian to sign the respective *Statement of Compliance* may result in disciplinary action.

Revised: September, 2008
Revised: January, 2013

Revised: July, 2021

Ref: La. Rev. Stat. Ann. "17:223, 17:235.2, 17:416, 17:416.1, 17:416.8, 17:416.12, 17:416.13, 17:416.20; Board minutes, 5-9-06, 10-7-08, 2-5-13.

STUDENT CONDUCT

The Calcasieu Parish School Board expects students to be well behaved while attending school or any school activity and conduct themselves in an appropriate manner at all times. Every teacher and every other school employee shall be authorized to hold every student to a strict accountability for any disorderly conduct, and discipline policies shall be applicable, in school or on the playgrounds of the school, on the street or road while going to or returning from school, on any school bus, during intermission or recess, or at any school-sponsored activity or function.

Students have the responsibility to know and respect the rules of the school system. Students shall comply with all Board policies and school regulations, student codes of conduct, and directions of principals, teachers, and other authorized school personnel during any period of time when the student is under the authority of school personnel.

The School Board shall demand reasonable student behavior and administer discipline with fundamental fairness without regard to gender, race, ethnic origin, religion or political belief. Students shall exercise their rights and responsibilities in accordance with rules established for orderly conduct of the school's mission. Students who violate the rules of conduct shall be subject to disciplinary measures designed to correct the misconduct so that an environment conducive to learning can be maintained.

Moreover, the School Board reserves the authority to discipline students for behavior that may constitute a material disruption of the educational process such as audio, video, or other materials/information that may appear on the Internet or be transferred over electronic devices.

STUDENT CODE OF CONDUCT

While the School Board cannot reasonably be expected to develop a *Student Code of Conduct* in such detail as to anticipate every type of misconduct that could possibly occur, the Board shall develop and maintain a *Student Code of Conduct*, which shall enumerate the necessary discipline action to be taken against any student who violates the *Code of Conduct*. It shall be in compliance with all existing policies, rules, and regulations of the Louisiana Board of Elementary and Secondary Education and all state laws relative to student discipline.

The School Board's *Code of Conduct* shall include progressive levels of minor through major infractions and identify corresponding minor through major interventions and consequences. Before an initial referral for a student's expulsion, the *Code of Conduct* shall require the prior administration of interventions in accordance with the minor tiers in the *Code of Conduct*, except in instances where the expulsion referral is the result of accumulated minor infractions in accordance with the *Code of Conduct*, or the underlying incident threatens the safety and health of students or staff. Expulsions shall be reserved

for the major tier of behavioral infractions involving weapons or drugs, or when the safety of students and staff has been put in jeopardy.

The *Code of Conduct* shall also include information detailing the appeal process for expulsion as included in policy *JDE, Expulsion*.

Prior to the beginning of each school year, all schools of the Calcasieu Parish School District shall provide each student, and his/her parent or legal guardian with a *Student Handbook* or similar document that identifies and explains discipline policies, rules or regulations, and procedures that are parish-wide and/or specific to that school, as well as outline the consequences for students who violate the *Student Code of Conduct* or any school policy, regulation, or procedure. Such consequences may include, but may not be limited to, oral or written reprimands, parental contact, removal of the student from the classroom, detention, corporal punishment, in-school suspension, suspension from school, assignment to an alternative school, recommending expulsion from school, or any other disciplinary measure authorized by the principal in conjunction with state law and/or Board policy.

ORIENTATION/NOTICE

Students shall be informed by school authorities that violations of Board policy and school rules or regulations may result in a range of disciplinary actions including suspension or expulsion. Each school shall plan and conduct an orientation and other meetings within the first five (5) days of school each year to fully inform all employees and students of all discipline policies, provisions of the *Student Code of Conduct* applicable to such students, and rules and regulations necessary for the safe and orderly operation of the public schools. The orientation shall also include information on the consequences of failure to comply with disciplinary rules and requirements of the *Student Code of Conduct*, particularly bullying and similar prohibited conduct, including suspension, expulsion, the possibility of suspension of student's driver's license, and the possible criminal consequences of violent acts committed on school property, at a school-sponsored function, or in a firearm-free zone, as well as the contents of the *Teacher Bill of Rights*. Meetings shall also be held throughout the school year as may be necessary to inform new employees and new students of such discipline policies, and regulations, contents of the *Student Code of Conduct*, and pertinent school rules.

The orientation instruction shall be age appropriate and grade appropriate and take into consideration whether the student is in a regular or special education program.

Any student who does not receive the orientation during the first five (5) days of the school year shall be provided an orientation during the first five (5) days of the student's attendance.

STATEMENT OF COMPLIANCE

Each student in grades 4-12 and each parent or guardian of a student in grades 4-12,

shall annually sign a *Statement of Compliance*. For students, the *Statement of Compliance* shall state that the student agrees to attend school regularly, arrive at school on time, demonstrate significant effort toward completion of homework assignments, and follow school and classroom rules. For parents, the *Statement of Compliance* shall state that the parent or legal guardian agrees to ensure his/her child's daily attendance at school, ensure his/her child's arrival at school on time each day, ensure his/her child completes all assigned homework, and attend all required parent/teacher/principal conferences. Failure by a student and/or parent or guardian to sign the respective *Statement of Compliance* may result in disciplinary action.

Revised: September, 2008
Revised: January, 2013

Revised: July, 2021

Ref: La. Rev. Stat. Ann. "17:223, 17:235.2, 17:416, 17:416.1, 17:416.8, 17:416.12, 17:416.13, 17:416.20; Board minutes, 5-9-06, 10-7-08, 2-5-13.

Item #2

Student Discipline

Act 473 stresses that School Boards endeavor to address student behavior “with a focus on evidence-based interventions and supports” and to prioritize interventions in the class and school in lieu of out-of-school disciplinary measures. Act 473 removes the list of specific behaviors for which teachers were to correct students for violating school rules, including among others, bullying, disruption of classes, and foul language. Act 473 includes a list of possible disciplinary actions by a school employee. The list, although not new to the statute, has been added to the Discipline policy.

The revision to the statutory language guiding student removal from classrooms pares down the list of behaviors warranting removal to preventing orderly instruction of other students; posing an immediate threat to safety of students or teachers; or violating the Student Code of Conduct. Previously a student in kindergarten through grade six was not to be permitted to return to class for at least thirty minutes. Act 473 reduces the upper limit to grade five. Likewise, the subsequent language changed to reflect grade six through twelve. It also expands on the counseling session that the principal or designee is to conduct with the removed student. The list of disciplinary measures from which a principal must implement at least one before a student is readmitted has been expanded to include additional measures such as referral to counseling or the school building level committee, peer mediation, and loss of privileges.

In addition to other changes, conferences with parents can be done in person, by telephone, or other virtual means. After a third removal from class, teachers may require a conference with parents or legal guardians before readmitting the student to the same classroom but are no longer required to do so.

DISCIPLINE

It is the purpose of the Calcasieu Parish School Board 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. The school's primary goal is to educate, not 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.

The Calcasieu Parish School Board shall endeavor to address student behavior with a focus on evidence-based interventions and supports, and to prioritize classroom- and school-based interventions in lieu of out-of-school disciplinary removals to address student misconduct in order to minimize the loss of academic instructional time. Every teacher and other school employees ~~in the public school system~~ shall endeavor to hold each student ~~to a strict accountability for any disorderly conduct~~ accountable for his/her behavior in school, or on the playgrounds of the school, on any school bus, on the street or while going to or returning from school, during intermission or recess, or at any school sponsored activity or function.

To assist the teacher, the School Board shall establish regulations for the use of disciplinary measures within the schools and continually monitor and appraise their usefulness. Discipline shall be administered uniformly, consistently, and in a nondiscriminatory manner, in accordance with the School Board's *Student Code of Conduct*.

Principals shall have both the authority and the duty to take disciplinary action whenever the behavior of any student(s) materially interferes with or substantially disrupts the maintenance of a proper atmosphere for learning within the classroom or other parts of the school. However, no student shall be disciplined in any manner by the School Board or school administrator, teacher, or other school employee for the use of force upon another person when it can be reasonably concluded that the use of such force more probably than not was committed solely for the purpose of preventing a forcible offense against the student or a forcible offense provided that the force used must be reasonable and apparently necessary to prevent such offense. A student who is the aggressor or who brings on a difficulty cannot claim the right stated above to defend himself/herself.

Each teacher may take disciplinary action to correct a student ~~who engages in bullying, 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 pupil,~~ who violates school rules, or who interferes with an orderly education process. The disciplinary action taken by the teacher shall be in accordance with such regulations and procedures established by the School Board.

Disciplinary action by a school employee 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 of parents of disruptive or unacceptable behavior, a copy of which shall be provided to the principal.
4. Other disciplinary measures approved by the principal and faculty of the school and in compliance with School Board policy.

VIRTUAL INSTRUCTION

The School Board has made virtual classes available to students in response to the COVID-19 pandemic. Such virtual instruction may be continued thereafter and when school is closed due to inclement weather, disasters, and other emergencies. The provisions of this Policy and those of all student handbooks and codes of conduct shall be applicable to misconduct, whether on-campus, during virtual instruction, on a school bus, on the streets to and from school, or at a school event or activity.

The School Board has extended its on-campus conduct expectations to the virtual classroom, with a few modifications that factor in the home setting. Conduct that is unacceptable and which would lead to the imposition of discipline in the regular classroom is typically unacceptable in the virtual classroom as well. Regardless of the model of instruction, student conduct is governed by La. Rev. Stat. Ann. §17:416 and the *Student Code of Conduct* and/or *Student Handbook*. At the same time, for alleged misconduct which occurs during virtual instruction, school-based administrators shall consider the need for maintaining order and appropriate conduct, the school's interest being impacted, and the student's and family's right to privacy and constitutional rights while at home or in a location that is not school property.

A student and his family shall not waive their constitutional rights by electing virtual instruction. At the same time, students engaging in virtual instruction shall insure that, prior to logging into and during any virtual classroom, the view from their location is free of any object, writing, picture, or other display which, if possessed on school buses, in the classroom, or on school property, would subject the student to disciplinary action.

Students are cautioned that the virtual classroom is for instruction and for engaging with peers and teachers for educational purposes. Students must not handle or display items, toys, messages, images, or personal property or engage in conduct unrelated to the lessons taking place. Students who engage in conduct in the virtual classroom that violates the *Student Code of Conduct* and this Virtual Discipline policy may be subject

to discipline in accordance with the Student Code of Conduct and this policy.

The following non-exclusive list of behaviors are prohibited in the virtual classroom and may result in disciplinary action:

- Bullying and/or cyberbullying
- The use of harassing or discriminatory language
- Use of obscene language, profanity, inappropriate language, writing or drawings
- Displaying obscene gestures, drawings, images, audios, videos, etc.
- Displaying pornography or nudity whether in a printed or digital context
- Committing lewd or sexual acts or simulations*
- Repeated disruptions of the classroom
- Display of nudity, indecent dress, disrobing, etc.
- Exhibiting disrespect for the teacher or other school personnel
- Interference with the instructional audio or video
- The handling or display of weapons or facsimile weapons
- Use or display of drugs, alcohol, tobacco, or vaping devices
- Cheating on assignments, *ie.* sharing work, answers, etc.
- Divulging confidential information
- Violation of computer/password security
- Violations of the Board's/School's Acceptable Use Policy or Device Contract

* School and/or district officials may be required, as mandatory reporters, to alert local law enforcement and/or the Department of Children and Family Services if they observe conduct, messages, images, or objects that raise legitimate concern for the safety and well-being of students in the virtual classroom. This may include students handling weapons in the virtual classroom, even if it is subsequently learned that the weapon is a toy or facsimile, as it is not always possible to determine remotely whether the weapon is real or not

The context in which student behavior occurs is important, however, and will be taken into consideration by School and District administrators in determining whether there has been a violation of the Code of Conduct. As with all other forms of misconduct, the level of discipline, if any, for violations in a virtual setting will depend upon the age of the student, seriousness of the offense, the disruptive nature of the misconduct, whether the conduct involved violence or the threat of violence, whether the misconduct impacted the safety or orderly environment of the classroom, the student's prior disciplinary record, etc.

STUDENT REMOVAL FROM CLASSROOM

~~A student may be immediately removed from a classroom by the teacher and placed in the custody of the principal or designee if~~ When ~~the~~ a student's behavior prevents the

orderly instruction of other students, poses an immediate threat to the safety of students or the teacher, ~~when a student exhibits disrespectful or threatening behavior toward a teacher such as using foul or abusive language or gestures directed at or threatening a student or teacher, or~~ 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/her classroom and placed in custody of the principal or his/her designee. ~~The student should not be kept out of school past the suspension period imposed by the principal.~~

~~A student removed from the classroom shall be assigned school work missed and shall receive either partial or full credit for such work, upon the recommendation of the student's teacher, if it is completed satisfactorily and timely as determined by the principal or his/her designee.~~

Any student removed from class in kindergarten through grade ~~6~~ five shall not be permitted to return to class for at least thirty (30) minutes unless agreed to by the teacher. A student removed from class in grades ~~7~~ six through twelve shall not be permitted to return to class during the same class period, unless agreed to by the teacher initiating the disciplinary action.

Whenever a teacher is struck by a student, the student, in addition to any other discipline given, shall be permanently removed from the teacher's classroom, unless the teacher objects, or unless the principal, with the concurrence of the building level committee, finds the striking incident to be entirely inadvertent.

Upon the student being removed from class and sent to the principal's office, the principal or designee shall ~~conduct a counseling session with the student to discuss the particular misconduct~~ advise the student of the particular misconduct of which he is accused as well as the basis for such accusation, and the student shall be given an opportunity at that time to explain his/her version of the facts. The principal or his/her designee then shall conduct a counseling session with the student as may be appropriate to establish a course of action, consistent with School Board policy to identify and correct the behavior for which the student is being disciplined.

Once removed, the student shall not be readmitted to the classroom until the principal has implemented at least one of the following disciplinary measures:

1. Conferencing with the principal or his/her designee.
2. Referral to counseling.
3. Peer mediation.
4. Referral to the school building level committee.
5. Restorative justice practices.
6. Loss of privileges

7. Detention
8. In-school suspension
9. Out-of-school suspension
10. Initiation of expulsion hearings
11. Referral for assignment to an alternative ~~school~~-setting
12. Requiring the completion of all assigned school and homework ~~which~~ that would have been assigned and completed by the student during the period of out-of-school suspension.
13. Any other disciplinary measure authorized by the principal with the concurrence of the teacher or building level committee.

Parental Notification

The principal or his/her designee shall provide oral or written notification to the parent or legal guardian of any student removed from the classroom. Such notification shall include a description of any disciplinary action taken.

When a student has been removed from a classroom, the teacher or the principal or his/her designee may require the parent, ~~tutor~~, or legal guardian of the student to have a conference with the teacher or the principal or his/her designee ~~in the presence of the principal or his or her designee~~ before the student is readmitted. Such conference may be in person or by telephone or other virtual means.

Upon the student's *third* removal from the same classroom, the teacher and principal shall discuss the pupil's disruptive behavior patterns of the student and ~~contemplated~~ the potentially appropriate disciplinary measures ~~s to be taken~~ before the principal implements ~~such a disciplinary measures.~~ If appropriate, a referral may be made to the building level committee. In addition, a conference between the teacher or other appropriate school employee and the student's parent, ~~tutor~~, or legal guardian ~~shall~~ may be required prior to the student being readmitted to that same classroom. Such conference may be in person or by telephone or other virtual means. If such conference is required by the school, the school shall give written notice to the parent.

For students who experience multiple behavioral incidents or disciplinary referrals, a principal or his designee shall consider a referral of the matter to an appropriate school building level committee. If the disruptive behavior persists, the teacher may request that the principal transfer the student into another setting.

PARENT CONFERENCES

In any case where a teacher, principal, or other school employee is authorized to **require** the parent, ~~tutor~~, or legal guardian of a student to attend a conference or meeting regarding the student's behavior, and after notice, the parent, ~~tutor~~, or legal guardian willfully refuses to attend, the principal, or his/her designee, shall file a complaint, in accordance with statutory provisions, with a court exercising juvenile jurisdiction. *Notice*

of the conference, specifying the time and date of the conference, shall be given by contacting the parent, ~~tutor~~, or legal guardian by telephone at the telephone number shown on the student's registration card or by sending a certified letter to the address shown on the student's registration card.

REPORTS TO PRINCIPAL

Any teacher or other school employee may report to the principal any student who acts in a disorderly manner or is in violation of school rules, or any misconduct or violation of school rules by a student who may or may not be known to the teacher or employee. Incidents of alleged discipline violations shall be reported on the *School Behavior Report/School Bus Behavior Report* form provided by the Louisiana Department of Education. The forms shall be submitted in accordance with procedures outlined by the School District, the Superintendent, and school system personnel. The principal shall review and act upon such information submitted, to determine if suspension or other disciplinary action is necessary.

Should the principal fail to act on any report of misconduct or school violation, he/she shall explain the reasons for doing so to the Superintendent or his/her designee and to the teacher or school employee, student, parent, or legal guardian reporting the violation.

DELINQUENT STUDENTS

Students who regularly disrupt the normal school environment shall be considered as delinquent, and may be reported by appropriate school personnel to the juvenile court. Any student that exhibits disruptive behavior, an incorrigible attitude, or any other discipline problems in general may be recommended by the principal for expulsion, assignment to an appropriate alternative educational placement, or transfer to adult education if the student is:

1. Seventeen (17) years of age or older with less than five (5) units of credit toward graduation;
2. Eighteen (18) years of age or older with less than ten (10) units of credit toward graduation; or
3. Nineteen (19) years of age or older with less than fifteen (15) units of credit toward graduation.

RECUSAL OF ADMINISTRATOR IN DISCIPLINE MATTERS

Any school administrator or administrator's designee who is required to make a recommendation, decide an issue, or take action in a matter involving the discipline of a student shall recuse himself/herself whenever a member of the immediate family of the administrator or administrator's designee is involved in any manner in the discipline

matter. In case of recusal, the action to be taken shall be done so by the Superintendent or an impartial designee of the Superintendent.

Immediate family means the individual's children, brothers, sisters, parents, and spouse and the children, brothers, sisters, and parents of the spouse.

DISCIPLINE OF STUDENTS WITH DISABILITIES OR EXCEPTIONALITIES

Discipline of students with disabilities or exceptionalities, or an Individualized Education Program or Section 504 Individualized Accommodation Plan, shall be ~~in accordance with to the extent allowed by~~ applicable state or federal law and regulations or the provisions of the student's specific plan.

DEFINITIONS

Out-of-school suspension ~~shall mean that student is temporarily prohibited from participating in his/her usual placement within school. This usually involves temporary removal from school.~~ means the removal of a student from all classes of instruction on public school grounds and all other school-sponsored activities.

In-school suspension ~~shall means (1) student is removed from his/her usual classroom placement to an alternative educational placement for a minimum of one complete school day, and (2) no interruption of services occurs. (An alternative educational placement may be located on or off the school site, provided that the student continues to receive instructional services and remains under the supervision of school personnel or their designees.)~~ removing a student from his/her normal classroom setting but maintaining him under supervision within the school. Students participating in in-school suspension shall 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 may be subject to immediate out-of-school suspension.

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

Expulsion (unless otherwise defined as a permanent expulsion by law) shall mean the removal of a student from school for at least one school semester. During an expulsion the Superintendent shall place the student in an alternative school or in an alternative educational placement.

~~In-school expulsion shall mean (1) Student is temporarily removed from his/her usual classroom placement to an alternative educational placement for a period of time specified by the Office of Child Welfare and Attendance, and (2) no interruption of instructional services occurs. (An alternative educational placement may be located on or off the school site, provided that the student continues to receive instructional services and remains under the supervision of school personnel or their designees.)~~

Firearm means any pistol, revolver, rifle, shotgun, machine gun, submachine gun, blackpowder weapon, or assault rifle that is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive.

Virtual instruction means instruction provided to a student through an electronic delivery medium, including, but not limited to, electronic learning platforms that connect to a student in a remote location to classroom instruction.

Revised: December, 1990
Revised: December, 1992
Revised: November, 1993
Revised: August, 1994
Revised: September, 1997
Revised: August, 1999
Revised: August, 2003

Revised: September, 2009
Revised: November, 2012
Revised: February 9, 2021
Revised: July, 2021

Ref: 42 USC 12112 et seq. (*Equal Opportunity for Individuals with Disabilities*); La. Rev. Stat. Ann. §§17:223, 17:224, 17:233, 17:239, 17:252, 17:416, 17:416.1, 17:416.13; Regulations for Implementation of the Exceptional Children's Act, Bulletin 1706, Louisiana Department of Education; Board minutes, 10-14-03, 1-12-10, 2-5-13, 2-9-21.

DISCIPLINE

It is the purpose of the Calcasieu Parish School Board 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. The school's primary goal is to educate, not 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.

The Calcasieu Parish School Board shall endeavor to address student behavior with a focus on evidence-based interventions and supports, and to prioritize classroom- and school-based interventions in lieu of out-of-school disciplinary removals to address student misconduct in order to minimize the loss of academic instructional time. Every teacher and other school employee shall endeavor to hold each accountable for his/her behavior in school, or on the playgrounds of the school, on any school bus, on the street or while going to or returning from school, during intermission or recess, or at any school sponsored activity or function.

To assist the teacher, the School Board shall establish regulations for the use of disciplinary measures within the schools and continually monitor and appraise their usefulness. Discipline shall be administered uniformly, consistently, and in a nondiscriminatory manner, in accordance with the School Board's *Student Code of Conduct*.

Principals shall have both the authority and the duty to take disciplinary action whenever the behavior of any student(s) materially interferes with or substantially disrupts the maintenance of a proper atmosphere for learning within the classroom or other parts of the school. However, no student shall be disciplined in any manner by the School Board or school administrator, teacher, or other school employee for the use of force upon another person when it can be reasonably concluded that the use of such force more probably than not was committed solely for the purpose of preventing a forcible offense against the student or a forcible offense provided that the force used must be reasonable and apparently necessary to prevent such offense. A student who is the aggressor or who brings on a difficulty cannot claim the right stated above to defend himself/herself.

Each teacher may take disciplinary action to correct a student who violates school rules, or who interferes with an orderly education process. The disciplinary action taken by the teacher shall be in accordance with such regulations and procedures established by the School Board.

Disciplinary action by a school employee 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 of parents of disruptive or unacceptable behavior, a copy of which shall be provided to the principal.
4. Other disciplinary measures approved by the principal and faculty of the school and in compliance with School Board policy.

VIRTUAL INSTRUCTION

The School Board has made virtual classes available to students in response to the COVID-19 pandemic. Such virtual instruction may be continued thereafter and when school is closed due to inclement weather, disasters, and other emergencies. The provisions of this Policy and those of all student handbooks and codes of conduct shall be applicable to misconduct, whether on-campus, during virtual instruction, on a school bus, on the streets to and from school, or at a school event or activity.

The School Board has extended its on-campus conduct expectations to the virtual classroom, with a few modifications that factor in the home setting. Conduct that is unacceptable and which would lead to the imposition of discipline in the regular classroom is typically unacceptable in the virtual classroom as well. Regardless of the model of instruction, student conduct is governed by La. Rev. Stat. Ann. §17:416 and the *Student Code of Conduct* and/or *Student Handbook*. At the same time, for alleged misconduct which occurs during virtual instruction, school-based administrators shall consider the need for maintaining order and appropriate conduct, the school's interest being impacted, and the student's and family's right to privacy and constitutional rights while at home or in a location that is not school property.

A student and his family shall not waive their constitutional rights by electing virtual instruction. At the same time, students engaging in virtual instruction shall insure that, prior to logging into and during any virtual classroom, the view from their location is free of any object, writing, picture, or other display which, if possessed on school buses, in the classroom, or on school property, would subject the student to disciplinary action.

Students are cautioned that the virtual classroom is for instruction and for engaging with peers and teachers for educational purposes. Students must not handle or display items, toys, messages, images, or personal property or engage in conduct unrelated to the lessons taking place. Students who engage in conduct in the virtual classroom that violates the *Student Code of Conduct* and this Virtual Discipline policy may be subject to discipline in accordance with the Student Code of Conduct and this policy.

The following non-exclusive list of behaviors are prohibited in the virtual classroom and may result in disciplinary action:

- Bullying and/or cyberbullying
- The use of harassing or discriminatory language
- Use of obscene language, profanity, inappropriate language, writing or drawings
- Displaying obscene gestures, drawings, images, audios, videos, etc.
- Displaying pornography or nudity whether in a printed or digital context
- Committing lewd or sexual acts or simulations*
- Repeated disruptions of the classroom
- Display of nudity, indecent dress, disrobing, etc.
- Exhibiting disrespect for the teacher or other school personnel
- Interference with the instructional audio or video
- The handling or display of weapons or facsimile weapons
- Use or display of drugs, alcohol, tobacco, or vaping devices
- Cheating on assignments, *ie.* sharing work, answers, etc.
- Divulging confidential information
- Violation of computer/password security
- Violations of the Board's/School's Acceptable Use Policy or Device Contract

* School and/or district officials may be required, as mandatory reporters, to alert local law enforcement and/or the Department of Children and Family Services if they observe conduct, messages, images, or objects that raise legitimate concern for the safety and well-being of students in the virtual classroom. This may include students handling weapons in the virtual classroom, even if it is subsequently learned that the weapon is a toy or facsimile, as it is not always possible to determine remotely whether the weapon is real or not

The context in which student behavior occurs is important, however, and will be taken into consideration by School and District administrators in determining whether there has been a violation of the Code of Conduct. As with all other forms of misconduct, the level of discipline, if any, for violations in a virtual setting will depend upon the age of the student, seriousness of the offense, the disruptive nature of the misconduct, whether the conduct involved violence or the threat of violence, whether the misconduct impacted the safety or orderly environment of the classroom, the student's prior disciplinary record, etc.

STUDENT REMOVAL FROM CLASSROOM

When a student's behavior prevents the orderly instruction of other students, poses an immediate threat to the safety of students or the teacher, or when a student violates the school's code of conduct-the teacher may have the student immediately removed from his/her classroom and placed in custody of the principal or his/her designee.

Any student removed from class in kindergarten through grade five shall not be permitted to return to class for at least thirty (30) minutes unless agreed to by the teacher. A student

removed from class in grades six through twelve shall not be permitted to return to class during the same class period, unless agreed to by the teacher initiating the disciplinary action.

Whenever a teacher is struck by a student, the student, in addition to any other discipline given, shall be permanently removed from the teacher's classroom, unless the teacher objects, or unless the principal, with the concurrence of the building level committee, finds the striking incident to be entirely inadvertent.

Upon the student being removed from class and sent to the principal's office, the principal or designee shall advise the student of the particular misconduct of which he is accused as well as the basis for such accusation, and the student shall be given an opportunity at that time to explain his/her version of the facts. The principal or his/her designee then shall conduct a counseling session with the student as may be appropriate to establish a course of action, consistent with School Board policy to identify and correct the behavior for which the student is being disciplined.

Once removed, the student shall not be readmitted to the classroom until the principal has implemented at least one of the following disciplinary measures:

1. Conferencing with the principal or his/her designee.
2. Referral to counseling.
3. Peer mediation.
4. Referral to the school building level committee.
5. Restorative justice practices.
6. Loss of privileges
7. Detention
8. In-school suspension
9. Out-of-school suspension
10. Initiation of expulsion hearings
11. Referral for assignment to an alternative setting
12. Requiring the completion of all assigned school and homework that would have been assigned and completed by the student during the period of out-of-school suspension.
13. Any other disciplinary measure authorized by the principal with the concurrence of the teacher or building level committee.

Parental Notification

The principal or his/her designee shall provide oral or written notification to the parent or legal guardian of any student removed from the classroom. Such notification shall include a description of any disciplinary action taken.

When a student has been removed from a classroom, the teacher or the principal or his/her designee may require the parent, or legal guardian of the student to have a

conference with the teacher or the principal or his/her designee before the student is readmitted. Such conference may be in person or by telephone or other virtual means.

Upon the student's *third* removal from the same classroom, the teacher and principal shall discuss the disruptive behavior patterns of the student and the potentially appropriate disciplinary measure before the principal implements a disciplinary measure. In addition, a conference between the teacher or other appropriate school employee and the student's parent, or legal guardian may be required prior to the student being readmitted to that same classroom. Such conference may be in person or by telephone or other virtual means. If such conference is required by the school, the school shall give written notice to the parent.

For students who experience multiple behavioral incidents or disciplinary referrals, a principal or his designee shall consider a referral of the matter to an appropriate school building level committee. If the disruptive behavior persists, the teacher may request that the principal transfer the student into another setting.

PARENT CONFERENCES

In any case where a teacher, principal, or other school employee is authorized to **require** the parent or legal guardian of a student to attend a conference or meeting regarding the student's behavior, and after notice, the parent or legal guardian willfully refuses to attend, the principal, or his/her designee, shall file a complaint, in accordance with statutory provisions, with a court exercising juvenile jurisdiction. *Notice* of the conference, specifying the time and date of the conference, shall be given by contacting the parent or legal guardian by telephone at the telephone number shown on the student's registration card or by sending a certified letter to the address shown on the student's registration card.

REPORTS TO PRINCIPAL

Any teacher or other school employee may report to the principal any student who acts in a disorderly manner or is in violation of school rules, or any misconduct or violation of school rules by a student who may or may not be known to the teacher or employee. Incidents of alleged discipline violations shall be reported on the *School Behavior Report/School Bus Behavior Report* form provided by the Louisiana Department of Education. The forms shall be submitted in accordance with procedures outlined by the School District, the Superintendent, and school system personnel. The principal shall review and act upon such information submitted, to determine if suspension or other disciplinary action is necessary.

Should the principal fail to act on any report of misconduct or school violation, he/she shall explain the reasons for doing so to the Superintendent or his/her designee and to the teacher or school employee, student, parent, or legal guardian reporting the violation.

DELINQUENT STUDENTS

Students who regularly disrupt the normal school environment shall be considered as delinquent, and may be reported by appropriate school personnel to the juvenile court. Any student that exhibits disruptive behavior, an incorrigible attitude, or any other discipline problems in general may be recommended by the principal for expulsion, assignment to an appropriate alternative educational placement, or transfer to adult education if the student is:

1. Seventeen (17) years of age or older with less than five (5) units of credit toward graduation;
2. Eighteen (18) years of age or older with less than ten (10) units of credit toward graduation; or
3. Nineteen (19) years of age or older with less than fifteen (15) units of credit toward graduation.

RECUSAL OF ADMINISTRATOR IN DISCIPLINE MATTERS

Any school administrator or administrator's designee who is required to make a recommendation, decide an issue, or take action in a matter involving the discipline of a student shall recuse himself/herself whenever a member of the immediate family of the administrator or administrator's designee is involved in any manner in the discipline matter. In case of recusal, the action to be taken shall be done so by the Superintendent or an impartial designee of the Superintendent.

Immediate family means the individual's children, brothers, sisters, parents, and spouse and the children, brothers, sisters, and parents of the spouse.

DISCIPLINE OF STUDENTS WITH DISABILITIES OR EXCEPTIONALITIES

Discipline of students with disabilities or exceptionalities, or an Individualized Education Program or Section 504 Individualized Accommodation Plan, shall be to the extent allowed by applicable state or federal law and regulations or the provisions of the student's specific plan.

DEFINITIONS

Out-of-school suspension means the removal of a student from all classes of instruction on public school grounds and all other school-sponsored activities.

In-school suspension means removing a student from his/her normal classroom setting but maintaining him under supervision within the school. Students participating in in-school suspension shall 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 may be subject to immediate out-of-school suspension.

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

Expulsion (unless otherwise defined as a permanent expulsion by law) shall mean the removal of a student from school for at least one school semester. During an expulsion the Superintendent shall place the student in an alternative school or in an alternative educational placement.

Firearm means any pistol, revolver, rifle, shotgun, machine gun, submachine gun, blackpowder weapon, or assault rifle that is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive.

Virtual instruction means instruction provided to a student through an electronic delivery medium, including, but not limited to, electronic learning platforms that connect to a student in a remote location to classroom instruction.

Revised: December, 1990
Revised: December, 1992
Revised: November, 1993
Revised: August, 1994
Revised: September, 1997
Revised: August, 1999
Revised: August, 2003

Revised: September, 2009
Revised: November, 2012
Revised: February 9, 2021
Revised: July, 2021

Ref: 42 USC 12112 et seq. (*Equal Opportunity for Individuals with Disabilities*); La. Rev. Stat. Ann. §§17:223, 17:224, 17:233, 17:239, 17:252, 17:416, 17:416.1, 17:416.13; Regulations for Implementation of the Exceptional Children's Act, Bulletin 1706, Louisiana Department of Education; Board minutes, 10-14-03, 1-12-10, 2-5-13, 2-9-21.

Item #3

Suspension of Students

The Suspension policy now addresses out of school suspension or assignment to alternative placement. Notice to parent or legal guardian is now allowed by electronic communication. New to the policy for some systems is language regarding suspension for damage to property. Previously the statute only included damages to property owned by or contracted to the school system but has been expanded to include property owned by a school employee or student. The student may not be readmitted until payment in full has been made for the damage, an alternative restitution plan has been executed, an alternative payment plan has been arranged, or until directed by the Superintendent.

The appeals allowed for students who were expelled but subsequently had the expulsion reduced to suspension now includes the qualification that the parent or legal guardian of the student has ten (10) school days to appeal the ruling of the School Board to the district court. For some systems, the information addressing appeals of these suspended students is new.

Regarding mandatory suspension, the allowed length for a knife has been extended by a half inch to two and one-half (2½) inches.

Students suspended for ten (10) days or fewer are now allowed to receive "the same credit originally available for such work" as opposed to "partial or full" credit.

SUSPENSION OF STUDENTS

The Calcasieu Parish School Board recognizes its authority to maintain good order and discipline within the schools of the school district. Therefore, the School Board recognizes the principal's authority to suspend a student for a specified period of time in accordance with statutory provisions.

~~In each case of suspension, the school principal, or his or her designee,~~ Prior to any out-of-school suspension or assignment to alternative placement, the school principal or his/her designee shall advise the student of the particular misconduct of which he/she is accused as well as the basis for such accusation, and the student shall be given an opportunity at that time to explain his/her version of the facts. The principal/designee shall contact the parent, ~~tutor~~, or legal guardian of the student to notify them of the suspension, and establish a date and time for a conference with the principal or designee as a requirement for readmitting the student. Notice shall be given by contacting the parent, ~~tutor~~, or legal guardian by telephone at the telephone number shown on the student's registration card, or by electronic communication or by ~~sending~~ a certified letter sent to the address shown on the student's registration card. The principal shall promptly advise the Superintendent or designee of all such suspensions, stating the reasons for the suspensions.

~~Students suspended for more than ten (10) days shall remain under the supervision of the school system using an alternative education program designed to continue the educational process in an alternative educational placement. The student shall be placed in an alternative school or an alternative education program and shall be required to attend and participate in such school, program, or educational services.~~

A student who is suspended for longer than ten (10) shall be provided with academic instruction at an alternative setting in accordance with La. Rev. Stat. Ann. §17:416.2.

No suspended student shall be allowed to leave the school premises during the school day until the parent, guardian, or other proper authorities assume responsibility for him/her, unless immediate removal from school due to danger or threat of disruption to academic process is warranted.

If the parent, ~~tutor~~, or legal guardian fails to attend the required conference within five (5) school days of notification, the truancy laws shall be effective. On not more than one occasion each school year when the parent, ~~tutor~~, or legal guardian refuses to respond to the notice, the principal may determine whether readmitting the student is in the best interest of the student. On any subsequent occasions in the same school year, the student shall not be readmitted unless the parent, ~~tutor~~, or legal guardian, court, or other appointed representative responds.

~~In any case where~~ If a teacher, principal, or other school employee is authorized to require

the parent, ~~tutor~~, or legal guardian of a student to attend a conference or meeting regarding the student's behavior and after notice, the parent, ~~tutor~~, or legal guardian willfully refuses to attend, the principal or his/her designee shall file a complaint, in accordance with statutory provisions, with a court exercising juvenile jurisdiction.

When a student is suspended for a second time within one school year, the principal may require a counseling session be held with the parent and student by the school counselor. ~~If no counselor is available,~~ In the event there is no school counselor assigned to that school, the principal may require a conference ~~may be held with~~ between the parent, student and all the student's teachers and the principal or other administrator.

Any student, *after being suspended on three (3) occasions* for committing drugs or weapons offenses during the same school year, **shall upon committing the fourth offense**, be expelled from all the public schools of the system until the beginning of the next regular school year, and the student's reinstatement shall be subject to the review and approval of the School Board.

A student suspended for damages to any property belonging to the school system or to property contracted to the school system or any property on school grounds owned by a school employee or student shall not be readmitted until payment in full has been made for such damage, an alternative restitution arrangement has been executed, an alternative payment plan has been arranged, or until directed by the Superintendent. If the property damaged is a school bus owned by, contracted to, or jointly owned by any school board, a student suspended for such damage shall not be permitted to enter or ride any school bus until payment in full has been made for the damage, an alternative restitution arrangement has been executed, an alternative payment plan has been arranged, or until directed by the Superintendent.

The principal and other appropriate personnel shall be required to file written documentation of all suspensions. Said documentation shall include the circumstances surrounding any suspension, the reason for suspension, and any other pertinent facts concerning the disciplinary action. The principal shall file copies of his/her report with the Superintendent, other appropriate personnel and the parent or guardian and retain a copy for his/her records.

Upon the seizure by any teacher, principal, school security guard, or other school administrator of any firearm, knife, or other dangerous implement which could be used as a weapon or inflict injury, the principal or his or her designee shall be required to report the confiscation to appropriate law enforcement officials.

Appeal

Any parent, ~~tutor~~, or legal guardian of a student 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 the out-of-school suspension, shall be final, reserving to the Superintendent the right to remit any portion of the time of out-of-school suspension.

Notwithstanding the foregoing, the parent or legal guardian of a student who has been recommended for expulsion but suspended instead following a hearing conducted by the Superintendent or his/her designee shall have the right to request review by the School Board of the findings of the Superintendent or designee at a time set by the School Board. Such request must be made within five (5) days after the decision is rendered, or the decision of the Superintendent or designee shall be final. The School Board may affirm, modify, or reverse the action previously taken.

The parent or legal guardian of the student may, within ten (10) school days, appeal to the judicial district court an adverse ruling of the School Board in upholding the action of the Superintendent or 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.

MANDATORY SUSPENSION

Firearms, Knives, Other Dangerous Instrumentalities, Drugs

The principal or his/her designee shall be required to suspend a student who:

1. is found carrying or possessing a firearm or a knife with a blade two and one-half (2 $\frac{1}{2}$) inches or longer, or another dangerous instrumentality, except as provided below under the section entitled *Suspension Not Applicable*; or
2. possesses, distributes, sells, gives, or loans any controlled dangerous substance governed by state law, in any form.

Additionally, the principal or his/her designee shall immediately recommend the student's expulsion to the Superintendent, for the above offenses, except in the case of a student less than eleven (11) years of age in pre-kindergarten through grade 5 who is found carrying or possessing a knife with a blade two and one half (2 $\frac{1}{2}$) inches or longer, the principal may ~~but shall not be required to~~ recommend the student's expulsion. A student found carrying or possessing a knife with a blade less than two and one half (2 $\frac{1}{2}$) inches in length may be suspended by the school principal, but, in appropriate cases, at a minimum, shall be placed in *in-school suspension*.

~~The parent or tutor of a pupil who has been recommended for expulsion, including if the recommendation is reduced to a suspension, shall have the right to request review by the School Board of such recommendation, or appeal to the parish district court, as appropriate.~~

in accordance with La. Rev. Stat. Ann. §17:416.

Assault or Battery of School Employees

Whenever a student is formally accused of violating state law or school disciplinary regulations, or both, by committing assault or battery on any school employee, the principal shall suspend the student from school immediately and the student shall be removed immediately from the school premises without the benefit of required out-of-school suspension procedures; ~~provided,~~ however, ~~that such~~ the necessary notifications and other procedures shall ~~follow~~ be implemented as soon as practicable. The student shall not be readmitted to the school to which the employee is assigned until all hearings and appeals associated with the alleged violation have been exhausted.

SUSPENSION NOT APPLICABLE

Suspension of a student shall not apply to the following:

1. A student carrying or possessing a firearm or knife for purposes of involvement in a school class, course, or school-approved cocurricular or extracurricular activity or any other activity approved by appropriate school officials.
2. A student possessing any controlled dangerous substance that has been obtained directly or due to a valid prescription or order from a licensed ~~physician~~ medical provider. However, ~~such the~~ student shall carry evidence of ~~that the~~ prescription or ~~physician's~~ medical provider's order on his/her person at all times when in possession of any controlled dangerous substance which shall be subject to verification. Evidence of the prescription or medical provider's order includes possession of the controlled dangerous substance in its original packaging as received from the pharmacy.

In addition, school officials, in accordance with statutory provisions, shall have total discretion and shall exercise such discretion in imposing on a student any disciplinary actions authorized by state law for possession by a student of a firearm or knife on school property when such firearm or knife is stored in a motor vehicle and there is no evidence of the student's intent to use the firearm or knife in a criminal manner.

DRESS CODE VIOLATIONS

A student enrolled in grades prekindergarten through five shall not be suspended from school or suspended from riding on any school bus for a uniform violation that is not tied to willful disregard of school policies.

CREDIT FOR SCHOOL WORK MISSED

A student who is suspended for ten (10) days or fewer shall be assigned school work

missed while he/she is suspended and shall receive ~~either partial or full~~ the same credit originally available for such work if it is completed satisfactorily and timely as determined by the principal or his/her designee, upon the recommendation of the student's teacher. Each student who has been suspended for ten (10) days or fewer shall receive the missed assignments from each academic teacher. Once the assignments have been issued to the student, the student shall have one (1) school day for each day out due to suspension to complete and submit the work. The teacher shall assess the student's work and the student may receive 100% of the score earned on the assignment.

If a student does not complete the assignment in the allotted amount of time, the student shall receive a zero (0) for the assignments missed due to the suspension.

A student who is suspended for more than ten (10) days and receives educational services at an alternative school site, shall be assigned work by a certified teacher and shall receive credit for school work 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 is suspended.

RECUSAL OF ADMINISTRATOR IN DISCIPLINE MATTERS

Any school administrator or administrator's designee who is required to make a recommendation, decide an issue, or take action in a matter involving the discipline of a student shall recuse himself/herself whenever a member of the immediate family of the administrator or administrator's designee is involved in any manner in the discipline matter. In case of recusal, the action to be taken shall be done so by the Superintendent or an impartial designee of the Superintendent.

Immediate family means the individual's children, brothers, sisters, parents, and spouse and the children, brothers, sisters, and parents of the spouse.

SUSPENSION OF STUDENTS WITH DISABILITIES OR EXCEPTIONALITIES

Suspension of students with disabilities or exceptionalities, or an Individualized Education Program or Section 504 Individualized Accommodation Plan, shall be ~~in accordance with~~ to the extent allowed by applicable state or federal law and regulations or the provisions of the student's specific plan.

DEFINITIONS

Definitions of terms used herein shall have the meaning set forth in policy JD, Discipline.

Revised: December, 1992
Revised: August, 1994
Revised: December, 1995
Revised: July, 1996
Revised: September, 1997
Revised: August, 1999
Revised: August, 2003
Revised: August, 2005
Revised: September, 2006
Revised: August, 2007

Revised: October, 2009
Revised: November, 2012
Revised: July 16, 2013
Revised: December 8, 2015
Revised: February 9, 2021
Revised: July, 2021

Ref: La. Rev. Stat. Ann. §§17:223, 17:416, 17:416.1, 17:416.2, 17:416.3; Goss v. Lopez, 95 S. Ct. 729 (1973); Regulations for Implementation of the Exceptional Children's Act, Bulletin 1706, Louisiana Department of Education; Board minutes, 10-14-03, 5-8-06, 2-6-07, 9-4-07, 1-12-10, 7-16-13, 12-8-15, 2-9-21.

SUSPENSION OF STUDENTS

The Calcasieu Parish School Board recognizes its authority to maintain good order and discipline within the schools of the school district. Therefore, the School Board recognizes the principal's authority to suspend a student for a specified period of time in accordance with statutory provisions.

Prior to any out-of-school suspension or assignment to alternative placement, the school principal or his/her designee shall advise the student of the particular misconduct of which he/she is accused as well as the basis for such accusation, and the student shall be given an opportunity at that time to explain his/her version of the facts. The principal/designee shall contact the parent or legal guardian of the student to notify them of the suspension, and establish a date and time for a conference with the principal or designee as a requirement for readmitting the student. *Notice* shall be given by contacting the parent or legal guardian by telephone at the telephone number shown on the student's registration card, or by electronic communication or by a certified letter sent to the address shown on the student's registration card. The principal shall promptly advise the Superintendent or designee of all such suspensions, stating the reasons for the suspensions.

A student who is suspended for longer than ten (10) days shall be provided with academic instruction at an alternative setting in accordance with La. Rev. Stat. Ann. §17:416.2.

No suspended student shall be allowed to leave the school premises during the school day until the parent, guardian, or other proper authorities assume responsibility for him/her, unless immediate removal from school due to danger or threat of disruption to academic process is warranted.

If the parent, or legal guardian fails to attend the required conference within five (5) school days of notification, the truancy laws shall be effective. On not more than one occasion each school year when the parent, or legal guardian refuses to respond to the notice, the principal may determine whether readmitting the student is in the best interest of the student. On any subsequent occasions in the same school year, the student shall not be readmitted unless the parent, or legal guardian, court, or other appointed representative responds.

If a teacher, principal, or other school employee is authorized to require the parent, or legal guardian of a student to attend a conference or meeting regarding the student's behavior and after notice, the parent, or legal guardian willfully refuses to attend, the principal or his/her designee shall file a complaint, in accordance with statutory provisions, with a court exercising juvenile jurisdiction.

When a student is suspended for a second time within one school year, the principal may require a counseling session be held with the parent and student by the school counselor.

In the event there is no school counselor assigned to that school, the principal may require a conference between the parent, student and all the student's teachers and the principal or other administrator.

Any student, *after being suspended on three (3) occasions* for committing drugs or weapons offenses during the same school year, **shall upon committing the fourth offense**, be expelled from all the public schools of the system until the beginning of the next regular school year, and the student's reinstatement shall be subject to the review and approval of the School Board.

A student suspended for damages to any property belonging to the school system or to property contracted to the school system or any property on school grounds owned by a school employee or student shall not be readmitted until payment in full has been made for such damage, an alternative restitution arrangement has been executed, an alternative payment plan has been arranged, or until directed by the Superintendent. If the property damaged is a school bus owned by, contracted to, or jointly owned by any school board, a student suspended for such damage shall not be permitted to enter or ride any school bus until payment in full has been made for the damage, an alternative restitution arrangement has been executed, an alternative payment plan has been arranged, or until directed by the Superintendent.

The principal and other appropriate personnel shall be required to file written documentation of all suspensions. Said documentation shall include the circumstances surrounding any suspension, the reason for suspension, and any other pertinent facts concerning the disciplinary action. The principal shall file copies of his/her report with the Superintendent, other appropriate personnel and the parent or guardian and retain a copy for his/her records.

Upon the seizure by any teacher, principal, school security guard, or other school administrator of any firearm, knife, or other dangerous implement which could be used as a weapon or inflict injury, the principal or his or her designee shall be required to report the confiscation to appropriate law enforcement officials.

Appeal

Any parent, or legal guardian of a student 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 the out-of-school suspension, shall be final, reserving to the Superintendent the right to remit any portion of the time of out-of-school suspension.

Notwithstanding the foregoing, the parent or legal guardian of a student who has been

recommended for expulsion but suspended instead following a hearing conducted by the Superintendent or his/her designee shall have the right to request review by the School Board of the findings of the Superintendent or designee at a time set by the School Board. Such request must be made within five (5) days after the decision is rendered, or the decision of the Superintendent or designee shall be final. The School Board may affirm, modify, or reverse the action previously taken.

The parent or legal guardian of the student may, within ten (10) school days, appeal to the judicial district court an adverse ruling of the School Board in upholding the action of the Superintendent or 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.

MANDATORY SUSPENSION

Firearms, Knives, Other Dangerous Instrumentalities, Drugs

The principal or his/her designee shall be required to suspend a student who:

1. is found carrying or possessing a firearm or a knife with a blade two and one-half (2 ½) inches or longer, or another dangerous instrumentality, except as provided below under the section entitled *Suspension Not Applicable*; or
2. possesses, distributes, sells, gives, or loans any controlled dangerous substance governed by state law, in any form.

Additionally, the principal or his/her designee shall immediately recommend the student's expulsion to the Superintendent, for the above offenses, except in the case of a student less than eleven (11) years of age in pre-kindergarten through grade 5 who is found carrying or possessing a knife with a blade two and one half (2 ½) inches or longer, the principal may recommend the student's expulsion. A student found carrying or possessing a knife with a blade less than two and one half (2 ½) inches in length may be suspended by the school principal, but, in appropriate cases, at a minimum, shall be placed in *in-school suspension*.

Assault or Battery of School Employees

Whenever a student is formally accused of violating state law or school disciplinary regulations, or both, by committing assault or battery on any school employee, the principal shall suspend the student from school immediately and the student shall be removed immediately from the school premises without the benefit of required out-of-school suspension procedures; however, the necessary notifications and other procedures shall be implemented as soon as practicable. The student shall not be readmitted to the school to which the employee is assigned until all hearings and appeals associated with the alleged violation have been exhausted.

SUSPENSION NOT APPLICABLE

Suspension of a student shall not apply to the following:

1. A student carrying or possessing a firearm or knife for purposes of involvement in a school class, course, or school-approved cocurricular or extracurricular activity or any other activity approved by appropriate school officials.
2. A student possessing any controlled dangerous substance that has been obtained directly or due to a valid prescription or order from a licensed medical provider. However, the student shall carry evidence of the prescription or medical provider's order on his/her person at all times when in possession of any controlled dangerous substance which shall be subject to verification. Evidence of the prescription or medical provider's order includes possession of the controlled dangerous substance in its original packaging as received from the pharmacy.

In addition, school officials, in accordance with statutory provisions, shall have total discretion and shall exercise such discretion in imposing on a student any disciplinary actions authorized by state law for possession by a student of a firearm or knife on school property when such firearm or knife is stored in a motor vehicle and there is no evidence of the student's intent to use the firearm or knife in a criminal manner.

DRESS CODE VIOLATIONS

A student enrolled in grades prekindergarten through five shall not be suspended from school or suspended from riding on any school bus for a uniform violation that is not tied to willful disregard of school policies.

CREDIT FOR SCHOOL WORK MISSED

A student who is suspended for ten (10) days or fewer shall be assigned school work missed while he/she is suspended and shall receive the same credit originally available for such work if it is completed satisfactorily and timely as determined by the principal or his/her designee, upon the recommendation of the student's teacher. Each student who has been suspended for ten (10) days or fewer shall receive the missed assignments from each academic teacher. Once the assignments have been issued to the student, the student shall have one (1) school day for each day out due to suspension to complete and submit the work. The teacher shall assess the student's work and the student may receive 100% of the score earned on the assignment.

If a student does not complete the assignment in the allotted amount of time, the student shall receive a zero (0) for the assignments missed due to the suspension.

A student who is suspended for more than ten (10) days and receives educational services at an alternative school site, shall be assigned work by a certified teacher and

shall receive credit for school work 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 is suspended.

RECUSAL OF ADMINISTRATOR IN DISCIPLINE MATTERS

Any school administrator or administrator's designee who is required to make a recommendation, decide an issue, or take action in a matter involving the discipline of a student shall recuse himself/herself whenever a member of the immediate family of the administrator or administrator's designee is involved in any manner in the discipline matter. In case of recusal, the action to be taken shall be done so by the Superintendent or an impartial designee of the Superintendent.

Immediate family means the individual's children, brothers, sisters, parents, and spouse and the children, brothers, sisters, and parents of the spouse.

SUSPENSION OF STUDENTS WITH DISABILITIES OR EXCEPTIONALITIES

Suspension of students with disabilities or exceptionalities, or an Individualized Education Program or Section 504 Individualized Accommodation Plan, shall be to the extent allowed by applicable state or federal law and regulations or the provisions of the student's specific plan.

DEFINITIONS

Definitions of terms used herein shall have the meaning set forth in policy *JD, Discipline*.

Revised: December, 1992
Revised: August, 1994
Revised: December, 1995
Revised: July, 1996
Revised: September, 1997
Revised: August, 1999
Revised: August, 2003
Revised: August, 2005
Revised: September, 2006
Revised: August, 2007

Revised: October, 2009
Revised: November, 2012
Revised: July 16, 2013
Revised: December 8, 2015
Revised: February 9, 2021
Revised: July, 2021

Ref: La. Rev. Stat. Ann. §§17:223, 17:416, 17:416.1, 17:416.2, 17:416.3; Goss v. Lopez, 95 S. Ct. 729 (1973); Regulations for Implementation of the Exceptional Children's Act, Bulletin 1706, Louisiana Department of Education; Board minutes, 10-14-03, 5-8-06, 2-6-07, 9-4-07, 1-12-10, 7-16-13, 12-8-15, 2-9-21.

Item # 4

Expulsion

Act 473 now requires the same notification process for expulsion as for suspension and assignment to alternative placement. The Expulsion policy includes new language reflecting advising the student of the accused misconduct, and notification of the parent or legal guardian setting a time and place for a conference with the principal or designee. If the parent or legal guardian fails to attend the conference within five (5) school days of notification, the truancy laws shall be effective.

A hearing shall be conducted by the Superintendent or his/her designee within fifteen (15) days of the recommendation for expulsion by the principal. The School Board is required to provide written notice of the hearing to the student and parent or legal guardian and advise them of their rights. Until the hearing, the student shall remain suspended with access to classwork and the opportunity to earn academic credit. A student expelled for longer than ten (10) days shall receive academic instruction at an alternative setting.

The parent or legal guardian of the student has ten (10) school days to appeal the ruling of the School Board to the district court.

Other changes include:

- provisions of the mandatory recommendation for expulsion shall not be applied to virtual instruction received by a student in the student's home.
- the allowed length for a knife has been extended by a half inch to two and one-half (2½) inches.
- additional qualifications have been added addressing the length of time of expulsion for a student who has committed a felony or been convicted of acts which would have constituted a felony if committed by an adult.
- regarding expulsion not being applicable: in addition to carrying a valid prescription or order from a medical provider (no longer just a physician), a student may provide as evidence possession of the controlled dangerous substance in its original packaging as received from the pharmacy; and,
- a student expelled for firearms, knives, weapons, or drugs shall not be enrolled or readmitted to a "regular public school of the school system" on a probationary basis prior to the completion of the period of expulsion "at the school system's alternative setting" without producing written documentation of enrollment or participation in an appropriate rehabilitation or counseling program.

EXPULSION

The Calcasieu Parish School Board may expel a student from school if an offense committed by the student is serious enough to warrant such action or is in violation of state law or the School Board's code of conduct. Prior to any expulsion the school principal or his/her designee shall advise the student of the particular misconduct of which he/she is accused as well as the basis for such accusation, and the student shall be given an opportunity at that time to explain his/her version of the facts. The principal/designee shall contact the parent or legal guardian of the student to notify them of the expulsion, and establish a date and time for a conference with the principal or designee as a requirement for readmitting the student. Notice shall be given by contacting the parent or legal guardian by telephone at the telephone number shown on the student's registration card, or by electronic communication and additionally by a certified letter sent to the address shown on the student's registration card. If the parent or legal guardian fails to attend the required conference within five (5) school days of notification, the truancy laws shall be effective.

Upon the recommendation for expulsion of a student by the principal, ~~the Superintendent or his/her designee shall conduct~~ a hearing shall be conducted by the Superintendent or his/her designee within fifteen (15) school days to determine the facts of the case and make a finding of whether or not the student is guilty of conduct warranting a recommendation of expulsion. The School Board must provide written notice of the hearing to the student and his/her parent or legal guardian, and the notice shall advise the student and his/her parent or legal guardian of their rights. Notification of the time, date, and place of the expulsion hearing shall be mailed to the parents. Following the hearing, the Superintendent or his/her designee shall notify the parents of the decision rendered.

At the hearing, the principal and/or teacher concerned may be represented by any person appointed by the Superintendent and the concerned teacher shall be permitted to attend and present any relevant information. Until the hearing, the student shall remain suspended with access to classwork and the opportunity to earn academic credit. A student who is expelled for longer than ten (10) days shall be provided with academic instruction at an alternative setting in accordance with La. Rev. Stat. Ann. §17:416.2.

Upon the conclusion of the hearing and upon finding the student guilty of conduct warranting expulsion, the Superintendent shall determine whether such student shall be expelled and the specified period of expulsion, or if other disciplinary action shall be taken. Unless otherwise stipulated by state statutes, the period of expulsion shall not be less than one school semester and may carry over into the next school year, if necessary. During an expulsion, the Superintendent shall place the student in an alternative school or in an alternative educational placement.

APPEALS

The parent or ~~tutor~~ legal guardian who has been recommended for expulsion in accordance with state law may, within five (5) days after the decision to expel has been rendered, submit a request to 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. Such review shall also be available to the parent or ~~tutor~~ legal guardian of a student who was recommended for expulsion but whose discipline was reduced to a suspension. After reviewing the findings of the Superintendent or designee, the School Board may affirm, modify, or reverse the action of the Superintendent or designee.

The parent or legal guardian of the student who has been recommended for expulsion in accordance with state law may, within ten (10) school 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 legal guardian of the student shall have such right to appeal to the district court even if the recommendation for expulsion is reduced to a suspension.

EXPULSION INVOLVING FIREARMS

Any student, age sixteen (16) or older, or under sixteen (16) and in grades six (6) through twelve (12), who is found guilty of being in possession of a firearm on school property, on a school bus or in actual possession at a school-sponsored event, pursuant to a hearing, shall be expelled from school for a minimum period of four (4) complete school semesters and shall be referred to the district attorney for appropriate action.

Any student in kindergarten through grade five (5) who is found guilty of being in possession of a firearm on school property, on a school bus, or in actual possession at a school-sponsored event, pursuant to a hearing, shall be expelled from school for a minimum period of two (2) complete school semesters and shall be referred to the district attorney for appropriate action.

However, the Superintendent, ~~however~~, may modify the length of the minimum expulsion required in the above paragraphs on a case-by-case basis, provided such modification is in writing.

EXPULSION INVOLVING DRUGS

Any student, sixteen (16) years of age or older, found guilty of possession of, or knowledge of and intentional distribution of or possession with intent to distribute any illegal narcotic, drug, or other controlled substance on school property, on a school bus or at a school-sponsored event, pursuant to a hearing, shall be expelled from school for

a minimum period of four (4) complete school semesters.

Any student who is under sixteen (16) years of age and in grades six (6) through twelve (12) and who is found guilty of possession of, or knowledge of and intentional distribution of or possession with intent to distribute any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school-sponsored event pursuant to a hearing shall be expelled from school for a minimum period of two (2) complete school semesters.

Any case involving a student in kindergarten through grade five (5) found guilty of possession of, or knowledge of and intentional distribution of or possession with intent to distribute any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school-sponsored event, pursuant to a hearing, shall be referred to the School Board through a recommendation for action from the Superintendent.

VIRTUAL INSTRUCTION

The provisions related to mandatory recommendation for expulsion shall not be applied to virtual instruction received by a student in the student's home.

ADDITIONAL REASONS FOR EXPULSION

Students may also be expelled for any of the following reasons:

1. Any student, after being suspended for committing violations of any discipline policies or other rule infractions, depending on the severity of the behavior, may be expelled upon recommendation to the Superintendent by the principal and after an appropriate hearing is held by the Superintendent or designee.
2. Any student who is found carrying or possessing a knife with a blade which equals or exceeds two and one-half (2 $\frac{1}{2}$) inches in length.
3. In accordance with federal regulations, a student determined to have brought a weapon to a school under the School Board's jurisdiction shall be expelled for a minimum of one calendar year. The Superintendent may modify the expulsion requirement on a case-by-case basis. A *weapon*, in accordance with federal statutes, means a firearm or any device which is designed to expel a projectile or any destructive device, which in turn means any explosive, incendiary or poison gas, bomb, grenade, rocket, missile, mine or similar device.
4. Any student, *after being suspended on three (3) occasions* for committing drugs or weapons offenses during the same school year, **shall**, *upon committing the fourth offense*, be expelled from all the public schools of the system until the beginning of the next regular school year, and the student's reinstatement shall be subject to the review and approval of the School Board.

5. 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 expulsion of the student for a period of time as determined by the School Board; such expulsions shall require the vote of **two-thirds $\frac{2}{3}$ of the elected members of the School Board**, shall not be for a period of time longer than the student's period of adjudication as determined by the applicable court presiding over the student's criminal matter, and shall run concurrent to the student's period of disposition. If the student was serving an expulsion period when the student was incarcerated for a separate offense and the student completes the period of incarceration with time left in the expulsion period, the Superintendent or his/her designee may require the student to serve the time left in the expulsion period.

EXPULSION NOT APPLICABLE

Expulsion shall not apply to the following:

1. A student carrying or possessing a firearm or knife for purposes of involvement in a school class, course, or school approved cocurricular or extracurricular activity or any other activity approved by appropriate school officials.
2. A student possessing any controlled dangerous substance that has been obtained directly or due to a valid prescription or order from a licensed **physician** medical provider. However, **such the** student shall carry evidence of **that the** prescription or **physician's** medical provider's order on his/her person at all times when in possession of any controlled dangerous substance which shall be subject to verification. Evidence of the prescription or medical provider's order includes possession of the controlled dangerous substance in its original packaging as received from the pharmacy.

In addition, school officials, in accordance with statutory provisions, shall have total discretion and shall exercise such discretion in imposing on a student any disciplinary actions authorized by state law for possession by a student of a firearm or knife on school property when such firearm or knife is stored in a motor vehicle and there is no evidence of the student's intent to use the firearm or knife in a criminal manner.

DRESS CODE VIOLATIONS

A student enrolled in grades prekindergarten through five shall not be expelled from school for a uniform violation that is not tied to willful disregard of school policies.

READMITTANCE FOLLOWING EXPULSION

Required Parent Conference

In each case of expulsion, the school principal, or his or her designee, shall contact the parent, ~~tutor~~, or legal guardian of the student to notify them of the expulsion, and establish a date and time for a conference with the principal or designee as a requirement for readmitting the student. Notice shall be given by sending a certified letter to the address shown on the student's registration card. Also, additional notification may be made by contacting the parent, ~~tutor~~, or legal guardian by telephone at the telephone number shown on the student's registration card.

If the parent, ~~tutor~~, or legal guardian fails to attend the required conference within five (5) school days of notification, the student may be considered a truant and dealt with according to all applicable statutory provisions. On not more than one occasion each school year when the parents, ~~tutor~~, or legal guardian refuses to respond, the principal may determine whether readmitting the student is in the best interest of the student. On any subsequent occasions in the same school year, the student shall not be readmitted unless the parent, ~~tutor~~, or legal guardian, court, or other appointed representative responds.

In any case where a teacher, principal, or other school employee is authorized to require the parent, ~~tutor~~, or legal guardian of a student to attend a conference or meeting regarding the student's behavior and after notice, the parent, ~~tutor~~, or legal guardian willfully refuses to attend, the principal or his or her designee shall file a complaint, in accordance with statutory provisions, with a court exercising juvenile jurisdiction.

Readmittance After All Expulsions

Any student expelled may be readmitted to school on a probationary basis at any time during the expulsion period on such terms and conditions as may be stipulated by the School Board. Readmission to school on a probationary basis shall be contingent on the student and legal guardian or custodian agreeing in writing to the conditions stipulated. Any such agreement shall contain a provision for immediate removal of the student from school premises and returned to the school system's alternative school setting without benefit of a hearing or other procedure upon the principal or Superintendent determining the student has violated any term or condition of the agreement. Immediately thereafter, the principal or designee shall provide proper notification in writing of the determination and reasons for removal to the Superintendent and the student's parent or legal guardian.

Readmittance After Expulsion for Firearms, Knives, Weapons, or Drugs

In addition to the readmittance provisions for all expulsions stated above, a student that has been expelled for possessing on school property or on a bus, a firearm, knife, or other dangerous weapon, or possessing or possession with intent to distribute or distributing, selling, giving, or loaning while on school property or a school bus any controlled dangerous substance shall not be enrolled or readmitted to any ~~such~~ regular public school of the school system on a probationary basis prior to the completion of the period of expulsion at the school system's alternative education setting until the student

produces written documentation that he/she and his/her parent or legal guardian have enrolled and participated or is participating in an appropriate rehabilitation or counseling program related to the reason(s) for the student's expulsion. The rehabilitation or counseling programs shall be provided by such programs approved by the juvenile or family court having jurisdiction, if applicable, or by the School Board. The requirement for enrollment and participation in a rehabilitation or counseling program shall be waived only upon a documented showing by the student that no appropriate program is available in the area or that the student cannot enroll or participate due to financial hardship.

Review of Records

A student who has been expelled from any school in or out of state shall not be admitted to a school in the school system except upon the review and approval of the School Board following the request for admission. To facilitate the review and approval for readmittance, the student shall provide to the School Board information on the dates of any expulsions and the reasons therefor. Additionally, the transfer of student records to any school or system shall include information on the dates of any expulsions and the reasons therefor.

CREDIT FOR SCHOOL WORK MISSED

A student who is expelled and receives educational services at an alternative school site shall be assigned work by a certified teacher and shall receive credit for school work 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 expelled.

RECUSAL OF ADMINISTRATOR IN DISCIPLINE MATTERS

Any school administrator or administrator's designee who is required to make a recommendation, decide an issue, or take action in a matter involving the discipline of a student shall recuse himself/herself whenever a member of the immediate family of the administrator or administrator's designee is involved in any manner in the discipline matter. In case of recusal, the action to be taken shall be done so by the Superintendent or an impartial designee of the Superintendent.

Immediate family means the individual's children, brothers, sisters, parents, and spouse and the children, brothers, sisters, and parents of the spouse.

EXPULSION OF STUDENTS WITH DISABILITIES OR EXCEPTIONALITIES

Expulsion of students with disabilities or exceptionalities, or an Individualized Education Program or Section 504 Individualized Accommodation Plan, shall be ~~in accordance with~~ to the extent allowed by applicable state or federal law and regulations or the provisions of the student's specific plan.

DEFINITIONS

Definitions of terms used herein shall have the meaning set forth in policy *JD, Discipline*.

Revised: October, 1995
Revised: July, 1996
Revised: September, 1997
Revised: August, 2003
Revised: August, 2007
Revised: September, 2008
Revised: September, 2009

Revised: November, 2012
Revised: September, 2009
Revised: December 8, 2015
Revised: February 9, 2021
Revised: July, 2021

Ref: 18 USC 921 (*Firearms – Definitions*); 20 USC 7151 (*Gun-Free Schools Act*); La. Rev. Stat. Ann. §§17:223, 17:416, 17:416.1, 17:416.2, 17:2092; Goss v. Lopez, 95. S. Ct. 729 (1973); Regulations for Implementation of the Exceptional Children's Act, Bulletin 1706, Louisiana Department of Education); Board minutes, 10-14-03, 9-4-07, 10-7-08, 1-12-10, 2-5-13, 12-8-15, 2-9-21.

EXPULSION

The Calcasieu Parish School Board may expel a student from school if an offense committed by the student is serious enough to warrant such action or is in violation of state law or the School Board's code of conduct. Prior to any expulsion the school principal or his/her designee shall advise the student of the particular misconduct of which he/she is accused as well as the basis for such accusation, and the student shall be given an opportunity at that time to explain his/her version of the facts. The principal/designee shall contact the parent or legal guardian of the student to notify them of the expulsion, and establish a date and time for a conference with the principal or designee as a requirement for readmitting the student. Notice shall be given by contacting the parent or legal guardian by telephone at the telephone number shown on the student's registration card, or by electronic communication and additionally by a certified letter sent to the address shown on the student's registration card. If the parent or legal guardian fails to attend the required conference within five (5) school days of notification, the truancy laws shall be effective.

Upon the recommendation for expulsion of a student by the principal a hearing shall be conducted by the Superintendent or his/her designee within fifteen (15) school days to determine the facts of the case and make a finding of whether or not the student is guilty of conduct warranting a recommendation of expulsion. The School Board must provide written notice of the hearing to the student and his/her parent or legal guardian, and the notice shall advise the student and his/her parent or legal guardian of their rights. Notification of the time, date, and place of the expulsion hearing shall be mailed to the parents. Following the hearing, the Superintendent or his/her designee shall notify the parents of the decision rendered.

At the hearing, the principal and/or teacher concerned may be represented by any person appointed by the Superintendent and the concerned teacher shall be permitted to attend and present any relevant information. Until the hearing, the student shall remain suspended with access to classwork and the opportunity to earn academic credit. A student who is expelled for longer than ten (10) days shall be provided with academic instruction at an alternative setting in accordance with La. Rev. Stat. Ann. §17:416.2.

Upon the conclusion of the hearing and upon finding the student guilty of conduct warranting expulsion, the Superintendent shall determine whether such student shall be expelled and the specified period of expulsion, or if other disciplinary action shall be taken. Unless otherwise stipulated by state statutes, the period of expulsion shall not be less than one school semester and may carry over into the next school year, if necessary. During an expulsion, the Superintendent shall place the student in an alternative school or in an alternative educational placement.

APPEALS

The parent or legal guardian who has been recommended for expulsion in accordance with state law may, within five (5) days after the decision to expel has been rendered, submit a request to 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. Such review shall also be available to the parent or legal guardian of a student who was recommended for expulsion but whose discipline was reduced to a suspension. After reviewing the findings of the Superintendent or designee, the School Board may affirm, modify, or reverse the action of the Superintendent or designee.

The parent or legal guardian of the student who has been recommended for expulsion in accordance with state law may, within ten (10) school 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 legal guardian of the student shall have such right to appeal to the district court even if the recommendation for expulsion is reduced to a suspension.

EXPULSION INVOLVING FIREARMS

Any student, age sixteen (16) or older, or under sixteen (16) and in grades six (6) through twelve (12), who is found guilty of being in possession of a firearm on school property, on a school bus or in actual possession at a school-sponsored event, pursuant to a hearing, shall be expelled from school for a minimum period of four (4) complete school semesters and shall be referred to the district attorney for appropriate action.

Any student in kindergarten through grade five (5) who is found guilty of being in possession of a firearm on school property, on a school bus, or in actual possession at a school-sponsored event, pursuant to a hearing, shall be expelled from school for a minimum period of two (2) complete school semesters and shall be referred to the district attorney for appropriate action.

However, the Superintendent may modify the length of the minimum expulsion required in the above paragraphs on a case-by-case basis, provided such modification is in writing.

EXPULSION INVOLVING DRUGS

Any student, sixteen (16) years of age or older, found guilty of possession of, or knowledge of and intentional distribution of or possession with intent to distribute any illegal narcotic, drug, or other controlled substance on school property, on a school bus or at a school-sponsored event, pursuant to a hearing, shall be expelled from school for a minimum period of four (4) complete school semesters.

Any student who is under sixteen (16) years of age and in grades six (6) through twelve (12) and who is found guilty of possession of, or knowledge of and intentional distribution of or possession with intent to distribute any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school-sponsored event pursuant to a hearing shall be expelled from school for a minimum period of two (2) complete school semesters.

Any case involving a student in kindergarten through grade five (5) found guilty of possession of, or knowledge of and intentional distribution of or possession with intent to distribute any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school-sponsored event, pursuant to a hearing, shall be referred to the School Board through a recommendation for action from the Superintendent.

VIRTUAL INSTRUCTION

The provisions related to mandatory recommendation for expulsion shall not be applied to virtual instruction received by a student in the student's home.

ADDITIONAL REASONS FOR EXPULSION

Students may also be expelled for any of the following reasons:

1. Any student, after being suspended for committing violations of any discipline policies or other rule infractions, depending on the severity of the behavior, may be expelled upon recommendation to the Superintendent by the principal and after an appropriate hearing is held by the Superintendent or designee.
2. Any student who is found carrying or possessing a knife with a blade which equals or exceeds two and one-half (2 ½) inches in length.
3. In accordance with federal regulations, a student determined to have brought a weapon to a school under the School Board's jurisdiction shall be expelled for a minimum of one calendar year. The Superintendent may modify the expulsion requirement on a case-by-case basis. A *weapon*, in accordance with federal statutes, means a firearm or any device which is designed to expel a projectile or any destructive device, which in turn means any explosive, incendiary or poison gas, bomb, grenade, rocket, missile, mine or similar device.
4. Any student, *after being suspended on three (3) occasions* for committing drugs or weapons offenses during the same school year, **shall, upon committing the fourth offense**, be expelled from all the public schools of the system until the beginning of the next regular school year, and the student's reinstatement shall be subject to the review and approval of the School Board.
5. 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 expulsion of the student for a period of time as determined by the School Board; such expulsions shall require the vote of ***two-thirds $\frac{2}{3}$ of the elected members of the School Board***, shall not be for a period of time longer than the student's period of adjudication as determined by the applicable court presiding over the student's criminal matter, and shall run concurrent to the student's period of disposition. If the student was serving an expulsion period when the student was incarcerated for a separate offense and the student completes the period of incarceration with time left in the expulsion period, the Superintendent or his/her designee may require the student to serve the time left in the expulsion period.

EXPULSION NOT APPLICABLE

Expulsion shall not apply to the following:

1. A student carrying or possessing a firearm or knife for purposes of involvement in a school class, course, or school approved cocurricular or extracurricular activity or any other activity approved by appropriate school officials.
2. A student possessing any controlled dangerous substance that has been obtained directly or due to a valid prescription or order from a licensed medical provider. However, the student shall carry evidence of the prescription or medical provider's order on his/her person at all times when in possession of any controlled dangerous substance which shall be subject to verification. Evidence of the prescription or medical provider's order includes possession of the controlled dangerous substance in its original packaging as received from the pharmacy.

In addition, school officials, in accordance with statutory provisions, shall have total discretion and shall exercise such discretion in imposing on a student any disciplinary actions authorized by state law for possession by a student of a firearm or knife on school property when such firearm or knife is stored in a motor vehicle and there is no evidence of the student's intent to use the firearm or knife in a criminal manner.

DRESS CODE VIOLATIONS

A student enrolled in grades prekindergarten through five shall not be expelled from school for a uniform violation that is not tied to willful disregard of school policies.

READMITTANCE FOLLOWING EXPULSION

Required Parent Conference

In each case of expulsion, the school principal, or his or her designee, shall contact the

parent or legal guardian of the student to notify them of the expulsion, and establish a date and time for a conference with the principal or designee as a requirement for readmitting the student. Notice shall be given by sending a certified letter to the address shown on the student's registration card. Also, additional notification may be made by contacting the parent or legal guardian by telephone at the telephone number shown on the student's registration card.

If the parent, or legal guardian fails to attend the required conference within five (5) school days of notification, the student may be considered a truant and dealt with according to all applicable statutory provisions. On not more than one occasion each school year when the parent or legal guardian refuses to respond, the principal may determine whether readmitting the student is in the best interest of the student. On any subsequent occasions in the same school year, the student shall not be readmitted unless the parent or legal guardian, court, or other appointed representative responds.

In any case where a teacher, principal, or other school employee is authorized to require the parent or legal guardian of a student to attend a conference or meeting regarding the student's behavior and after notice, the parent or legal guardian willfully refuses to attend, the principal or his or her designee shall file a complaint, in accordance with statutory provisions, with a court exercising juvenile jurisdiction.

Readmittance After All Expulsions

Any student expelled may be readmitted to school on a probationary basis at any time during the expulsion period on such terms and conditions as may be stipulated by the School Board. Readmission to school on a probationary basis shall be contingent on the student and legal guardian or custodian agreeing in writing to the conditions stipulated. Any such agreement shall contain a provision for immediate removal of the student from school premises and returned to the school system's alternative school setting without benefit of a hearing or other procedure upon the principal or Superintendent determining the student has violated any term or condition of the agreement. Immediately thereafter, the principal or designee shall provide proper notification in writing of the determination and reasons for removal to the Superintendent and the student's parent or legal guardian.

Readmittance After Expulsion for Firearms, Knives, Weapons, or Drugs

In addition to the readmittance provisions for all expulsions stated above, a student that has been expelled for possessing on school property or on a bus, a firearm, knife, or other dangerous weapon, or possessing or possession with intent to distribute or distributing, selling, giving, or loaning while on school property or a school bus any controlled dangerous substance shall not be enrolled or readmitted to any regular public school of the school system on a probationary basis prior to the completion of the period of expulsion at the school system's alternative education setting until the student produces written documentation that he/she and his/her parent or legal guardian have enrolled and participated or is participating in an appropriate rehabilitation or counseling program

related to the reason(s) for the student's expulsion. The rehabilitation or counseling programs shall be provided by such programs approved by the juvenile or family court having jurisdiction, if applicable, or by the School Board. The requirement for enrollment and participation in a rehabilitation or counseling program shall be waived only upon a documented showing by the student that no appropriate program is available in the area or that the student cannot enroll or participate due to financial hardship.

Review of Records

A student who has been expelled from any school in or out of state shall not be admitted to a school in the school system except upon the review and approval of the School Board following the request for admission. To facilitate the review and approval for readmittance, the student shall provide to the School Board information on the dates of any expulsions and the reasons therefor. Additionally, the transfer of student records to any school or system shall include information on the dates of any expulsions and the reasons therefor.

CREDIT FOR SCHOOL WORK MISSED

A student who is expelled and receives educational services at an alternative school site shall be assigned work by a certified teacher and shall receive credit for school work 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 expelled.

RECUSAL OF ADMINISTRATOR IN DISCIPLINE MATTERS

Any school administrator or administrator's designee who is required to make a recommendation, decide an issue, or take action in a matter involving the discipline of a student shall recuse himself/herself whenever a member of the immediate family of the administrator or administrator's designee is involved in any manner in the discipline matter. In case of recusal, the action to be taken shall be done so by the Superintendent or an impartial designee of the Superintendent.

Immediate family means the individual's children, brothers, sisters, parents, and spouse and the children, brothers, sisters, and parents of the spouse.

EXPULSION OF STUDENTS WITH DISABILITIES OR EXCEPTIONALITIES

Expulsion of students with disabilities or exceptionalities, or an Individualized Education Program or Section 504 Individualized Accommodation Plan, shall be to the extent allowed by applicable state or federal law and regulations or the provisions of the student's specific plan.

DEFINITIONS

Definitions of terms used herein shall have the meaning set forth in policy *JD, Discipline*.

Revised: October, 1995
Revised: July, 1996
Revised: September, 1997
Revised: August, 2003
Revised: August, 2007
Revised: September, 2008
Revised: September, 2009

Revised: November, 2012
Revised: September, 2009
Revised: December 8, 2015
Revised: February 9, 2021
Revised: July, 2021

Ref: 18 USC 921 (*Firearms – Definitions*); 20 USC 7151 (*Gun-Free Schools Act*); La. Rev. Stat. Ann. §§17:223, 17:416, 17:416.1, 17:416.2, 17:2092; Goss v. Lopez, 95. S. Ct. 729 (1973); Regulations for Implementation of the Exceptional Children's Act, Bulletin 1706, Louisiana Department of Education); Board minutes, 10-14-03, 9-4-07, 10-7-08, 1-12-10, 2-5-13, 12-8-15, 2-9-21.

Item #5

Student Alcohol and Drug Use

Under the section Referral of Student Required in the Student Drug and Alcohol Use policy, revised statutory language clarifies that the principal or his/her designee shall refer a student to an alcohol and drug abuse treatment professional. This section of the policy is new for some School Boards.

State law mandates that teachers and other school employees report suspected substance abuse in school. These cases shall be reported to the principal and the *Substance Abuse Prevention Team* in the school. The principal must report each case of possession, distributing, sales or manufacturing to the proper law enforcement authority. Reports shall also be made to the appropriate person at each school, who shall investigate, research, and report on instances or reports of possession of prohibited substances or beverages. Designated personnel shall report its findings along with the recommendation for treatment, counseling or other appropriate action to the principal.

Referral of Student Required

Any student arrested for possession of, or intentional distribution of, or possession with intent to distribute any illegal narcotic, drug, or other controlled substance on school property shall be referred by the school principal or his/her designee, within five (5) days after such arrest, for testing or screening by a qualified medical professional for evidence of abuse of alcohol, illegal narcotics, drugs, or other controlled dangerous substances.

If evidence of abuse is found, the principal or his/her designee shall refer the student to an alcohol and drug abuse treatment professional chosen by the student's parent or legal guardian. If it is determined by the professional that the student needs treatment, and if the student agrees to cooperate in the recommended treatment as certified in writing by the medical professional, such documentation may be used to initiate reopening the student's disciplinary case. The School Board shall take into consideration the student's agreement to receive treatment as a positive factor in the final decision relative to any final disciplinary action.

STUDENT ALCOHOL AND DRUG USE

The Calcasieu Parish School Board is dedicated to providing an age-appropriate, developmentally based drug and alcohol education and prevention program for the students attending public schools. The Board directs that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful. Each student shall be specifically prohibited from being under the influence of, bringing on, consuming, or having in his/her possession on a school bus, on school premises, or at a school function away from the school, any alcoholic beverages, intoxicating liquors, narcotic drugs, prescription medications, marijuana, nitrate based inhalants, imitation or counterfeit controlled substances, or other controlled substance as defined by state statutes, unless dispensed by a licensed physician as allowed by law. The Superintendent shall be responsible for maintaining appropriate procedures for the detection of alcohol, drugs, or any imitation or other controlled substances. Any student found in violation of the above shall be suspended and recommended for expulsion by the principal.

Any violations of criminal laws, state or federal, committed on school property shall be prosecuted as provided by law. School officials, teachers and/or School Board employees shall report all violators to the principal, who in turn, shall notify the proper law enforcement agency and shall cooperate with the prosecuting attorney's office in the prosecution of charges. Any student who distributes, sells or dispenses in any manner or form whatsoever a controlled dangerous substance as defined by state law to another student or anyone else while on the school premises shall be expelled pursuant to the provisions and guidelines as set forth in state law.

The principal shall immediately notify the parents or [legal](#) guardian, by telephone, of any student found in violation of this policy. If the parents or [legal](#) guardian cannot be reached by phone, the principal shall then notify them of the action by sending a letter within twenty-four (24) hours. Care shall be given to afford due process to all students.

A substance abuse prevention education program shall be incorporated in to every school, which shall include a committee or prevention team to investigate, research, and report on instances or reports of possession of controlled dangerous substances or alcoholic beverages. The committee or team shall adequately report its findings and make appropriate recommendations for treatment, counseling or other appropriate action to the principal.

REPORTS OF SUBSTANCE ABUSE

State law mandates that teachers and other school employees report suspected substance abuse in school. These cases shall be reported to the principal and the Substance Abuse Prevention Team in the school. The principal must report each case of possession, distributing, sales or manufacturing to the proper law enforcement authority. Reports shall also be made to the appropriate person at each school, who shall

investigate, research, and report on instances or reports of possession of prohibited substances or beverages. Designated personnel shall report its findings along with the recommendation for treatment, counseling or other appropriate action to the principal.

Referral of Student Required

Any student arrested for possession of, or intentional distribution of, or possession with intent to distribute any illegal narcotic, drug, or other controlled substance on school property shall be referred by the school principal or his/her designee, within five (5) days after such arrest, for testing or screening by a qualified medical professional for evidence of abuse of alcohol, illegal narcotics, drugs, or other controlled dangerous substances.

If evidence of abuse is found, the principal or his/her designee shall refer the student to an alcohol and drug abuse treatment professional chosen by the student's parent or legal guardian. If it is determined by the professional that the student needs treatment, and if the student agrees to cooperate in the recommended treatment as certified in writing by the medical professional, such documentation may be used to initiate reopening the student's disciplinary case. The School Board shall take into consideration the student's agreement to receive treatment as a positive factor in the final decision relative to any final disciplinary action.

DRUG FREE ZONES

It is unlawful for anyone to use, distribute, be under the influence of, manufacture or possess any controlled substances as defined by statute on or around school property or an area within 2,000 feet of any property used for school purposes by any school, or on a school bus. These areas shall be designated as *Drug Free Zones*. The Calcasieu Parish School Board, in cooperation with local governmental agencies, and the Louisiana Department of Education, shall designate and mark *Drug Free Zones* which surround all schools and school property.

Revised: November, 2010

Revised: July, 2021

Ref: La. Rev. Stat. Ann. §§14:403.1, 17:405, 17:416, 40:617.1, 40:961, 40:962, 40:963, 40:964, 40:967, 40:968, 40:969, 40:970, 40:971, 40:971.1; Board minutes 4-20-93, 2-8-11.

STUDENT ALCOHOL AND DRUG USE

The Calcasieu Parish School Board is dedicated to providing an age-appropriate, developmentally based drug and alcohol education and prevention program for the students attending public schools. The School Board directs that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful. Each student shall be specifically prohibited from being under the influence of, bringing on, consuming, or having in his/her possession on a school bus, on school premises, or at a school function away from the school, any alcoholic beverages, intoxicating liquors, narcotic drugs, prescription medications, marijuana, nitrate based inhalants, imitation or counterfeit controlled substances, or other controlled substance as defined by state statutes, unless dispensed by a licensed physician as allowed by law. The Superintendent shall be responsible for maintaining appropriate procedures for the detection of alcohol, drugs, or any imitation or other controlled substances. Any student found in violation of the above shall be suspended and recommended for expulsion by the principal.

Any violations of criminal laws, state or federal, committed on school property shall be prosecuted as provided by law. School officials, teachers and/or School Board employees shall report all violators to the principal, who in turn, shall notify the proper law enforcement agency and shall cooperate with the prosecuting attorney's office in the prosecution of charges. Any student who distributes, sells or dispenses in any manner or form whatsoever a controlled dangerous substance as defined by state law to another student or anyone else while on the school premises shall be expelled pursuant to the provisions and guidelines as set forth in state law.

The principal shall immediately notify the parents or legal guardian, by telephone, of any student found in violation of this policy. If the parents or legal guardian cannot be reached by phone, the principal shall then notify them of the action by sending a letter within twenty-four (24) hours. Care shall be given to afford due process to all students.

A substance abuse prevention education program shall be incorporated in to every school, which shall include a committee or prevention team to investigate, research, and report on instances or reports of possession of controlled dangerous substances or alcoholic beverages. The committee or team shall adequately report its findings and make appropriate recommendations for treatment, counseling or other appropriate action to the principal.

REPORTS OF SUBSTANCE ABUSE

State law mandates that teachers and other school employees report suspected substance abuse in school. These cases shall be reported to the principal and the *Substance Abuse Prevention Team* in the school. The principal must report each case of possession, distributing, sales or manufacturing to the proper law enforcement authority. Reports shall also be made to the appropriate person at each school, who shall

investigate, research, and report on instances or reports of possession of prohibited substances or beverages. Designated personnel shall report its findings along with the recommendation for treatment, counseling or other appropriate action to the principal.

Referral of Student Required

Any student arrested for possession of, or intentional distribution of, or possession with intent to distribute any illegal narcotic, drug, or other controlled substance on school property shall be referred by the school principal or his/her designee, within five (5) days after such arrest, for testing or screening by a qualified medical professional for evidence of abuse of alcohol, illegal narcotics, drugs, or other controlled dangerous substances.

If evidence of abuse is found, the principal or his/her designee shall refer the student to an alcohol and drug abuse treatment professional chosen by the student's parent or legal guardian. If it is determined by the professional that the student needs treatment, and if the student agrees to cooperate in the recommended treatment as certified in writing by the medical professional, such documentation may be used to initiate reopening the student's disciplinary case. The School Board shall take into consideration the student's agreement to receive treatment as a positive factor in the final decision relative to any final disciplinary action.

DRUG FREE ZONES

It is unlawful for anyone to use, distribute, be under the influence of, manufacture or possess any controlled substances as defined by statute on or around school property or an area within 2,000 feet of any property used for school purposes by any school, or on a school bus. These areas shall be designated as *Drug Free Zones*. The Calcasieu Parish School Board, in cooperation with local governmental agencies, and the Louisiana Department of Education, shall designate and mark *Drug Free Zones* which surround all schools and school property.

Revised: November, 2010

Revised: July, 2021

Ref: La. Rev. Stat. Ann. §§14:403.1, 17:405, 17:416, 40:617.1, 40:961, 40:962, 40:963, 40:964, 40:967, 40:968, 40:969, 40:970, 40:971, 40:971.1; Board minutes 4-20-93, 2-8-11.

Item #6

Dangerous Weapons

The new statutory definition of firearm has been added to the Dangerous Weapons policy.

Firearm means any pistol, revolver, rifle, shotgun, machine gun, submachine gun, black powder weapon, or assault rifle that is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive.

DANGEROUS WEAPONS

The Calcasieu Parish School Board shall authorize the principal of each school to automatically suspend, and recommend expulsion for, any student found in possession of a dangerous weapon on the school grounds, on school buses and/or at any school-sponsored event, at any time, during or after regular school hours, with limited exception, as permitted by state law. ~~A dangerous weapon means any gas, liquid, or other substance or instrumentality, which in the manner used, is likely to produce death or great bodily harm. When the student is found in possession of a weapon, the Superintendent shall be immediately notified and the principal shall take appropriate disciplinary action. (moved below)~~

If a student is detained for carrying, or the principal or designee confiscates or seizes a firearm or concealed dangerous weapon from a student while on school property, on a school bus, or at a school function, the principal or school official shall immediately report the detention of the student or seizure of the firearm or weapon to the police department or sheriff's office where the school is located and shall deliver any firearm or weapon seized to that agency.

Failure to report the detention of the student or seizure of a firearm or concealed weapon by a principal or school official to a law enforcement agency within seventy-two (72) hours may result in a misdemeanor offense with a fine of up to \$500 or a sentence of up to forty (40) hours of community service, or both.

If a student is detained for carrying a concealed weapon on campus, the principal shall immediately notify the student's parents.

~~A Dangerous weapon means any gas, liquid, or other substance or instrumentality, which in the manner used, is likely to produce death or great bodily harm. When the student is found in possession of a weapon, the Superintendent shall be immediately notified and the principal shall take appropriate disciplinary action. (moved from above)~~

~~Firearm means any pistol, revolver, rifle, shotgun, machine gun, submachine gun, blackpowder weapon, or assault rifle that is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive.~~

FIREARM-FREE ZONES

It is unlawful for a student or nonstudent to intentionally possess a firearm or dangerous weapon on school property at a school sponsored function or within 1000 feet of school property or while on a school bus at any time. The area surrounding the school campus or within 1000 feet of any such school campus, or within a school bus shall be designated *firearm-free zones*, wherein the possession of firearms is prohibited, except as specifically set forth in La. Rev. Stat. Ann. §§14:95.2 and 14:95.6. The School Board, in cooperation with local governmental agencies, and the Louisiana Department of Education, shall

designate and mark *firearm-free zones* which surround all schools and school property.

Revised: November, 1989

Revised: December, 1992

Revised: November, 1993

Revised: October, 1994

Revised: February 14, 2017

Revised: July, 2021

Ref: 20 USC 7961 (*Gun-Free Requirements*); La. Rev. Stat. Ann. "14:2, 14:95, 14:95.2, 14:95.6, 17:416, 17:416.3, 32:292.1; Board minutes, 10-14-03, 2-14-17.

DANGEROUS WEAPONS

The Calcasieu Parish School Board shall authorize the principal of each school to automatically suspend, and recommend expulsion for, any student found in possession of a dangerous weapon on the school grounds, on school buses and/or at any school-sponsored event, at any time, during or after regular school hours, with limited exception, as permitted by state law.

If a student is detained for carrying, or the principal or designee confiscates or seizes a firearm or concealed dangerous weapon from a student while on school property, on a school bus, or at a school function, the principal or school official shall immediately report the detention of the student or seizure of the firearm or weapon to the police department or sheriff's office where the school is located and shall deliver any firearm or weapon seized to that agency.

Failure to report the detention of the student or seizure of a firearm or concealed weapon by a principal or school official to a law enforcement agency within seventy-two (72) hours may result in a misdemeanor offense with a fine of up to \$500 or a sentence of up to forty (40) hours of community service, or both.

If a student is detained for carrying a concealed weapon on campus, the principal shall immediately notify the student's parents.

Dangerous weapon means any gas, liquid, or other substance or instrumentality, which in the manner used, is likely to produce death or great bodily harm. When the student is found in possession of a weapon, the Superintendent shall be immediately notified and the principal shall take appropriate disciplinary action.

Firearm means any pistol, revolver, rifle, shotgun, machine gun, submachine gun, blackpowder weapon, or assault rifle that is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive.

FIREARM-FREE ZONES

It is unlawful for a student or nonstudent to intentionally possess a firearm or dangerous weapon on school property at a school sponsored function or within 1000 feet of school property or while on a school bus at any time. The area surrounding the school campus or within 1000 feet of any such school campus, or within a school bus shall be designated *firearm-free zones*, wherein the possession of firearms is prohibited, except as specifically set forth in La. Rev. Stat. Ann. §§14:95.2 and 14:95.6. The School Board, in cooperation with local governmental agencies, and the Louisiana Department of Education, shall designate and mark *firearm-free zones* which surround all schools and school property.

Revised: November, 1989
Revised: December, 1992
Revised: November, 1993
Revised: October, 1994

Revised: February 14, 2017
Revised: July, 2021

Ref: 20 USC 7961 (*Gun-Free Requirements*); La. Rev. Stat. Ann. "14:2, 14:95, 14:95.2, 14:95.6, 17:416, 17:416.3, 32:292.1; Board minutes, 10-14-03, 2-14-17.