

## DISCIPLINE

It is the purpose of the St. Mary 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 disrupts the learning environment or 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 St. Mary 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 to minimize the loss of academic instructional time. Every teacher and other school employee shall endeavor to hold each student 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 shall 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.~~ No principal or administrator shall prohibit or discourage a teacher from taking disciplinary action, recommending disciplinary action, or completing a form to initiate disciplinary action against a student who violates school policy or who interferes with an orderly education process. No principal or administrator shall retaliate or take adverse employment action against a teacher for taking disciplinary action against a student if the disciplinary action that the teacher takes is in accordance with School Board

[policy.](#)

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.

#### DISCIPLINE OF STUDENTS ENGAGED IN VIRTUAL INSTRUCTION

The School Board has made virtual classes available to students including those established in response to the COVID-19 pandemic. Such virtual instruction may be continued thereafter, particularly in cases 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 St. Mary Parish School Board has extended its on-campus conduct expectations to the virtual classroom, with a few modifications that factor in the home setting. Regular school attendance is required, and students are expected to log into classes each day. 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/her family shall not waive their constitutional rights by electing virtual instruction. At the same time, students engaging in virtual instruction shall ensure that, prior to logging into and during any virtual classroom, the view from their camera 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.

In addition, a student's work should reflect the effort of the student alone. Those rules/policies governing academic honesty as well as those prohibiting cheating apply equally in a virtual setting. All academic work should be completed by the student to ensure the ability to accurately measure the achievement of minimum standards necessary for credit/promotion.

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.
- Academic dishonesty, cheating, i.e. sharing work, answers, 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
- Divulging confidential information
- Violation of computer/password security
- Violations of the School Board's/School's *Acceptable Use Policy* or *Device Contract*

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.

\*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.

### 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~~ shall 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 initiating the disciplinary action. 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 specific 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 work 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 school 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~~ is 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/her 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, via electronic means, 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 act 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, shall be to the extent allowed by applicable state or federal law and regulations and consistent with the provisions of the student's Individualized Education Program (IEP) or Section 504 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 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.

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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, 9-8-94, 5-11-95, 9-10-09, 12-13-12, 9-10-20, 12-10-20, 8-12-21, 8-11-22.