

INTRODUCTION

The East Baton Rouge Parish School Board, as the governing authority for the East Baton Rouge Parish Public School System, is responsible pursuant to La. R.S. 17:252 for developing and maintaining a master plan for discipline in the East Baton Rouge Parish Public School System. As part of the Plan and as required by La. R.S. 17:416.13 the Board adopts as its policy a student code of conduct. The provisions and statements in this student code of conduct apply to all employees and to all enrolled students in Pre-K through 12th grade. This student handbook provides the Code of Student Conduct and information for parents regarding the School System's management of student behavior and discipline. The School System's Master Plan for Discipline (Plan) includes requiring each school to have a discipline plan that includes school-wide expectations, with a focus on Positive Behavioral Interventions and Supports (PBIS) and prioritization of classroom and school-based interventions in lieu of alternative site disciplinary removals.¹ At the school level, a PBIS team is required to analyze the results of its discipline data monthly and to implement effective behavioral interventions for all students as a means of promoting expected behavior school wide.

The overall goal of the School System's Master Discipline Plan is to provide a positive climate within each school and to ultimately reduce the number of suspensions for minor behavioral incidents. The School Board expects higher student achievement, higher school performance scores, increased student attendance and lower dropout rates with the implementation of PBIS.

Each school must develop its own PBIS plan utilizing the district-wide minor behavior tracking form. The plan should include activities for teaching and encouraging expected behaviors. Each school's PBIS plan is to be communicated to its parents/caregivers and students, including strategies for teaching and reinforcing behavior and consequences for both positive and negative behavior. Each principal will have the teachers and applicable personnel participate in classroom management conferences and training.

All schools shall endeavor to address student behavior with a focus on evidence-based interventions and supports. Schools shall endeavor to prioritize classroom- and school-based interventions in lieu of alternative site disciplinary removals to address student misconduct to minimize the loss of academic instruction time. La. R.S. 17:416(A)(1)(a). In addition to this Student Rights and Responsibilities Handbook and Disciplinary (Handbook), students may receive a separate school handbook each year that provides specific school regulations and other important information. We ask that parents, guardians, and students read and discuss both handbooks. Please contact school principals for any clarification of the information in either handbook. This Handbook also can be accessed on the East Baton Rouge Parish Public School System Web site at www.ebrschools.org.

VISION

All East Baton Rouge Parish School System students will graduate with the knowledge, skills, and values necessary to become active and successful members of a dynamic learning community.

MISSION

The East Baton Rouge Parish School System, in partnership with our community, educates all students to their maximum potential in a caring, rigorous, and safe environment.

¹ The term "alternative site" is used in place of "out-of-school" suspension (or disciplinary removal) because students are generally provided education at alternative sites when removed from school as a disciplinary response. For more information, see Section Ten, "Additional Disciplinary Response Information."

To promote and encourage the safety of students and staff, the East Baton Rouge Parish School System maintains and enforces a high state of security throughout the system. Be aware that all measures allowed by law are now in effect to protect the rights and lives of the entire staff and student body. All students should have a school ID badge on all school campuses, attending school activities off campus and riding school buses.

VIRTUAL LEARNING

Regardless of the mode of instruction, student conduct is always governed by federal and state law (including La. R.S. 17:416) and the EBR Student Rights and Responsibilities Handbook and Discipline Policy. Conduct that is unacceptable in the physical classroom is, under most circumstances, equally unacceptable in the virtual classroom. While students and parents normally have an expectation of privacy in their home, conduct that occurs in front of a camera and in view of peers and teachers in the virtual classroom may subject students to disciplinary action.

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 conduct violation, the severity of the infraction, and the appropriate penalty, if any, under the circumstances.

Privacy and the Virtual Classroom

Students and parents, typically, have a reasonable expectation of privacy regarding what takes place in their home ***outside of the view of teachers and peers in the virtual classroom***. In order to ensure that students and teachers are able to work and learn in a safe and orderly virtual environment, it is imperative that students have a quiet, well lit “classroom” space – free, to the extent possible, from toys, images, messages, personal property, or other items that may distract from teaching and learning or that may subject the student to disciplinary action if possessed on school busses, in the regular classroom, or on school property.

Students should be 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 EBR Student Rights and Responsibilities Handbook and Discipline Policy and this Virtual Discipline Policy may be subject to discipline in accordance with the Handbook and this Virtual Discipline Policy.

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 or others. 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.

Conduct in the Virtual Classroom Policy

Students are responsible for all content posted through their school issued online account. Students are prohibited from sharing their online account username or password or using the username or password of another student. Students are required to have their computer camera turned on when virtual classes are in session. Students are not permitted to disconnect or otherwise leave a virtual class without permission of the teacher or other educational service provider.

Following is a ***non-exclusive*** list of behaviors that are prohibited in the virtual classroom and that may result in disciplinary action in accordance with the Student Code of Conduct and this Policy:

1. Antagonistic, harassing, or discriminatory language of any kind with regard to race, color, religion,

- protected characteristic or activity;
2. Bullying and/or cyberbullying;
 3. Use of obscene, degrading or profane language (written, verbal, pictures, drawings, audio, video);
 4. Displaying pornography, nudity or images of nudity;
 5. Committing lewd or sexual acts;
 6. Handling or displaying weapons, including toy or facsimile weapons; *
 7. Illegal posting, distribution, upload or download of copyrighted work of any kind;
 8. Sharing assignments, questions/answers, or any other action that would violate any expectations or rules relative to academic honesty;
 9. Posting personally identifiable information in any format other than via private message;
 10. Indecent dress or disrobing;
 11. Interference with the instructional audio or video;
 12. Use or display of illegal drugs, alcohol, tobacco or tobacco products, or vaping devices; or*
 13. Violations of the Board's/School's Acceptable Use Policy or Device Contract.

Consequences of Inappropriate Online Conduct

Parents and students must be aware that conduct that is unacceptable and disruptive in the regular classroom environment is, typically, unacceptable in the virtual classroom. The School Board recognizes, however, that virtual learning is a new experience for students and families, and that the context in which student conduct occurs must be taken into account in determining the appropriate penalty, if any, imposed for violations of the conduct violations in the virtual classroom.

Student conduct that occurs in the virtual classroom may be subject to progressive discipline which, *depending on the seriousness of the conduct at issue*, will include an initial verbal warning and consultation with the student's parent or guardian prior to any formal disciplinary action. The seriousness of the conduct at issue will dictate the actions of administrators and the nature of the penalty ultimately imposed. For example, a student may be subject to a severe penalty, even for a first infraction, depending on the seriousness of the conduct at issue.

Some factors that administrators will consider in determining the penalty to be imposed, if any, for conduct that occurs in the virtual classroom will include:

- Age of the student
- Whether the conduct disrupted learning in the virtual classroom
- Whether the conduct was violent or threatening in any way
- Whether the conduct was illegal
 - Whether the conduct interfered with the rights of teachers and/or students to work and learn in a safe and orderly environment free from inappropriate images, messages, language, or behavior
- Whether the student has committed prohibited conduct in the past
- Whether the student has received prior warnings or discipline for similar conduct

*Conduct in the virtual classroom related to the display or handling of weapons or drugs, or other conduct that raises legitimate concerns about the safety and welfare of a student or others, must be reported immediately to the School Principal and/or School Resource Officer to assess whether the matter must be reported to local law enforcement and/or the Department of Children and Family Services (DCFS).

SECTION ONE – STUDENT RIGHTS AND RESPONSIBILITIES

Students have certain inalienable rights. Within the constraints of a student's inalienable rights, the rights of the student body outweigh the rights of an individual. The following statements summarize student rights and responsibilities. They help explain the relationship between and among students. In exercising their rights, students may not infringe on the rights of other students by disrupting the educational process.

Students have a right to a public education. Students also have the responsibility to avoid actions or activities, individually or in groups, which interfere with the rights of others to a public education. Students have the right to orderly school and classroom environments, as well as an orderly virtual learning environment, which promote learning for all students. Students also have the responsibility to ensure that their actions do not disrupt the classroom environment or school activities. Students have the right to an educational environment that is safe and free from threats and harassment. Students also have the responsibility to refrain from violence and unsafe actions and from threatening or harassing others. Students also have a responsibility to inform school authorities of any problem or potential problem concerning a student or a school employee's safety. Students have the right to attend school within boundaries of the law and school policies. Students also have the responsibility to attend school every day, all day, unless there is an approved reason for being absent.

Students have the right to be informed about the rules, regulations, and requirements that regulate their activities at school or school-related events. Students also have the responsibility to bring home all communication concerning school information, rules, regulations, and requirements, including any disciplinary notification. Students also have the right to their own religious beliefs and to their own religious practices within boundaries of the law and school policies. Students also have the responsibility to ensure that, in exercising their own religious freedom, they do not violate other students' religious freedom or disrupt the educational process. Students have the right to peaceful assembly. Students also have the responsibility to secure approval for using school facilities for assembly, to discuss with an administrator the appropriateness of the facility for the functions, and to ensure that such assembly does not disrupt the educational process. Non-availability of adequate supervision shall constitute grounds for disapproval of such assembly. Students have the right to express themselves in speech, writing or symbolism within boundaries of the law and school policies. Students also have the responsibility to ensure that such expression does not disrupt the educational process, present health or safety hazards, damage property, infringe on the rights of others, or violate the law or EBRPSB policies.

SECTION TWO – STUDENT ATTENDANCE

1. Responsibilities imposed by state laws and regulations:

- a. Students between 5 and 18 years of age shall attend school. A student below the age of 5 who enrolls in school shall attend school. Any child below the age of 5 who legally enrolls in school including Pre-K and Kindergarten students shall also be subject to compulsory attendance. Beginning the 2022- 23 school year, Kindergarten is mandatory for all children age 5 on or before September 30 of the calendar year in which the school year begins.
- b. For a student who is under the age of 18 and enrolled in school beyond the student's 16th birthday, the parent or guardian may request a waiver for that student to exit school to enroll in an adult education program approved by the Louisiana Community and Technical College System (LCTCS).

A request for a waiver will be approved if appropriate documentation is on file at the school or School Board office and one or more of the following hardships exist:

- (1) Pregnant or actively parenting;
- (2) Incarcerated or adjudicated;
- (3) Physical or mental illness;
- (4) Institutionalized or living in a residential facility; or
- (5) Family and/or economic hardships, which are defined as a student who acts as a caregiver or must work to support the family due to a parent's death or illness or needs to be removed from an existing home environment.

If a waiver to exit school is granted and the student enrolls in an adult education program, such student will be considered in compliance with the compulsory school attendance law if the student attends 15 hours per week. See La. R.S. 17:221(F) & (I).

- c. The responsibility for a student attending school lies with the parents or the legal guardian. If the Student is chronically absent or chronically late (tardy) to school, the parent and/or student may be referred to the **Office of Child Welfare and Attendance (CWA), located at 802 Mayflower Street, Baton Rouge, LA 70802.**

2. Registration will be provided at the Child Welfare and Attendance office for the following categories **ONLY:**

- Students with custody issues
- Students in state's custody (i.e., correctional institution)
- Students enrolling from out of the country – EL students must register in the ESL office at the Instructional Resource Center (IRC)

Enrollment of students (presenting with the required residency documentation) from public, private, and parochial schools **in and out of state will be conducted through the EBR Online Registration System or at the appropriate school site.** If the residency cannot be established, please contact the CWA Office. Registration for students transferring within the EBRPSS will be conducted at the school site.

Students in Foster Care may register at the Christa McAuliffe Center located at 12000 Goodwood Blvd, Baton Rouge, LA 70815.

3. Elementary (Pre-K -- 5th) school students shall be in attendance a minimum of 167 six-hour days or 60, 120 minutes a school year. Middle school students shall be in attendance a minimum of 167 six-hour days or 60, 120 minutes a school year.
4. To be eligible to receive grades, high school students shall be in attendance a minimum of 30,060 minutes (equivalent to 83.5 six-hour school days) per semester or 60,120 minutes (equivalent to 167 six-hour school days) a school year for schools not operating on a semester basis. To receive Carnegie credit for a course, students must be present for the required time listed in Bulletin 741, Section 2314(B) & (C).
5. Students may be excused by the principal for the whole or a part of a day absence for two or fewer consecutive school days for the following reasons:
- a. Personal illness;
 - b. Serious illness in the student's immediate family;
 - c. Death in the student's immediate family not to exceed one week; or
 - d. Natural catastrophe and/or disasters.
6. Written statements from a parent, legal guardian or physician stating a reason for absences shall be given to proper school personnel within five (5) school days after the student returns to school. The number of parental statements for absences is limited to five (5) each semester. A parent note will be marked as unexcused/parent note (UNXPN) in the database which will generate an investigation by CWA if the parent notes exceed five. These parents will not be referred to a Truancy Workshop until the investigation has determined if the absences are based on extenuating circumstances.

For students to check out of school, a doctor's reminder slip, a form of notification of an appointment, or a letter with statement of pending emergency must be presented by the student or parent. If no documentation is provided the checkout will become an unexcused absence. If a student reaches 10 unexcused check out absences

in a school year, the principal will schedule a parent conference to include counselors and an ICARE specialist. This rule applies to virtual and distance learning.

7. In addition, students may be temporarily excused from attendance due to the following enumerated extenuating circumstances that are verified by the Supervisor of CWA:
 - a. Extended personal physical or emotional illness in which a student is absent for three or more consecutive school days as verified by a physician or nurse practitioner licensed in Louisiana;
 - b. Extended hospital stays in which a student is absent for three or more consecutive school days as verified by a physician or dentist;
 - c. Extended recuperation from an accident in which a student is absent for three or more consecutive school days as verified by a physician, dentist, or nurse practitioner licensed in Louisiana;
 - d. Extended contagious disease within a family in which a student is absent for three or more consecutive school days as verified by a physician or dentist licensed in Louisiana²;
 - e. Observance of special and recognized holidays of the student's own faith; or
 - f. Visit with parent prior to parent's military overseas deployment to a combat zone or combat support posting or during parent's leave, not to exceed five school days. See La. R.S. 17:226.
8. Unexcused Absence – any absence not meeting the requirements set forth in the excused absence and extenuating circumstances definitions, including, but not limited to, alternative site suspensions and absences due to any job (including agriculture and domestic services, even in their own homes or for their own parents or tutors) unless it is part of an approved instructional program.
9. Students granted excused absences for the above reasons shall be allowed to make up any schoolwork which was missed. Students shall request makeup work for days missed due to excused absences.
10. Each School Improvement Team shall establish a written tardy policy unique to that school which may include, but not be limited to, the procedures suggested in the following section:
 - a. Principals or designees may deal with the first through third tardies according to individual school plan.
 - b. A student who accumulates four (4) unexcused tardies is assigned to clinic or Time-Out room (TOR). The parent/guardian is contacted by the principal or a designee.
 - c. A student who refuses clinic or Time-Out Room is suspended, pending a parent/guardian conference. If the parent comes that afternoon or the next morning, no suspension is officially recorded.
 - d. If the parent/guardian does not come for a conference as requested, the student is officially suspended for two (2) days and is assigned to a Discipline Center.
 - e. The whole procedure begins again.
11. Unexcused check-ins are considered incidents of tardiness and absences in the classroom missed.

² CWA may investigate any excuse from a medical provider which appears to be altered or otherwise invalid. In appropriate circumstances when an excuse is found to be invalid, CWA may refer the matter to the appropriate investigative authorities.

12. School-level attendance clerks or designees will call the home of each absent student upon each instance of absence. La. R.S. 17:232(B)(2). Results should be documented in the Parent Contact Log in JCampus.
13. Upon notification from the principal or designee of a student's school on or before a student's third unexcused absence or unexcused occurrence of being tardy, the parent or legal guardian shall attend a conference with the principal or designee to receive information regarding the legal responsibility about attendance in school. La. R.S. 17:233(B)(1)(c).

TRUANCY – A truant is a student, 5 through 17 years of age, who does not attend school. Any child below the age of 5 who legally enrolls in school but who does not attend school shall also be considered a truant. This failure to attend school may occur with or without the permission or knowledge of parent or legal guardian. A student is considered a truant when he or she has no justifiable excuse for being absent from school. Note that beginning with the 2022-2023 school year the age requiring school attendance has been lowered to age 5 by Louisiana law. La. R.S. 17:221(A)(1)(b).

a. Penalties:

1. Students who refuse to attend school on a regular basis without a legal excuse will be referred to Juvenile Services by Child Welfare & Attendance. If the student's attendance does not improve, his/her case could be brought before a juvenile court judge for further review. A student can be referred to the juvenile court system for non-attendance. As few as five (5) unexcused occurrences of being tardy could result in the ruling of habitual absenteeism or of habitual tardiness.
2. It is a violation of the compulsory school attendance law for a parent/guardian to allow his/her children to miss school without a valid excuse. A parent/guardian who violates the compulsory school attendance law may be fined up to \$250.00 and/or be sentenced to thirty (30) days in jail. The court shall impose a minimum condition of probation which may include the parent, tutor, or other person having control or charge of the child participate in forty (40) hours of school or community service activities, or a combination of service and attendance in parenting classes or family counseling or suspension of any state-issued recreational license (e.g., hunting, fishing). See La. R.S. 14:92.2(A)(2)(c); (B)(1) and (4); 17:221(A)(1) and (2); 17:233(B)(1)(d)(iii) and (iv).

Family Youth & Service Center – This center provides prevention services to children who are at risk of becoming truants or dropouts.

SECTION THREE – OFFICIAL INFORMATION

1. The parent/guardian is required to provide to the student's school their current address and working telephone numbers and promptly give the school notice of any change in status concerning family information during the school year.
2. Parents or guardians have the right to review with a counselor or other designated school system personnel all official files and data which pertain to the student personally. Students 18 years of age or older may make the same request. Such students have a right to challenge the accuracy of the data through a formal hearing. Under the Family Educational Rights and Privacy Act (FERPA) schools must produce such records for examination within 45 calendar days of a written request. However, Louisiana law provides for a shorter time to respond. See below.
3. For a student who has not reached the age of majority, La. R.S. 17:406.9(B)(2) requires schools to provide to

parents their child's records as defined in the statute within ten (10) business days of a written request,

7

either electronically or on paper. There is no charge for a parent to receive such records electronically. Paper copies shall be provided at a fee of 10 cents per page. Parents are not required to appear in person for requesting their child's records. The school administration shall respond to reasonable requests for an explanation and interpretation of the student's records. FERPA allows custodial and non-custodial parents equal access unless otherwise stipulated by a court order revoking parental rights.

4. No official record, file, or data pertaining to any individual student that is personally identifiable to the student shall be released to anyone other than the student and/or parent except as authorized by law, unless the student and/or parent has executed a written release of such information to a person or agency (See Section Twenty use of Google G Suite).
5. For students in the ninth grade, parents and guardians should cooperate with the school counselor to complete an academic profile of the student and the revision of the profile each year that the student is enrolled in the school. La. R.S. 17:3006.
6. Parents must provide to their child's school any information of any illness, medication or medical condition that may affect the student's behavior and/or academic performance (See Section Twenty-Two regarding Medication Policy).
7. Parents or guardians are entitled to access and to review the instructional materials used or administered to their child and to review any survey before the survey is administered or distributed by a school to a student. The parent may have access during the school day in accordance with the school's visitation policy, except when testing is being conducted. The parent may have a paper copy provided of any instructional materials at a fee of ten cents per page. Parents may make copies on the school premises via mobile or another device. For a definition of instructional materials, see Section Twenty-Eight.

SECTION FOUR – DRESS, GROOMING AND UNIFORMS

All students have a responsibility to wear the student school ID as required by the rules of the school student is attending and to dress and appear on school campuses according to standards of propriety, safety and health set forth by the East Baton Rouge Parish School Board and the School Improvement Team. If required or discretionary, students will wear a face mask that is free of any offensive words, initials, or designs. The school's rules shall be distributed to each student on the first day of school each school year and sent to the parents at least 15 days before the first reporting date.

A School Improvement Team may not negate any provisions or restrictions of this Handbook. Each School Improvement Team will, after consultation with the constituency they represent, recommend to the principal a suggested dress and grooming code in order that the principal may make informed decisions regarding the dress and grooming code for the school. The principal will make his/her decision in accordance with the Constitution and laws of the United States of America and the State of Louisiana. The dress and grooming policy shall be posted at each school, and a copy sent home to each parent.

1. Hats or other head apparel such as bandanas and do-rags may not be worn unless for religious, medical, or safety purposes. No inappropriate or offensive designs, initials or words may be cut into a student's hair or scalp.

2. No student shall wear, possess, use, distribute, display, or sell any clothing, jewelry, emblem, blade, symbols, sign or other things which describe or suggest affiliation with tobacco, drugs, alcohol, illegal substances, or violence or gang-related activities or exhibits profane or obscene language/gestures.

8

Students wearing such clothing or displaying such images may be asked to remove or conceal the offensive article, turn it inside out, or in extreme cases—be sent home.

3. All students shall be required to wear a belt with pants that have loops. Pants shall be worn at natural waist level and shall not be excessively baggy or sagging.
4. All students are prohibited from wearing or using mouth grills or any removable mouth jewelry and wearing body piercing jewelry such as eyebrow piercings, nose rings, heavily stretched ear loops, tongue rings, and other similar body piercing jewelry or facial jewelry.
5. Students may wear, carry, or possess a backpack on school property or a school bus that has bullet-resistant metal or other material intended to provide protection from weapons or bodily injury. La. R.S. 14:95.9(C)(8).

6. Uniforms

a. Elementary School

The East Baton Rouge Parish School Board has adopted a uniform policy for all Elementary School students (Pre-K and K-5 grades including 6th grade at Northeast Elementary). Students shall comply with the following uniform policy:

- (1) Navy blue bottoms – standard uniform pants, shorts, skirts, skorts, and jumpers, not more than 5 inches above the knee (NO jeans, biking shorts, stretch pants, Capri pants, cargo pants, sweatpants, wind suits or jogging suits). Navy corduroy pants are allowed for winter wear.
- (2) Burgundy shirts/blouses allowed with a collar – turtlenecks are acceptable in winter (No T shirts). Shirts and blouses are to be tucked in.
- (3) Only navy blue or burgundy sweaters, sweatshirts, jackets, or parkas may be worn inside the building (No hoods) and existing winter wear may be worn outside of the building.
- (4) If a shirt is worn under the uniform shirt, it must not be seen so that the uniform shirt ONLY is visible on campus.
- (5) Closed-toed shoes/sneakers (NO flip flops or house shoes).
- (6) Belts will be worn at the natural waist on bottoms with belt loops, shirts/blouses will be tucked in.
- (7) Approved club uniforms (Scouts, 4-H, etc.) may be worn on club meeting days (**See “School Uniform Discipline” in Section Eleven for Elementary School non-compliance rules**).

b. Middle School

The East Baton Rouge Parish School Board has adopted a uniform policy for all Middle School students except for EBR Readiness Middle and its Handbook for its uniform guidelines. All other students 6th through 8th grades shall comply with the following uniform policy:

- (1) Khaki or navy blue bottoms may be standard uniform pants, Capri pants, shorts, skirts, skorts, and jumpers, not more than 5 inches above the knee are acceptable subject to individual School Improvement Team guidelines. Students shall wear only standard khaki or navy blue uniform shorts (No jeans, biking shorts, stretch pants, sweatpants or cargo pants).
- (2) **Plain** navy-blue shirts/blouses with a collar; turtlenecks are acceptable in winter (No T-shirts).

9

- (3) Navy blue or white sweaters, sweatshirts, jackets, or parkas may be worn inside the building, however, any attached hoods may not be worn or used inside any building.
- (4) If a shirt is worn under the uniform shirt, it must not be seen so that the uniform shirt ONLY is visible on campus.
- (5) Closed-toed shoes/sneakers or strap-on sandals (No flip flops, house shoes, backless shoes, or mules).
- (6) Belts will be worn at the natural waist on bottoms with belt loops; shirts/blouses will be tucked in.
- (7) Approved club uniforms (Scouts, 4-H, etc.) may be worn on club meeting days (**See “School Uniform Discipline” in Section Eleven for Middle School non-compliance rules**).

c. High School

The East Baton Rouge Parish School Board has adopted a policy that allows the School Improvement Team at each high school to decide whether their individual high school students shall wear mandatory uniforms.

- (1) Where School Improvement Teams adopt mandatory uniforms, students shall adhere to the regulations adopted by those teams (**See “School Uniform Discipline” in Section Eleven for High School non-compliance rules**).
 - (a) Belts will be worn at the natural waist on bottoms with belt loops; shirts/blouses will be tucked in.
 - (b) If a shirt is worn under the uniform shirt, it must not be seen so that the uniform shirt ONLY is visible on campus.
 - (c) Closed-toe shoes/sneakers or strap-on sandals (NO flip flops, house shoes, backless shoes, or mules).
 - (d) Pants, shorts, skirts, skorts and jumpers shall not be more than 5 inches above the knee.
 - (e) *Khaki or navy blue bottoms may be standard uniform pants, and standard khaki or navy blue uniform shorts (NO jeans, biking shorts, stretch pants, sweatpants or cargo pants) will also be standard policy.
- (2) Students at high schools that do NOT have mandatory uniforms shall comply with the following policy:
 - (a) High School students will dress in adherence with the overall School Board dress and grooming policy as listed in this Section and Paragraphs 1-5, as well as dress and grooming code policies adopted by each School Improvement Team.
 - (b) Belts will be worn at the natural waist on bottoms with belt loops.
 - (c) Closed-toe shoes/sneakers or strap-on sandals allowed (NO flip flops or house shoes).
 - (d) Shorts and Capri pants are acceptable subject to individual School Improvement Team guidelines. However, shorts, skirts, skorts and jumpers shall not be more than 5 inches above the knee.

SECTION FIVE – AFTER-SCHOOL ONLINE HOMEWORK ASSISTANCE

Students and Parents are encouraged to access the after-school homework assistance services offered through the State Library of Louisiana and the East Baton Rouge Parish Library. To assist in locating the online services, the following information for their links are provided:

State Library Link: <http://www.homeworkla.org/>

10

East Baton Rouge Parish Library: <http://www.ebrpl.com/Kids/homeworkhelp.html>

SECTION SIX – SEARCHES

1. STUDENTS AND SCHOOL PROPERTY (La. R.S. 17:416.3)

The Board respects the civil rights of the students attending its schools and will uphold those rights, but the Board will not tolerate violations of law, Board policy, or school rules. Searches are used to ensure the safety of ALL individuals on campus.

Any teacher, principal, school security guard, or administrator in the School System may search any building, desk, locker, area, grounds, or vehicle parked on school property for evidence that the law, a school rule, or School Board policy has been violated. The School Board is the exclusive owner of all buildings, desks, and lockers, and all are subject to search. The permission granted to park an automobile or vehicle on any School Board property constitutes consent of the owner and/or operator to allow a search of the vehicle.

The teacher, principal, school security guard, or administrator may search the person or personal effects of a student when, based on the circumstances at the time of the search, there are reasonable grounds to suspect that the search will reveal evidence that the student has violated the law, a school rule, or a School Board policy. Such a search shall be conducted in a manner related to the suspected infraction and is not excessively intrusive considering the age or sex of the student. Random searches with a metal detector of students or their personal effects may be conducted at any time, provided the searches are conducted without deliberate touching of the student. Standards regarding procedures for searching students shall include the following:

(a) Personal Searches

- (1) If possible, searches of students should be conducted outside the presence of other students.
- (2) Students should be asked to empty all their pockets before the physical search of a student is conducted.
- (3) If a “pat down” search of a student is to be conducted, that search should be conducted by a teacher, principal, school security guard, or administrator of the same gender if possible. The delay in finding a person of the same gender should not create a significant likelihood that the item(s) sought in the search will be altered, destroyed, or

disposed of in the meantime.

(b) Standards

- (1) No action taken pursuant to this policy by any teacher, principal, school security guard, or administrator, employed by the East Baton Rouge Parish School System, shall be taken maliciously or with willful and deliberate intent to harass, embarrass, or intimidate any student.
- (2) Whenever any search is conducted of the person of any student based on individual suspicion of that student, a written record shall be made thereof by the person conducting the search and shall include the name(s) of the persons involved, and the circumstances leading to the search, the results of the search, and the disposition of any

11

articles or items found and seized. This record shall be filed and maintained in the principal's office and a copy forwarded to the parent of the student involved.

- (3) Specially trained dogs may be used only for searches of lockers, rooms, buildings, and parking lots. A dog may not be used for the search of the person of a student.
- (4) Any prohibited item seized or discovered in any search shall be safeguarded by the principal or designee and maintained in a secure container. If the item is a firearm, knife, any weapon, or an illegal controlled substance or drug, the principal or designee shall notify the police and turn over any such items to the police while obtaining a receipt for the transfer of the item to the police.

(c) Other Penalties

- (1) Refusal to unlock lockers or vehicles parked on school property will be punishable by short-term suspension, and in the case of a vehicle, the vehicle will be banned from campus.
- (2) Students who put their belongings in other student's vehicles or lockers may be subject to the same discipline as the owner(s) of the vehicle or locker.

2. PERSONS OTHER THAN STUDENTS

Any school principal, administrator, teacher, or school security guard may search the person, book bag, briefcase, purse, or other object in possession of any person who is not a student enrolled at the school, or a school employee, while in any school building or on school grounds. This search may be done randomly with a metal detector. Also, when there is reasonable suspicion that such person has any weapons, illegal drugs, alcohol, stolen goods, or other materials or objects in violation of the School Board's policy, such persons may be searched.

SECTION SEVEN – DISCIPLINE POLICY

1. GENERAL STATEMENT

Although the ultimate responsibility for student conduct rests with the student and the parents/legal guardian, it is the daily responsibility of school personnel to see that no single person interferes with the total learning environment of other students. The school demonstrates concern for the group and its welfare by preserving the proper atmosphere conducive for teaching and learning.

A part of proper atmosphere conducive to teaching and learning is the requirement that students exhibit appropriate responses to any school system employee by using respectful terms: “Yes, Ma’am” and “No Ma’am” or “Yes, Sir” and “No, Sir” as appropriate, or “Yes, Miss, Mrs., or Ms. (Surname)” and “No, Miss, Mrs., or Ms. (Surname)” or “Yes, Mr. (Surname)” and “No, Mr. (Surname)” as appropriate, each such title to be followed by the appropriate surname. La. R.S. 17:416.12.³

Teachers and school employees shall endeavor to hold every student accountable for their conduct in school or on the playgrounds of a school, on the street or road while going to or returning from school, on any school bus, during intermission or recess, or at any school-sponsored activity or function. La. R.S.

³ The statute at La. R.S. 17:416.12(C) requires incorporation of this standard in any code of conduct of a school system. This statute requires “appropriate actions necessary,” but prohibits suspension or expulsions to enforce this rule.

12

17:416(A)(1)(a). This handbook and the discipline policy are applicable not only for the school year but also for any summer sessions and for any virtual and alternative settings at any time.

The East Baton Rouge Parish School System prohibits the bullying of a student by another student. See the definition of bullying as provided in Section Twenty-Eight and see Section Seventeen.

The East Baton Rouge Parish School System takes a position of imposing serious punishment regarding violations involving weapons, explosives, physical attacks or a battery, and possession of illegal narcotics, drugs, controlled substances, and alcoholic beverages. Such conduct shall not be tolerated by the School Board. These infractions may require immediate recommendation for expulsion.

Each principal or a designee is required to plan and implement an effective means of orientation concerning the **Student Rights & Responsibilities Handbook and Discipline Policy**. This orientation will be conducted for teachers during the beginning of the school year prior to the beginning of classes. The orientation for students shall be during the first five days of the school year.

The orientation instruction shall include, but not be limited to, consequences for failing to comply with the school disciplinary rules and code of student conduct; including suspension, expulsion, the possibility of suspension of a student’s driver’s license for one year as provided in La. R.S. 17:416.1, and the possible criminal consequences of violent acts committed on school property, at a school-sponsored function or in a firearm free zone. The instruction should be age and grade appropriate. La. R.S. 17:416.20. For a student enrolling after the start of the school year they shall attend an orientation about the Handbook and Discipline Policy within five days of the enrollment date. All students in homeroom classes will receive access to an online Handbook with an online acknowledgment for parents to sign. If a paper copy is requested, students will receive a paper copy with a signature receipt form to take home. The signature receipt form with their parents’ signatures is to verify that the parents have received a copy of the Handbook or current revisions and must be returned to the school. Failure to receive a Handbook or to attend an orientation is not a defense nor an excuse to limit any discipline measures.

The School System via its schools shares the responsibility with parents to educate, guide, and, when necessary, discipline students. To assure parental understanding and support of the school’s shared responsibility, the School Improvement Team at each school will meet to discuss school-wide disciplinary problems and trends and to make recommendations in these areas.

The disciplinary measures taken should be positive, constructive, directed toward serving educational ends, and should promote Positive Behavioral Interventions and Supports (PBIS). Disciplinary measures are to be taken with parental involvement and notification. When serious rule violations take place and the incident(s) are referred to the principal or designee, the administrator is to complete the applicable School Behavior Report (either Form A or Form B) and provide copies to all as required on the form. For guidance, administrators should consult the definitions provided by the Louisiana Department of Education regarding the code assignment on the form.

It is the expressed policy of the School Board to utilize alternatives to suspensions and expulsions and to reserve the use of suspensions and expulsions as the last step in progressive discipline based on the nature of the infraction. Principals and school staff shall endeavor to address student behavior with a focus on evidence-based interventions and supports. Schools shall endeavor to prioritize classroom and school-based interventions in lieu of alternative site disciplinary removals to address student misconduct to minimize the loss of academic instructional time. Expulsions shall be reserved for the major tier of

13

behavioral infractions involving weapons or drugs, or when the safety of students and staff has been put in jeopardy. La. R.S. 17:416(L).

The progressive discipline charts, in Sections Ten and Eleven, shall be utilized in guiding disciplinary decisions by all school administrators.

Discipline assignments take precedence over all school activities, i.e., athletic events, band practice, field trips, etc. Students suspended and/or recommended for expulsion or expelled may not attend, participate, or represent the school in any school activity during the term of the suspension or expulsion. Further, a principal may determine that a student previously suspended or expelled due to the nature of the infraction

will continue to lose eligibility to participate in school events, i.e., non-educational field trips, extracurricular activities, including intramural and interscholastic sports, participation in events such as 5th and 8th grade promotion ceremonies, high school graduations, junior and senior prom, and similar events.

Students who are suspended may regain the right to participate in school activities by demonstrating they have undertaken remedies such as anger management or behavior counseling (when warranted), community service, or mediation, with the understanding that corrective actions must be coupled with no other infractions being committed.

When a student transfers from one school to another, the student's discipline and attendance records for the school year shall also be transferred to the new school. The student will continue at the appropriate step in the discipline process at the new school.

Suspensions and expulsions of a student with disabilities shall be handled in accordance with the requirements of state and federal laws and regulations applicable to such students. Copies of such laws and regulations may be obtained from the East Baton Rouge Parish Exceptional Student Services Department. The Director of Exceptional Student Services may be reached at (225) 929-8601.

2. FIGHTING POLICY

- a. For fights involving students who are 12 years of age or older, school principals shall call the appropriate law enforcement authorities whenever one or more of the students suffers an injury requiring medical attention.
- b. Appropriate law enforcement authorities include assigned School Security Officers or Youth Resource Officers.
- c. If there are no assigned School Security Officers or Youth Resource Officers available, the local law enforcement authorities will be called at (225) 226-7690.
- d. The law enforcement authorities may investigate the fight and recommend one of the following actions:
 - (1) Issuing the student, a misdemeanor summons;
 - (2) Releasing the student to a parent or guardian with the agreement that both will appear in juvenile court;
 - (3) Taking the student directly to the Juvenile Detention Facility;
 - (4) Arresting the student; or
 - (5) Counseling the student and releasing the student to the parent or guardian with a warning.
- e. Students involved in a fight at school may also be subject to suspension or expulsion as stated in this handbook.
- f. Pushing and shoving are not considered fighting, but once a punch is thrown by a student to injure another person, a “fight” has occurred.

14

- g. Since pushing and shoving may lead to fighting, which is a violation of school policy, students may be subject to appropriate discipline procedures.
- h. Non-aggressive self-defense allows the student to defend himself against an attack but only to the point where the attacker backs off. No student will be disciplined in any manner under this policy 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 infraction against the student or a forcible infraction. The force used must be reasonable and apparently necessary to prevent such an infraction. A student who is the aggressor, or who brings on a difficulty, cannot claim the right to defend him or herself.
- i. Counseling will include, at a minimum, anger management and conflict resolution. It will be provided and supervised by the East Baton Rouge Parish School System. Parents or guardians will be advised and encouraged to participate.
- j. **This Fighting Policy is in effect from the time the student leaves home for school until the time the student returns home from school. It is also in effect during all school-related or school-sponsored activities. It is the student’s responsibility to alert a principal, teacher, coach, etc. to any hostile attempt directed to a student. Administrators are then required to take immediate action to prevent further hostile attempts.**

3. OFFENSIVE STUDENT CONDUCT AT END OF YEAR

- a. Non-Graduating Students- Any student who commits infractions during the last ten (10) days of the school year which result in recommendations for suspension and/or expulsion shall serve the suspension and/or expulsion in the next school year.
- b. Graduating students (also see Section Twenty-Six)
 - (1) Any senior committing a school-related serious infraction (i.e., alcohol/drug, indecent or inappropriate behavior, etc.) after the last regular class period may be excluded from year-end activities. This specifically includes, but is not limited to, participation in graduation exercises.

- (2) The principal shall also be empowered, in consultation with the Superintendent, to prohibit a senior from participating in graduation exercises for non-school related activities (i.e., arrests, gang related activities, etc.), if the principal deems that the student's participation will unnecessarily disrupt or detract from the decorum of the graduation exercises.
- (3) When a senior is prohibited from participating in graduation exercises, the diploma may be given or mailed to the student at the end of the school year.
- (4) Each school in the East Baton Rouge Parish School System with graduating seniors shall include this regulation in their senior orientation prior to the end of the year, and each senior will sign an appropriate document acknowledging receipt of these regulations. Parents will also receive a letter including information about these regulations from individual schools.
- (5) Notwithstanding any of the foregoing, the principal's decision shall be subject to the final review and approval of the Superintendent.

4. MAGNET SCHOOLS AND PROGRAMS

Assignment to a magnet school or magnet program of a student is a privilege and not a right. Students and parents are required to review and execute a behavior contract which may include a higher standard of behavior requirements and stricter consequences for misbehavior of a magnet student. Magnet students who violate the behavior expectations of the specific magnet school or magnet program contract may be removed from the school or program after a hearing before the principal. The removal may only be appealed to the Magnet Office.

15

SECTION EIGHT – ADDITIONAL DISCIPLINARY AUTHORITY SUSPENSION OF DRIVER'S LICENSE

Any student between the ages of 14 and 18 who is expelled or suspended from school for ten (10) or more consecutive school days or assigned to an alternative educational setting for ten (10) or more consecutive school days for infractions involving the sale or possession of drugs, alcohol, or any other illegal substance, the possession of a firearm or an infraction involving assault, a battery on a member of the school faculty or staff, or found to have engaged in bullying another student may have his or her driver's license for the operation of a motor vehicle suspended for a period of one year, in accordance with the provisions of La. R.S. 32:431. The term "license" or "driver's license" shall include a Class "E" learner's license and intermediate license as provided for in La. R.S. 32:407. **The principal of the school that the student attended at the time of the infraction shall notify the Department of Public Safety and Corrections of any student expelled or suspended for ten (10) or more consecutive school days for the infractions or infractions stated above after the period for an appeal has expired.** The notice shall include a copy of the student's disciplinary determination and the student's full name, address, date of birth, social security number, and, if available, driver's license number and the name, address and telephone number of the student's parent, guardian, or custodial parent.

SECTION NINE – BUS DISCIPLINE

1. Discipline problems on the school bus will be dealt with by the principal or a designee of the school responsible for the student in accordance with state laws and parish regulations. All schools shall be provided with the LDE School Bus Behavior Report form, which shall be completed when a student's conduct on a bus is unsatisfactory. The bus operator will complete and sign the applicable portion of the report. The principal or a designee will take necessary action to ensure operational safety of the buses and furnish a copy of the completed form to the Transportation Department and parent/legal guardian of the student.
2. Procedures for removing a student with disabilities from a bus must follow the same procedures as when a student with disabilities is removed from school through suspension or expulsion (See Section Eighteen).

3. Bus Regulations

a. Students shall:

- (1) Wear and display a school ID badge or other appropriate identification for the school the student is attending to board the bus;
- (2) If required, wear a face mask during the COVID-19 Pandemic and maintain appropriate social distancing based on state guidance;
- (3) Cooperate with the bus operator, because their safety depends on it;
- (4) Remain seated when the school bus is in motion at all times;
- (5) Be on time, because the bus will not wait;
- (6) Cross the road cautiously when approaching and leaving the bus;
- (7) Follow bus operator's instructions when loading and unloading;
- (8) Remain quiet enough not to distract the bus operator by horseplay, loud music or otherwise interrupting the bus operator while the bus is in motion;
- (9) Have written permission from parent or guardian and be authorized by the principal or designee to get on or off at a stop other than their own; and
- (10) Be courteous and safety-conscious to protect and enjoy their riding privilege.

b. Students shall not:

- (1) Stand when the bus is in motion;
- (2) At any time on a school bus, extend arms, head, or objects out of windows or doors;

16

- (3) Throw objects in the bus or out windows or doors at any time;
- (4) Use the emergency door except for emergencies;
- (5) Eat or drink on the bus;
- (6) Damage the bus or seats in any way;
- (7) Use the following items on the bus: tobacco, matches, cigarette lighters, obscene material;
- (8) Fight on the bus;
- (9) Board or exit the bus at the incorrect stop;
- (10) Leave the bus without permission;
- (11) Show disrespect to the bus operator;
- (12) Commit an immoral or vicious act;
- (13) Refuse to occupy an assigned seat;
- (14) Use profane language;
- (15) Disobey the bus operator or the bus aide;
- (16) Carry firearms, knives or other objects or implements which can be used as weapons; (17) Use or possess alcoholic beverages or any controlled dangerous substance governed by the Uniformed Controlled Dangerous Substance Law in any form;
- (18) Use electronic devices, including recording or posting recordings of persons on or off the bus;
- (19) Bullying another student; or
- (20) Board a bus under the influence of alcohol or illicit drugs.

c. The following items are not allowed on the bus:

- (1) Alcohol, drugs, tobacco, matches, or cigarette lighters;
- (2) Pets (cats, dogs, etc.);
- (3) Glass objects (except eyeglasses);
- (4) Weapons (including knives or objects or implements which may be used as weapons);
- (5) Objects too large to be held in laps or placed under seats; or
- (6) Items which are inappropriate at school shall not be allowed on the bus.

d. Students may be subject to the following consequences for bus infractions:

(1) First Infraction

- (a) A conference will be held with the student.
- (b) Parent/guardian will be notified.
- (c) Warning citation will be issued.

(2) Second Infraction

A conference with student and parent/guardian will be held.

(3) Third Infraction

- (a) Written notification to parent/guardian will be made.
- (b) Student will be denied bus transportation for 3-5 days.

(4) Fourth Infraction

Permanent suspension for the school year from all bus transportation will be enforced after notifying parent/guardian. See Paragraph 2 of this section regarding students with disabilities.

***NOTE: The disciplinary response depends on, in part, the infraction, previous actions, and the seriousness of the misbehavior and may result in more severe punishment, such as suspension/expulsion from school. Any misbehavior on the bus, walking to or from the bus stop, or going to or returning from school may result in temporary or permanent loss of bus riding privileges. In this case, transportation to and from school becomes the responsibility of the parent/guardian.**

SECTION TEN – LEVELS OF DISCIPLINARY RESPONSES

17

| Levels of Responses | |
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| Classroom, class behavior and behaviors at school-related activities subject to Discipline Options/Responses are not limited to those provided. Serious or repeated violations may result in a more severe response or referral to Code of Conduct Regulations options and responses including recommendations for expulsion. | |
| Level 1 Classroom Intervention & Support (Teacher) | <p>Starting at the beginning of each school year, staff shall implement disciplinary options/responses to a student in a progression beginning with the least severe disciplinary response.* Disciplinary options/responses a teacher or employee may use include:</p> <ul style="list-style-type: none">a. Implementation of PBIS Classroom Minor Behavior Tracking Form;b. Assignment of remedial work;c. Oral or written reprimand;d. Conduct a teacher-student conference;e. Contact parent by email, note or telephone call;f. Removal of classroom computer privileges;g. Administer constructive punishment work;h. Written notification to parents of disruptive or unacceptable behavior with a copy provided to the principal;i. Referral of the student to a social worker, school counselor, or certified school psychologist;j. Impose other disciplinary measures approved by the principal and the faculty of the school and in compliance with School Board policy. <p>*When a student's behavior prevents the orderly instruction of other students or poses an immediate threat to the safety or physical wellbeing of any student or teacher or when a student violates the school's code of conduct, the teacher may have the student immediately removed from the teacher's classroom and placed in the custody of the principal or designee.</p> |

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| <p>Level 2</p> <p>Intensive Intervention & Support (School Administrator)</p> | <p>General disciplinary options/responses by principal for student removed from a classroom:</p> <p>Starting at the beginning of each school year, staff shall implement disciplinary options/responses to a student in a progression beginning with the least severe disciplinary response. The disciplinary response depends on, in part, the infraction, previous actions, and the seriousness of the misbehavior. Acts of misconduct include those student actions that interfere with the orderly educational process in the classroom, at the school, on a school bus, or at a school-sponsored function.</p> <p>After involvement by the principal or designee, a student in kindergarten through grade five removed from a class shall not be permitted to return to the class for a least 30 minutes unless agreed to by the teacher initiating the disciplinary action.</p> <p>A student in grades six through twelve removed from a class by a teacher shall not be permitted to return to the class during the same class period unless agreed to by the teacher initiating the disciplinary action. Additionally, the student shall not be readmitted to the class until the principal has implemented at least one of the following disciplinary measures:</p> <ul style="list-style-type: none"> a. Conferencing with the principal or designee; b. Detention; c. Referral to school counselor, I CARE Specialist, or certified school psychologist; d. Peer mediation; e. Referral to the school building level committee; f. Restorative justice practices; g. Loss of privileges; h. Excluding from extra-curricular activities, such as field trips, and commencement exercises/award ceremonies; i. in-school suspension; j. Alternative site suspension; k. "Behavior", "behavioral", and/or "conduct" contracts; l. Assignment to Time-out-Room (in-school suspension); m. Assignment to Behavior Clinic (in-school suspension); n. Initiate expulsion proceedings involving weapons or drugs or when the safety of students and staff has been put in jeopardy; o. Referral for assignment to an alternative setting; p. Require completion of all assigned school and homework which was assigned during a period of suspension; q. Any other appropriate disciplinary actions determined by the principal or designee with the concurrence of the teacher or building level committee; r. For any bullying, investigate and report as required by La. R.S. 17:416.14. See Section Seventeen; or s. Removal from online learning space or restricted access to the virtual learning environment. <p>For students who experience multiple behavioral incidents or disciplinary referrals, the principal or designee shall consider a referral to the school building level committee. If disruptive behavior persists, the teacher may request that the principal transfer the student into another setting.</p> |
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| <p>Level 3</p> <p>Heightened Administrator Intervention</p> | <p>More serious incidents of student misconduct may result in a referral to the principal or designee. The disciplinary response depends on, in part, the infraction, previous actions, and the seriousness of the misbehavior. These acts of misconduct include those student actions that interfere with the orderly educational process in the classroom, at the school, on a school bus, or at a school sponsored function.</p> <p>Level 3 Infractions are misconduct for which a principal may discipline a student by detention, by in-school suspension, by alternative site suspension, by recommending an expulsion or suspending a student from riding on a school bus. Disciplinary options/responses for misconduct to be considered for imposition on a student are to be in a progression, beginning with the least severe appropriate response. The possible options or responses for a principal or designee may include any include any of the following:</p> <ul style="list-style-type: none"> a. referral to school level building committee; b. referral to counseling, behavior and/or conduct contracts; c. assignment to Behavior Clinic; d. in-school suspension; e. detention; f. alternative site suspension; and, g. assignment to alternative placement or recommend expulsion. <p>Discretionary Expulsions: Before making a recommendation for expulsion, the principal or designee shall require prior administration of intervention of the disciplinary options, except in instances where a recommendation for expulsion is the result of accumulated minor infractions, or the underlying instance threatens the safety and health of students and staff.</p> <p>Any student, after being suspended on three (3) occasions for committing any of the infractions enumerated in this Handbook (tardies or dress code violations do not count) during the same school year, may on committing the fourth such infraction be recommended for expulsion from all public schools of the School System until the beginning of the next regular school year—or at least for one complete school semester. <i>Even if a student has committed three infractions enumerated in this handbook during the same school year, expulsions must still be reserved for the major behavioral infractions, such as misconduct involving weapons, drugs, or when the safety of students and staff has been put in jeopardy.</i></p> |
| <p>Level 4</p> <p>Required Expulsion Infractions</p> | <p>Level 4 conduct requires a principal or designee to immediately suspend the student and to recommend expulsion. If a student is found to have committed a Level 4 infraction by a Disciplinary Hearing Officer, the Disciplinary Hearing Officer may not assign a lesser punishment.</p> <p>The School Drug Task Force and the District Attorney shall be notified when a student is in possession of drugs, intending to distribute drugs, or distributing drugs in a Drug Free Zone, or is in possession of a knife, firearms or explosives.</p> |

Additional Disciplinary Response Information:

1. DETENTION

Detention means activities, assignments, or work held before the normal school day, after the normal school day or on weekends. Assignments, activities, or work may be but are not limited to counseling, homework assignments, behavior modification or other activities aimed at improving the behavior and conduct of the student. Detention may be imposed by the principal or designee after a conference with the student and the student's parent or guardian. Failure or refusal by a student to participate in assigned detention may subject the student to immediate alternative site placement.

2. IN-SCHOOL SUSPENSION

The student is removed by the principal or designee from their normal classroom setting but is maintained under supervision within the school. Students participating in in-school suspension shall

20

receive credit for work performed during the in-school suspension. The student's parent or guardian shall be notified of an in-school suspension by telephone or other virtual means, or the principal or designee may require an in-person conference. A student who fails to comply fully with the rules for the in-school suspension may be subject to immediate alternative site suspension.

3. REMOVAL FROM SCHOOL CAN BE ONE OF THREE TYPES:

- a. Short-term alternative site (formerly out-of-school) suspension – means the removal of a student from all classes of instruction on the student's assigned or enrolled public school grounds and all other school-sponsored activities for a period of one (1) to ten (10) days and assigned to a Discipline Center.
- b. Long-term alternative site (formerly out-of-school) suspension – means the removal of a student from all classes of instruction on the student's assigned or enrolled public school grounds and all other school-sponsored activities for a period of eleven (11) to twenty (20) days, which can only be imposed by a Hearing Officer in lieu of a recommended expulsion. The student is assigned to a Discipline Center.
- c. Expulsion – a removal from all regular school settings for a period of not less than one school semester or longer. During an expulsion the student shall be placed in an alternative educational placement.

4. RECOMMENDED EXPULSION OPTION

A recommendation for expulsion may include any conduct stated in the previous sections for which the principal or designee may suspend the student, place the student into either an in-school suspension or an alternative site, or recommend expulsion if the conduct is serious. The principal or other appropriate administrator makes the disciplinary determination based on the severity of the misconduct and the previous record of behavior. Expulsions must still be reserved for the major behavioral infractions such as misconduct involving weapons, drugs, or when the safety of students or staff has been put in jeopardy.

Students with disabilities have certain rights which may affect the School System's suspension and expulsion determinations and educational decisions regarding services, placement, and site of educational service delivery during a period of expulsion. Suspensions within the school year may be considered regardless of the school(s) (charter, other district) which the student attended during the school year.

| SECTION ELEVEN – DISCIPLINE SUMMARY | | | | |
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| Infraction | Level 1 Classroom Intervention & Support (Teacher) | Level 2 Intensive Intervention & Support (School Admin.) | Level 3 Heightened Admin. Intervention | Level 4 Required Expulsion Infractions |
| Accessing materials and sites on the Internet that are deemed to be inappropriate | | | | |
| Act or conduct which disrupts the educational process such as a minor disturbance | | | | |
| Alcohol--Being under the influence of alcoholic beverages or drugs | | | | |
| Alcohol--Possession of alcoholic beverages | | | | |
| Arson--Committing an act of arson | | | | |
| Assisting (directly or indirectly) with the promotion of any behavior prohibited by this Code of Student Conduct | | | | |
| Battery, assault or making statements threatening physical harm (see Section Twenty-Eight-Definitions) to a teacher, | | | | |

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| instructor, administrator, bus driver, staff person or employee of the school system ⁴ | | | | |
| Behaving in a disrespectful manner by using foul or abusive language or gestures directed at a teacher in the classroom | | | | |
| Bullying (engaging in) | | | | |
| Burglarizing a School System's facility | | | | |
| Cafeteria disturbance (engaging in) | | | | |
| Carrying or possession of other dangerous instrumentality | | | | |
| Changing school records or documents or signing parent's name on school documents | | | | |

⁴ The student shall be immediately removed from the school premises without the benefit of the alternative site placement procedures; however, the necessary notifications and other procedures shall be implemented as soon as practicable. The student shall not be readmitted to the school of the assaulted or battered or threatened employee until all hearings and appeals have been exhausted. If found guilty of violating La. R.S. 14:34.3 or 38.2 or both by a court of competent jurisdiction or as a result of an expulsion hearing of committing a battery or an assault on any school employee or a threat to harm any school employee, the student shall NOT be assigned to attend or attend the school to which the assaulted, battered or threatened employee is assigned, unless the school system has no other school of suitable grade level for the pupil to attend or if the assaulted, battered or threatened employee agrees to allow the student to return to the same school.

22

| SECTION ELEVEN – DISCIPLINE SUMMARY | | | | |
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| Infraction | Level 1 Classroom Intervention & Support (Teacher) | Level 2 Intensive Intervention & Support (School Admin.) | Level 3 Heightened Admin. Intervention | Level 4 Required Expulsion Infractions |
| Cheating in class or on any test including out of-classwork ⁵ | | | | |
| Cheating or copying the work of other students | | | | |
| Committing a serious act or infraction while under the influence of alcoholic beverages or drugs | | | | |
| Conduct that involves immoral or vicious practices or conduct or habits injurious to other students | | | | |

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| Cutting class | | | | |
| Cutting, defacing, or injuring any part of a public-school building, any property belonging to a school, or any school bus, whether owned by or contracted for use by the school system | | | | |
| Cyberbullying. See Section Twenty-Eight (page) for a definition | | | | |
| Defiance--Failing to comply with reasonable requests of school personnel and/or defiance of the authority of school personnel | | | | |
| Disobeying a teacher or other school employee | | | | |
| Disorderly demonstrations, sit-ins, lock-ins, or damage to school grounds, school plants or school records | | | | |
| Displaying any profane or obscene pictures or other inappropriate graphic representations in or on any school material or any school system property or any school premises, or on any fence, pole, sidewalk, or any school bus | | | | |
| Displaying of inappropriate affection (i.e., hugging, kissing, holding hands) | | | | |

⁵ All work must be the student's own work and not plagiarism by using or quoting work without the proper citation of secondary sources.

| SECTION ELEVEN – DISCIPLINE SUMMARY | | | | |
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| Infraction | Level 1 Classroom Intervention & Support (Teacher) | Level 2 Intensive Intervention & Support (School Admin.) | Level 3 Heightened Admin. Intervention | Level 4 Required Expulsion Infractions |
| Disrespect toward school personnel or campus visitors | | | | |
| Disrupting the classroom or interrupting the operation of the class | | | | |

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| Disruptive behavior on a school bus | | | | |
| Disturbing the school and/or habitually violating any school rule | | | | |
| Drug Paraphernalia--Engaging in conduct that contains the elements of an infraction relating to use, possession, delivery to a minor, or possession of paraphernalia used with volatile chemicals | | | | |
| Eating in class, engaging in horseplay, making excessive noise, or violating campus dress codes | | | | |
| Electronics--Displaying, using, ringing, texting, using as a camera or a recorder or operating any electronic telecommunication device, including any facsimile system, radio paging service, mobile telephone service, intercom, or electro-mechanical paging system, such as beepers or cellular telephones is prohibited during the instructional day, without the specific authorization of the school principal or designee ⁶ | | | | |
| Electronics--Using or operating during the school day or on a school bus or at a school, an iPod, game device, earbuds or in-ear or | | | | |

⁶ Displaying inappropriate screensavers, avatars, and/or bitmoji or other digital representations is prohibited during the instructional day. The unauthorized operation of paging devices or cell phones in a class may result in discipline by the teacher including retaining the device until dismissal or a referral of the student to the principal. Upon the first incident or referral, the principal or designee will notify the parents to come to the school and pick up the device and the principal may impose additional disciplinary measures he/she deems appropriate. In the event of a second incident or referral during the school year, the device will be held by the principal until the close of the school year at which time the parent may claim the device and the principal may impose additional disciplinary measures, he/she deems appropriate. If not claimed, the principal or other administrator will notify the parent and pager company or cell phone provider of the serial number and of intent to dispose of the device after 30 days. Paging devices or cell phones not claimed will be sent to Property Management for disposal. Bringing to school a cell phone or similar device is solely at the student's risk. Neither the School Board nor the school shall be liable for any lost, stolen, or damaged device including any confiscated device except if a device is intentionally damaged by a school employee. During system-wide testing such as state-wide assessment, which includes end-of-year (grades 3-8) and end-of-course (high school), students may not have or possess in the school building any such device. Cellular telephones and similar devices are to be left in vehicles, a dedicated locker with a lock or other secured place with the telephone or device in the "off" position. The use and operation of any electronic telecommunication device in the event of an emergency of an actual or imminent threat to public health or safety which may result in loss of life, injury or property damage is not prohibited. La. R.S. 17:239.

| Infraction | Level 1 Classroom Intervention & Support (Teacher) | Level 2 Intensive Intervention & Support (School Admin.) | Level 3 Heightened Admin. Intervention | Level 4 Required Expulsion Infractions |
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| over-the-ear audio, or similar device is prohibited ⁷ | | | | |
| Extortion, which is defined as obtaining money or information from another by coercion or intimidation | | | | |
| Failing to abide by rules and regulations at extracurricular activities or at co-curricular activities such as field trips | | | | |
| Failing to adhere to terms of behavior contracts | | | | |
| Failing to bring required classroom materials or assigned work to class | | | | |
| Failing to deliver or return written communications between home and school | | | | |
| Failing to protect individual computer account passwords from disclosure | | | | |
| Failing to use respectful terms as required by La. R.S. 17:416.12 for students in kindergarten through twelfth grade (See Section Seven) | | | | |
| Fighting one on one | | | | |
| Gambling | | | | |
| Hacking or other use of computers to gain unauthorized access to the School System or other data bases, including student, faculty, or district data files, without permission ⁸ | | | | |

⁷ The unauthorized use or operation of an iPod or similar device will result in confiscation. **The principal may impose additional disciplinary measures he/she deems appropriate.** Upon the first incident, the principal or designee will notify the parents to come to the school and pick up the device. In the event of a second incident during the school year, the device will be held by the principal until the close of the school year at which time the parents may claim the device. Devices not claimed will be sent to Property Management for disposal. Bringing to school an iPod or similar device is solely at the student's risk. **Neither the School Board nor the school shall be liable for any lost, stolen, or damaged device including any confiscated device.**

⁸ In addition to any criminal penalties, students may have their computer privileges suspended.

| SECTION ELEVEN – PROGRESSIVE DISCIPLINE SUMMARY | | | | |
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| Infraction | Level 1 Classroom Intervention & Support (Teacher) | Level 2 Intensive Intervention & Support (School Admin.) | Level 3 Heightened Admin. Intervention | Level 4 Required Expulsion Infractions |
| Harassing, intimidating, or bullying of others, including but not limited to slurs, name calling, or derogatory statements to another person because of that person's race, color, religion, national origin, disability, physical/personal appearance, or sexual orientation | | | | |
| Hazing. See Section Twenty-Eight (page 25) for a definition | | | | |
| Huffing-Engaging in conduct that contains the elements of an infraction relating to sniffing glue or spray paint, including possession, use, delivery to a minor, or possession of paraphernalia used with abusable glue or spray paint | | | | |
| Inciting or participating in a major disturbance on campus | | | | |
| Indecent/unsolicited sexual proposals or overtures and sexual harassment | | | | |
| Intentionally disrespecting a teacher, principal, superintendent, school board member, or employee of the school system | | | | |
| Knife--Carrying or possessing a knife of any blade length , such as a utility knife or other instrument with razor blades unless the carrying or possessing is for the purposes of involvement in a school class or course or school approved cocurricular or extracurricular activity or any other activity approved appropriate school officials La. R.S. 17:416(B)(1)(b)(ii)(aa) and (c)(1) ⁹ | | | | |
| Knife-- possessing a knife the blade of which equals or exceeds two and one-half inches in length ¹⁰ . | | | | |

⁹ See “General Disciplinary Options/Responses for Principals and Designees” within this section at page _____ for blade lengths of two and one-half inches or longer.

¹⁰ The principal shall immediately suspend a student who is found carrying a knife with a blade exceeding two and one-half inches in length. Principal must also recommend the student’s expulsion. **However, in the case of a student less than eleven years of age in pre-kindergarten through grade five who is found carrying or possessing a knife which exceeds two and one-half inches in length, the principal or designee may but shall not be required to recommend the student’s expulsion.** La. R.S. 17:416(B)(1)(b)(ii)(cc).

| SECTION ELEVEN – DISCIPLINE SUMMARY | | | | |
|--|--|--|---|---|
| Infraction | Level 1 Classroom Intervention & Support (Teacher) | Level 2 Intensive Intervention & Support (School Admin.) | Level 3 Heightened Admin. Intervention | Level 4 Required Expulsion Infractions |
| Lewdness or indecent exposure-Engaging in conduct that contains elements of the infraction of public lewdness or indecent exposure | | | | |
| Logging on to a computer, sending e-mail, or accessing the Internet or school system’s intranet using a name or password other than the student’s own | | | | |
| Loitering in unauthorized areas | | | | |
| Making a “threat of terrorism.” See La. R.S. 17:409.2(3) and Section Twenty-Eight | | | | |
| Making an unfounded charge against a teacher, principal, superintendent, school board member, or employee of the school system | | | | |
| Misdemeanor criminal mischief (i.e., vandalism) resulting in the destruction or defacing of any property, including computers and related equipment. This includes rendering computers or related equipment inoperable or damaging them by erasing data with magnets; intentionally introducing viruses, worms, or trojans; or tampering with programs or other data without authority | | | | |
| Oral sex or any act of sodomy or sexual intercourse | | | | |

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| Otherwise prevents or interferes with the orderly education process or learning environment | | | | |
| Participating in activities by groups such as gangs and cults | | | | |

| SECTION ELEVEN – DISCIPLINE SUMMARY | | | | |
|---|--|--|---|---|
| Infraction | Level 1 Classroom Intervention & Support (Teacher) | Level 2 Intensive Intervention & Support (School Admin.) | Level 3 Heightened Admin. Intervention | Level 4 Required Expulsion Infractions |
| Participating in an illegal organization such as a fraternity, sorority, secret society, gang, cult, or other criminal combination prohibited by law that is defined as an organization composed at least in part of students and that seeks to perpetuate itself by recruiting members from the students enrolled in school on the basis of the decision of its membership rather than on the free choice of a student in the school who is qualified by the rules of the school to fill the special aims or mission of the organization | | | | |
| Poses an immediate threat to the safety or physical well-being of any student or teacher | | | | |
| Possessing drug paraphernalia | | | | |
| Possessing inappropriate articles at school, such as trading cards, comic books, games, and other items | | | | |
| Possessing matches, lighters, or other flammable materials | | | | |
| Possessing or displaying laser pens, pointers, or other laser devices | | | | |
| Possessing or using of any prescription or non-prescription drug, medicine, vitamins, or other chemical in violation of the Guidelines for Dispensing Medications at School | | | | |
| Possession and/or distribution of counterfeit money | | | | |

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| Possession of Firearm - Any student who is sixteen years of age or older and who is found guilty pursuant to a hearing of being in possession of a firearm on school property, on a school bus, or in actual possession at a school sponsored event ¹¹ | | | | |
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¹¹ **Student shall be expelled from school for a minimum period of four complete school semesters.** The student shall be referred to the district attorney for appropriate action. La. R.S. 17:416(C)(2)(a) and 20 U.S.C. Section 7151. Under the above circumstances, the students with disabilities will be disciplined under Louisiana's Regulations for Implementation of the Children with Exceptionalities Act (La. R.S. 17:1941 et seq.); Title 28, Part XLIII, Bulletin 1706 Subpart 1 – Regulations for Students with Disabilities, Sections 530-537 or Section 504 of the Rehabilitation Act of 1973. See Section Twenty-Eight – Definition for the term "firearm."

28

| SECTION ELEVEN – DISCIPLINE SUMMARY | | | | |
|---|---|--|---|---|
| Infraction | Level 1 Classroom Intervention & Support (Teacher) | Level 2 Intensive Intervention & Support (School Admin.) | Level 3 Heightened Admin. Intervention | Level 4 Required Expulsion Infractions |
| Possession of Firearm--Any student in kindergarten through grade five who is found guilty pursuant to a hearing of being in possession of a firearm on school property, on a school bus, or in actual possession at a school-sponsored event ¹² | | | | |
| Possession of Firearm--Any student who is under the age sixteen years and in grades six through twelve and who is found guilty pursuant to a hearing of being in possession of a firearm on school property, on a school bus, or in actual possession at a school sponsored event ¹³ | | | | |
| Possession or Distribution of Drugs - Any student in kindergarten through grade five who is found guilty by a Disciplinary Hearing Officer 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 ¹⁴ | | | | |

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| Possession or Distribution of Drugs - Any student, 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 | | | | |
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¹² Student shall be **expelled for a minimum period of two complete school semesters and shall be referred to the district attorney for appropriate action.** La. R.S. 17:4169(C)(2)(c)(i). Under the above circumstances, students with disabilities will be disciplined under Louisiana's Regulations for Implementation of the Children with Exceptionalities Act (La. R.S. 17:1941 et seq.); Title 28, Part XLIII, Bulletin 1706 Subpart 1 – Regulations for Students with Disabilities, Sections 530-537 or Section 504 of the Rehabilitation Act of 1973.

¹³ **Student shall be expelled from school for a minimum period of four complete school semesters. The student shall be referred to the district attorney for appropriate action.** La. R.S. 17:416(C)(2) (b)(i) and 20 U.S.C. Section 7151. Under the above circumstances, the students with disabilities will be disciplined under Louisiana's Regulations for Implementation of the Children with Exceptionalities Act (La. R.S. 17:1941 et seq.); Title 28, Part XLIII, Bulletin 1706 Subpart 1 – Regulations for Students with Disabilities, Sections 530-537 or Section 504 of the Rehabilitation Act of 1973. See Section Twenty-Eight – Definition for the term “firearm”.

¹⁴ Following a hearing, the student shall be referred to the School Board through a recommendation for action by the Superintendent. La. R.S. 17:416(C)(2)(c)(ii). Under the above circumstances, students with disabilities will be disciplined under Louisiana's Regulations for Implementation of the Children with Exceptionalities Act (La. R.S. 17:1941, et seq.); Title 28, Part XLIII, Bulletin 1706 Subpart 1 – Regulations for Students with Disabilities, Sections 530-537 or Section 504 of the Rehabilitation Act of 1973.

29

| SECTION ELEVEN – DISCIPLINE SUMMARY | | | | |
|--|---|--|---|---|
| Infraction | Level 1 Classroom Intervention & Support (Teacher) | Level 2 Intensive Intervention & Support (School Admin.) | Level 3 Heightened Admin. Intervention | Level 4 Required Expulsion Infractions |
| property, on a school bus, or at a school sponsored event ¹⁵ | | | | |
| Possession or Distribution of Drugs -Any student who is under 16 years of age and in grades six through twelve 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 ¹⁶ | | | | |
| Possession or use of an object as a weapon, such as mace, pepper spray, or a box cutter | | | | |

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| Possession or use of explosive devices/fireworks, and/or ammunition or look-alike devices, such as replicas of guns similar in appearance to a real gun | | | | |
| Posting on any Internet website indecent, vulgar, violent, lewd, or slanderous photographs or video taken on the grounds of any school or property owned or operated by or on behalf of the East Baton Rouge Parish School Board or in any school bus owned or operated by or on behalf of the East Baton Rouge Parish School Board and which photographs or video may result in a substantial disruption of a school or are a threat to someone at school | | | | |
| Posting or distributing unauthorized materials on school grounds | | | | |
| Posting unauthorized Web pages, graphic images, or offensive language or comments on a school system server, Web page, or guest book | | | | |

¹⁵ Pursuant to a hearing, the student shall be expelled from school for a minimum of a period of four complete school semesters. La. R.S. 17:416(C)(2)(b). Under the above circumstances, students with disabilities will be disciplined under Louisiana's Regulations for Implementation of the Children with Exceptionalities Act (La. R.S. 17:1941 et seq.); Title 28, Part XLIII, Bulletin 1706 Subpart 1 – Regulations for Students with Disabilities, Section 530-537 or Section 504 of the Rehabilitation Act of 1973.

¹⁶ Pursuant to a hearing, the student shall be **expelled from school for a minimum of a period of two complete school semesters**. La. R.S. 17:416(C)(2)(b)(i). Under the above circumstances, students with disabilities will be disciplined under Louisiana's Regulations for Implementation of the Children with Exceptionalities Act (La. R.S. 17:1941 et seq.); Title 28, Part XLIII, Bulletin 1706 Subpart 1 – Regulations for Students with Disabilities, Section 530-537 or Section 504 of the Rehabilitation Act of 1973.

| SECTION ELEVEN – DISCIPLINE SUMMARY | | | | |
|-------------------------------------|---|--|---|---|
| Infraction | Level 1 Classroom Intervention & Support (Teacher) | Level 2 Intensive Intervention & Support (School Admin.) | Level 3 Heightened Admin. Intervention | Level 4 Required Expulsion Infractions |

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| Preventing orderly instruction of other students, when the student violates the schools code of conduct or when a student exhibits other disruptive, dangerous, or unruly behavior, including inappropriate physical contact, inappropriate verbal conduct, sexual or other harassment, bullying, throwing objects, inciting other students to misbehave, or destroying property | | | | |
| Provoking a fight either physically or verbally | | | | |
| Refusing to cooperate in, or interfering with, a random metal-detector safety search | | | | |
| Refusing to participate in classroom activities | | | | |
| Repeatedly violating classroom or transportation rules | | | | |
| Retaliation against any school employee, whether on or off campus or at a school function, such as intentionally or knowingly threatening to harm another by an unlawful act in retaliation for that person's performance of his or her official duties | | | | |
| Selling or soliciting for sale any merchandise, material, or substances on school campus without the authorization of the building principal | | | | |
| Sending or forwarding inappropriate e-mail, including e-mail containing offensive language, untruthful statements, junk e-mail, chain letters, or jokes | | | | |
| Sexual battery | | | | |
| Smoking, using, or possessing a lighted cigar, a cigarette, a pipe, or any other lighted tobacco product in any form, including but not limited to e-cigs, e-cigarettes, electronic cigarettes, advanced personal vaporizers, vape pens, vape mods, Juul and any electronic nicotine delivery systems or any other device or instrument, whatever kind in nature that stimulates the feeling or act of smoking | | | | |

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| Stealing/theft of school system property, including computers and related equipment | | | | |
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| SECTION ELEVEN – DISCIPLINE SUMMARY | | | | |
|--|--|--|---|---|
| Infraction | Level 1 Classroom Intervention & Support (Teacher) | Level 2 Intensive Intervention & Support (School Admin.) | Level 3 Heightened Admin. Intervention | Level 4 Required Expulsion Infractions |
| Tampering or destroying school records, roll books, or school property | | | | |
| Tampering with fire alarms or causing a false alarm of fire | | | | |
| Tardiness--Habitually being tardy or absent (See the discretionary disciplinary provisions in Section Two – Student Attendance) | | | | |
| Tardy to class without an excuse | | | | |
| Terrorizing | | | | |
| Threat of violence. See La. R.S. 17:409.2(2) and Section Twenty-Eight | | | | |
| Threat--Communicating false information of planned arson or bomb threats. | | | | |
| Threatening a student, teacher, or other school staff at school or a school function | | | | |
| Threatening student(s) | | | | |
| Threats or other acts of intimidation that interfere with another student's desire or willingness to participate in the educational process. | | | | |
| Throwing missiles or objects liable to injure other persons on school grounds or on any school bus | | | | |
| Trespassing | | | | |
| Two (2) or more on one (1) fight or battery | | | | |

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| Use of an unmanned aircraft system over the grounds of a school or school premises, except when authorized by the school principal or part of a curriculum | | | | |
| Use of any object as a dangerous weapon | | | | |
| Using any Internet or social networking websites to threaten or bully others or making statements that are indecent, vulgar, lewd, slanderous, abusive, threatening, harassing, or terrorizing that negatively affect any student or employee of the school system or that may result in disrupting the school and teaching environment, a school function, or an extra-curricular/co-curricular school activity | | | | |

| SECTION ELEVEN – DISCIPLINE SUMMARY | | | | |
|--|--|--|---|---|
| Infraction | Level 1 Classroom Intervention & Support (Teacher) | Level 2 Intensive Intervention & Support (School Admin.) | Level 3 Heightened Admin. Intervention | Level 4 Required Expulsion Infractions |
| Using ethnic or racial slurs | | | | |
| Using school computers, facsimile equipment, or other electronic devices to transmit, receive, view, or display obscene, vulgar, sexually explicit, or racist media; or to display information that advocates unlawful activities or provides guidance on the construction or production of weapons, illegal devices, or controlled substances | | | | |
| Using the school computer network for soliciting or purchasing commercial materials and/or services of any kind | | | | |
| Using the school computer network to engage in participation in hate groups | | | | |
| Using the school computer network with the intent to incite violence or aggressive and/or disruptive action on the part of the student body, use of slanderous language, or use of language that promotes racial disorder or sexual harassment and is disruptive to the | | | | |

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| school environment | | | | |
| Using unchaste or profane language | | | | |
| Violates school rules | | | | |
| Violating a school's mandatory school uniform policy (See the disciplinary procedure in Section Four – Dress, Grooming and Uniforms) | | | | |
| Violating the rules or procedures established by the teacher | | | | |
| Violating traffic and/or safety regulations of the school | | | | |
| Wearing dress or attire signifying gang affiliations, obscene language, and graphics, or suggesting any form of harassment or discrimination | | | | |
| Willfully disobeying school employees | | | | |

School Uniform Discipline

1. Uniforms are mandatory at the **Elementary School** level (grades Pre-K, K-5 except 6th grade at Northeast Elementary). The following is the disciplinary procedure for students in non-compliance with the mandatory uniform policy:

33

- a. **First infraction:** letter of reminder (warning) sent to the parent/guardian from the principal or designee with the requirement that it be signed and returned the following day.
 - b. **Second infraction:** telephone call by the principal or designee to the parent/guardian. c. **Third infraction:** parent/guardian will be required to attend a conference with the principal or designee.
 - d. **Fourth infraction:** The appropriate disciplinary action shall be in the sole discretion of the principal; however, it shall not include a suspension or expulsion from school or a suspension or expulsion from riding on any school bus, provided the violation is not determined to be a willful disregard of School Board policies. The parent/guardian shall be required to participate in a conference with the principal or designee to assist with developing a behavior intervention plan prior to the student's return to class.
 - e. Students in non-compliance will be required to change into the appropriate uniform before entry into class. At the end of the school day, the uniform will be returned to school officials.
2. Uniforms are mandatory at the Middle School level (grades 6-8). The following is the disciplinary procedure for students in non-compliance with the mandatory uniform policy:
 - a. First infraction: letter of reminder (warning) sent to the parent/guardian from the principal or designee with the requirement that it be signed and returned the following day.
 - b. Second infraction: parent/guardian is called for a conference.
 - c. Third infraction: parent/guardian will be required to attend a conference with the principal or designee.
 - d. Fourth infraction: The appropriate disciplinary action shall be in the sole discretion of the principal; however, it shall not include a suspension or expulsion from school or a suspension or

expulsion from riding on any school bus, provided the violation is not determined to be a willful disregard of School Board policies. The parent/guardian shall be required to participate in a conference with the principal or designee to assist with developing a behavior intervention plan prior to the student's return to class.

- e. Students in non-compliance will be placed in on-site detention or Time-Out Room until an appropriate uniform is obtained from home. If students are unable to obtain a uniform from home, they will remain in Time-Out Room for the remainder of the day.

- 3. Uniforms are mandatory at certain High Schools in the East Baton Rouge Parish School System. In high schools where they are mandatory, the following is the disciplinary procedure for students in non compliance with the mandatory uniform policy:

- a. First infraction: letter of reminder (warning) sent to parent/guardian from the principal or designee with the requirement that it be signed and returned the following day.
- b. Second infraction: on-site detention (clinic or time-out room).
- c. Third infraction: parent/guardian will be required to attend a conference with the principal or designee.
- d. Fourth infraction: The appropriate disciplinary action shall be in the sole discretion of the principal; however, it shall not include a suspension or expulsion from school or a suspension or expulsion from riding on any school bus, provided the violation is not determined to be a willful disregard of School Board policies. The parent/guardian shall be required to participate in a conference with the principal or designee to assist with developing a behavior intervention plan prior to the student's return to class.
- e. Students in non-compliance will be placed in on-site detention or Time-Out Room until an appropriate uniform is obtained from home. If students are unable to obtain a uniform from home, they will remain in Time-Out Room for the remainder of the day.

General Disciplinary Options/Responses for Principals and Designees:

34

- 1. A student found carrying or possessing a knife with a blade less than two and one-half inches in length may be suspended; however, in appropriate cases such student, at a minimum, shall be placed in in school suspension.
- 2. A student found carrying or possessing a knife, the blade of which equals or exceeds two and one-half inches in length, shall be immediately suspended and recommended for expulsion; except in the case of a student less than eleven years of age in pre-kindergarten through grade five, it is permissive but not required for the principal to recommend expulsion.
- 3. No student shall be suspended for possessing any controlled substance governed by the Uniform Controlled Dangerous Substances Law that has been obtained directly or pursuant to a valid prescription or order from a licensed medical provider. However, such student shall carry evidence of the prescription or order on their person at all times when in possession of any controlled dangerous substance which shall be subject to verification. Evidence of the prescription or order includes possession of the controlled dangerous substance in its original packaging as received from the pharmacy (See also Section Twenty Five medication procedures).

SECTION TWELVE – DUE PROCESS PROCEDURES

- 1. No student shall be disciplined for misconduct or for committing any infraction except in accordance with applicable law, implementing regulations, and School Board policy. Every student shall be afforded due process of law. A copy of the **Student Rights & Responsibilities Handbook and Discipline Policy** (Handbook) listing

School Board and School System rules and regulations requiring or prohibiting certain conduct and the possible punishments for violations shall be made available to all students and parents. In addition, a copy of school rules which may supplement or include additional specific requirements must be made available to all assigned students and their parents. Students must read the **Handbook, any assigned school rules or supplemental rules** and review all with their parents. Parents should read the **Handbook** and their student's assigned school rules or supplemental rules.

- a. Parents and students must complete and submit the provided electronic acknowledgement included with the electronic transmission of the Handbook. If parents and students request a paper copy, they must sign and return to the school the form at the front of the Handbook acknowledging reading and receipt of a copy of the Handbook.
2. Every student must be afforded due process in the disciplinary process. Procedural due process is essentially based on the concept of "fundamental fairness." It includes the student's right to be adequately notified of any charge of misconduct and the opportunity to be heard regarding any charge of misconduct.

3. Additional Teacher Procedures for Classroom Intervention and Support:

- a. Any teacher or staff member who observes a student violating any discipline policies may correct the student.
- b. If bullying is observed, report the incident to the principal in accordance with R.S. 17:416.14.
- c. A record of the infractions and disciplinary actions should be maintained by the teacher or staff member on the appropriate form.
- d. The teacher shall discuss the misbehavior with the parent, and administrator, or support personnel.
4. **For all disciplinary removals from the classroom**, each student is entitled to due process. When a student has been written up or sent to the Principal's office, the following must occur:

- a. The student must be told what he or she is accused of and by whom (faculty member).
- 35
- b. The student must be given an opportunity to tell his or her version of the facts.
 - c. The student must be allowed to explain information available from any witness to the event and other information relevant to the accused infraction.
 - d. The Principal or designee shall conduct a counseling session with the student to establish a course of action to correct the behavior for which the student is being disciplined.
 - e. The student must be informed of the Principal's or the designee's action on the infraction as to the specific consequence.
 - f. Parents are not present during the Principal's investigation or interview of the student. However, parents are present during a principal's conference due to a proposed suspension or expulsion.
 - g. The Principal or designee shall contact the parent by phone and written notification to include a description of any disciplinary action taken.
 - h. When a student is sent to the principal's office, the principal shall provide oral or written feedback to the teacher initiating the removal of the student from the classroom and, if appropriate, guidance and support on classroom management—including positive behavior supports.

- i. Discipline Referral Form must be retained by the Principal or designee. Principal or designee is to complete applicable LDE reporting forms, as appropriate and obtain, if applicable, the student's signature and the parent/guardian's signature on the form. The principal or designee is to provide copies of the completed form as identified on the applicable form.
 - j. Upon the third removal from the same classroom, the teacher and principal shall discuss the disruptive behavior pattern 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 may be required prior to the student being readmitted to the same classroom. The conference may be in person, or by telephone or other virtual means. *If a conference required, written notice to the parent or guardian is required.*
 - k. For students who experience multiple behavioral incidents or disciplinary referrals, the principal or designee shall consider a referral to the school building level committee. If disruptive behavior persists, the teacher may request that the principal transfer the student into another setting.
5. Upon one (1) removal of a student from a classroom, the teacher or principal or designee may require that the parent or guardian of the student have a conference with the teacher or principal or designee. Such conference may be in person, by telephone, or other virtual means.
6. In the event of an alleged discipline infraction, student access to the virtual learning environment may be restricted pending a final determination.
7. **Battery or Assaults Against School Employees**—A student accused of committing a battery or an assault or making statements threatening physical harm on or to any school employee *shall be suspended by the principal or designee from school immediately and the student shall be removed immediately from the school premises with the necessary notifications and other procedures to follow as soon as practicable* (See La. R.S. 17:416(A)(1)(c)(vii)(aa). For students identified with disabilities and have an IEP or IAP and students suspected of having a disability in accordance with LA. ADMIN. CODE tit. 28, subpt. 1, Section 534, see Section Eighteen,

8. **Threat Reporting and Related Actions**—Any EBRPSS administrator, teacher, counselor, bus operator, or other EBRPSS employee who learns of a threat of violence or threat of terrorism, whether through oral communication, written communication, or electronic communication and reasonably believes the threat is credible and imminent, shall immediately report the threat to local law enforcement (East Baton Rouge Sheriff, Baton Rouge City Police, or an SRO officer) La. R.S. 17:409.3(A). If a person so reported is a student, he or she shall not be allowed to return to school until the procedures required in La. R.S. 17:409.5 have been followed and complied with by the student. If the threat is not believed to be credible and imminent by an employee, he or she shall immediately report the threat to the principal or other administrator of the facility for further investigation.
9. **Suspension or Expulsion Conferences and Parent Notice**—When the Principal has decided on an action or consequence of a student's misconduct to include an alternative site short-term suspension or a recommendation for expulsion with suspension pending a hearing, the parent must be notified of the action, the reasons therefore and establishing a date and time for a conference with the principal or designee by a

personal telephone call using the numbers provided in the student's records or in meeting with the parent. This conference is a requirement for re-admitting the student.

- a. **How Notice is to be provided**—If the notice is by a personal telephone call a letter confirming the action must be mailed to the home address on file or by electronic communication. If the parent meets with the Principal, the letter is to be given to the parent at the meeting and the parent is to sign a copy of the letter to acknowledge receipt of the letter.
 - i. If the action is recommended expulsion with suspension pending a hearing, *a certified letter must be sent to the home address on file.*
 - ii. Any student suspended from school will be given a Discipline Center form which will admit him or her to a Discipline Center. For the duration of the suspension, the Discipline Center is the student's school.
- b. If the parent, tutor, or legal guardian fails to attend the required conference, then the matter should be referred to Child Welfare and Attendance and/or Families in Need of Services and/or Parent Liaison and/or District Attorney.

10. Short-term alternative site assignment procedures

- a. Upon the determination that the student will be suspended from school, the student will be removed from class and kept under supervision until the end of the school day or the arrival of the parent or guardian. In the event the student caused such a disruption to the school, he or she may be removed from the school premises immediately and placed in the custody of a parent, legal guardian or next of kin.
- b. Entry of the suspension data at the school shall be made on or before the first day of the suspension.
- c. A parent or guardian of a suspended student may contest a short-term suspension provided it is within five (5) school days after receipt of a written notification of the suspension by submitting a written or personal request to the **Hearing Office located at 802 Mayflower Street, Baton Rouge, LA 70802** or to the Principal of the student's school to review the matter. A Hearing Officer will schedule a hearing at the earliest convenience, but not later than ten (10) school days after the incident or when possible,

37

the number of days of the suspension by the Principal. The CWA Appeal Committee may grant the appeal or affirm the suspension based upon any information provided at the hearing by the Principal and the parent or tutor.¹⁷ The decision of the CWA Appeal Committee on an appeal of a short-term suspension shall be final and there is no right of appeal of such decision to the School Board. Parents or guardians who do appeal a short-term suspension should send their students to the Discipline Center on the designated days.

11. Expulsion Procedures

- a. In the event there is a recommendation for an expulsion, the student shall be entitled to a hearing before the Superintendent or a designee, who is a Disciplinary **Hearing Officer, at the Child Welfare & Attendance Office.**
- b. For discretionary recommendations for expulsion, if found guilty by the Disciplinary Hearing Officer, the expulsion, except as otherwise provided in Required Expulsion (below) or by applicable law for students with disabilities, will be a removal from all regular school settings for a period of not less

than one complete school semester and placement in an alternative school or setting. The Disciplinary Hearing Officer may determine that a long-term suspension is appropriate instead of an expulsion.

- c. After a Principal or designee has investigated the incident and decided to recommend expulsion (with the student suspended pending a hearing), the Principal should then forward the information to the Superintendent's designee, the Discipline Hearing Officer. Principals are cautioned that where the penalties are mandated under La. R.S. 17:416(C) (Drugs and Firearms) and other provisions of Louisiana law are not optional, the Principal must forward a recommendation for expulsion.
- d. For students identified with disabilities and have an IEP or IAP and students suspected of having a disability in accordance with LA. ADMIN. CODE tit. 28, subpt. 1, Section 534; see Section Eighteen, Exceptional Student Services and Section Nineteen, The Rehabilitation Act of 1973 or "Section 504".
- e. The Principal or designee shall contact by telephone or by electronic means or mail a copy or otherwise deliver a copy of the proposed expulsion form (AP No. 3) including the specific reasons for the expulsion to the parent or guardian on the day that the student is suspended or removed from school, but no later than the following school day. This report will be sent by request for confirmation and delivery or certified mail, return receipt requested or hand delivered to the parent or guardian.
- f. For a student with disabilities, a Parent Notice of Discipline (IEP meeting) should be mailed with the proposed expulsion form. A copy of all information is to be forwarded to the Superintendent's designee, Discipline Hearing Officer.
- g. The Discipline Hearing Officer shall schedule a hearing as soon as possible, but no later than ten (10) school days after the student's removal from school unless an alternate date is agreed upon by all parties.
- h. The Principal or designee must provide written notice of the hearing date, time and place to the student and parent or legal guardian and the notice must advise the parents or legal guardian of their rights.

¹⁷ The CWA Appeal Committee is a committee of three hearing officers within the Office of Child Welfare and Attendance (CWA).

- i. The Principal shall make appropriate entries in the student data in the event the student has been dropped from school. When a student drops out from school, the Principal shall attend any expulsion hearing even if the student or parent/guardian fail to appear for the hearing.
- j. Pending the hearing by the Hearing Officer, the student is suspended from the student's school and denied normal attendance privileges but shall be placed in an alternative setting such as a Discipline Center. Until such hearing takes place, the student shall remain suspended from school with access to classwork and the opportunity to earn academic credit.
- k. Prior to an expulsion hearing before the Hearing Officer, the parent/guardian has the right to view and request, in writing, a copy of any information to be presented by the school at the expulsion hearing. The information shall be kept on file at the school office. Notice of this right shall be included on the expulsion form. Summaries of student's statements without their identification names are sufficient information for a hearing.

- l. Except in the case of emergency, a request with a valid reason to reschedule a hearing shall be made at least 24 hours prior to the date and time of the scheduled hearing.
- m. Hearing Officer shall proceed with an expulsion hearing when the parent/guardian and student fail to appear.
- n. Written notification shall be given to the parent/guardian and the Principal the findings and actions taken no later than three (3) school days after the hearing.
- o. The Hearing Officer conducts a fact-finding hearing to determine the specific reason (cause) for the proposed expulsion with the information presented by the Principal or designee in support of the Principal's recommendation.
- p. The student's prior performance and attendance may be presented to the Hearing Officer. The student or representative of the student may produce witnesses or other information, including written statements on the student's behalf to the Hearing Officer.
- q. If the representative is a person other than the parent or legal guardian, evidence of written consent of the parent or legal guardian to represent the student should be presented to the Hearing Officer. Questions and comments should generally be directed to the Hearing Officer.
- r. After a hearing, based on the information provided by the school and the student, the Disciplinary Hearing Officer shall determine whether the student is guilty of the charges or misconduct stated in the Recommendation for Expulsion and whether the student is expelled from school or other corrective or disciplinary action is imposed.
- s. If found guilty by a Disciplinary Hearing Officer, the Disciplinary Hearing Officer may not assign a lesser punishment for the infractions listed in the Discipline Matrix as Level 4. The Superintendent may modify the length of the minimum requirement of a Level 4 infraction, on a case-by-case basis with the modification reduced to writing. The parent or student may make a written request to the Superintendent for any reduced length of expulsion.
- t. For a student in Kindergarten through Grade 5 who possesses or distributes any illegal narcotic, drug or other controlled substance on school property, on a school bus, or at a school event shall be suspended by the principal and recommended for expulsion. If the Hearing Officer recommends an expulsion, the record of the hearing and any related documents shall be referred to the School Board for approval (See Section Eleven, page ____, Paragraph__).

- u. Any student suspended or expelled shall remain under the supervision of the School Board using alternative education programs as provided in La. R.S. 17:416.2.
 - i. Students with disabilities, who have been placed in an alternative school through the Individualized Education Program (IEP) or Section 504/Individualized Accommodation Plan (IAP) process, must be provided due process at the alternative school if behavior warranting expulsion occurs at the alternative school. Students with disabilities under an IEP or Section 504 Plan/IAP have additional rights under federal and state laws and regulations (See Sections Eighteen and Nineteen, pages ____ for additional information).
- v. General Counsel may review expulsion hearing records when he/she reasonably believes there is a legal issue which has surfaced either at the hearing level or from another source. Should General Counsel determine that there is a legal issue serious enough to warrant, he/she may recommend to the

Superintendent that the Hearing Officer's decision be overturned and subject to the Superintendent's final decision prior to the matter going to the Board, should such be timely requested.

12. **Expulsion Appeal Rights**—The parent or guardian of an expelled student or the student if he/she is 18 years of age or older, may request a review of the Hearing Officer's expulsion decision by the School Board. The parent or legal guardian of the student or a student 18 years of age or older shall have the right to review even if the recommendation for expulsion is reduced to a suspension. The request for review must be submitted to the School Board or requested by mail and postmarked within five (5) days after receipt of written notification of the expulsion decision by the parent of a minor student.

- a. The request for review may be hand delivered to the **Superintendent at the School Board offices located at 1050 S. Foster Drive, Baton Rouge, LA 70806** within five (5) days after receipt of written notification of the expulsion decision. The request for review not timely made shall not be processed unless extenuating circumstances can be demonstrated by the parent/guardian or student.
- b. For any timely requests for review by the School Board, the Superintendent shall list such request as an agenda item for the first or second next regularly scheduled meeting. If the review request is received after the deadline for completion of the Board meeting agenda, it will be placed on the agenda of the second or third next regularly scheduled meeting.
- c. A written record of the expulsion proceedings to include all information and prior decisions rendered and any statements rendered by parent/guardian (and/or student if of legal standing) that provides a basis for the request for review will be provided to all School Board members in the agenda packet on the Monday prior to the Board meeting.
- d. If a parent/guardian or student timely requests a review by the School Board of an expulsion decision, the Superintendent shall list each such request as an agenda item for the first or second next regularly scheduled meeting of the Board. If the review request is received after the deadline for completion of the Board meeting agenda, then the item will be placed on the agenda of the second or third next regularly scheduled meeting.
- e. Upon the request of the presiding officer, the Board Members will indicate whether they have had the opportunity to review the written record of the expulsion proceedings. Upon affirmation of having reviewed the proceedings by the Members, the presiding officer will then call for a motion for a hearing and second from the Members. Absent a motion and a second, the Superintendent's recommendation stands.
- f. At a further review by the School Board, the School Board will function in a manner similar to an Appellate Court in reviewing information from the expulsion hearing. The parent or student shall have the right to determine if the expulsion review is conducted in public or private session. Each side may

40

present to the School Board two (2) days prior to the review, a written report stating each side's position with attached documents, which were presented at the expulsion hearing. At the review by the School Board, only one person will argue for each side, and **no testimony will be taken nor, will new information be presented**. Each side should be allowed ten (10) (but not more than fifteen minutes) to argue the case. Members of the School Board may ask questions of either side during this presentation or following the presentation as the School Board chooses. After the arguments of both sides, the School Board shall deliberate the matter privately, if executive session is requested, but openly if an open session is requested. Following the deliberation, the School Board will meet in open session to affirm, modify, or reverse the action taken by the Hearing Officer. This decision of the School Board will be based solely on the expulsion hearing report submitted, and whatever documentary information is submitted with the report.

- g. The Superintendent shall notify the parent/guardian (and/or student, if of legal standing) in person, or in

writing, **by a request for confirmation of delivery or certified mail with return receipt requested or hand delivered**, of the review of the School Board. The parent/guardian or student may, within ten (10) school days, appeal to the 19th Judicial District Court, State of Louisiana, an adverse ruling of the School Board in upholding the action of the Superintendent or designee. The parent/guardian may appeal a School Board decision even if the recommendation for expulsion was reduced to a suspension. The court may reverse or revise the ruling of the School Board upon a finding that the ruling of the Board was based on an absence of any relevant evidence in support within.

h. Any student expelled from school may be readmitted on a probationary basis to school at any time during the specified period of expulsion on such terms and conditions as may be stipulated by the School Board and agreed to in writing by the student and student's parents. La. R.S. 17:416(C)(2)(d).

i. A student expelled for an infraction of carrying or possessing a firearm or knife or another dangerous instrumentality other than a knife, or possesses, distributes, sells, gives, or loans any controlled dangerous substance governed by the Uniform Controlled Dangerous Substances Law, in any form, may only be readmitted on a probationary basis to a public school including an alternative education program in the East Baton Rouge Parish School System prior to completion of the specified period of expulsion on such terms and conditions as may be stipulated by the School Board and agreed to in writing by the student and student's parents. In addition, the parents must produce documentation that the student and parent/guardian have enrolled and participated in an appropriate rehabilitation or counseling program related to the reason(s) for the student's expulsion. The rehabilitation program or counseling costs are the sole responsibility of the parents. La. R.S. 17:416(C)(2)(d) and (B)(2)(d)(ii). See La. R.S. 17:416(B)(2)(d)(iii) for provisions for waiver of counseling.

13. Long-Term Suspension Procedures

- a. Hearing Officers may, except where otherwise provided in this Handbook, convert a recommendation for expulsion to a long-term suspension not to exceed twenty (20) school days and assign the student to an alternative setting provided with academic instruction.
- b. Each student shall be given credit for each school day said student is denied attendance due to a recommendation for expulsion in the case a long-term suspension imposed by a Hearing Officer.
- c. The parent or guardian may request review of any long-term suspension by the School Board within five (5) days after the decision is rendered. To request a review, the parent or guardian shall enclose a copy of the principal's or designee's recommendation for an expulsion and the Hearing Officer's notification after the hearing. The School Board will review the record of the Hearing Officer and documents and take whatever course of action is deemed appropriate. The School Board will notify

41

the parent or guardian of its action. In the absence of a timely request for review, the decision of the Hearing Officer shall be final.

- d. Upon the student's return to school after a long-term suspension, the principal or a designee shall schedule a conference to be attended by appropriate school personnel and by the student and, usually, the student's parent(s), guardian(s), or other family members. Follow-up conferences should be planned as indicated or as required to assist the student in adjusting to the school environment.

14. Attendance at Discipline Centers for All Students Grades K-12

- a. All middle and high school discipline centers are open from 7:00 a.m. to 2:00 p.m. daily. Students must arrive **before** 7:30 a.m. each morning and be **picked up promptly** at 1:30 p.m. each afternoon. The

elementary school discipline center is open from 8:00 a.m. to 2:30 p.m. daily. Students must arrive **before** 8:30 a.m. each morning and be **picked up promptly** at 2:30 p.m. each afternoon.

- b. A parent or legal guardian must accompany a student assigned to a discipline center on the first day and bring any application paperwork.
- c. Rules and guidelines concerning attendance and behavior while attending the discipline center will be discussed with both the parent and the student.
- d. All students must follow the dress code of their home school.
- e. Students in grades K-12 may be sent to a discipline center for suspension from 1 to 10 days.
- f. Elementary students must bring school assignments with them to the discipline center. Middle and high school students will complete discipline center assignments and bring them back to their teachers when they return to their home school. Students receive academic credit for the days they attend in a discipline center. Recording of attendance should be entered in E-School on the first day of the student's return to his/her home school.
- g. All absences while attending the discipline center must be approved by the home school.
- h. Students misbehaving at a discipline center or not working on curriculum assignments may be dismissed for any part of or the remainder of his/her suspension and all absences shall be recorded as unexcused. The student may be subject to further discipline procedures depending on the nature of any misconduct.
- i. **NO TRANSPORTATION** will be provided for any student attending a discipline center.

SECTION THIRTEEN – STATUS AND REHABILITATION OF SUSPENDED AND EXPELLED STUDENTS

During a period of alternative site placement, the student who is denied attendance privileges at his/her home school shall be assigned to a Discipline Center during school hours. In no case should the student be allowed on School Board property without prior authorization. Participation and presence of the suspended student at school extracurricular activities are denied. A student suspended for allegedly committing battery or any assault on any school employee shall **NOT** be allowed in a school even on probation until all hearings and review associated with

42

the alleged violation have been exhausted. The Principal and Professional Staff have a responsibility to provide proper counseling and to make reasonable efforts to help students returning from suspension or expulsion to remain in school. Students who are suspended and do **NOT** attend a Discipline Center shall receive an unexcused absence for each day of non-attendance during the suspension.

All expelled students remain under the supervision of the School Board in an alternative education program. See La. R.S. 17:416.2(A)(1). Students with disabilities will be required to continue to be provided education services according to their IEP or IAP ("Section 504 Plan").

1. ALTERNATIVE PROGRAMS:

a. Behavior Clinic

- (1) Conducted after school for at least one hour and forty-five minutes. The clinic provides an alternative to the routine procedure for dealing with students who exhibit disruptive behavior. Its operation is based upon the concept of positive intervention and behavior modification theory and techniques. Alternative forms of discipline or clinic not inconsistent with this Handbook and research-based practices may be used when deemed necessary by the Principal. Students will be assigned to the clinic for committing minor infractions.
- (2) Parents/guardians are to provide transportation for the students and pick up the students promptly following the clinic.
- (3) Failure to appear at clinic on the assigned date will result in a suspension unless the student has a valid excuse. Students with valid excuses must attend makeup sessions of the clinic. Behavior Clinic will be conducted after school for a period of at least one hour and forty-five minutes. Parents will be informed of assignment to the clinic.

b. Time-Out Room (TOR)

An alternative procedure for dealing with disruptive students whereby a student can remain in assigned or enrolled school and given the opportunity to modify his/her behavior by removal from the classroom environment. The duration is for a class period. Depending on the grade level of the student, parents/guardians may review the appropriate Time-Out Room Handbook at their child's school. The handbooks (Pre-K; Elementary K-5; Middle Schools; and High Schools) describe the policy and procedures for Time-Out Rooms.

c. In-School Suspension (ISS)

An alternative setting for a minimum of a complete school day whereby students remain in their assigned or enrolled school and are provided the opportunity to complete their suspension at their school.

2. After School Hours Clinic

An alternative setting at a student's assigned or enrolled school and after the normal school hours.

3. Discipline Centers

Located at various points throughout the parish, these alternatives are designed as intervention centers for grades K-12 students who have become involved in disciplinary infractions resulting in short-term suspension (1 to 10 days), as determined by the home school's Principal or Assistant Principal. Referrals to a Discipline Center are determined by the home school administrator with the notification to the parent or legal guardian.

Violations of the Student Rights and Responsibilities Handbook and Discipline Policy while attending a Discipline Center may result in the immediate termination of attendance privileges without the benefit of further due process. Violations may also result in the imposition of additional disciplinary measures. Such disciplinary measures will be determined on a case-by-case basis by the on-site administrator or their designee and in accordance with the required due process.

4. Adult Education

43

With its home base at McAuliffe Sherwood Center and satellite locations across the parish, this alternative allows dropouts and adults 18 years or older to pursue their LA High School Equivalency Diploma through individualized learning plans. It also provides continuing education for all types of careers and leisure activities.

5. Expulsion for Drug, Weapons and Serious Bodily Harm Infractions Locations

Expelled students are assigned to a location depending on their grade level. Students who are in grades 6th – 8th are assigned to the **EBR Readiness Academy (Middle) at Beechwood Alternative School, 2555 Desoto Drive, Baton Rouge, LA 70807**. Students who are in grades 9th – 12th are assigned to the **EBR Readiness Academy, located at 2401 72nd Avenue, Baton Rouge, LA 70807**. Students with an expulsion modified to a long-term suspension also attend the above locations. The Superintendent Academies are staffed by certified

teachers and offer basic academic subjects. The Academies allow students to earn grades and Carnegie units. Students must comply with site rules and regulations. Failure to do so may result in revocation of attendance privileges or transfer. Limited transportation may be provided.

SECTION FOURTEEN – CORPORAL PUNISHMENT PROHIBITED

Corporal punishment in any form is prohibited in the East Baton Rouge Parish School System. The School Board does **NOT** authorize or condone the use of corporal punishment by any administrator, teacher, or other employee as a means of maintaining order, discipline, or for any reason of the students in the schools. Corporal punishment is defined on page 56. Corporal punishment does not include the use of reasonable and necessary physical restraint of a student to protect the student, or others, from bodily harm or to obtain possession of a weapon or other dangerous object from a student. See La. R.S. 17:416.1(B)(1)(b).

While corporal punishment is generally associated with spanking or paddling, the use of other means such as a hand, fist, stick or another instrument is prohibited. Also, see page 40 and the subsection entitled “Exceptional Student Seclusion and Restraint Policy”.

SECTION FIFTEEN – CONVICTION OF A FELONY

1. 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. The expulsion shall require the vote of two thirds of the elected members of the school board. Further, the expulsion 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 designee may require the student to serve the time left in the expulsion period. See La. R.S. 17:416(D)(1). Under the above circumstances, students with disabilities will be disciplined under Louisiana’s Regulations for Implementation of the Children with Exceptionalities Act (La. R.S. 17:1941 et seq.); Title 28, Part XLIII, Bulletin 1706 Subpart 1 – Regulations for Students with Disabilities, Sections 530-537 or Section 504 of the Rehabilitation Act of 1973.
2. The conviction of any student of a felony or the incarceration of any student in a juvenile institution for an act, whether said act is committed in this state or outside this state, which had it been committed by an adult would have constituted a felony in this state, may be sufficient cause for any public school system superintendent to refuse admission of said student to any school except upon review and approval of a majority of the elected members of the school board when request for admission is made to the board. La. R.S. 17:416(D)(2). Students with disabilities have certain rights under federal and state law which may affect determinations in these situations.

SECTION SIXTEEN – ELEMENTARY SCHOOL REGULATIONS

1. The East Baton Rouge Parish School System takes a strong position in the enforcement of Louisiana law regarding weapons, explosives, illegal narcotics, drugs, and controlled substances. Such conduct will not be tolerated by the School Board. Any elementary school student violating this policy shall be recommended for expulsion in accordance with state law. Regarding infractions involving physical attacks or a battery **and two or more on one fighting, an elementary school student should generally be recommended for expulsion.**

For a student in Kindergarten through Grade 5 who possesses or distributes any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school event shall be suspended by the principal and recommended for expulsion. If the Disciplinary Hearing Officer recommends an expulsion, the record of the hearing and any related documents shall be referred to the School Board for approval (See Section Eleven, [page __, Paragraph __](#)).

2. The following student infractions shall require a conference with the parent or guardian and upon request, with the Supervisor of Child Welfare and Attendance, followed by a short-term suspension on the second infraction:
 - a. Bringing inappropriate or injurious articles to school or to a school activity;
 - b. Smoking or other use of tobacco;
 - c. Leaving class, campus or other location without permission;
 - d. Defacing or destroying property;
 - e. Being disrespectful toward teacher, other staff or other students;
 - f. Throwing objects;
 - g. Using profane language;
 - h. Willful disobedience;
 - i. Committing an immoral or vicious act;
 - j. Possessing or using alcoholic beverages;
 - k. In cases of other serious infractions, such as fighting, weapons, etc., refer to Sections Ten and Eleven; l. Drug related infractions, [refer to Section Eleven, page __](#);
 - m. Required expulsions and consequences, refer to Sections Ten, Eleven, and Twelve; n. In case the student involved in a fight is 12 years of age or older, refer to Section Seven; and o. Bullying, refer to Section Seventeen.
3. For students in Pre-Kindergarten, the Principal may exercise discretion regarding any misconduct or incidents involving such students. Due to the age, Principals, teachers, and staff should handle misconduct with parental conferences whenever appropriate and possible. In lieu of any mandatory provisions of discipline, the Principal is authorized by the Superintendent and School Board to exercise discretion.

SECTION SEVENTEEN – BULLYING, HARASSMENT AND DATING VIOLENCE

1. Students have the right to expect respect from all fellow students and to be free from any form of bullying by another student. For definitions, see Section Twenty-Eight, page 55.
2. Engaging in bullying may result in suspension or expulsion, including possible criminal consequences and loss of driver's license as provided in La. R.S. 17:416.1.
3. Any student that believes he/she is the subject of bullying, should report the incident to his/her teacher and/or to the principal's office as soon as possible and is encouraged to cooperate in an investigation of any such incident. The required bullying report form is available in each principal's office, on each school's website, and on the LDE's website.

4. Any student, or any parent or guardian, who witnesses bullying of a student or students or has good reason to believe bullying is taking place, may report the situation to the principal. A student or parent/guardian may also report concerns regarding bullying to a teacher, counselor, other school employee, or to any parent chaperoning or supervising a school function or activity. A report of bullying shall remain confidential.
5. Any teacher, counselor, bus operator or other school employee and any parent chaperoning or supervising a school function or activity: (1) who witnesses bullying of a student by a student or (2) who learns of bullying

from a student shall report the incident to the principal or designee. A verbal report shall be submitted on the same day as witnessed. A written report shall be filed no later than two days thereafter. La. R.S. 17:416.14(D)(2)(c).

6. The principal or designee shall investigate any report of bullying in accordance with La. R.S. 17:416.14 and Bulletin 741, Section 1303 – Bullying as required by applicable policies or regulations provided by the School Board or the LDE. An investigation shall include an interview of the reporter, the alleged victim, the student alleged to have bullied and any witnesses and shall include obtaining photographs or copies of any audio-visual evidence. Before any student under the age of eighteen is interviewed, his/her parents or legal guardians shall be notified by the principal or designee of the allegations made and shall have the opportunity to attend any interviews with their child conducted as part of the investigation. If, after three documented attempts in a 48-hour period, the parents or legal guardians for a student involved in a bullying incident cannot be reached or do not respond, then the student may be interviewed without a parent or guardian present.
7. The principal or designee shall begin an investigation of any complaint that is properly reported and that alleges conduct prohibited in this section the next business day during which school is in session after the report is received by the school official. The investigation shall be completed no later than ten (10) school days after the date the written report of the incident is submitted to the appropriate school official. If additional information is received after the end of the ten-day period, the school principal or his designee shall amend all documents and reports required by this Section to reflect such information. At the conclusion of the investigation, the principal or designee shall compose a written document containing the findings, including input from the students' parents or legal guardians, and the decision by the principal or designee. Pursuant to La. R.S. 17:416.14, a bullying investigation may be appealed to the school board and then the LDE if a parent or guardian believes that the EBRPSS failed to timely or appropriately respond to a report of bullying.
8. The principal shall file all reports as required by the LDE. If the principal or designee determines an act of bullying, the principal shall take prompt and appropriate disciplinary action to address bullying behavior and any effect it has on others, including bystanders, pursuant to La. R.S. 17:416 and 17:416.14. Appropriate disciplinary action may include, but is not limited to, the following:
 - a. oral or written reprimands;
 - b. 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;
 - c. written notification to parents of disruptive or unacceptable behavior, a copy of which shall be provided to the principal;
 - d. other disciplinary measures approved by the principal and faculty of the school and in compliance with school board policy.

If appropriate, the conduct shall also be reported to law enforcement. **The principal should review La. R.S. 17:416.14 for all requirements. Each principal shall institute a program to prohibit and prevent bullying as required by La. R.S. 17:416 B.** The program shall: (1) Define bullying as provided in this Handbook, Section Twenty Eight 4. (2) Ensure each student, each student's parent or legal guardian, and each school administrator, teacher, counselor, bus operator, school employee, and volunteer is aware of his duties and responsibilities relative to preventing and stopping bullying. (3) Provide for a process for reporting and investigating alleged incidents of bullying. (4) Provide for appropriate discipline of a student found guilty of bullying. (5) Provide for appropriate remedies for a student found to have been bullied. (6) Provide for procedures for investigating and reporting each school administrator, teacher, counselor, bus operator, and school employee for failure to act as provided in La. R.S. 17:416.

- 9. Incidents involving other forms of harassment or dating violence:** Any student complaint about another student engaging in sexual harassment, sexual discrimination, disability harassment, or dating violence reported to a teacher or counselor shall be immediately reported to the principal. The principal is responsible for

investigating all such complaints, except sexual harassment. Allegations of sexual harassment must be referred to the Title IX Coordinator. If the act or acts involve possible criminal conduct, the appropriate law enforcement authorities should be notified. A substantiated charge of sexual discrimination or harassment or dating violence against a student may subject that student to disciplinary action, including suspension or expulsion, consistent with the provisions of **The Student Rights and Responsibilities Handbook and Discipline Policy**. In case of dating violence, counseling may be required. Student complaints about an employee shall be handled as provided in the School Board policy. The right to confidentiality, both of the complaining student and of the accused student, will be respected, in accordance with federal and state law.

SECTION EIGHTEEN – EXCEPTIONAL STUDENT SERVICES (SPECIAL EDUCATION) DISCIPLINE PROCEDURES

This section refers to students with disabilities as determined under the provisions of the federal Individuals with Disabilities Education Improvement Act of 2004 (IDEA) (20 U.S.C. § 1401 et seq.) and associated Louisiana laws and regulations. All procedural safeguards afforded students without disabilities by law must be extended to students with disabilities and their parents. In addition, discipline procedures for students with disabilities under IDEA must follow Louisiana's Regulations for Implementation of the Children with Exceptionalities Act (La. R.S. 17:1941 et seq.); Title 28, Part XLIII, Bulletin 1706, Subpart 1 – Regulations for Students with Disabilities (Section 530 et seq.).

FOR A PROPOSED EXCLUSION OF MORE THAN 10 CONSECUTIVE DAYS IN A SCHOOL YEAR, OR A PATTERN OF EXCLUSIONS TOTALING MORE THAN 10 SCHOOL DAYS IN A SCHOOL YEAR:

If the Principal or designee is proposing a long-term suspension of more than 10 consecutive school days, an expulsion, or when a proposed short-term suspension may cause the student to exceed a total of 10 suspension days in the current school year, a Disciplinary Hearing must be conducted first, before the student is suspended or expelled. If the Disciplinary Hearing Officer determines that the student must return to school and there is no accumulation of suspension days exceeding 10 school days (total), no Manifestation Determination of Review (MDR) meeting is required. However, if the Disciplinary Hearing Officer affirms or modifies the school's recommendation of expulsion, long-term suspension, or short-term suspension exceeding a total of 10 school days, the school must hold an MDR meeting. An MDR meeting must be held within 10 school days of any decision to exceed 10 school days of student removal (suspension or expulsion) for disciplinary reasons. The purpose of the MDR is to determine if the behavior in question is a manifestation of the student's disability. The MDR Team meeting must be appropriately constituted with relevant members of the student's IEP Team. The EBR School System generally considers the following individuals to be relevant MDR Team members: Officially Designated Representative of the East Baton Rouge Parish School System (ODR); at least one of the student's teachers; one or both parents of the student; the student (if appropriate); and LEA designees from the Exceptional Student Services (ESS) Department (to interpret the instructional/behavior implications of the student's evaluation). Note: The MDR Team must review all relevant information in the student's file, including the IEP, any behavior support plan or behavior intervention plan (BIP), any teacher observations, and relevant information provided by the parents. Other individuals who have knowledge or special expertise regarding the student (e.g., related service personnel) may be included at the LEA's or parent's discretion (*See generally*, 20 U.S.C. §1415(k); 34 C.F.R. §§ 300.530 through 300.537).

The Disciplinary Hearing addresses the merits of the suspension/expulsion recommendation and is a separate meeting from the MDR. Accordingly, each process requires separate written notice to the parent/legal guardian (using the respective departmental forms). The Disciplinary Hearing and MDR may occur on the same date or on separate dates. The results of the Disciplinary Hearing shall be made available to the MDR Team prior to the MDR. Except for extraordinary circumstances, the Disciplinary Hearing Officer and administrator/staff recommending alternative site placement or expulsion shall not attend or participate in the MDR meeting to avoid potential conflicts of interest.

The purpose of the MDR is to determine – based on IDEA and Bulletin 1706 mandates – whether the behavior which led to the expulsion recommendation was a manifestation of the student's disability. Accordingly, the MDR is not an appeal of the Discipline Hearing Officer's findings of fact and conclusions at the discipline due process hearing nor is it a determination as to whether the student engaged in the violation of the code of student conduct. The decision

in an MDR is not based on a vote but a consensus of the Team. If consensus cannot be reached, the ESS LEA designee will make the final decision.

In-School Suspension (ISS) will not constitute a removal provided (1) the student continues to appropriately participate in the general curriculum; (2) the student continues to receive the services of his/her IEP; and (3) the student continues to participate with students without disabilities to the extent he/she has in their current IEP-based placement. If the above three factors cannot be satisfied, then the ISS assignment will constitute a removal. Removal for more than 3 ½ hours without implementation of the above-stated three factors will constitute a full day suspension.

Note: If the parent does not attend the scheduled MDR Team meeting to participate in the MDR, the school will reschedule the meeting within three (3) school days. If the parent chooses not to attend or participate by phone in the rescheduled MDR Team meeting, the school personnel shall meet without the parent. Parents must be provided prior written notice of all IEP or MDR Team meetings.

If the MDR Team determines that the behavior which is the subject of the MDR is a manifestation of the student's disability, the student will not be expelled nor subject to suspension beyond 10 days cumulative for the current school year. EBRPSS must also conduct a functional behavioral assessment (FBA) and review or develop, as appropriate, a BIP. If the behavior is not a manifestation of the student's disability, the student may be subject to the disciplinary consequences of a student without disabilities; however, the student shall continue to be provided access to the general curriculum, receive a free appropriate public education (FAPE), and receive an FBA and behavioral support services designed to address the code of conduct violation.

School personnel may order a change in placement of a student with a disability to an appropriate interim alternative educational setting (IAES) for not more than 45 school days without regard for MDR determination, if the student: (1) carries a weapon to or possesses a weapon at school, on school premises, or to a school function under the jurisdiction of the EBRPSS; (2) knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of the EBRPSS; or (3) has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the EBRPSS. "Serious bodily injury", "controlled substance", and "weapon" shall have the same meaning and the definitions provided under federal law. The student's IEP Team determines the IAES setting where services will be provided.

At the request of EBRPSS, an Administrative Law Judge (ALJ) appointed by the Louisiana Division of Administrative Law (DAL) may order a change in placement of a student with a disability to an appropriate IAES for not more than 45 school days, if the ALJ finds that maintaining the current placement of the student is substantially likely to result in injury to the student or others. The ALJ conducts an expedited due process hearing in which the ALJ receives evidence from EBRPSS and the parent, conducts the hearing within 20 school days of the due process hearing request and renders a decision within 10 school days after the hearing.

EMERGENCY REMOVAL is used only when the student exhibits behavior which is deemed by school officials to pose a substantial danger to himself/herself or others. In no case can this removal last longer than nine (9) consecutive school days. During this removal period, school officials may initiate an IEP Team meeting. School officials may also request an expedited due process hearing or seek an injunction from the courts, if the school officials believe that maintaining the student in the current placement would be substantially likely to result in injury to the student or others. Emergency removals count toward the change in placement procedural requirements and may trigger the need for an MDR and provision of FAPE, if the removals accumulate to more than 10 school days in the school year.

If special bus transportation is part of the child's IEP as a related service, a suspension of bus transportation will be treated as a school removal, unless transportation is provided in a different manner for the student to access the location for the services required by the student's IEP. If special bus transportation is not a related service of the student's IEP, a bus suspension is not a school removal.

EXCEPTIONAL STUDENT SERVICES GLOSSARY

Exceptional Student:

A student is considered exceptional if he/she has been identified as having an exceptionality under Louisiana's Bulletin 1508 – Pupil Appraisal Handbook (Title 28, Part CI). Exceptionalities include disabilities and Gifted and Talented; however, disciplinary protections under this policy do not apply to students identified only as Gifted and/or Talented. Any student about whom the school system has a basis of knowledge (e.g., that the student is expected to be a student with a disability **before** the behavior that precipitated the disciplinary action occurred), may assert the discipline protections under IDEA and Bulletin 1706, Subpart 1.

Change in Placement because of Disciplinary Removals:

For a student with a disability, a “change in placement” occurs if:

1. the removal is for more than ten (10) consecutive school days; OR
2. the student has been subjected to a series of removals that constitute a pattern because:
 - a. the series of removals total more than ten (10) school days in a school year;
 - b. the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and
 - c. because of such additional factors, such as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another.

EXCEPTIONAL STUDENT SECLUSION AND RESTRAINT POLICY (La. R.S. 17:416.21)

The School Board recognizes that, for students to receive a free appropriate public education (FAPE), a safe learning environment needs to be provided. In doing so, the School Board also recognizes that there are circumstances in school under which reasonable and appropriate measures and techniques will need to be employed in dealing with students with exceptionalities who pose an imminent risk of harm to self or others. These provisions do not apply to a student who has been deemed to be Gifted or Talented, unless the student has also been identified as having a disability under IDEA.

The School Board fully supports the use of positive behavior interventions and supports when addressing student behavior. The School Board reserves its right, however, to use physical restraint and/or seclusion consistent with state law to address the behavior of a student with a disability when school personnel reasonably believe the behavior poses an imminent risk of harm to the student or others. The School Board shall not preclude the use of physical restraint and/or seclusion performed consistent with the requirements of a student's Individualized Education Program (IEP) or Behavior Intervention Plan (BIP).

For the purposes of this policy:

1. **Imminent risk of harm** shall mean in immediate and impending threat of a person causing substantial physical injury to self or others.

2. **Seclusion** shall mean a procedure that isolates and confines a student in a separate room or area until he/she is no longer an immediate danger to self or others.

3. **Seclusion room** means a room or other confined area used on an individual basis, in which a student is removed from the regular classroom setting for a limited time to allow the student the opportunity to regain control in a private setting and from which the student is involuntarily prevented from leaving.
4. **Mechanical restraint** means application of any device or object used to limit a person's movement. Mechanical restraint does **not** include:
 - a. a protective or stabilizing device used in accordance with the manufacturer's instructions for proper use and which is used in compliance with orders issued by an appropriate licensed healthcare provider; and
 - b. any device used by a duly licensed law enforcement officer in the execution of his/her official duties.
5. **Physical restraint** means bodily force used to limit a person's movement. Physical restraint does **not** include:
 - a. consensual, solicited or unintentional contact;
 - b. momentary blocking of a student's action if the student's action is likely to result in harm to the student or any other person. See La. R.S. 17:416.21(A)(3)(b)(ii);
 - c. holding of a student by one school employee, for the purpose of calming or comforting the student, provided the student's freedom of movement or normal access to his/her body is not restricted;
 - d. minimal physical contact for the purpose of safely escorting a student from one area to another; or
 - e. minimal physical contact for the purpose of assisting the student in completing a task or response.
6. **Positive behavior interventions and support (PBIS)** means a systematic approach to embed evidence based practices and data-driven decision making when addressing student behavior to improve the school climate and culture.
7. **School employee** means the teacher, paraprofessional, administrator, support staff member or provider related services.

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

The **Director of Exceptional Student Services, (225) 929-8600**, shall be notified any time a student is placed in seclusion or a physical restraint.

A school employee who has placed a student in seclusion or who has physically restrained a student shall document and report each incident. Such written report shall be submitted to school principal no later than school day immediately following the day of which the student was placed in seclusion or physically restrained, and a copy shall be provided to the student's parent or legal guardian.

All instances of seclusion or physical restraint used to address an exceptional student's behavior shall be reported to the Director of Exceptional Student Services who will submit the report to the Louisiana Department of Education.

The Superintendent or his/her designee shall be responsible for conducting or obtaining an appropriate training program for school personnel designed to address the use of seclusion or restraint techniques with students with

procedures may also be included in any training.

Following any situation resulting in the use of seclusion or restraint of a student, a Functional Behavioral Assessment (FBA) should be considered. If a student subject to the use of seclusion or physical restraint is involved in five (5) such incidents in the school year, the student's IEP Team shall review and revise the student's Behavioral Intervention Plan (BIP) to include any appropriate and necessary behavioral supports. Thereafter, if the student's challenging behavior continues or escalates requiring repeated use of seclusion or physical restraint practices, the Director of Exceptional Student Services or designee shall review the student's plans at least once every three weeks. The School Board shall provide a copy of its seclusion and restraint procedures to the Louisiana Department of Education, to all school employees and to every parent of a student with an exceptionality and shall post such procedures at the school systems' website and at each school and on each school's website. (La. R.S. 17:416.21(M)(2)(a)).

SERVICE ANIMALS

The East Baton Rouge Parish School Board prohibits discrimination against individuals with disabilities, including those who require the assistance of a service animal as a result of a disability. The School Board shall comply with the requirements of Title II of the Americans with Disabilities Act (ADA) and its implementing regulations, as well as all other applicable federal and state laws and regulations governing the use of service animals in its programs and activities.

A **service animal** is defined as any guide dog, hearing dog, mobility dog, medical alert dog, or any other dog that is individually trained to do work or perform tasks for an individual with a disability. Service animals are not pets. The work or task a service animal has been trained to provide must be directly related to the individual's disability and required because of the individual's disability. Tasks may include, but are not limited to, guiding a person who is virtually impaired or blind, alerting a person who is deaf or hard of hearing, pulling a wheelchair, assisting with mobility or balance, and performing other special tasks that directly assist the individual with a disability. The crime deterrent effects of an animal's presence and the provision of emotional support, comfort, well-being, or companionship do not constitute work or tasks for the purposes of this definition.

The service animal's handler (individual with a disability, generally) shall be required to maintain control of the animal through voice, signal, or other effective commands when the use of harnesses or other such mechanical devices cannot be utilized due to interference with functional use of the service animal. A service animal is considered the personal property of its owner/handler, and, as such, such owner/handler shall be responsible for damages caused by the animal. The School Board may ask an individual with a disability to remove a service animal from its premises, if: (1) the animal is out of control and the handler does not take effective action to control it; or (2) the animal is not housebroken.

Service animals shall be clean and well-groomed and properly immunized in accordance with State law. Service animals shall also be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents the use of such devices. The service animal shall not solicit attention, display aggression, solicit or steal food or other items from students or staff, and shall not disrupt the normal course of business at school or any School Board facilities or activities. The service animal shall be able to perform its tasks in public and under the full control of its handler (including full control of the animal in the presence of large numbers of school children, as may be applicable). If any service animal is excluded from School Board programs, services or activities, the School Board shall offer the individual with a disability the opportunity to participate in such programs, services, or activities without the service animal.

Under appropriate circumstances, the School Board shall make reasonable modifications to its practices and procedures to permit the use of a miniature horse by an individual with a disability where reasonable. In such cases, the School Board shall determine whether miniature horses can be accommodated in its facilities by examining the following factors: (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size, and weight; and (4) whether the miniature horse's presence will compromise legitimate safety requirements necessary for safe

of the individual with a disability. Other species of animals, whether wild or domestic, trained or untrained, shall not be considered service animals.

Individuals with disabilities shall be permitted to be accompanied by a service animal in all areas of the School Board's buildings and facilities that are open to the public and to participants in programs, services, or activities of the School Board.

The School Board shall not be responsible for the care, feeding, or supervision of a service animal and, consistent with general policies of the School Board, the individual with a disability may be responsible for injuries and/or damages caused by a service animal.

Requests for an individual with a disability, who is a student or employee of the EBRPSS, to be accompanied by a service animal for the purpose of participating in School Board programs, services, and activities must be submitted in writing to the Superintendent or his/her designee. Such written request must specify the need for use of the service animal and identify the work or tasks the animal performs for the individual with a disability. A written request for use of a service animal must be presented to the Superintendent or his/her designee not less than ten (10) school days prior to the proposed use of the service animal and prior to bringing the service animal to School Board facilities, a school, or a school event. This requirement does *not* apply when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

Procedures to accommodate the use of service animals in School Board facilities and activities shall be maintained by the Superintendent and designated staff. The determination of whether a service animal may accompany an individual with a disability to school or School Board functions shall be determined on a case-by-case basis in accordance with this policy and applicable federal laws and regulations. Affected individuals may obtain additional information and relevant forms by contacting the School Board's Section 504 Coordinator, Danielle Staten at (225) 326-5668, and/or the School Board's ADA Coordinator, Larry Munson at (225) 615-8674.

SECTION NINETEEN

SECTION 504 OF THE REHABILITATION ACT OF 1973 OR "SECTION 504"

The School Board and the East Baton Rouge Parish School System prohibits discrimination on the basis of disability in its programs, services, opportunities, and activities and makes reasonable efforts to identify and locate students with disabilities residing within its jurisdiction. Qualified students with disabilities under Section 504 are provided equal access to the School System's programs, opportunities, activities, and services and the opportunity to receive a free appropriate public education (FAPE) as may be necessary to meet individual student needs.

Like students with disabilities under IDEA (see Section Eighteen), students eligible under Section 504 may not be suspended or expelled for more than ten (10) school days cumulatively in a school year for misconduct that is a manifestation of the student's disability. If the school system is considering a change in placement for a Section 504-eligible student and/or if the student is being recommended for suspension or expulsion that will exceed ten (10) days in a given school year, the School District must convene a group of knowledgeable individuals to conduct a re evaluation and manifestation determination to decide whether the misconduct at issue is a manifestation of the student's disability. The School Building Level Committee (SBLC)/Section 504 Committee is established to satisfy these requirements. **Assistance is available from the School District Section 504 Coordinator, Danielle Staten, at (225) 326-5668, email: dstaten@ebrschools.org.**

If the student's misconduct is determined to be a manifestation of his/her disability, the SBLC/Section 504 Committee shall meet to consider a functional behavioral assessment (FBA) and interventions to address the behavior. Unless the 504 Committee, **including the parent**, agree to a change of placement, the student should be returned to his/her regular educational placement.

If the student's misconduct is determined **not** to be a manifestation of his/her disability, the student may be disciplined like a student without a disability, except that the student must continue to have access to the general curriculum and other services identified in the student's Section 504 Plan and must receive behavioral intervention services and modifications to address the behavior. Appropriate placement and services during the period of suspension and/or expulsion will be determined by the Section 504 Committee.

Inquiries, concerns, requests for additional information and assistance should be directed to the School District Section 504 Coordinator, Danielle Staten at (225) 326-5668, email: dstaten@ebschools.org.

SECTION TWENTY

STUDENT POLICIES AND GUIDELINES FOR NETWORK AND INTERNET ACCESS

The East Baton Rouge Parish School Board recognizes the role of educational technologies in stimulating innovative approaches to teaching and learning and enhancing the way educators and students access and transmit information, share ideas, and contact others. Use of network resources and the Internet is for educational purposes. Adherence to policies and guidelines is required for continued access to technological resources.

E-MAIL AND TELECOMMUNICATIONS

In general, any student use of the System's networks and telecommunication resources must be for educational purposes. School system rules for student communication also apply in the online environment. Students must respect and adhere to East Baton Rouge Parish School System policies and local, state, and federal law. The System's networks and telecommunications resources are owned by the school system and subject to search by System personnel. Cyberbullying is prohibited.

Students must:

1. Log in and use network resources only with **their** student account.
2. Log off and close applications immediately after completing work to prevent unauthorized use of the user ID.
3. Not use email, chat rooms, net meeting rooms, and other forms of direct electronic communication including instant messaging systems unless authorized by the District and directly supervised by a teacher. School system rules prohibiting bullying, indecent, vulgar, lewd, slanderous, abusive, threatening, sexually harassing, or terrorizing language apply to all forms of electronic communications. The student and parent or guardian shall sign an Acceptable Use of Networks and Telecommunications Agreement prior to an email account being issued.
4. Not distribute private information about themselves or others.
5. Not send spam, chain letters, or other mass unsolicited mailings.
6. Not view, use, or copy passwords to which they are not authorized.

NETWORKS AND INTERNET USE

Students shall:

1. Use internet search engines and/or other Internet tools only under the direction and supervision of teachers.
2. Observe copyright laws, citing the source of information accessed over the Internet using a standard system as directed by the teacher and/or librarian.
3. Not intentionally access, transmit, copy, or create material that is illegal, such as obscenity, stolen materials, or illegal copies of copyrighted works, including, but not limited to, music, games, and movies.
4. Not intentionally access, transmit, copy, or create any materials or visual depictions on school or district networks or the Internet that are indecent, vulgar, lewd, slanderous, abusive, threatening, harassing, terrorizing, or harmful to minors.

5. Not attempt to gain unauthorized access, including so-called “hacking” or otherwise compromise any computer or network security or engage in any illegal activities on the Internet, including willfully introducing a computer virus, worm, or other harmful program to the network.
6. Not download and install any file sharing program that bypasses the district filtering device.
7. Not use technology resources to further other acts that are criminal or violate the school or district code of conduct.
8. Not make any purchase on the Internet while using school equipment or Internet service.

Students who may inadvertently access a site that is pornographic, obscene, or harmful to minors shall immediately disconnect from the site and inform the teacher. The Board does not condone any illegal or inappropriate activities and will not be responsible for such use by students. The Board does not guarantee the right to use the Internet and reserves the right to suspend or terminate the privilege of any individual at its sole discretion without notice, cause, or reason.

All school and district rules apply to the Internet the same as they do in the classroom, elsewhere on school grounds or school functions. Network administrators and school personnel may review student e-mail messages at any time or track student navigation of the Network or Internet.

Any violation of this policy may result in the loss of access to the Internet through the EBRPSS network. Additional disciplinary action for students will be determined in accordance with existing rules and procedures, both administrative and as stipulated in East Baton Rouge Parish policy and including applicable law enforcement agencies when necessary. The Board recognizes that changes in technologies and local, state, and federal laws may from time to time require adjustments to policies and guidelines governing technology usage in the District and hereby authorizes the Superintendent or designee(s) to make such adjustments as necessary.

G SUITE FOR EDUCATION NOTICE TO PARENTS AND GUARDIANS

This notice describes the personal information the East Baton Rouge Parish School System provides to **Google** for these accounts and how Google collects, uses, and discloses personal information from students in connection with these accounts.

Using their G Suite for Education accounts, students may access and use the following “Core Services” offered by Google:

- ☐ Gmail
- ☐ Google+
- ☐ Calendar
- ☐ Chrome Sync
- ☐ Classroom
- ☐ Cloud Search
- ☐ Contacts
- ☐ Docs, Sheets, Slides, Forms
- ☐ Drive
- ☐ Groups
- ☐ Hangouts, Hangouts Chat, Hangouts Meet, Google Talk
- ☐ Jamboard
- ☐ Keep
- ☐ Sites
- ☐ Vault

In addition, the East Baton Rouge Parish School System also allows students to access certain other Google services

with their G Suite for Education accounts. Specifically, your child may have access to the following “Additional Services”:

54

- YouTube, Blogger, Google Maps

Google provides information about the information it collects, as well as how it uses and discloses the information it collects from G Suite for Education accounts in its G Suite for Education Privacy Notice. You can read that notice only at https://gsuite.google.com/terms/education_privacy.html. You should review this information in its entirety, but here are answers to some common questions:

What personal information does Google collect?

When creating a student account, East Baton Rouge Parish School System may provide Google with certain personal information about the student, including, for example, a name, email address, and password. Google may also collect personal information directly from students, such as telephone number for account recovery or a profile photo added to the G Suite for Education account.

When a student uses Google services, Google also collects information based on the use of those services. This includes:

- Device information, such as the hardware model, operating system version, unique device identifiers, and mobile network information including phone number;
- Log information, including details of how a user used Google services, device event information, and the user’s Internet protocol (IP) address;
- Location information, as determined by various technologies including IP address, GPS, and other sensors;
- Unique application numbers, such as application version number; and
- Cookies or similar technologies which are used to collect and store information about a browser or device, such as preferred language and other settings.

How does Google use this information?

In G Suite for Education Core Services, Google uses student personal information to provide, maintain, and protect the services. Google does not serve ads in the Core Services or use personal information collected in the Core Services for advertising purposes.

In Google Additional Services, Google uses the information collected from all Additional Services to provide, maintain, protect and improve them, to develop new ones, and to protect Google and its users. Google may also use this information to offer tailored content, such as more relevant search results. Google may combine personal information from one service with information, including personal information, from other Google services.

Does Google use student personal information for users in K-12 schools to target advertising?

No. For G Suite for Education users in primary and secondary (K-12) schools, Google does not use any user personal information (or any information associated with a G Suite for Education Account) to target ads, whether in Core Services or in other Additional Services accessed while using a G Suite for Education account.

Can my child share information with others using the G Suite for Education account?

The East Baton Rouge Parish School System may allow students to access Google services such as Google Docs and Sites, which include features where users can share information with others or publicly. When users share information publicly, it may be indexable by search engines, including Google.

Will Google disclose my child’s personal information?

Google will not share personal information with companies, organizations and individuals outside of Google unless one of the following circumstances applies:

55

- With parental or guardian consent. Google will share personal information with companies, organizations or individuals outside of Google when it has parents' consent (for users below the age of consent), which may be obtained through G Suite for Education schools.
- With the East Baton Rouge Parish School System, G Suite for Education accounts, because they are school-managed accounts, give administrators access to information stored in them.
- For external processing, Google may provide personal information to affiliates or other trusted businesses or persons to process it for Google, based on Google's instructions and in compliance with the G Suite for Education privacy notice and any other appropriate confidentiality and security measures.
- For legal reasons, Google will share personal information with companies, organizations or individuals outside of Google if it has a good-faith belief that access, use, preservation or disclosure of the information is reasonably necessary to:
 - Meet any applicable law, regulation, legal process or enforceable governmental request.
 - Enforce applicable Terms of Service, including investigation of potential violations.
 - Detect, prevent, or otherwise address fraud, security or technical issues.
 - Protect against harm to the rights, property or safety of Google, Google users or the public as required or permitted by law.

Google also shares non-personal information, such as trends about the use of its services, publicly and with its partners.

What choices do I have as a parent or guardian?

First, you consent to the collection and use of your child's information by Google unless you opt-out for your child. To opt-out use the form provided in this Handbook. If you opt-out, the East Baton Rouge Parish School System will not create a G Suite for Education account for your child, and Google will not collect or use your child's information as described in this notice.

By your consent to your child's use of G Suite for Education, you can access or request deletion of your child's G Suite for Education account by contacting your child's school Principal. If you wish to stop any further collection or use of your child's information, you can request that the East Baton Rouge Parish School System use the service controls available to limit your child's access to features or services or delete your child's account entirely. You and your child can also visit <https://myaccount.google.com> while signed into the G Suite for Education account to view and manage the personal information and settings of the account.

What if I have more questions or would like to read further?

If you have questions about our use of Google's G Suite for Education accounts or the choices available to you, please contact your child's school Principal. If you want to learn more about how Google collects, uses, and discloses personal information to provide services to the East Baton Rouge Parish School System, please review the G Suite for Education Privacy Center at <https://www.google.com/edu/trust/>, the G Suite for Education Privacy Notice at https://gsuite.google.com/terms/education_privacy.html, and the Google Privacy Policy at <https://www.google.com/intl/en/policies/privacy/>.

The Core G Suite for Education services are provided to the East Baton Rouge Parish School System under Google's Apps for Education agreement at https://www.google.com/apps/intl/en/terms/education_terms.html.

COMMUNICATIONS WITH STUDENTS AND PARENTS

All schools are obligated to provide written or verbal communications with students and parents or guardians in a language they can best understand. This handbook may be translated or interpreted to meet the Office for Civil

56

Rights (OCR) standards and the Equal Educational Opportunity Act (EEOA) Guidelines of 1974. For more information, please contact the **English as a Second Language (ESL) office at (225) 922-5461**.

Parents and guardians are expected to treat with respect the school system employees. An assault or battery of a school system employee by a parent or guardian or other adult will result in a request for police, possible exclusion from school system property and similar actions.

SECTION TWENTY-TWO – MEDICATION

1. In accordance with La. R.S. 17:436.1 and La. Admin. Code, Title 28, Part CLVII (Louisiana Department of Education (LDOE) Bulletin 135 – Health and Safety), and School Board policy, medication shall not be taken or given at school or school-related functions when other reasonable options exist. When no reasonable alternative exists due to the student's specific health needs, the parent/guardian may request in writing that medication be administered during the school day. The written request must include:
 - a. Certification by the student's attending physician or other authorized healthcare professional licensed in Louisiana or adjacent state that administration of the medication to the student during the school day is medically necessary and cannot be administered before or after school hours; and
 - b. A medical order signed by the treating physician or other authorized healthcare provider prescribing within the scope of his or her prescriptive authority; and
 - c. Written authorization of the student's parent or guardian.
2. For purposes of this policy, the term "medication" means all medicines including those prescribed by a licensed health care provider and any non-prescription (over-the-counter) drugs, preparations, and/or remedies, including those taken by mouth, inhaler, those that are injectable, and those applied as drops to eyes, nose, or medications applied to the skin. Sunscreen shall be exempt from the definition of medication and may be self-administered by students or voluntarily applied by school employees with written consent of a parent/guardian.
3. Students shall not be allowed to have medications in their possession on the school grounds or at school related functions, except as provided in paragraph 4, below.
4. The possession, use, or sale of prescription or non-prescription medication by a student or the giving of any type of medication to another student at school, on the school bus, or other school function is strictly prohibited and subject to disciplinary action, except that students with asthma and those at risk of anaphylaxis shall be allowed to carry, possess, and self-administer prescribed pre-measured medications (e.g., inhalers and auto-injectable epinephrine "EpiPen") in accordance with physician's orders and specific procedures established by the School Board. The school and its employees shall incur no liability because of any injury sustained by the student from self-administration of medications used to treat asthma or anaphylaxis. The parent or legal guardian of a student shall sign a statement acknowledging that the school shall incur no liability and that the parent or legal guardian shall indemnify and hold harmless the school and its employees against any claims that may arise relating to the self-administration of medications used to treat asthma and anaphylaxis. Interested parties are urged to contact the school principal or school nurse for applicable forms and detailed information regarding the procedural requirements for obtaining authorization for self-administration of medication at school.
5. In no case shall medication be used or administered during school hours or school-related functions without all the following:

- a. An order from a licensed medical physician or other authorized prescriber in Louisiana or adjacent state which includes the student's name; name, signature, business address, office phone number, and emergency phone numbers of the physician or other authorized healthcare prescriber; the

57

frequency and time to administer the medication; the route and dosage of the medication; and a written statement of the desired effects and any student-specific potential for adverse effects; b.

Signed, written consent of the parent or legal guardian (Forms are available at each school); c.

Medication must be provided to the school by the parent or guardian in the container that meets acceptable pharmaceutical standards;

- d. The medication container shall contain clear instructions identifying the student's name; name, address, and telephone number of the pharmacy; prescription numbers; date dispensed; clear instructions for use; drug name and strength; last name and initial of pharmacist; cautionary auxiliary labels, if applicable; physician's, dentist's, or other authorized healthcare prescriber's name. Labels of prepackaged medications shall contain the regular pharmacy label; medication name; dosage form; strength; quantity; name of manufacturer or distributor; and manufacturer's lot or batch number;

- e. At the beginning of each school year and anytime there is a change in medication, a new form from the physician or other licensed prescriber licensed in Louisiana must accompany the new prescription; and

- f. No more than one month's supply (twenty-five school days) of the medication shall be kept at school.

6. Disposition of medication at the end of the school year shall be picked up by the parent/guardian within five (5) days of the end of the academic year. Medication not picked up will be destroyed or otherwise disposed of in accordance with the law and accepted practice.

7. A school nurse or trained school employee shall be authorized to administer auto-injectable epinephrine as defined in La. R.S. 17:436.1(J)(4)(a) to a student who the school nurse or trained school employee, in good faith, professionally believes is having an anaphylactic reaction, whether such student has a prescription for epinephrine.

Parents are urged to notify the student's teacher and principal, in writing, in the event the student has an allergy or other condition which may put the student at risk of anaphylaxis.

This section provides a basic summary of procedures for medication administration and use in the school environment. Please contact the school principal or school nurse for procedures applicable to medication administration for specific diseases, conditions, and treatments. Parents/guardians and majority-aged students are urged to notify school authorities about their medical circumstances so that appropriate supports can be made available.

SECTION TWENTY-THREE COMMUNICABLE DISEASE CONTROL POLICY

Current and satisfactory evidence of immunization against vaccine-preventable diseases (e.g., immunization records) is required for all students entering school for the first time (including pre-kindergarten and kindergarten), for students transferring from another school system, and for all students entering the sixth grade. La. R.S. 17:170 requires students to provide evidence of immunity to or immunization against vaccine preventable diseases. Such evidence shall be in compliance with the immunization schedules established by

the Office of Public Health, Louisiana Department of Health (LDH), unless compliance is waived pursuant to Louisiana law. School personnel shall cooperate with public health personnel in completing and coordinating all immunization data, waivers, and exclusions, including the forms required by the LDH to facilitate control of preventable communicable diseases.

In the event of an outbreak of a vaccine-preventable disease at a school system facility, the EBRPSS administration may, upon the recommendation of the Office of Public Health, exclude from attendance

58

unimmunized students until the appropriate disease incubation period has expired or the unimmunized student presents evidence of immunization.

If the student's physical condition indicates that the health of the student does not safely allow his/her continued attendance at school, the student will remain away from school until the student's physician and/or a physician of the School Board's choice verifies that the student can safely return to the regular school environment.

Students with infections shall inform appropriate school officials of the infection so that proper precautions for the protection of the other students, employees, and the affected student can be taken. If the student's physician and/or a School Board selected physician indicates that the health of the student does not allow his/her continued attendance in the regular education program, education services will be provided in a setting and in a manner (e.g., virtual) that is appropriate to the health status of the child.

The identity of an student with an infection, or a student when there is reasonable cause to believe has an infection, shall be revealed only to those who have a need to know. If a student with an infection is permitted to remain in the school setting after a determination has been made, employees who will have regular personal contact with the individual shall be informed of information as to the student's medical condition. Persons informed of the identity of a student with an infection shall not disclose such information to others except as authorized under this policy or as required by law.

The determination of whether student with an infection shall be permitted to remain in school in a capacity that involves contact with students or employees shall be made on a case-by-case basis as determined by the Superintendent and appropriate staff.

La. R.S. 17:170.4 requires a student entering the sixth grade, or who is eleven years old and entering a grade other than sixth grade, and a student entering the eleventh grade, or who is sixteen years old and is entering a grade other than the eleventh grade, must provide satisfactory evidence of immunization against meningococcal disease.

SECTION TWENTY-FOUR – STUDENTS WITH DIABETES

For parents of a student with diabetes who seeks care for the student's diabetes while at school or while participating in a school-related activity, the parents shall submit a diabetes management and treatment plan, which must be updated on an annual basis. Such plan shall be developed by a physician licensed in Louisiana or an adjacent state or other authorized healthcare prescriber licensed in Louisiana who is selected by the parent or guardian to be responsible for such student's diabetes treatment. A current copy of such plan to be kept on file at the school in which the student is enrolled.

A student's diabetes management and treatment plan shall contain:

- (1) A detailed evaluation of the student's level of understanding of his/her condition and their ability to manage their diabetes.
- (2) The diabetes-related healthcare services the student may receive or self-administer at school or during a school-related activity.
- (3) A timetable, including dosage instructions, of any type of diabetes medication to be administered to

- the student or self-administered by the student.
- (4) The signature of the student (if age appropriate), the student's parents or legal guardians, and the physician or other authorized healthcare prescriber responsible for the student's diabetes treatment.

The school nurse shall provide care to the student with diabetes or assist the student with self-care of his/her diabetes, in accordance with the student's diabetes management and treatment plan and individualized healthcare plan (IHP) on file with the school. If the school nurse is unavailable, an unlicensed diabetes care assistant may provide care to a student with diabetes or assist the student with self-care of his/her diabetes. "Unlicensed diabetes

59

care assistant" shall mean a school employee who volunteers and is trained in accordance with provisions of La. R.S. 17:436.3(C)(1) or also an employee of an entity that contracts with the school or school system to provide school nurses who are responsible for providing healthcare services required by law or LDE regulations.

SECTION TWENTY-FIVE – FEES AND FINES FOR LOST OR DESTROYED TEXTBOOKS OR OTHER SCHOOL PROPERTY

Students shall be required to pay full price for textbooks and library books which are lost or damaged beyond use. The School Board also requires students to pay for any other school property damaged because of student misconduct.

SECTION TWENTY-SIX– GRADUATION

Parents/guardians are required to participate in mandatory pre-graduation planning meetings during both the junior and senior year.

High school students must meet all course requirements and pass all sections of the LEAP 2025 End of Course (EOC) exams, or for students with disabilities qualifying under the April Dunn Act and meeting IEP-determined criteria, prior to graduating. In addition, all students must meet the criteria stated on page 15 regarding conduct to participate in graduation exercises.

SECTION TWENTY-SEVEN – TITLE IX GRIEVANCE PROCEDURES FOR STUDENT REPORTS OR COMPLAINTS OF SEXUAL HARASSMENT

The East Baton Rouge Parish School System (EBRPSS) does not discriminate on the basis of sex in its education programs and activities, including curricular and extracurricular, and, accordingly, requires its staff, teachers, employees, and students to abide by the requirements of Title IX of the Educational Amendments of 1972 and its implementing regulations. Title IX regulations apply to athletic programs and to safeguard the rights of students in a wide range of educational settings. Title IX also protects students by prohibiting sexual violence and sexual harassment in educational settings by requiring schools to address such conduct when it occurs on a school campus or in connection with any EBRPSS school-related program.

Sexual misconduct in its many forms involving students is explicitly prohibited, whether such conduct occurs on or off campus, during or after school hours, during or directly related to school-sponsored activities, or at a time and/or place directly related to school functions or an employee's school-related duties.

When an EBRPSS administrator, staff member, or employee has actual knowledge of sexual harassment as defined below involving a student as the alleged victim, the response by the administration is required to be prompt and, in a manner, not deliberately indifferent. The response must treat complainants (alleged victims) and respondents (alleged harassers) equitably and offer supportive measures to both. The Title IX Coordinator, Investigator(s), or Decision-Maker(s) must be free of conflict of interest or biases for or against complainants or respondents generally or the individual complainant or individual respondent that may affect the outcome of the report or complaint. A finding by the Decision-Maker of responsibility for sexual harassment as defined for Title IX regarding a student respondent may result in disciplinary actions for the respondent, including suspension or expulsion. The only appeal of such findings is as provided in Policy JAAA to the Superintendent of Schools or designee.

Questions regarding Title IX may be referred to the U.S. Department of Education, Office for Civil Rights (OCR) or to:

EBRPSS'S Title IX Coordinator:

Andrew Davis

(225) 929-8683 or fax (225) 929-8707, email: adavis6@ebersschools.org or

Mail: Risk Management Department, 6550 Sevenoaks Ave., Baton Rouge, LA 70806

Under the Title IX Grievance Procedures,

“Sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:

60

□ An employee of EBRPSS conditioning the provision of an aid, benefit, or service for a student on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo sexual harassment); □ Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to EBRPSS's education program or activity; □ **“Sexual assault”** means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation (20 U.S.C. 1092 (f)(6)(A)(v)) involving an attempted or actual sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent such as:

(1) Attempted or actual rape as defined in La. R.S. 14:41, 42-43 or

(2) Attempted or actual sexual battery as defined in La. R.S. 14:43 – 14:43.3;

□ **“Dating violence”** means violence committed by a person:

(1) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and (2)

Where the existence of such a relationship shall be determined based on consideration of these factors:

(a.) The length of the relationship;

(b.) The type of relationship; and

(c.) The frequency of interaction between the persons involved in the relationship (34 U.S.C. 12291(a)(10)); or

(3) Commits a battery of a dating partner as defined in La. R.S. 14:34.9 or 14:34.9.1;

□ **“Domestic violence”** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected

from that person's acts under the domestic or family violence laws of Louisiana (34 U.S.C. 12291(a)(8)); or

□ **“Stalking”** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to...

(1) Fear for his/her safety or the safety of others;

(2) Suffer substantial emotional distress (34 U.S.C. 122919(a)(30)) or;

(3) May include, but not limited to, the intentional and repeated uninvited presence of the perpetrator at another person's home, workplace, school, or any place which would cause a reasonable person to be alarmed, or to suffer emotional distress as a result of verbal, written, or behaviorally implied threats of death, bodily injury, sexual assault, kidnapping, or any other statutory criminal act to himself or any member of his family or any person with whom he is acquainted (La. R.S. 14:40.2).

The “Title IX Coordinator” is the person designated by the EBRPSS School Board and who may designate an Investigator, as appropriate. The Title IX Coordinator is also authorized to coordinate all compliance efforts regarding Title IX, including employment, athletic participation, and housing for EBRPSS. For this grievance procedure, the Title IX Coordinator is the initial contact and responsible for its overall compliance.

REPORTING PROCEDURE

1. Any student who believes he or she has been the victim of sexual harassment resulting from school conduct defined above as sexual harassment by another student or by an EBRPSS employee or staff member is

encouraged to report the matter to the Title IX Coordinator or any EBRPSS employee.

2. Any person such as a parent/guardian, principal, school administrator, teacher, friend, or bystander may report sexual discrimination, including sexual harassment, whether or not the person reporting is the person alleged to be the victim of conduct that could constitute discrimination or sexual harassment. This report should be made to the Title IX Coordinator.
3. Reports may be made by mail, telephone, or email using the contact information listed for the Title IX Coordinator or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.
4. Reports may be made at any time, including non-business hours, by using the telephone or electronic mail address to the Title IX Coordinator's office.

61

5. Upon actual knowledge or notice of alleged sexual harassment (as defined above) of a student, the Title IX Coordinator must promptly, within 24 hours, contact the complainant student, and as appropriate the parent/guardian, to determine the available facts involving the report and to discuss all options, including the availability of supportive measures and consider the complainant's wishes with respect to supportive measures. Supportive measures (as defined above) are available with or without the filing of a formal complaint.
6. The report of alleged sexual harassment (as defined above) should be clear and explicit. A report must, at a minimum, include: (a) a description of an alleged act of sexual harassment, including the date(s), time(s), and place(s) it is alleged to have occurred; (b) identity of the alleged victim; (c) identity of the alleged harasser; and (d) identity of the reporting person.
7. The Title IX Coordinator must notify the complainant student, and as appropriate the parent/guardian, of the right to file a formal complaint.
8. The Title IX Coordinator must explain to the complainant student, and as appropriate the parent/guardian, how to file a complaint.
9. In the event the complainant student decides **not** to file a complaint, or the Title IX Coordinator **does not** file a complaint, the report is closed without further action. The report and any provided supportive measures remain confidential and such information may not be released. The Title IX Coordinator is to maintain the report as a confidential document for seven (7) years.

COMPLAINT PROCEDURE

Upon receipt of a formal, written complaint filed and signed by a complainant student, their parent or legal guardian, or signed by the Title IX Coordinator, the Title IX Coordinator must initiate the investigative process within three (3) working days and, as the Investigator, complete the investigation within ten (10) working days. Another appropriately trained Investigator may conduct the investigation. Temporary delays and limited extensions of time are permissible for good cause. Complainant and respondent must be notified in writing of any temporary delays and/or limited extensions of time with the reason(s) for the extension. Upon receipt of a signed complaint, the Title IX Coordinator shall immediately provide written notice to the known parties, containing a copy of these grievance procedures, including the informal resolution process and appeal processes. Such written notice must contain the following elements:

1. Notice of the allegations of sexual harassment potentially constituting "sexual harassment" (as defined above) to include sufficient details known at the time and allowing time to prepare a response before any initial interview or other proceeding. Sufficient details include the identities of the known parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.
2. A statement that the complainant and respondent will be treated equitably by providing remedies for a complaint when the determination of responsibility for sexual harassment has been made against the respondent and by following this grievance process before imposing against a respondent any disciplinary sanctions or other actions that are not supportive measures. Remedies must be designed to restore or preserve equal access to the EBRPSS's education program or activities and include individual services such as "supportive measures"; however, remedies can be disciplinary or punitive and need not avoid

unreasonably burdening the respondent.

3. A statement that the respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the investigation process by the Decision-Maker.
4. Notice informing each party that they may have an advisor of their choice and at their own cost, who may be, but is not required to be, an attorney and who may inspect and review all evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint.
5. Notice of any provision in the EBRPSS's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the complaint process.
6. A statement that, if, during an investigation, the Title IX Coordinator or designated Investigator decides to investigate allegations about the complainant or respondent that are not included in the notice provided pursuant to this section, the Title IX Coordinator must provide written notice of the additional allegations to the parties whose identities are known.

62

7. Notice that the Title IX Coordinator may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a complaint process involves more than one complainant or more than one respondent, references in this section to the singular "party," "complainant," or "respondent" include the plural, as applicable.
8. Notice that, if the respondent is an EBRPSS employee, such employee may be placed on administrative leave during the pendency of a grievance process.

RETALIATION IS PROHIBITED

1. Retaliation of any nature against any student or employee who makes a report or complaint or who participates, or declines to participate, in any investigation under this policy is a serious violation of the EBRPSS's sexual discrimination policy. Such retaliation is considered an act of sexual harassment itself; therefore, reports and complaints of such retaliation are handled in the same manner as those of sexual harassment. All references to "sexual harassment" in this policy and the related procedures shall also include retaliation. No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy or because the individual had made a report or complaint, testified, assisted, participated, or declined to participate in any manner in an investigation, proceeding, or meeting under this procedure. Intimidation, threats, coercion, or discrimination constitute retaliation. These prohibited actions, including charges against an individual for code of conduct violations, that do not involve sexual discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sexual discrimination or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or 34 CFR Part 106 (Title IX regulations).

The Title IX Coordinator must keep confidential the identity of any individual who has made a report or complaint of sexual discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sexual discrimination, any respondent and any witness (except as may be permitted by the FERPA statute (20 U.S.C. 1232(g)), FERPA regulations (34 CFR Part 99), as required by law, or to carry out the purpose of 34 CFR Part 106, including the conduct of any investigation, or judicial proceeding arising thereunder). Complaints alleging retaliation may be filed according to these procedures.

2. Specific circumstances

- (a) The exercise of rights protected under the First Amendment does **not** constitute retaliation prohibited under paragraph 1 of this section.
- (b) Charging an individual with a code of conduct violation for making a materially false statement in bad faith during a proceeding under these procedures does **not** constitute retaliation prohibited under paragraph 1 of this section, provided, however, that a determination regarding responsibility alone is not sufficient to include that any party made a materially false statement in bad faith.

SPECIAL SITUATIONS

Any EBRPSS employee who has reason to believe that a sexual offense has occurred under Louisiana law or that constitutes prohibited sexual conduct between an educator and a student must immediately report such information to the Title IX Coordinator who will file a report with the appropriate local or state law enforcement agency. Failure to make such report may result in disciplinary action against the employee, up to and including possible termination. If the victim of the alleged sexual harassment is a minor student, and if the alleged harassment falls within the definition of abuse as found in the Board's policy JGCE, Child Abuse, then all school employees with knowledge shall be considered mandatory reporters and the allegations must be reported to child protection or law enforcement as provided by state law and the Board policy on child abuse. Such reporting must be made in addition to any procedures for handling sexual harassment complaints.

POLICE AND MEDICAL RESOURCES

63

A student who experiences any form of sexual assault is strongly encouraged to seek immediate medical care. Students may undergo a medical examination to properly collect and preserve physical evidence of any sexual assault with or without police involvement. If the incident occurred on an EBRPSS's campus or in East Baton Rouge, call to report it to 911.

For the complete Title IX Grievance Procedure, please see the School Board Policy JAAA, Title IX Grievance Procedures for Student Reports or Complaints of Sexual Harassment.

SECTION TWENTY-EIGHT – DEFINITIONS

1. **ARSON** – The damage to property using an explosive substance or the setting on fire to any school or personal property.
2. **ASSAULT** – An attempt to commit on a person a battery or intentional placing of a person in reasonable apprehension of receiving a battery or making statements threatening physical harm to a person.
3. **BATTERY** – The use of force or violence upon a person if actual contact is made.
4. **BULLYING** – A pattern of any one or more of the following:
 - a. Gestures, including but not limited to obscene gestures and making faces.
 - b. Written, electronic, or verbal communications, including but not limited to calling names, threatening harm, taunting, malicious teasing, or spreading untrue rumors. Electronic communication includes but is not limited to a communication or image transmitted by email, instant message, text message, blog, or social networking website using a telephone, mobile phone, pager, computer, or other electronic device.
 - c. Physical acts, including but not limited to hitting, kicking, pushing, tripping, choking, damaging personal property, or unauthorized use of personal property.
 - d. Repeatedly and purposefully shunning or excluding from activities.
 - e. Where the pattern of behavior as provided in Paragraphs a-d of this Subsection is exhibited toward a student, more than once, by another student or group of students and occurs, or is received by, a student while on school property, at a school-sponsored or school-related function or activity, in any school bus or van, at any designated school bus stop, in any other school or private vehicle used to transport students to and from school, or any school-sponsored activity or event.
 - f. The pattern of behavior as provided in Paragraphs a-d of this Subsection must have the effect of physically harming a student, placing the student in reasonable fear of physical harm, damaging a student's property, placing the student in reasonable fear of damage to the student's property, or must be sufficiently severe, persistent, and pervasive enough to either create an intimidating or threatening educational environment, have the effect of substantially interfering with a student's

performance in school, or have the effect of substantially disrupting the orderly operation of the school. La. R.S. 17:416.14(C).

- 5. **BURGLARY** – The unauthorized entry of property.
- 6. **CHEATING** – Copying someone’s homework, peeking at someone’s test, or peeking at notes or materials that were not to be available while taking a test. Using notes or writings on arms or body for information to answer items on a test or quiz.
- 7. **COMMUNICATING FALSE INFORMATION OF PLANNED ARSON OR BOMB THREATS** – The intentional stating, or causing a statement using the mail, telephone, telegraph, the Internet, word of mouth, or other means of communication, of any threat or false information knowing the same to be false, including bomb threats or threats involving fake explosive devices, concerning an attempt or alleged attempt being made, to commit either aggravated or simple arson.

64

- 8. **COMPLETE SEMESTER** – If the infraction occurs on or before the forty-fifth (45th) school day of a semester, the minimum expulsion period shall be for the remainder of the semester during which the infraction occurred. If the infraction occurs after the forty-fifth (45th) school day of a semester, the minimum expulsion period shall consist of the remainder of the semester during which the infraction occurred and the school semester immediately following.
- 9. **COMPUTER HACKING** – The accessing or causing to be accessed of any computer, computer system, computer network, or any part thereof with intent to view, alter, delete, or insert programs or data without authority.
- 10. **CONTROLLED SUBSTANCE** – A drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) or State law.
- 11. **CORPORAL PUNISHMENT** – Means using physical force to discipline a student, with or without an object. Corporal punishment includes hitting, paddling, striking, spanking, slapping, or any other physical force that causes pain or physical discomfort. Corporal punishment is prohibited in the East Baton Rouge Parish School System. See La. R.S. 17:416.1(B)(1)(a).
- 12. **CYBERBULLYING** – Bullying of a student by another student using a computer, mobile phone, or other interactive or digital technology while on school property, at a school-sponsored or school-related function or activity, in any school bus or van, at any designated school bus stop, in any other school or private vehicle used to transport students to and from schools, or bullying of a student while off school property by another student using any such means when the action or actions are intended to have an effect on the student when the student is on school property. See La. R.S. 17:416.14(C)(1)(b).
- 13. **DATING VIOLENCE** – Violence that includes, but is not limited to, physical or sexual abuse and any infraction against a person as defined in the Criminal Code of Louisiana, except negligent injury and defamation, committed by one dating partner against the other partner. Dating violence can be physical, sexual, or psychological/emotional violence within a dating relationship, as well as stalking. It may be in person or electronically between a current or a former dating partner.
- 14. **DISABILITY HARASSMENT** – Consists of physical or verbal conduct relating to an individual’s physical or mental impairment or perceived physical or mental impairment when the conduct has the purpose or effect of creating an intimidating, hostile, or offensive school environment.
- 15. **DISRESPECT FOR AUTHORITY** – Any unprovoked act of aggression which demonstrates a disregard or interference with authority or supervising personnel.
- 16. **DISTURBANCE** –
 - a. Minor Disturbance – An act of misconduct that disrupts the orderly process of educational activities in that area that is confined to a limited area, and/or which jeopardizes safety of children.
 - b. Major Disturbance – A serious act of misconduct that interrupts the orderly process of educational activities that is not confined to a limited area, and/or which jeopardizes safety to children.
- 17. **DRUG (ILLEGAL)** – A controlled substance, but does not include a controlled substance that is legally

possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority of Federal law or State law.

- 18. **DRUG PARAPHERNALIA** – Any equipment, products and materials of any kind which are used with drugs such as roach clips, rolling papers, pipes, etc.
- 19. **EMANCIPATION** – Results when a child reaches the age of eighteen (18) years, or is emancipated by a notarial act, by marriage or by judicial decision prior to reaching the age of 18.
- 20. **EMERGENCY** – An actual or threatened existence of conditions of disaster or peril to the safety of students and staff in a school or school bus due to an accident, fire, storm, or similar conditions requiring police or medical assistance or lock down of a school site.
- 21. **EXCUSED TARDY** – Acceptable reason for not being in class on time, including but not limited to accidents, illness, emergencies, or natural disasters.
- 22. **EXPLOSIVE DEVICES** – Including fireworks, bullets, bombs, and incendiary devices. 23. **EXTORTION** – The taking of property or services from another person by threats, force, or intimidation, with or without that person's consent.

65

- 24. **FIGHTING** – The exchange of physical blows between two or more students with the intent of harming one another.
- 25. **FIREARM** – This definition also includes any pistol, revolver, rifle, BB gun, shotgun, machine gun, submachine gun, black powder weapon, or assault rifle that is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive, carbon dioxide, or air.
- 26. **GAMBLING** – To play a game of chance where a reward is expected.
- 27. **HABITUAL OFFENDER** – One who has committed several infractions, not necessarily of the same type.
- 28. **HAZING** – “Hazing” is any intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against another when both of the following apply:
 - a. The person knew or should have known that the act endangers the physical health or safety of the other person or causes severe emotional distress.
 - b. The act was associated with pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization.“Hazing” includes, but is not limited to, any of the following acts associated with pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization:
 - (1) Physical brutality, such as whipping, beating, paddling, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity.
 - (2) Physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, or calisthenics, that subjects the other person to an unreasonable risk of harm or that adversely affects the physical health or safety of the individual or causes severe emotional distress.
 - (3) Activity involving consumption of food, liquid, or any other substance, including, but not limited to, an alcoholic beverage or drug, that subjects the individual to an unreasonable risk of harm or that adversely affects the physical health or safety of the individual or causes severe emotional distress.
 - (4) Activity that induces, causes, or requires an individual to perform a duty or task that involves the commission of a crime or an act of hazing.
 - (5) A physical activity that is normal, customary, and necessary for a person's training and participation in an athletic, physical education, military training, or similar program sanctioned by the education institution is **not** considered “hazing” for purposes of this Section.
 - (6) “**Organization**” means a fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, band, spirit group, athletic team, or similar group whose members are primarily students or former students of an elementary or secondary school of the EBRPSS. La. R.S. 14:40.8(C).
- 29. **INDECENT BEHAVIOR** – Involves the commission of acts as defined in La. R.S. 14:81 with the intention of

arousing or gratifying the sexual desires of either person

30. **INDIVIDUALIZED ACCOMMODATION PLAN (IAP)** – A written statement for a student with disabilities who qualifies under Section 504 of the Rehabilitation Act of 1973 and its implementing regulations. 31.

INDIVIDUALIZED EDUCATION PROGRAM (IEP) – A written statement for a student with disabilities eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA).

32. **INSTRUCTIONAL MATERIALS** – Content that conveys the knowledge or skills of a subject in the school curriculum through a medium or a combination of media for conveying information to a student. It also includes any nonsecure test, nonsecure assessment, or survey administered to a student. The term also includes books, supplementary materials, teaching aids, computer software, magnetic media, DVD, CD ROM, computer courseware, online material, information or services, or an electronic medium or other means of conveying information to a student or otherwise contributing to the learning process. La. R.S. 17:355(D)(1).

33. **INTIMIDATION** – To make timid or fearful; intentional unlawful threat by word or act to do violence to the person or property of another person.

66

34. **LOOK-ALIKE** – Similar to; appear to be.

35. **MOLESTATION** – To make indecent advances in which physical contact is made. 36. **PLAGIARISM** – Taking the words, work, or ideas of someone else and passing it off as one's own. 37. **PORNOGRAPHY** – Material (such as books, writing, or photographs) that show erotic behavior and is intended to cause sexual excitement.

38. **POSSESSION** – The exercise of dominion or control over a thing or substance even though not in a person's physical dominion or control, a thing or substance is subject to his/her dominion or control; joint possession occurs when a thing or substance is in the physical custody of another person who willfully and knowingly shares with the other the right to control the thing or substance.

39. **PROBATION** – A condition in which students are temporarily placed to assist them in adjusting to a normal school setting.

40. **PROVOKING A FIGHT** – To purposely cause or invite either verbally or physically a student or students to fight.

41. **REASONABLE BELIEF** – A suspicion founded upon circumstances sufficiently strong enough to warrant a belief in a reasonable person that something is true.

42. **ROBBERY** – Taking of anything of value belonging to another by using force or intimidation. 43. **SCHOOL BUILDING LEVEL COMMITTEE (SBLC)** – A group of knowledgeable persons comprised of school staff and parents who meet in response to a student's needs.

44. **SELF-DEFENSE** – An act of protecting oneself from an aggressor where the force used is only sufficient to repel the aggressor.

45. **SERIOUS BODILY INJURY** – Serious bodily injury has the meaning given to the term "serious bodily injury" under 18 U.S.C. 1365(h)(3). Section 1365(h)(3) defines "serious bodily injury" as bodily injury which involves: (a) a substantial risk of death; (b) extreme physical pain; (c) protracted and obvious disfigurement; or (d) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

46. **SEXTING** – Knowingly and voluntary use of a computer or telecommunication device to transmit an indecent visual depiction of a person.

47. **SEXUAL BATTERY** – The touching without consent as defined in La. R.S. 14:43.1. 48. **SEXUAL HARASSMENT (Non-Title IX)** – (See Section Twenty-Seven for Title IX Definition for Title IX Complaints)

a. Student-to-Student, Student-to-Staff, or Staff-to-Student Harassment – In this context, sexual harassment is defined as any harassment based on someone's sex, gender, or sexual orientation and includes, but is not limited to, unwelcome sexual advances, requests for sexual favors or other inappropriate verbal, nonverbal, visual, written or physical conduct of a sexual nature and/or based on an individual's sex, gender, or sexual orientation at school or a school sponsored event.

b. Extended Definition – Non-Title IX Sexual harassment may also include, but is not limited to: i. Verbal harassment or abuse
ii. Uninvited letters, telephone calls, or materials of sexual nature;

- iii. Uninvited or inappropriate leaning over, cornering, patting, or pinching;
- iv. Uninvited sexually suggestive looks or gestures;
- v. Intentional brushing against a student or school employee's body;
- vi. Uninvited pressure for dates;
- vii. Uninvited sexual teasing, jokes, remarks, or questions;
- viii. Any sexually motivated unwelcome touching;
- ix. Any conduct resulting in an intimidating, hostile, or offensive educational environment; or
- x. Attempted or actual rape or sexual assault.

49. **TARDY** – When one is not in his or her classroom or other assigned area when the tardy bell rings. 50.

TERRORIZING – The intentional communication of information, known by the offender to be false, that the commission of a crime of violence is imminent or in progress or that a circumstance dangerous to human life exists or is about to exist, thereby causing any person to be in sustained fear for his or another

67

person's safety; causing evacuation of a building, a public structure, or a facility of transportation; or causing other serious disruption to the public.

51. **THEFT** – Taking property of another without permission, by stealing, fraud, or trickery. 52. **THREAT** – A

communication in person, in writing or using the Internet to injure a person or to kill a person, who is a teacher, employee of the school system, or a student of the school system. 53. **THREAT OF TERRORISM** – Communication, whether oral, visual, or written, including, but not limited to, electronic mail, letters, notes, social media posts, text messages, blogs, or posts on any social networking website, of any intent to kill, maim, or cause great bodily harm to a student, teacher, principal, or school employee to be in sustained fear for his safety, cause the evacuation of a building, or cause other serious disruption to the operation of a school.

54. **THREAT OF VIOLENCE** – Communication, whether oral, visual, or written, including but not limited to electronic mail, letters, notes, social media posts, text messages, blogs, or posts on any social networking website, of any intent to kill, maim, or cause great bodily harm to a student, teacher, principal, or school employee on school property or at any school function.

55. **TRESPASSING** – Unauthorized entry on a school campus other than the one a student normally attends except when the student has been assigned to an alternative program.

56. **TRUANT/HOOKY** – The repeated or habitual unauthorized absence or tardiness of a child from school or classes.

57. **USE OF CELL TELEPHONE** – The use or operation of a cellular telephone or any electronic telecommunication device occurs when the device is visible, turned on, rings, makes a sound, or is in a mode capable of receiving or transmitting signals.

58. **VANDALISM** – The defacing, damaging, and/or breaking of others' property through willful misconduct. 59.

WEAPON – Any object which, under the circumstances, may be used to inflict bodily injury or damage to property. For the purposes of students with disabilities, "weapon" has the meaning given to the term "dangerous weapon" under 18 U.S.C. 930(g)(2) which defines "dangerous weapon" as a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocketknife with a blade less than 2 ½ inches in length.

60. **WILLFUL DISOBEDIENCE** – The intentional refusal to follow a reasonable request of a teacher, administrator, or an adult authority figure on campus which has an impact of the effective or safe functioning of the school (student exhibits repeated disobedience when interventions have not modified behavior).

61. **ZERO TOLERANCE** – An anti-violence policy making school a safer place for learning. School principals shall call the police/authorities for a fight involving students who are 12 years of age or older if one or more students suffer an injury requiring medical attention.

Administrators Note: Use the Louisiana Department of Education (LDE) definitions to determine the applicable code for completion of any LDE forms or reports.

**SECTION TWENTY-NINE
STUDENT/PARENT GRIEVANCE/COMPLAINT PROCEDURES**

Situations Other Than Suspensions and Expulsions

If a student or parent has a complaint or believes the student is being improperly punished or subjected to an inappropriate rule or standard, he/she should follow these steps:

1. Discuss the situation with your student and the involved teacher, counselor, bus operator, and/or administrator.
2. Request a conference with the involved school employee and the school-level administrator.
3. In the event the complaint is not resolved at the school level, a student or parent may appeal to the Director of Child Welfare and Attendance.
4. File a written complaint with the **Director of Child Welfare and Attendance, 802 Mayflower Street, Baton Rouge, 70802, Telephone (225) 456-5139**, requesting that the matter be investigated. The Director of Child

68

Welfare and Attendance or designee shall investigate by obtaining statements from all parties and witnesses and reviewing all relevant documentation provided by all parties, determine appropriate action, and notify all parties in writing of the actions taken by the Director of Child Welfare and Attendance.

5. In the event the matter is not resolved by the Director of Child Welfare and Attendance, a student or parent may request a review of the matter by the Superintendent. The Superintendent's final decision will be given to all parties in writing.
6. If subjected to sexual discrimination, sexual harassment, intimidation, or bullying (including cyberbullying) by another student, report the information to the school-level administrator and cooperate with the principal or other designated school-level administrator in the investigation of the incidences of such harassment. The school-level administrator will investigate the incident and take appropriate action to address the incidents of harassment, intimidation and bullying (including cyberbullying), as provided in Section Seventeen, page 30 or Section Thirty, page 51.

SECTION THIRTY-- FOSTER CHILDREN

A child who is in foster care pursuant to placement through the Department of Children and Family Services (DCFS) shall be allowed to remain enrolled in the public school in which the child was enrolled at the time he/she entered foster care for the duration of the child's stay in the custody of the state or until he/she completes the highest grade offered at the school, if DCFS determines that remaining in that school is in the best interest of the child. If the foster care placement is outside the jurisdictional boundaries of the public school in which the child is enrolled, the East Baton Rouge Parish School Board remains responsible for providing free transportation for the child to and from a designated location which is within the district and is located nearest to the child's residence and is determined to be appropriate by the School Board and DCFS shall be responsible for providing the child's transportation between that location and the child's residence. La. R.S. 17:238(C).

SECTION THIRTY-ONE – ASSAULT AND AWARENESS PREVENTION

I.

Age- and grade-appropriate instruction is provided in the classroom on assault and awareness prevention. Students may report to a school counselor or other school staff member circumstances surrounding any abuse or assault. In addition, reports may be made to the toll-free hotline operated by the Department of Children and Family Services, by calling: 1-855-4LA-KIDS (1-855-452-5437).

SECTION THIRTY-TWO – SCHOOL CRISIS MANAGEMENT AND RESPONSE PLANS

Each school principal shall maintain crisis management and response plans for the school as required by La. R.S. 17:416.16. The plans address school safety and incidences of a shooting or other violence at a school, on a school bus, and at school-related activities. Each year the principal shall conduct a safety drill to rehearse components of the plan. In the event of a shooting or other violent incident or emergency situation, notice will be provided to parents.

SECTION THIRTY-THREE – STUDENT SAFETY REPORTING

Students who recognize potential threats to school safety that are posted on the Internet, including, but not limited to, posts on social media, should report such information to their principal using the procedures implemented at the school. La. R.S. 17:409.

SECTION THIRTY-FOUR – NOTIFICATIONS

- I. Teacher Bill of Rights
- II. Parents' Bill of Rights for Public Schools

69

- III. Notice of Non-Discrimination
- IV. Notification of Rights under FERPA for Elementary and Secondary Schools and Directory Information
- V. Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)
- VI. Notice of Use of Personal Health Information
- VII. Parental Involvement in Education
- VIII. Education for Homeless Children and Youth Program

I. TEACHER BILL OF RIGHTS (ACT 155 OF THE 2008 REGULAR SESSION)

- A. Respecting the authority of teachers is essential to creating an environment conducive to learning, effecting instruction in the classroom and proper administration of city, parish, and other local public schools. To maintain and protect that authority, it is important that teachers, administrators, parents, and students are fully informed of the various rights conferred upon teachers pursuant to this Section, which are:
 - 1) A teacher has the right to teach free from frivolous lawsuit including the right to qualified immunity and to a legal defense, and to indemnification by the employing school, pursuant to La. R.S. 17:416.1(C), 416.5, and 416.11, for actions taken in performance of duties of the teacher's employment.
 - 2) A teacher has the right to appropriately discipline students in accordance with La. R.S. 17:416 through 416.16 and any city, parish, or other local public-school board regulation.
 - 3) A teacher has the right to remove any persistently disruptive student from his/her classroom when the student's behavior prevents the orderly instruction of other students or when the student displays impudent or defiant behavior and to place the student in the custody of the principal or his/her designee pursuant to La. R.S. 17:416(A)(1)(c).
 - 4) A teacher has the right to have his or her professional judgement and discretion respected by school and district administrators in any disciplinary action taken by the teacher in accordance with school and district policy and with La. R.S. 17:416(A)(1)(c).
 - 5) A teacher has the right to teach in a safe, secure, and orderly environment that is conducive to learning and free from recognized dangers or hazards that are causing or likely to cause serious injury in accordance with La. R.S. 17:416.9 and 416.16.
 - 6) A teacher has the right to be treated with civility and respect as provided in La. R.S. 17:416.12. 7) A teacher has the right to communicate with and involve and request the participation of parents in

appropriate student disciplinary decisions pursuant to La. R.S. 17:235.1 and 416(A).

- 8) A teacher has the right to complete only paperwork that is not excessively burdensome and that, if required by law or regulation adheres to the law or regulation and does not result in overly cumbersome interpretations of that law or regulation.
 - 9) A beginning teacher has the right to receive leadership and support in accordance with La. R.S. 17:3881, including the assignment of a qualified, experienced mentor who commits to helping him/her become a competent, confident professional in the classroom and offers support and assistance as needed to meet performance standards and professional expectations.
 - 10) A teacher has the right to be afforded time during the school day or week to collaborate with other teachers.
- B. No city, parish, or other local public-school board shall establish policies that prevent teachers from exercising the rights provided in this Section or in any other provision included in La. R.S. 17:416 through 416.16.
- C. The provisions of this Section shall not be construed to supersede any other state law, State Board of Elementary and Secondary Education policy, or city, parish, or other local public-school board policy enacted or adopted relative to the discipline of students.

70

II. PARENTS' BILL OF RIGHTS FOR PUBLIC SCHOOLS

A. Parents of public-school children who have not reached the age of majority shall have all the following rights:

- 1) To examine the textbooks, curriculum, and supplemental material used in their child's classroom. 2) To inspect their child's records, and to receive a copy of their child's records within ten (10) business days of submitting a written request, either electronically or on paper. Parents shall not be required to appear in person for the purposes of requesting or validating a request for their child's school records. There shall be no charge for a parent to receive such records electronically. Any charges for a paper copy of such records shall be reasonable and set forth in the official rules and regulations of the school governing authority. School records shall include all the following:
 - (a) Academic records.
 - (b) Medical or health records.
 - (c) Records of any mental health counseling.
 - (d) Records of any vocational counseling.
 - (e) Records of discipline.
 - (f) Records of attendance.
 - (g) Records associated with a child's screening for learning challenges, exceptionalities, plans for an Individualized Education Program, or Individual Accommodation Plan.
 - (h) Any other student-specific file, document, or other materials maintained by the school.
- 3) To be notified when medical services are being offered to their child, except where emergency medical treatment is required. In cases where emergency medical treatment is required, the parent shall be notified as soon as practicable after the treatment is rendered.
- 4) To be notified if a criminal action is deemed to have been committed against their child or by their child.
- 5) To be notified if law enforcement personnel question their child, except in cases where the parent has been accused of abusing or neglecting the child.
- 6) To be notified if their child is taken or removed from the school campus without parental permission.
- 7) The school shall not discriminate against their child based upon the sincerely held religious beliefs of the child's family.
- 8) To receive written notice and the option to opt their child out of any surveys that include questions about any of the following:

- (a) The student's sexual experiences or attractions.
 - (b) The student's family beliefs, morality, religion, or political affiliations.
 - (c) Any mental health or psychological problems of the student or a family member.
- 9) To receive written notice and have the option to opt their child out of instruction on topics associated with sexual activity.
 - 10) To receive from the school the annual school calendar, no later than thirty (30) days prior to the beginning of the school year, and to be notified in writing as soon as feasible of any revisions to such calendar. Such calendar shall be posted to the school's website and shall include, at a minimum, student attendance days and any event that requires parent or student attendance outside of normal school days or hours.
 - 11) To receive in writing each year or to view on the school's website a comprehensive listing of any required fee and its purpose and use and a description of how economic hardships may be addressed.
 - 12) To receive in writing each year or to view on the school's website a description of the school's required uniform for students.

71

- 13) To be informed if their child's academic performance is such that it could threaten the child's ability to be promoted to the next grade level and to be offered an in-person meeting with the child's classroom teacher and school leader to discuss any resources or strategies available to support and encourage the child's academic improvement.

B. Notwithstanding anything to the contrary, a public school shall not be required to release any records or information regarding a student's medical or health records or mental health counseling records to a parent during the pendency of an investigation of child abuse or neglect conducted by any law enforcement agency or the Department of Children and Family Services where the parent is the target of the investigation, unless the parent has obtained a court order.

*As amended by Act No. 547 of the 2018 Regular Session.

III. NOTICES OF NON-DISCRIMINATION

Federal Notice of Non-Discrimination

The East Baton Rouge Parish School System (EBRPSS) and all its entities (including Career and Technical Education Programs) adhere to the equal opportunity provisions of federal civil rights, laws and regulations that are applicable to the School System and its schools. EBRPSS does not discriminate against anyone employed, or any person enrolled in its educational programs, or otherwise entitled to services because of race, color, religion, national origin, sex, disability, or age and provides equal access to the Boy Scouts and other designated youth groups (Section 504, Title VI of the Civil Rights Act of 1964) (Title IX of the Education Amendments of 1972) (Title II of the Americans with Disabilities Act). **The following person has been designated the 504 Coordinator. Danielle Staten, who is located at 12000 Goodwood Boulevard Baton Rouge, LA 70815, and can be reached at (225) 326-5668 or email dstaten@ebschools.org. The Title IX Coordinator is Andrew Davis, Director of Risk Management, who is located at 6550 Sevenoaks Avenue, Baton Rouge, LA. 70806. He can be reached at (225) 929-8705 or email adavis6@ebschools.org. The Title II Coordinator is Larry Munson, who is located at 6550**

Sevenoaks Avenue, Baton Rouge, LA. 70806, can be reached at (225) 615-8674 or email lmunson@ebschools.org.

For further information on the above notice of non-discrimination, call 1-800-421-3481, or visit <https://ocrcas.ed.gov/contact-ocr> for the address and phone number of the office that serves your area.

Notice of Non-Discrimination in Louisiana public schools prohibited; pupil assignment; religious educational institutions

No person shall be refused admission into or be excluded from any public school in the state of Louisiana on account of race, creed, color, disability, as defined in R.S. 51:2232, or national origin, or natural, protective, or cultural hairstyle. "Natural, protective, or cultural hairstyle" shall include but is not limited to afros, dreadlocks, twists, locs, braids, cornrow braids, Bantu knots, curls, and hair styled to protect hair texture or for cultural significance. La. R.S. 17:111.

IV. NOTIFICATION OF RIGHTS UNDER FERPA AND LA. R.S. 17:3914

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 calendar days after the day the school or EBRPSS receives a request for access. However, see Parent's Bill of Rights for Public

72

Schools A., 2) on page 62. Parents or eligible students who wish to inspect their child's or their education records should submit to the school principal or appropriate school official a written request that identifies the records they wish to inspect. The school official will arrange for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's rights under FERPA.

Parents or eligible students who wish to ask the school to amend their child's or their education record should write the school principal or appropriate school official, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest must be set forth in the school's or school district's annual notification for FERPA rights. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant, who while not employed by the school performs an institutional service or function for which the school would otherwise use its own

employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his/her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the school discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. [NOTE: FERPA requires a school or school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request or the disclosure is initiated by the parent or eligible student.]

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school or EBRPSS to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

**Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington DC. 20202**

73

See the list below of the disclosures that elementary and secondary schools may make without consent.

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student if the disclosure meets certain conditions found in Subsection 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, Subsection 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parent or the eligible student...

- ☐ To other school officials including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions provided that the conditions listed in Subsection 99.31(a)(1)(B)(1) – (a)(1)(i)(B)(3) are met.
- ☐ To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of Subsection 99.34.
- ☐ To authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local educational authorities, such as the State Educational Agency (SEA) in the parent or eligible student's state. Disclosures under this provision may be made, subject to the requirements of Subsection 99.35, in connection with an audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met. (Subsection 99.31(a)(3) and Subsection 99.35). *NOTE: Student information provided to School Board members, the Louisiana

Department of Education (LDE), or the Louisiana Board of Elementary and Secondary Education (BESE) shall be identifiable only by a student's identification number and aggregate data for disclosure solely to satisfy state and federal reporting requirements.

- ☐ In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid (Subsection 99.31(a)(4)). ***NOTE:** Once the parent, guardian, or student of majority age has granted written consent for collection of certain data in accordance with La. R.S. 17:3914(K), such data shall be disclosed solely for purposes of processing a student's application to a Louisiana postsecondary education institution or to the Louisiana Office of Student Financial Assistance for receipt of financial aid pursuant to such consent. Failure to provide such consent may result in delays or prevent successful application for admission to a postsecondary educational institution and state and federal student aid. Consent provided under La. R.S. 17:3914(K) shall continue unless withdrawn in writing.
- ☐ To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to Subsection 99.38 (Subsection 99.31(a)(5)).
- ☐ To organizations conducting studies for, or on behalf of, the school to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met. (Subsection 99.31(a)(6)).
- ☐ To accrediting organizations to carry out their accrediting functions. (Subsection 99.31(a)(7)). ☐ To parents of an eligible student if the student is a dependent for IRS tax purposes. (Subsection 99.31(a)(8)).

74

- ☐ To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (Subsection 99.31(a)(9)).
- ☐ To appropriate officials in connection with a health or safety emergency, subject to Subsection 99.36. (Subsection 99.31(a)(10)).
- ☐ Information the school has designated as "directory information" if applicable requirements under Subsection 99.37 are met. (Subsection 99.31(a)(11)).
- ☐ To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. 1232g(b)(1)(L)).
- ☐ To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. 1232g(b)(1)(K)).

DIRECTORY INFORMATION

EBRPSS in accordance with FERPA and La. R.S. 17:3914(H), has authorized its Superintendent to authorize the disclosure of appropriately designated directory information without written consent, unless parents/guardians/eligible students opt-out of such disclosure. Directory information allows the School or EBRPSS to include student information in certain school publications and announcements, including, but not limited to, yearbooks, honor roll and scholarships, graduation programs, sports activity notices, and sporting events. EBRPSS may disclose appropriately designated "directory information" without written consent, unless you have advised the Principal of your child's school, in writing, to the contrary in accordance with EBRPSS procedures. The primary purpose of directory information is to allow the EBRPSS to include information from your child's education records

in certain school publications. Examples include:

- ☐ A playbill, showing your student's role in a drama production;
- ☐ The annual yearbook;
- ☐ Honor roll or other recognition lists;
- ☐ Purchase of class rings;
- ☐ Providing transportation services;
- ☐ Internet and Wi-Fi access;
- ☐ Photography services for school pictures or school publications;
- ☐ Graduation programs; and
- ☐ Sports activity sheets or programs, such as for soccer, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEA) receiving assistance under the Elementary and Secondary Education Act of 1965, as amended, (ESEA) to provide military recruiters, upon request, with the following information: names, addresses, and telephone listings, unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent. **[NOTE: These laws are Section 9528 of the ESEA (20 U.S.C. 7908 and 10 U.S.C. 503(c))].**

If you do not want EBRPSS to disclose any or all the types of information designated below as directory information from your child's education records without your prior written consent, you must notify the Principal of your child's school, in writing by August 31st of each school year of your withdrawal of consent to release information designated as directory information. Without any written request to the Principal of your child's school withdrawing your consent, EBRPSS will release directory information of its students, as necessary.

75

EBRPSS has designated the following information as directory information:

- ☐ Student's name
- ☐ Address (home and school)
- ☐ Telephone number
- ☐ Electronic mail (email) address (if available)
- ☐ Photographs
- ☐ Date and Place of Birth
- ☐ Major field of study
- ☐ Dates of attendance
- ☐ Participation in officially recognized activities and sports
- ☐ Weight and height of members of athletic teams
- ☐ Diploma, honors, and awards received
- ☐ Student ID number
- ☐ Grade level

In accordance with the No Child Left Behind Act of 2001, the School Board shall honor the requests of military recruiters for names, addresses, and phone numbers of high school students, unless parents have specified that such information not be released to military recruiters.

ELECTRONIC DATA GOVERNANCE

Except as provided below, no person or public or private entity shall access an EBRPSS school computer system on which student information is stored. No official or employee of EBRPSS shall authorize access to such a computer

system to any person or public or private entity except as authorized in this policy.

The following persons may access an EBRPSS computer system on which student information is stored:

- (a) A student who has reached the age of eighteen (18) or is judicially emancipated or emancipated by marriage and the parent or legal guardian of a student who is under the age of eighteen and not emancipated. For a student who has reached the age of eighteen or is emancipated, such access is limited to information about the student. For a parent or legal guardian of a student who has not reached the age of eighteen and is not emancipated, such access shall be limited to information about the student. A student who has reached the age of eighteen or is emancipated and the parent or legal guardian of a student who has not reached the age of eighteen and is not emancipated may authorize, in writing, another person to access such information.
- (b) A teacher of record. Such access shall be limited to information about the teacher's current students.
- (c) The school principal and school registrar.
- (d) EBRPSS employee who is employed at the school and designated by the principal. Such access shall be limited to student information necessary to perform the person's duties.
- (e) A person authorized by the Superintendent to maintain or repair the computer system or to provide services that the school system would otherwise provide.
- (f) A person authorized by the State of Louisiana to audit student records.

The following persons may access a computer of EBRPSS on which student information for students from throughout the system is stored:

- (a) The Superintendent of EBRPSS.
- (b) EBRPSS employee designated by the Superintendent. Such access shall be limited to student information necessary to perform the person's duties.

76

- (c) A person authorized by the Superintendent to maintain or repair the computer system or to provide services that the school system would otherwise provide.
- (d) A person authorized by the State of Louisiana to audit student records.

Any person who is authorized to access a public-school computer system, except a parent or legal guardian, shall maintain the confidentiality of any student information to which he/she has access.

CONSENT TO USE ELECTRONIC COMMUNICATION

EBRPSS in the Distance Teaching or Virtual Classroom mode may communicate using the following means of electronic communication ("The Services"):

- ☐ Email (Google Suite – Gmail)
- ☐ Video Conferencing (including WebEx, ZOOM®, FACETIME®, Skype, Teams, Hangouts, Meet)
- ☐ Video Conferencing with Audio ONLY (Video disabled by parent)
- ☐ Text Messaging SIS (including Instant Messaging, Remind, Instagram, Electronic Signature)
- ☐ School Facebook Page

Despite reasonable efforts to protect the privacy and security of electronic communication, it is not feasible to completely secure such information at all times. The electronic nature of such communication can increase the risk of it being disclosed to third parties. EBRPSS and Online services may have a legal right to inspect and keep electronic communications that pass through their system. Electronic communications can introduce malware into

a computer system, and potentially damage or disrupt the computer, networks, and security settings. Electronic communications can be forwarded, intercepted, circulated, stored, or changed without the knowledge or permission of EBRPSS, teacher, parent, or the student.

Even after the sender and recipient have deleted copies of electronic communications, backup copies may exist on a computer system. Electronic communications may be disclosed in accordance with a duty to report or a court order. Electronic communications concerning schedules, telephone numbers, email addresses, course materials, evaluations, class enrollment, and grades may be made a part of the student's educational record. Other individuals authorized to access the educational record, such as teachers and administrators, may have access to those communications. EBRPSS may forward electronic communications to a teacher and those involved in the delivery and administration of student instruction. A teacher might use one or more of the services to communicate with those involved in your student's instruction.

EBRPSS will not forward electronic communications to third parties, including family members, without your prior written consent, except as authorized or required by law.

You agree to inform EBRPSS of any types of information you do not want sent via any of the Services. In addition to those set out above, you can add to or modify the above list at any time by notifying EBRPSS in writing. Services will be limited to education, information, and administrative purposes. EBRPSS, its teachers and staff are not responsible for information loss due to technical failures associated with your software or Internet service provider. Electronic signatures are governed by Federal and State laws. Parents may provide consent with an electronic signature under three conditions:

- ☐ The document identifies a particular person as the source of the electronic request;
- ☐ The document authenticates a particular person as the source of the consent; and
- ☐ The document indicates such person's approval of the information contained in the electronic consent.

34 C.F.R. §99.30(d).

V. NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

PPRA affords parents of elementary and secondary students certain rights regarding the taking of surveys, the collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

- ☐ **Consent** before students are required to submit to a survey that concerns one or more of the following protected areas ("Protected Information Survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):
 1. Political affiliations or beliefs of the student or student's parent;
 2. Mental or psychological problems of the student or student's family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or student's parents; or
 8. Income, other than as required by law to determine program eligibility.
- ☐ **Receive notice and an opportunity to opt a student out of:**
 1. Any other protected information survey, regardless of funding;

2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions).

☐ **Inspect**, upon request and before administration or use:

1. Protected information surveys of students and surveys created by a third party;
2. Instruments used to collect personal information from students for any marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parent to a student who is 18 years old or an emancipated minor under State law.

East Baton Rouge Parish School System (EBRPSS) has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. EBRPSS will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. EBRPSS will also directly notify, such as through U.S. mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt out his or her child from participation of the specific activity or survey. EBRPSS will make this notification to parents at the beginning of the school year, if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be

78

provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys.

The following is a list of the specific activities and surveys covered under this direct notification requirement:

- ☐ Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
- ☐ Administration of any protected information survey not funded in whole or in part by ED.
- ☐ Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

**Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202**

VI. EAST BATON ROUGE PARISH SCHOOL SYSTEM NOTICE OF USE OF PERSONAL HEALTH INFORMATION

This Notice Describes How Medical Information About Your Child May Be Used and Disclosed and How You Can Get Access to This Information. Please Review It Carefully.

The East Baton Rouge Parish School System understands that information we collect about your child and their health is personal. Health records of students are considered education records and protected by FERPA (See Notification IV). Keeping health information of your child private one of our most important responsibilities. We are committed to protecting their health information and following all laws about its use. You have the right to discuss with the system's Privacy Officer your concerns about how their health information is shared.

Your child may receive certain services from nurses, therapists, social workers, doctors, or other health-care related individuals. They may see, use, and share your child's health or medical information to determine any plan of treatment, diagnosis, or outcome of information as described in an Individualized Education Program (IEP), Individualized Accommodation Plan (IAP), or another plan document. This use may cover such health services your child had before now or may have later.

We review such health services information and claims to make sure that you get quality services and that all laws about providing and paying for such health services are being followed. We may also use the information to remind you about services or to tell you about treatment alternatives. We also use the information to obtain payments for such services resulting from the Medicaid program. We must submit information that identifies you and your child, your child's diagnosis and the treatment and services provided to your child for reimbursement by Medicaid.

We may share your health care information with health plans, insurance companies, or government programs to help get the benefits and so that the School System can be paid or pay for such health care or medical services.

In most cases, you may see your child's health information, but the request cannot include psychotherapy notes or information gathered for judicial proceedings. There may be legal reasons or safety concerns that may limit the amount of information that you may see. You may request in writing to receive a copy of your child's health information. We may charge a small amount for copying costs.

79

If you think some of the health information is wrong, you may ask in writing that we correct or make additions to it. You may ask that the corrected or new information be sent to others who have received your child's health information from us. You may ask us for a list of where we sent the health information. However, the request cannot include dates before April 14, 2003.

You may ask to have the health information sent to others. You will be asked to sign a separate form, called an authorization form, permitting the health information of your child to go to them. The authorization form tells us what, where, and to whom the information must be sent. You can stop or limit the amount of information sent at any time by letting us know in writing.

NOTE: A child 18 years old or older can give consent for his or her health information to be kept private from others unless the child signs an authorization form.

We follow laws that tell us when we must share health information of your child even if you do not sign an

authorization form. We will report:

1. Contagious diseases, birth defects, and cancer;
2. Firearm injuries and other trauma-related events;
3. Reactions to problems with medications or defective medical equipment;
4. To the police or other governmental agencies when required by law;
5. When a court orders us to:
 - a. To the government to review how our programs are working;
 - b. To a provider or insurance company who needs to know if your child is enrolled in one of our programs;
 - c. To Worker's Compensation for work related injuries;
6. Birth, death and immunization information;
7. To the federal government when they are investigating something important to protect our country, the President and other government workers;
8. Abuse, neglect, and domestic violence, if related to child protection or vulnerable adults; or 9. To parents and others designated by law.

We may also share health care information for permitted research purposes, for matters concerning organ donations and for serious threats to public health or safety.

This notice is yours. You may ask for a copy at any time. If there are important changes to this notice, you will get a new one within 60 days.

If you have questions about this notice of privacy rights of your child or that such rights have been violated, you can contact:

East Baton Rouge Parish School System
Privacy Office Telephone: (225) 922-5619
General Counsel
1050 South Foster Drive
Baton Rouge, Louisiana 70806

You may also complain to the federal government Secretary of Health and Human Services (HHS) or to the HHS Office of Civil Rights. Your health care services will not be affected by any complaint made to the School Board's Privacy Official, Secretary of Health and Human Services or Office of Civil Rights.