

## DISCIPLINE

The School Board recognizes the necessity for reasonable control and discipline over the conduct of students under its jurisdiction. It strongly opposes the use of profanity, racial slurs, foul, obscene, and or other abusive language. Discipline within the schools of the school district shall be under the direct supervision of the individual building level committee principal. The Superintendent shall establish regulations for the use of disciplinary measures within the schools and continually monitor and appraise their usefulness. Each school facility shall formulate procedures pertaining to discipline in their respective school using the PBS as established by state.

Principals shall have both the authority and the duty to take disciplinary action whenever the behavior of any student(s) materially interferes with or substantially disrupts the maintenance of a proper atmosphere for learning within the classroom or other parts of the school.

Each teacher may take disciplinary action to correct a pupil who disrupts normal classroom activities, who is disrespectful to a teacher, who willfully disobeys a teacher, who uses abusive or foul language directed at a teacher or another pupil, who violates school rules, or who interferes with an orderly education process.

Disciplinary action may include, but is not limited to:

1. Oral or written reprimands.
2. Notify parents by phone/mail.
3. 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.
4. Written notification of parents of disruptive or unacceptable behavior, a copy of which shall be provided to the principal.
5. Other disciplinary measures approved by the principal and faculty of the school and in compliance with the School Board Policy and PBS.

When a pupil exhibits disrespectful behavior toward the teacher such as using foul or abusive language directed at a teacher, the teacher may have the pupil immediately removed from his classroom and placed in the custody of the principal or his designee. A pupil removed from the classroom pursuant to this subparagraph shall be assigned to alternative school or in-school detention.

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

When a pupil is removed from a classroom, he shall not be readmitted to the classroom until the principal has implemented one of the following disciplinary measures:

1. In-school suspension.
2. Detention.
3. Suspension.

4. Initiation of expulsion hearings.
5. Assignment to an alternative school.
6. Requiring the completion of all assigned school and homework which would have been assigned and completed by the student during the period of in-school suspension.
7. Any other disciplinary measure authorized by the principal with the concurrence of the teacher or the building level committee pursuant to law and Board policy.

When a pupil is removed from a classroom (2nd offense), the teacher may require that the parent, tutor, or legal guardian of the pupil have a conference with the teacher in the presence of the principal or his designee before the pupil is readmitted.

Upon the third removal from the same classroom, the teacher and principal shall discuss the disruptive behavior patterns of the pupil and potentially appropriate disciplinary measure. If appropriate, a referral of the matter may be made to an appropriate building level committee. In addition, a conference between the teacher or other appropriate school employee and the pupil's parent, tutor, or legal guardian shall be required prior to the pupil being readmitted.

If disruptive behavior persists, the teacher may request that the principal transfer the pupil into another setting.

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## **DANGEROUS WEAPONS**

The Board shall authorize the school principal to automatically suspend any student found in possession of a dangerous weapon. A dangerous weapon may be defined as a knife, club, gun, chain, razor, mails, knife box cutter, bullets, sharp blades or any other object deemed dangerous on the school grounds, on school busses and/or at any school-sponsored event, during or after the regular school hours. When the student is found in possession of a weapon, the Superintendent shall be immediately notified and the principal shall take appropriate disciplinary action.

See policy on [suspension](#).

(Policy Manual p. 227)

(Ref: La. Rev. Stat. Ann. §17:416)

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## **DUE PROCESS**

The School Board mandates that all students shall be treated fairly and honestly in resolving grievances, complaints, or in the consideration of any suspension or expulsion. Due process shall be defined as fair and reasonable approaches to all areas of student grievance and discipline on the part of all school officials in order not to arbitrarily deny a student the benefits of the instructional process.

Basically, due process requires the school administration to impose fundamentally fair procedures to determine whether misconduct or other improper action has occurred before any disciplinary action may be taken by the school administration, except in the case of imminent danger or disruption of the academic process. In these instances, proper procedures shall be put into effect as soon as removal of the student has occurred.

Upon being sent to the principal's office the principal or his designee shall advise the pupil of the particular misconduct of which he is accused as well as the basis for such accusation. At this time, the pupil shall be given an opportunity to explain his/her version of the facts. The principal or his designee then shall conduct a counseling session with the pupil as may be appropriate to establish a course of action to correct the behavior for which the pupil is being disciplined.

Prior to any suspension, the school principal, or his designee, shall contact by telephone or send a certified letter to the parent, tutor, or legal guardian of the pupil giving notice of the suspension or expulsion. The reasons for the suspension would be noted and establishing a date and time for a conference with the principal as a requirement for readmitting the pupil. In case of expulsion, the contact with the parent shall include a certified letter. If the parent, tutor, or guardian fails to attend the required conferences within five school days of mailing the letter or other contact with the parent, the truancy laws shall become effective. On not more than one occasion each school year when the parent, tutor, or legal guardian refused to respond, the principal may determine whether readmitting the pupil is in the best interest of the student. On any subsequent occasions in the same year, the pupil shall not be readmitted unless the parent, tutor, legal guardian, court, or other appointed representative responds.

In any case where a parent, tutor, or legal guardian of a pupil who is under the age of eighteen and not married is required to attend a conference regarding the pupil's behavior and the parent willfully refuses to attend, the principal shall file a complaint with a court exercising juvenile jurisdiction, pursuant to children's Code Article 730(8) and 731. The principal may do this anytime when in his judgment, doing so is in the best interest of the pupil.

The full protection of procedural due process shall be afforded any student facing possible long-term suspension or expulsion. In both of these situations, the Board may follow an adversary type procedure with legal counsel permitted, cross-examination, transcribed record of the hearing, and related safeguards.

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## **SPECIAL EDUCATION STUDENTS**

In accordance with state law, the school system and its teachers, principals and administrators are authorized to hold each student to a strict accountability for any disorderly conduct in the school, on the playground of the school, on any school bus going to or returning from school, or during recess or intermission.

Prior to administering any form of discipline that may result in the cessation of or interference with the educational program of a student identified a disabled, teachers, principals, and administrators must give consideration to the influence that the student's handicap may have on the behavior in question, in accordance with the following guidelines from Bulletin 1706, Louisiana's Law for Exceptional Children:

A. Definitions:

1. A suspension is defined as removal of a student from school for less than ten (10) days. An in-school alternative discipline program which includes educational services shall not be considered a suspension.

B. At each IEP meeting there should be a discussion of the behavioral needs of the student. This may include:

1. Addressing any behavior problem(s) of the student that are related to the handicapping condition;
2. Developing a structured program of behavior management (including goals and objectives) for dealing with the behavior; and
3. A review and determination of the effectiveness of any prior plan of behavior management.

**NOTE:** Any structured program of behavior management which is included in a student's IEP shall not be considered disciplinary action.

C. The IEP committee shall be convened to review the program and/or placement of a student classified as handicapped as soon as possible following:

1. Nine (9) school days of being assigned to a structured in-school alternative discipline program;
2. The third occurrence of a suspendable infraction.

### §458. IEP INTERIM PLACEMENT

Refer to §416/

A. Definitions

1. Suspension

- a. in-school cessation of educational services for one day or longer; and/or
- b. removal from school for not more than ten (10) school days

2. Expulsion - removal of a student from school for ten (10) or more consecutive days.
3. In-school alternative discipline program which includes educational services shall not be considered a suspension.
4. Re-evaluation due to disciplinary action must be specific to the referral questions and would, generally, include the same components as specified in Bulletin 1508 under Re-evaluation and should address the specific behaviors exhibited by the student.
5. Determination - assessing of the student's behavior as it relates or is influenced by his/her disability. This documented determination must be made by at least one person knowledgeable about the student (e.g., a teacher) and one person knowledgeable about the disabling condition of concern (e.g., a teacher certified in the disability, a pupil appraisal staff member).

B. Prior to administering any form of discipline that may result in the cessation of the educational program of a student with disabilities, a determination (A.5) must be made and documented as to whether the behavior is related to the student's disabling condition. The Special Education administrator or designee shall immediately (within one day) be notified of the determination decision regarding the behavior, and whether disciplinary action is taken.

During any suspension, removal or temporary placement of the student, the school system shall provide continued appropriate educational services and planning.

C. If the determination is made and documented that the behavior is related to the student's disability, then the student shall neither be suspended or expelled.

1. The student may remain in his/her current educational setting, or
2. The student's IEP Committee may be convened to consider modifications to the student's program/ placement (e.g., additional related services, counseling, changes in his/her behavior management plan,

increased time in the current Special Education program, change of class schedule, teacher, etc.)

- D. If the determination is made and documented that the behavior is not related to the student's disability the student may be suspended in accordance with discipline policies for non-disabled students. The school system must notify the parents regarding the relatedness determination if it involves a change in placement. This notice shall also provide them with all procedural safeguards including the right to appeal or challenge the decision in accordance with §443 (Parental Approval of Placement) and §507 (Impartial Due Process Hearing) of Bulletin 1706.
- E. If the determination is made that the behavior is not related to the student's disability and an expulsion is being considered, prior to the expulsion:
  - 1. The IEP committee must be convened to:
    - a. familiarize the IEP committee with the determination decision;
    - b. review the student's IEP/placement; and
    - c. plan for services to be provided to the student if he/she is to be out of school. Components of the plan must include follow hospital/homebound rules stipulated in §448.B.2(a-f) of Bulletin 1706.
  - 2. If expulsion is recommended at the expulsion hearing:
    - a. a re-evaluation must be conducted;
    - b. the IEP committee must be convened to develop an alternative education program that shall be provided to the student during the period of expulsion following hospital/homebound rules stipulated in §448.B.2(a-f) of Bulletin 1706.
    - c. The school system must notify the parents regarding the relatedness determination if it involves a change in placement. This notice shall also provide them with all procedural safeguards including the right to appeal or challenge the decision in accordance with §443 and §507 of Bulletin 1706.
- F. The IEP shall be convened to review the behavior plan, the program and/or placement of a student classified as disabled with three (3) days following:
  - 1. Nine (9) school days in, or repetitive assignments to a structured in-school alternative discipline program;
  - 2. The third occurrence of a suspendable infraction; or
  - 3. Cessation of educational services for nine(9) cumulative school days due to one or more suspensions.
- G. At each IEP meeting there must be a discussion of the behavioral needs of the student. This should include the following:
  - 1. Addressing any behavioral problem(s) of the student that are related to the disabling condition;
  - 2. Developing a structured program of behavior management (including goals and objectives for dealing with the behavior; and
  - 3. A review and determination of the effectiveness of any prior plan of behavior management.

**NOTE:** Any structured program of behavior management which is included in a student's IEP shall not be considered disciplinary action.

- H. When the student poses an immediate danger to self or others or is significantly destructive to property, the student may be removed from the school immediately. A determination decision and other due process procedures must be carried out within three (3) school days from the day of the incident.

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## CORPORAL PUNISHMENT

The Jackson Parish School Board recognizes that good order and discipline within the schools are essential if teaching and learning are to be effective. The State of Louisiana, through La. Rev. Stat. Ann. 17:416, has charged every teacher in the public school system to hold each pupil to a strict accountability for any disorderly conduct in school or on the playgrounds of the school, on the street or road while going to or returning from school, or during intermission or recess. The aforementioned statute authorizes school principals to suspend from school any pupil who is guilty of disorderly conduct. In addition, teachers and principals are authorized to use reasonable corporal punishment against any pupil for good cause in order to maintain discipline and order within the schools.

Therefore, the Jackson Parish School Board hereby authorizes its teachers and principals to employ, when necessary, corporal punishment in a reasonable manner to maintain discipline and order in the schools or at all school-sponsored activities, subject to the following regulations:

1. Corporal punishment shall be administered in a reasonable, fair, and impartial manner. Abuse or misuse of corporal punishment by any teacher or principal, especially the act of being malicious, with willful and deliberate intent to cause bodily harm, shall not be tolerated.
2. Corporal punishment shall be administered to the posterior anatomy (buttocks) in the area below the waist and above the thighs for a maximum of five (5) times.
3. Corporal punishment shall be used only after other means of solving discipline problems have been explored and failed.
4. Corporal punishment shall not be used unless the student was forewarned that a specific behavior could cause its use.
5. Prior to the administering of corporal punishment, the student shall be given an opportunity to explain his or her version of the facts.
6. Corporal punishment can only be administered in the company of a professional staff member who has been informed beforehand and in the student's presence of the reason for the punishment.
7. The procedures specified in regulations 3, 4, 5, and 6 above do not apply in those cases where the student's behavior is so blatant, disruptive, antisocial, or flagrant in nature as to shock the conscience.
8. Teachers and principals shall keep written records of misconduct wherein corporal punishment is administered. This record shall be placed on file in the principal's office the day such punishment occurs.
9. If the parents so request, the principal of the school where the punishment was administered must furnish a copy of the written report of corporal punishment.
10. The principal of each school shall have the authority and the responsibility of holding every member of his staff accountable for understanding and administering corporal punishment as set forth by these regulations.

For purposes of clarity, corporal punishment, as described herein, shall be defined as, and limited to, the administering of physical punishment by means of paddling or spanking the buttocks. Consideration must be given to the age, size, emotional condition, and health of the students. When physical punishment is administered there is always the possibility of physical injury and subsequent legal ramifications. Therefore, extreme caution should be employed when administering corporal punishment.

However, nothing contained herein shall be interpreted as prohibiting an employee from using physical force, reasonable and appropriate under the circumstances, in defending himself against a physical attack by a student or to restrain a student from attacking another student or employee.

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## IMPERMISSIBLE ADULT - STUDENT CONTACT

It is not the intent of the Jackson Parish School Board to forbid all contact between students and adults. However, certain types of contacts are harmful to students and, therefore, are prohibited.

### A. Impermissible Types of Contact

#### 1. Impermissible Corporal Punishment

Impermissible corporal punishment is any physical punishment that does not meet the ten regulations for corporal punishment as spelled out in the Jackson Parish Policy Manual. (such as, but not limited to, pulling of hair or ears or rapping knuckles)

#### 2. Other Physical Contact

Any contact that is considered offensive and/or illegal is forbidden.

When a complaint against a school employee (including but not limited to principal, teacher, counselor, nurse, psychologist, social worker, educational consultant, speech and hearing consultant, bus driver, food service worker, janitor, maintenance, and administrator) alleging that one of these school system employees has committed an act of child abuse or any other moral offense against a school system student, the Board shall promptly investigate action. Such investigation shall proceed in the same manner as outlined under "[Corporal Punishment](#)" in the Policy Manual.

### B. Grievance and Resolution

In instances where allegations of abuse of a student are reported against an employee, principal or other school official, through the administering of impermissible corporal punishment or any other moral offense, the Board shall promptly investigate the action. Such investigation shall proceed in accordance with the following:

- A. A complaint against an employee alleging that the staff member has committed an act of child abuse, including moral offenses or the administering of impermissible corporal punishment, shall be submitted in writing to the Superintendent.
- B. Once the complaint has been submitted to the Superintendent, the Superintendent shall appoint an investigating team to examine the allegations. The investigating team shall consist of at least two (2) employees, none of which shall work in the same school or department as the person accused of the offense, with at least one (1) member being from the central office, who shall lead the investigation.
- C. The leader of the investigation team shall immediately schedule a conference with the alleged abuser to assess the validity of the report. Other staff members or students may be interviewed if it is deemed essential to the investigation.
- D. At the conclusion of the investigation, the investigation team shall file a written report of the findings with the Superintendent. The report may include disciplinary action to be considered against the alleged abuser if the allegations can be substantiated.
- E. Once the Superintendent receives the investigation team's report, he shall review the findings in the report and determine if further action is necessary. If he determines that further action is indeed necessary, he shall report his findings to the Board along with his recommendations for the Board to consider. The Board shall review the findings and determine any final action to be taken.

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