Policies for Consideration August 13, 2024

Policy	Topic	Brief Description of Changes
EB	Buildings and Grounds Management	Per Act 352, the use of marijuana in any form is prohibited in all buildings and on the grounds.
GAMA	Employee Smoking, Tobacco, and Marijuana Use	Tobacco Free environment has been changed to the use of any tobacco or marijuana product is prohibited. (Act 352)
IDCH	Home Study Program	School boards must allow participation by home study students in extracurricular activities and interscholastic athletics, as long as they live in the attendance zone of the public school, and meet and maintain all the requirements for participation. (Act 715, effective August 1st)
IDE	Co-Curricular Activities and Extracurricular Activities	
IDFA	Interscholastic Activities	Under the section Scholastic Requirements, information has been updated to meet Louisiana High School Athletic Association (LHSAA) requirements.
JBE	Truancy	Parents of truant students are required to ensure that their children make up missed school work by attending after-school tutoring sessions, weekend makeup classes, or other remediation opportunities. (Act 386, effective August 1st)
JCDAA	Student Smoking, Tobacco, and Marijuana Use	Policy changed to include marijuana products in addition to tobacco products are prohibited on all school property and vehicles, and at all school-sponsored or school-approved functions. (Act 352)
JCDAE	Student Use of Cell Phones and other Electronic Telecommunication Devices	Act 313 forbids possession of an electronic telecommunication device on a student's person during the instructional day, but then goes on to provide that electronic telecommunication devices must be turned off and properly stowed away during the instructional day or prohibited from being turned on and used during the instructional day. (effective 2024-25 school year).
JD	Discipline	A principal or administrator is prohibited from prohibiting or discouraging 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 interferes with an orderly education. (Act 400, effective August 1st)
JDD	Suspension	Students in grades 6-12 who are suspended for the third time within the same school year for any offense excluding dress code or tardiness shall be expelled until the beginning of the next school year. The language addressing mandatory expulsions for firearms, knives, and controlled substances has been consolidated. The Suspension policy added the required consultation to identify behavioral support services. (Act 337, effective August 1st)
JDE	Expulsion	
JGCE	Child Abuse	Act 216 revised the Children's Code Articles regarding child abuse procedures including the addition of school resource officers to the list of mandatory reporters. (effective May 23, 2024)

BUILDINGS AND GROUNDS MANAGEMENT

It shall be the policy of the Ouachita Parish School Board to require that school properties be maintained in good physical condition. The School Board, therefore, shall instruct the Superintendent to assure that all normal building and grounds maintenance, repairs and improvement functions are an integral part of the administration of the school system, including the regular evaluation for any safety hazards.

The Superintendent shall be vested with a broad range of administrative and supervisory authority relative to the school system's buildings and grounds program. Regular reports shall be made available to the School Board relative to maintenance needs, safety, utility and attractiveness of school plants and grounds within the school system.

The School Board shall not be held responsible for any personal items stolen or damaged on school premises. The School Board shall require principals and/or persons in charge of public school property to prohibit the use, sale, or possession of alcoholic beverages on public school property.

VACANT AND/OR UNOCCUPIED BUILDINGS

Vacant and/or unoccupied premises owned by the School Board shall be properly secured and maintained to prevent unauthorized trespass or injury to the general public. It shall be the responsibility of the Superintendent or his/her designee to assure that any vacant and/or unoccupied property of the School Board has limited access for authorized personnel only and the grounds are maintained regularly.

~~TOBACCO-FREE ENVIRONMENT~~SMOKING/TOBACCO/MARIJUANA USE ON SCHOOL BOARD PROPERTY

Because tobacco is the leading cause of preventable death, disease, and disability, the Ouachita Parish School Board shall provide a tobacco/marijuana-free school environment. The use of any tobacco product, smokeless tobacco, or marijuana product in any form, or any smoking object/device, including but not limited to electronic cigarettes, advanced personal vaporizers, vape pens, vape mods and similar devices, shall be prohibited on and in all School Board property and vehicles, and at all school-sponsored or school-approved functions. However, this prohibition shall not be applicable to any tobacco product approved by the United States Food and Drug Administration for sale as a tobacco cessation product and which is marketed and sold solely for such purpose.

School Board property shall include any elementary or secondary school buildings or grounds, buildings, portable buildings, field houses, stadiums, equipment storage areas, vacant land, or any other property owned, operated, or leased by the School Board.

Tobacco advertising shall also be prohibited in school buildings, at school functions, and in school publications.

Compliance and Enforcement

"Tobacco-Free" signs shall be displayed on school property including the posting of signs. Notice of this policy shall be posted at the entrances to the grounds of each school and school building, and within school vehicles.

Revised: June 27, 2017
Revised: December 12, 2017
Revised: July, 2024

Ref: 20 USC 6083 (*Non-Smoking Policy for Children's Services*); La. Rev. Stat. Ann. §§14:91.7, 17:87.6, 17:151, 17:100.6, 17:240, 17:416, 40:4, 40:1291.2, 40:1291.3, 40:1291.11, 40:1291.21, 40:1563, 40:1578.6, 40:1583; Board minutes, 2-21-06, 6-27-17, 12-12-17.

EMPLOYEE SMOKING, TOBACCO, AND MARIJUANA USE

Because tobacco is the leading cause of preventable death, disease, and disability, the Ouachita Parish School Board shall provide a tobacco-free school environment. The use of any tobacco product, smokeless tobacco, or marijuana product in any form, or any smoking object/device, including but not limited to electronic cigarettes, advanced personal vaporizers, vape pens, vape mods and similar devices, shall be prohibited on and in all Ouachita Parish School Board property and vehicles, and at all school-sponsored or school-approved functions. However, this prohibition shall not be applicable to any tobacco product approved by the United States Food and Drug Administration for sale as a tobacco cessation product and which is marketed and sold solely for such purpose.

School Board property shall include any elementary or secondary school buildings or grounds, buildings, portable buildings, field houses, stadiums, equipment storage areas, vacant land, or any other property owned, operated, or leased by the School Board.

Violations of this policy may subject an employee to appropriate disciplinary action, and the employee may be referred to a tobacco-cessation counseling service.

Revised: June 27, 2017
Revised: December 12, 2017
Revised: July, 2024

Ref: 20 USC 6083 (*Non-Smoking Policy for Children's Services*); La. Rev. Stat. Ann. §§17:240, 40:1291.1, 40:1291.2, 40:1291.3, 40:1291.11, 40:1291.21; Board minutes, 2-21-06, 6-27-17, 12-12-17.

HOME STUDY PROGRAM

Students of the Ouachita Parish School District may be permitted to have their educational skills developed through a home study program, or in an in-home private school program, if such a program offers a sustained curriculum of quality at least equal to that offered by public schools at the same grade level. The parent or legal guardian shall submit an application to the Louisiana Department of Education for approval together with a copy of the child's birth certificate. An initial application shall be made within fifteen (15) days after commencement of the home study program. A renewal application shall be submitted to the Louisiana Department of Education by October 1 of the school year, or within twelve (12) months of approval of the initial application, whichever is later.

Any child eligible by law to attend elementary or secondary school shall be eligible to participate in a home study program.

Secondary students who are home schooled shall not earn a regular high school diploma unless they return to an approved school and meet all the necessary credits and requirements needed for high school graduation. Home study students shall be eligible to take the high school equivalency test upon completion of the home study program, upon proper application.

TEXTBOOKS

The School Board shall supply textbooks and other instructional materials, as available, to children enrolled in a state-approved home study program. Textbooks and any materials supplied shall be returned when the student has completed the applicable coursework. A deposit equal to one hundred percent (100%) of the replacement costs shall be required. Such deposit shall be returned when the books are returned. No refunds shall be made for lost or damaged textbooks. If books are not returned or paid for, the parent or legal guardian shall not be eligible to continue participation in the textbook rental program until all textbook debts have been cleared.

READMISSION

Students seeking admission or readmission to the Ouachita Parish public schools shall be required to fulfill such screening and evaluation requirements as the Board of Elementary and Secondary Education (BESE) and/or the School Board may establish, including the taking of tests and diagnostic instruments used to determine appropriate grade levels or Carnegie units. The requirements and procedures for admission or readmission shall be made a part of the School Board's *Pupil Progression Plan*. In addition, students in *grades 5 and 9* transferring to the public school system shall be required to take the 4th and 8th grade LEAP tests in order to determine the appropriate grade levels.

ACHIEVEMENT TESTING

A parent of a child in home study may request the Superintendent to permit the child to be administered the LEAP tests. Such tests shall occur on the date of the test as determined by the Superintendent. The examination shall be administered with the same restrictions and under similar conditions as provided to students enrolled in public schools with a certified teacher administering the test. The parent shall be provided the student's score and whether the student passed the examination and met the state performance standards.

A testing fee of up to thirty-five dollars ($35) may be charged to cover actual costs of administering, scoring, and reporting the results of the tests.

PARTICIPATION IN EXTRACURRICULAR ACTIVITIES OR INTERSCHOLASTIC ATHLETICS

A public school shall not disqualify a student from participating in extracurricular activities or interscholastic athletics solely because the student is enrolled in an approved home study program, so long as the student lives in the attendance zone of the public school.

A student who is enrolled in an approved home study program shall try out or apply for extracurricular activities or interscholastic athletics at the public school in the same manner, time, and place as the students who attend the public school.

After the try out or application, should the approved home study student meet the qualifications for an extracurricular activities club or an interscholastic athletics team, the approved home study student shall be required to maintain all requirements for participation that a public school student would have to meet in order to participate in the extracurricular activity or the interscholastic athletics activity, including but not limited to maintaining a minimum grade point average and complying with disciplinary standards. Failure to meet the requirements with respect to a minimum grade point average or failure to adhere to the disciplinary standards shall be grounds for the school to remove the approved home study student from participation in the extracurricular activities club or the interscholastic athletics team.

Notwithstanding any other law to the contrary, no public school may be a member of, or participate in any competition sponsored by any interscholastic extracurricular athletic association or organization that denies eligibility to a student solely on the basis of the student's enrollment in an approved home study program.

Revised: October, 2008
Revised: November, 2015
Revised: June, 2016
Revised: July, 2024

Ref: La. Rev. Stat. Ann. ''17:176.2, 17:236, 17:236.1, 17:236.2, 17:351.1; *Louisiana Handbook for School Administrators*, Bulletin 741, Louisiana Department of Education; Board minutes, 1-26-16, 8-23-16.

CO-CURRICULAR ACTIVITIES AND EXTRACURRICULAR ACTIVITIES

The Ouachita Parish School Board shall be committed to providing for each of its schools a program of student activities to all students in a manner which allows students equal opportunity to participate in services and activities. All activities shall be in compliance with pertinent regulations of the Louisiana Board of Elementary and Secondary Education.

All work missed by students while participating in student activities or events shall be made up and completed in a manner that would be required of any other students in order to receive credit.

No student shall be allowed to participate in any event on the day or night while the student is under suspension from school.

CO-CURRICULAR ACTIVITIES

Co-curricular activities are activities that are relevant, supportive, that are an integral part of the program of studies in which the student is enrolled, and that are under the supervision and/or coordination of the school instructional staff.

EXTRACURRICULAR ACTIVITIES

Extracurricular activities are those activities which are not directly related to the program of studies, which are under the supervision and/or coordination of the school instructional staff, and which are considered valuable for the overall development of the student.

Extracurricular activities shall not be scheduled during instructional time.

A student must be enrolled in, and attend the school, to be eligible to participate in any extracurricular activities at that school.

Notwithstanding any policy, rule, or regulation adopted by the School Board to the contrary, no student otherwise eligible to participate in an extracurricular activity, including interscholastic athletics, shall be limited in the number of such activities in which the student may participate in a school year.

Participation of Students in Home Study Programs

A public school shall not disqualify a student from participating in extracurricular activities solely because the student is enrolled in an approved home study program, so long as the student lives in the attendance zone of the public school, and meets the qualifications as detailed in policy *IDCH, Home Study Program.*

SPECIAL EDUCATION STUDENT PARTICIPATION

All non-academic and extracurricular services and activities shall be offered to all exceptional students in a manner that allows them equal opportunity to participate in services and activities.

Revised: May, 2013
Revised: August, 2013
Revised: May, 2014
Revised: July, 2024

Ref: La. Rev. Stat. Ann. §§17:176, 17:176.2; *Louisiana Handbook for School Administrators*, Bulletin 741, Louisiana Department of Education; *Official Handbook*, Louisiana High School Athletic Association; Board minutes, 8-1-13, 2-13-14, 5-13-14.

INTERSCHOLASTIC ATHLETICS

The Ouachita Parish School Board believes that the competitive athletic program is a part of the overall educational program of the school system. It also believes that the athletic program should be closely coordinated with the general instructional program of the school, and that the aims achieved through athletics should justify its inclusion in the overall educational program. The athletic program shall also be based on a spirit of non-professionalism so that participation is regarded as a privileged opportunity.

ATHLETIC PROGRAM

Interscholastic athletics may be made available for students in the schools of the school district. The Superintendent or his/her designee shall develop and maintain an athletic program in the school district that emphasizes participation of all students. The conduction of all athletic programs within the school district shall comply fully with regulations of the *Louisiana High School Athletic Association* (LHSAA) and policies of the School Board. The Board shall allow students to participate in as many sports activities and academic activities as he/she is capable of participating in without fear of reprisal.

PARTICIPATION OF STUDENTS IN HOME STUDY PROGRAMS

A public school shall not disqualify a student from participating in interscholastic athletics solely because the student is enrolled in an approved home study program, so long as the student lives in the attendance zone of the public school, and meets the qualifications as detailed in policy *IDCH, Home Study Program.*

PARTICIPATION REQUIREMENTS

No student shall be permitted to practice or participate in any interscholastic athletic program in any public school of the Ouachita Parish School Board until such student shall have furnished to the principal of the school documentation that he/she has met the following requirements:

1. Evidence of having had a physical examination by a licensed physician who shall have completed documentation as required by the Louisiana High School Athletic Association (LHSAA).

2. Properly complete a *School Entrance and General Health Exam Form/LHSAA Medical History* and pass a medical examination by a licensed physician prior to the first time he/she participates in a sport in a LHSAA school. Physicians may continue to use the original *LHSAA Sports Physical Form* in performing sports physicals. In addition, parents shall be required to complete the *Authorization for Release of Confidential Information.*

3. Once a student passes the initial medical examination and completes an *LHSAA*

Medical History Form prior to the sports season in which he/she participates, he/she shall annually pass any medical screening or medical examination required by a licensed physician and shall update his/her *LHSAA Medical History Form* as required.

4. A copy of all completed and signed medical examination and participation/release of information forms (and any others required by the School Board) must be on file at the school for every student before he/she practices or participates in interscholastic athletics during that school year.

5. An agreement signed by the student's parent(s) or legal guardian(s) to hold the School Board and its members, employees, agents, assigns and insurers harmless from and against any liability for any accidents involving the student while participating in such athletic activities and any injuries suffered by the student during, or as a result of, such participation. The agreement shall also authorize team physicians to treat the student in the event of an injury requiring emergency treatment.

6. Students shall sign a form consenting to random drug screening and must obtain the written consent of their parent(s) or guardian(s) for said tests in order to be eligible to participate in any athletic or extracurricular activity. (See policy *IDFAA, Student Drug Testing)*

ATHLETIC ELIGIBILITY OF TRANSFER STUDENTS

A student that makes a bona fide move from one Ouachita Parish attendance zone to another Ouachita Parish attendance zone (transfer occurs between two (2)high schools within the Ouachita Parish School System) shall be declared eligible through the provisions of *Louisiana High School Athletic Association* (LHSAA) Rule 1.12.2, provided that:

1. There has been no proven allegation of illegal contact and/or recruiting;

2. The student is not moving for athletic reasons;

3. Any and all other LSHAA rules that may apply are not violated;

4. The previous residence has been vacated under the guidelines of LHSAA Rule 1.13 and the family of said student-athlete has established a permanent residence within their new attendance zone according to LHSAA Rule 1.13;

5. The sending principal, receiving principal and the Superintendent or his/her designee, shall complete the LHSAA Administrative Transfer if the above qualifications have been met.

The Parish Athletic Director and involved school principals and/or school athletic directors shall jointly conduct any needed investigation(s) into the validity of any questionable bona fide move or change of address that could affect LHSAA athletic eligibility.

RULES VIOLATION

Adherence to the rules of athletic representation and participation shall be strictly enforced by the Board. Any violations of athletic rules shall be immediately reported to the Superintendent by the principal. In the event that a member school, member school principal, or member school coach is penalized or cited by the LHSAA due to a violation, the athletic director, principal, and coach involved shall provide a full report to the Superintendent. If found warranted, the Superintendent in turn shall make a report to the School Board with pertinent recommendations for disciplinary action.

SCHOLASTIC REQUIREMENTS

The School Board endorses the scholastic eligibility requirements as a condition for participation in high school extracurricular activities as stipulated by the LHSAA. Scholastic requirements shall be as follow:

1. To be eligible for the first semester of the school year, a student shall have earned at least six (6) units from the previous school year, which shall be listed on the student's transcript, and shall have at least a "C" average as determined by the School Board when considering all "graded" subjects.

2. To be eligible for the second semester of the school year, a student shall pass at least six (6) subjects from the first semester. A senior ~~attempting four (4) units in the first semester must pass all four (4) units to be eligible in the second semester. Likewise, a senior attempting five (5) units in the first semester must pass all five (5) units, and a senior taking six (6) or more units in the first semester must pass six (6) units for second semester eligibility~~ must take the number of courses which allows him/her to earn a minimum of four (4) half Carnegie units or a total of two (2) Carnegie units per semester.

3. The LHSAA includes specific eligibility rules for special education students which must be met for their participation.

Individual schools or the School Board may set higher, but not lower scholastic requirements for interscholastic athletic participation.

INSURANCE COVERAGE

Athletes shall have either school student insurance or a signed statement from the parent showing that the student is otherwise covered for any accident or injuries that may occur during any athletic participation. No student shall be allowed to practice or participate in interscholastic athletics until this requirement has been met.

Revised: August, 2010
Revised: August, 2011
Revised: August, 2013
Revised: July, 2015
Revised: July, 2024

Ref: La. Rev. Stat. Ann. §§17:169, 17:176, 17:176.2; *Louisiana Handbook for School Administrators*, Bulletin 741, Louisiana Department of Education; *Official Handbook*, Louisiana High School Athletic Association; Board minutes, 10-18-11, 2-13-14, 8-25-15.

TRUANCY

The Ouachita Parish School Board recognizes truancy as absence from class or school for any portion of a period or day without permission from home or school. Students shall not be allowed to leave the campus without proper permission at any time during the school day, including before school begins, after school while waiting for their bus, or any disciplinary session which the student has been directed to attend. Students shall remain on the campus at all times unless granted permission to be off-campus, or be subject to disciplinary action. Violations of attendance laws and regulations may lead to suspension and/or expulsion from school.

School personnel shall be expected to make every reasonable effort to assist a child who is habitually absent or tardy. A student shall be considered habitually absent or habitually tardy when either condition continues to exist after all reasonable efforts by any school personnel, truant officer, or other law enforcement personnel have failed to correct the condition after the fifth (5th) unexcused absence or fifth (5th) unexcused occurrence of being tardy within any school semester. Any student who is a juvenile and who is considered habitually absent from school or habitually tardy shall be reported by visiting teachers and Supervisors of Child Welfare and Attendance to the family or juvenile court of the parish or city as a truant child.

Tardy, for the purpose of notification, shall include, but not be limited to being late to school, or leaving or checking out of school unexcused prior to the regularly scheduled dismissal time at the end of the school day. However, it shall not include reporting late to class when transferring from one class to another during the school day.

RESPONSIBILITIES OF PARENT/LEGAL GUARDIANS ~~RESPONSIBLE~~

The parent or legal guardian of a student shall enforce the attendance of the student at the school to which the student is assigned. The parent or legal guardian of a truant student shall ensure that the student makes up missed school work by attending after-school tutoring sessions, weekend make-up classes, or other remediation opportunities, as determined by the School Board, until the student has caught up with his or her school work. The parent or legal guardian shall also attend meetings at the school on at least a monthly basis relative to the student's progress until the student has caught up on his or her missed school work and any assistance fair conducted by the School District that provides information on supports available to families.

The principal of each school or his/her designee shall note any concerns that school personnel have relative to a child's school attendance on the back of any Supplemental Security Income form that the school receives relative to that child.

With regard to any student in grades kindergarten (K) through eighth (8th) grade who is considered habitually absent or tardy, in any case where the student is the subject of a

court ordered custody or visitation plan, the parent or legal guardian who is lawfully exercising actual physical custody or visitation of the student shall be responsible for the student's attendance at school on those days and shall be solely responsible for any absence or tardiness of the child on such days.

Revised: September, 2008
Revised: September, 2009
Revised: July, 2024

Ref: La. Rev. Stat. Ann. §§14:92.2, 17:221, 17:221.1, 17:223, 17:228, 17:233; Louisiana Children's Code, Art. 728, 730.

STUDENT SMOKING, TOBACCO AND MARIJUANA USE

Student possession or use of any tobacco product, or marijuana product in any form, smokeless tobacco, or any smoking object/device, including but not limited to electronic cigarettes, advanced personal vaporizers, vape pens, vape mods and similar devices, shall be prohibited on and in all Ouachita Parish School Board property and vehicles, and at all school-sponsored or school-approved functions.

School Board property shall include any elementary or secondary school buildings or grounds, buildings, portable buildings, field houses, stadiums, equipment storage areas, vacant land, or any other property owned, operated, or leased by the School Board.

In addition to disciplinary action, those students who are found in violation of this policy shall be referred to the school's health provider (nurse, health center, or social worker) for a tobacco intervention. The school's health provider shall have the option of referring the student to the Fax to Quit Louisiana Program, coordinated by The Department of Health and Hospitals Tobacco Control Program.

Revised: June 27, 2017
Revised: December 12, 2017
Revised: July, 2024

Ref: La. Rev. Stat. Ann. §§17:240, 17:416, 40:1291.1, 40:1291.2, 40:1291.3, 40:1291.11, 40:1291.21; Board minutes, 6-27-17, 12-12-17.

STUDENT USE OF CELL PHONES AND OTHER ELECTRONIC TELECOMMUNICATION DEVICES

The Ouachita Parish School Board shall prohibit, as outlined in La. Rev. Stat. Ann. §17:239, students from using or operating cell phones, cameras, video tape recorders, digital recorders of any kind, or any electronic telecommunication device in public school buildings and on school buses used to transport public school students. Cell phone *"use"* is defined for this policy as the cell phone or device being in the ***"on"*** position or mode. Student cell phones or devices are required to be kept out of sight and turned off during school hours in a school building or on school grounds, or whenever on a school bus. This policy is inclusive of any such device as stipulated above in a student's possession.

No student shall possess, on his/her person, an electronic telecommunication device throughout the instructional day. If a student brings an electronic telecommunication device in any public elementary or secondary school building or on the grounds thereof during an instructional day, the electronic device shall either be turned off and properly stowed away for the duration of the instructional day or prohibited from being turned on and used during the instructional day. *Electronic telecommunication devices* shall include, but not be limited to, cellular telephones, personal computers, laptops, electronic instruments, iPads, iPods, tablet devices, e-readers, or similar devices.

These provisions shall not be applicable to a student whose Individualized Education Program, Individualized Accommodation Plan, Section 504 plan, or Individualized Health Plan requires the student's use of an electronic telecommunication device.

For detailed consequences of not following this policy, refer to the Ouachita Parish Schools district discipline manual.

EXCEPTION FOR EMERGENCIES

In the event of an emergency, any person may use any electronic device available. Emergency is defined as an actual or imminent threat to public health or safety which may result in loss of life, injury, or property damage.

Revised: July 13, 2021
Revised: February 13, 2024
Revised: July, 2024

Ref: La. Rev. Stat. Ann. ''17:239, 17:416, 17:416.1; *Pupil Appraisal Handbook*, Bulletin 1508, Louisiana Department of Education, Board minutes, 5-22-07, 5-25-07, 6-17-08, 5-19-09, 7-13-21, 2-13-24.

DISCIPLINE

It is the purpose of the Ouachita 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 Ouachita 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 *Administrators Discipline and Attendance Manual*.

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.

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. Regular school attendance is required, and students are expected to log into classes each day, be engaged in the lesson and keep their cameras on at all times unless otherwise instructed. 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 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, etc.
- Displaying pornography or nudity whether in a printed or digital context
- Committing lewd or sexual acts or simulations (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.)
- 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, i.e. sharing work, answers, etc.
- 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.

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 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 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 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 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.

STUDENT MISCONDUCT AT END OF YEAR

Any non-graduating student who commits offenses during the last ten (10) days of the school year which carry recommendations for suspension or expulsion beyond the end of the school year shall have such recommendation extended into the next school year.

Any graduating senior who commits a serious major or criminal infraction after the last regular class period as upheld by the Superintendent or his/her designee shall be excluded from year-end activities, including graduation exercises. Diplomas may be given or mailed to the student after the close of the school year. Seniors shall be made aware of this policy prior to the final exam period.

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.

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Revised: November, 2012
Revised: March 16, 2021
Revised: October 19, 2021
Revised: September 13, 2022
Revised: July, 2024

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, 3-25-97, 2-14-13, 3-16-21, 10-19-21, 9-13-22.

SUSPENSION

The Ouachita 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.

After any second suspension of a student during the same school year, the principal or his/her designee and the employee designated by the principal to identify behavioral and mental health support services available shall consult on whether the student's behavior could be attributable to behavioral or emotional challenges. If it is determined that the behavior is attributable to behavioral or emotional challenges and rises to the level that supportive services could be beneficial, the principal or his/her designee and the employee designated for mental and behavioral health assistance shall schedule a conference with the student's parent or legal guardian to discuss the student's behavior and counseling as well as the referral of the student and family to support services or assessment and treatment.

~~Any student, *after being suspended on three (3) occasions* for committing any suspendable 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.~~

Notwithstanding any public school state or local policies, a student in grades six through twelve who is suspended a third time within the same school year for any offense, excluding those related to dress codes or tardiness, shall be recommended for expulsion.

Any student in grades pre-kindergarten through five, *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 for students in grades six through twelve. ~~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, upon the recommendation of the student's teacher, if it is completed satisfactorily and timely as determined by the principal or his/her designee.

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*.

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Ref: La. Rev. Stat. Ann. §§17:223, 17:416, 17:416.1, 17:416.2, 17:416.3, 17:416.23; 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, 2-14-13, 10-13-15, 1-14-16, 3-16-21, 10-19-21, 4-11-23.

EXPULSION

The Ouachita 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 shall 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~~ suspended for longer than ten (10) days or expelled 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 of the student 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. If requested, as herein provided, and after reviewing the findings of the Superintendent or his/her designee, the School Board may affirm, modify, or reverse the action previously taken. The parent or legal guardian of the student shall have such right of review even if the recommendation is reduced to a suspension.

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, KNIVES, AND DRUGS

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, a knife with a blade equal to or in excess of two and one-half inches (2 ½ ") in length, or any illegal narcotic, drug, or other controlled substance 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. 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.

~~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.~~

~~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. The principal may recommend expulsion to the Superintendent for any student in grades pre-kindergarten through five 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. Any students in grades six through twelve found guilty of being in possession of tobacco, alcohol, or vaping product on school property, on a school bus, or at a school-sponsored event may be recommended for expulsion.

4. ~~Any student, *after being suspended on three (3) occasions* for committing any suspendable 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.~~

   Notwithstanding any public school state or local policies, a student in grades six through twelve who is suspended a third time within the same school year for any offense, excluding those related to dress codes or tardiness, shall be recommended for expulsion.

5. Any student in pre-kindergarten through five, *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.

6. 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.

7. 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 ⅔ 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~~ Superintendent. 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: September, 2009
Revised: January, 2013
Revised: August, 2015
Revised: March 16, 2021
Revised: October 19, 2021
Revised: September 13, 2022
Revised: April 11, 2023
Revised: July, 2024

Ref: 18 USC 921 (*Firearms – Definitions*); 20 USC 7961 (*Gun-Free Requirements*); 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, 2-14-13, 10-13-15, 3-16-21, 10-19-21, 9-13-22, 4-11-23.

CHILD ABUSE

The Ouachita Parish School Board shall require that instances of suspected child abuse and/or neglect be reported in accordance with appropriate state and local laws and procedures. Therefore, the School Board directs that all school personnel be informed of their responsibilities under law as mandatory reporters when performing their occupational duties.

Students shall be provided age- and grade-appropriate instruction relative to child assault awareness and prevention, and how students may report abuse or assault to the child protection toll-free hotline operated by the State Department of Children and Family Services, and where students may locate the number for the hotline.

Each public school shall post the hotline number in a prominent location on its website.

DEFINITIONS

Abuse means any one of the following acts which seriously endanger the physical, mental, or emotional health and safety of the child:

1. The infliction, attempted infliction, or, as a result of inadequate supervision, the allowance of the infliction or attempted infliction of physical or mental injury upon the child by a parent or any other person.

2. The exploitation or overwork of a child by a parent or any other person, including but not limited to commercial sexual exploitation of the child.

3. The involvement of the child in any sexual act with a parent or any other person, or the aiding or toleration by the parent, caretaker or any other person of the child's involvement in (i) any sexual act with any other person; (ii) pornographic displays; (iii) any sexual activity constituting a crime under Louisiana law; or (iv) a coerced abortion conducted upon a child.

Caretaker means any person legally obligated to provide or secure adequate care for a child, including a parent, tutor, guardian, legal custodian, foster home parent, an employee of a public or private day care center, an operator or employee of a registered family child day care home, or other person providing a residence for the child.

Child, for purposes of this policy, means a person under eighteen (18) years of age, who prior to juvenile proceedings, has not been judicially emancipated or emancipated by marriage.

A *mandatory reporter* means any teaching or child care provider, which is any person who provides or assists in the teaching, training, and supervision of a child, including any public or private teacher, teacher's aide, instructional aide, school principal, school staff

member, bus operator, coach, professor, technical or vocational instructor, technical or vocational school staff member, college or university administrator, college or university staff member, social worker, probation officer, foster home parent, group home or other child care institutional staff member, personnel of residential home facilities, a licensed or unlicensed day care provider, or any individual who provides ~~such~~ these services to a child in a voluntary or professional capacity. In addition, any police officer or law enforcement officer who works as a school resource officer shall be considered a mandatory reporter. A school resource officer shall not receive information from another mandatory reporter or commence or oversee any investigation into the report.

A *permitted reporter* means any other person having cause to believe that a child's physical or mental health or welfare is endangered as a result of abuse or neglect.

Neglect means the refusal or unreasonable failure of a parent or caretaker to supply the child with necessary food, clothing, shelter, care, treatment, or counseling for any injury, illness, or condition of the child, as a result of which the child's physical, mental, or emotional health and safety is substantially threatened or impaired. Neglect includes prenatal neglect. In accordance with statutory provisions, the inability of a parent or caretaker to provide for a child due to inadequate financial resources shall not, for that reason alone, be considered neglect. Whenever, in lieu of medical care, a child is being provided treatment in accordance with the tenets of a well-recognized religious method of healing which has a reasonable, proven record of success, the child shall not, for that reason alone, be considered to be neglected or maltreated. However, nothing herein shall prohibit the court from ordering medical services for the child when there is substantial risk of harm to the child's health or welfare.

PROCEDURE FOR REPORTING CHILD ABUSE OR NEGLECT

A *permitted reporter* shall make a report through the designated state child protection reporting hotline phone number or in person at any child welfare office of the state.

A *mandatory reporter*, notwithstanding any claim of privileged communication, who has cause to believe that a child's physical or mental health or welfare is endangered as a result of abuse or neglect or that abuse or neglect was a contributing factor in a child's death, in accordance with statutory provisions, shall immediately report suspected abuse/neglect in accordance with the following guidelines:

1. Reports in which the abuse or neglect is believed to be perpetrated by a parent or caretaker, a person who maintains an interpersonal dating or engagement relationship with the parent or caretaker or a person living in the same residence with the parent or caretaker as a spouse whether married or not, the mandatory reporter shall make the report to the Department of Children and Family Services ~~through the designated state child protection reporting hotline telephone number, via the Department of Children and Family Services *Mandated Reporter Portal* online, or in person at any child welfare office~~.

2. Reports in which the reporter has reason to believe abuse or neglect is ~~believed to be~~ being perpetrated by someone other than ~~a caretaker, a person who maintains an interpersonal dating or engagement relationship with the parent or caretaker, or a person living in the same residence with the parent or caretaker as a spouse whether married or not, and the caretaker is not believed to have any responsibility for the abuse or neglect shall be made immediately to a local or state law enforcement agency~~ the individuals listed in number one above shall be made to local or state law enforcement. Abuse or neglect perpetuated on a student by a teaching or child care provider shall be immediately reported to local or state law enforcement

3. Dual reporting to both the Louisiana Department of Child and Family Services and the local or state law enforcement agency is permitted.

~~4. A report made to the Louisiana Department of Children and Family Services by facsimile does not relieve the reporter of his/her duty to report in accordance with the applicable requirements.~~

~~Reporting Procedure~~

~~1. If the initial report was in oral form, it shall be followed by a written report made within five (5) days via the online *Mandated Reporter Portal* of the Department of Children and Family Services, or by mail to the centralized intake unit of the Department at the address provided on the website of the Department, or, if necessary, to the local law enforcement agency to whom the initial report was made.~~

~~2. The report shall contain the following information if known by the reporter:~~

~~A. The name, address, age, sex, and race of the child.~~

~~B. The nature, extent, and cause of the child's injuries or endangered condition, including any previous known or suspected abuse to this child or the child's siblings.~~

~~C. The name and address of the child's parent(s) or other caretaker.~~

~~D. The names and all the ages of all other members of the child's household.~~

~~E. The name and address of the reporter.~~

~~F. An account of how this child came to the reporter's attention.~~

~~G. Any explanation of the cause of the child's injury or condition offered by the child, the caretaker, or any other person.~~

~~H. The number of times the reporter has filed a report on the child or the child's siblings.~~

~~I. Any other information which the reporter believes might be important or relevant.~~

~~3. The report shall also name the person or persons who are thought to have caused or contributed to the child's condition, if known, and the report shall contain the name of such person if he/she is named by the child.~~

~~4. The reporter shall also immediately notify the principal or his/her designee of the school attended by the child of the fact that a report had been filed and the agency(ies) to which it was reported.~~

Reports to the Louisiana Department of Child and Family Services shall be made as follows:

A. A mandatory reporter shall make a report of suspected abuse or neglect requiring immediate assistance via the designated state child protection reporting hotline telephone number. A report of suspected abuse or neglect which is of a non- emergency nature may be reported via the Louisiana Department of Children and Family Services Mandated Reporter Portal online. Reports may also be made in person at any child welfare office.

B. If a report involves alleged sex trafficking, all mandatory reporters shall report via the hotline telephone number to the Department regardless of whether there is alleged parental or caretaker culpability.

C. A permitted reporter shall make a report through the designated state child protection reporting hotline telephone number or in person at any child welfare office.

If a mandatory reporter is prohibited from immediately making the report required by statutes to the department or local or state law enforcement because of School Board policies or employee manual, the mandatory reporter shall file a complaint with local or state law enforcement. Local or state law enforcement shall investigate the complaint and if violations are confirmed, the School Board shall be subject to the penalties provided for in La. Rev. Stat. Ann. §§14:131.1 and 403. The School Board shall not discriminate or retaliate against an employee who is a mandatory reporter for complying with this policy. If the School Board discriminates or retaliates against an employee for compliance, the School Board shall be subject to additional penalties as provided for in La. Rev. Stat. Ann. §§14:131.1 and 403.

INVESTIGATION OF REPORTS

Admission of the investigator on school premises or access to the child in school shall not

be denied by school officials.

~~ALLEGATION AGAINST SCHOOL EMPLOYEES OR VOLUNTEERS~~

~~When an employee is accused of the use of impermissible corporal punishment or moral offenses involving students, the principal shall initiate an investigation (see procedures under policy *GAMC, Employee Investigations*). If the offender is a central office employee, or principal, the immediate supervisor will initiate an investigation.~~

~~Upon any school employee receiving a report of, or information about, child abuse, against another school employee or volunteer, and the employee receiving said information has cause to believe the truthfulness thereof, the reporting procedure as outlined in this policy shall be followed, depending upon whether the employee or volunteer is considered a caretaker or someone other than a caretaker.~~

~~The school employee shall also, as soon as reasonably possible, notify the appropriate immediate supervisor of the accused individual, and that supervisor in turn will as soon as reasonably possible, notify the Superintendent or his/her designee. The Superintendent and the School Board's attorney will determine what appropriate action the school system may take over and above the investigation being conducted by the appropriate state agency. In any incident involving an employee or volunteer which is reported to the Superintendent or designee, the person shall be removed from all activities involving direct contact with students until the matter is resolved.~~

ALLEGATIONS OF SEXUAL OFFENSES

The Superintendent or his/her designee shall be required to notify the local law enforcement agency of any allegation made by a student of the commission of a sex offense as defined by La. Rev. Stat. Ann. §15:541. Such notification shall be made by the Superintendent or his/her designee within twenty-four (24) hours of the time the student notified the Superintendent or other appropriate personnel. Any school employee who receives information from a student concerning the possible commission of a sexual offense shall immediately comply with the reporting procedure outlined in this policy ~~and inform the Superintendent or his/her designee~~.

CONFIDENTIALITY

The circumstances and information of the initial report, the fact that a report was made to an agency, and the written report shall be held in confidence and shall not be disseminated to third parties other than those persons or agencies designated by this policy or required by state law. Any written report or other written information regarding the report shall be kept in a confidential file separate from the child's routine school records and accessible only by the principal/designee/supervisory employee or by court order.

INSERVICE TRAINING

Teaching or child care providers shall be required to complete an online training course provided by the Department of Children and Family Services between June first and August thirty-first annually. A record of completion of the course by the teaching or child care provider shall be provided to and retained by the School Board. The School Board shall retain a list of all teaching or child care providers who have not complied with the training requirements provided by State law.

IMMUNITY FROM LIABILITY

Any person who in good faith makes a report, cooperates in any investigation arising as a result of such report, or participates in judicial proceedings authorized under the Louisiana Children's Code shall have immunity from civil or criminal liability that otherwise might be incurred or imposed. This immunity, however, does not extend to (1) a person who participates in or conspires with a participant or an accessory to an offense involving the abuse or neglect of a child; (2) any person who makes a report known to be false or with reckless disregard for the truth of the report.

LIABILITY

The Louisiana Children's Code and Louisiana criminal law provide substantial penalties for mandatory reporters who fail to report facts which would support a reasonable belief that child abuse or neglect has occurred. Additionally, educators or other employees of the Ouachita Parish School Board who fail or refuse to report child abuse/neglect as provided by law or by this policy may be subject to disciplinary and/or dismissal proceedings for neglect of duty.

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Ref: La. Rev. Stat. Ann. §§14:403, 15:539, 15:541, 17:81, 17:81.6; La. Children's Code, Title VI, Art. 601, 603, 609, 610; Board minutes, 2-14-13, 7-25-17, 2-13-18, 7-23-19, 12-8-20, 10-18-22.