



Orleans Parish School Board



Student Code of Conduct 2013-2014

Creating a Positive School Culture

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Dear Parents,

A basic right for all of our children is to attend schools where they are safe from physical and psychological harm; where the environment fosters respect for diversity; and where they may grow into self-confident, secure, and self-actualized individuals. To this end, the Orleans Parish School Board and the Recovery School District have implemented and published the Student Code of Conduct.

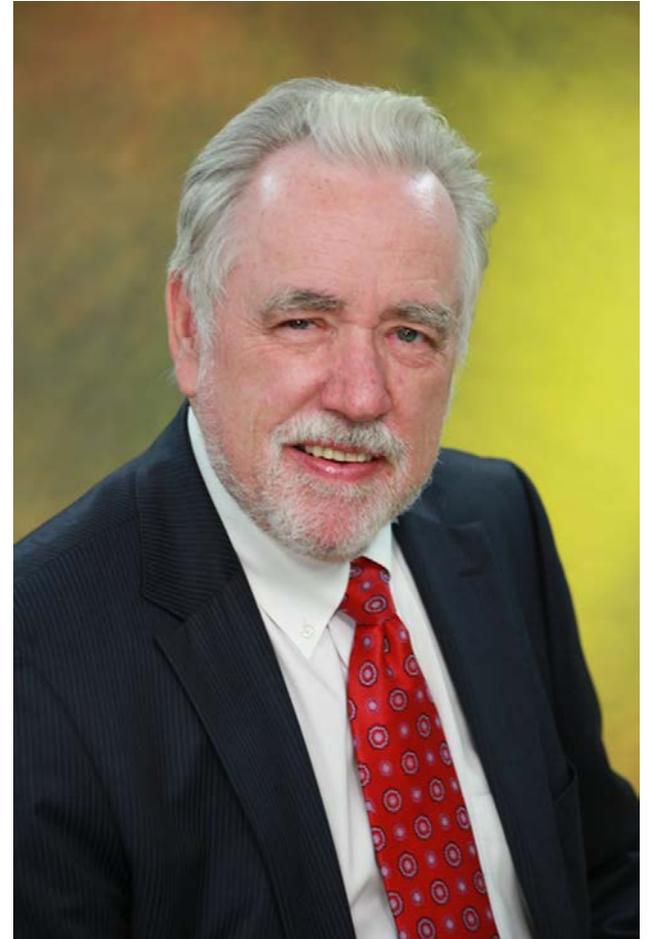
The Student Code of Conduct provides for students, parents, teachers, and administrators expected standards of behavior in our schools and prescribes interventions and consequences for student behavior that is inappropriate and harmful to others. As partners in the development of our children, the Student Code of Conduct enables us to clearly describe to them appropriate and inappropriate behavior, the necessity of appropriate behavior, and the benefits of appropriate behavior. I ask you to use a little quality time with your child or children to read and discuss the Student Code of Conduct. I assure you it will be time well spent and will demonstrate to them that we, together, are truly concerned for their success and well-being.

I look forward to working side by side with you in our schools and community to ensure your child's continued achievement.

Sincerely,



Stan C. Smith
Interim Superintendent
Orleans Parish School Board



The Unified Student Code of Conduct for Orleans Parish Schools (District Operated and Charter Schools)

2013-2014

www.opsb.us

Student and Parent(s)/Legal Guardian(s) Acknowledgement

The Student Code of Conduct is in place to help students gain the greatest possible benefit from their educational opportunities. We encourage parents/legal guardians and students to review this Student Code of Conduct together and talk about the importance of being safe, responsible, and respectful at school and in everyday life.

When you have read this document with your child, please **SIGN** below and **RETURN** this page to your child's school.

I have received, reviewed, and understand the Student Code of Conduct.

Print Student Name

Student Signature

Date

Print Parent/Legal Guardian Name

Parent/Legal Guardian Signature

Date

NOTE: State law requires that the Student Code of Conduct be shared with parents/legal guardians, students, and teachers and be reasonably and consistently enforced.

BE SAFE ❖ BE RESPONSIBLE ❖ BE RESPECTFUL ❖ BE SAFE ❖ BE RESPONSIBLE ❖ BE RESPECTFUL

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NON-DISCRIMINATION STATEMENT

The Orleans Parish School Board prohibits discrimination in employment, educational programs, and activities on the basis of race, national origin, color, creed, religion, sex, age, disability, veteran status, sexual orientation, gender identity, or associational preference. The Board also affirms its commitment to providing equal opportunities and equal access to facilities according to local procedures. For additional information, contact the Office of the Superintendent.

DECLARACIÓN DE NO DESCRIMINACIÓN

La Junta de Escuelas de la Parroquia de Orleans prohíbe la discriminación en el empleo, programas educativos y actividades basadas en la raza, origen nacional, color, credo, religión, sexo, edad, discapacidad, estatuto de veterano, orientación sexual, identidad de género o preferencia de asociación. La Junta también afirma su compromiso de proporcionar igualdad de oportunidades y igualdad al acceso a las instalaciones de acuerdo con los procedimientos locales. Para obtener información adicional, póngase en contacto con la oficina del Superintendente.

CORPORAL PUNISHMENT IN SCHOOLS

The Orleans Parish School Board prohibits the use of any form of corporal punishment in any public school, program or activity under its jurisdiction, including direct operated or charter schools. Thus, neither the principal nor any member of the school staff or Orleans Parish School Board employee has the authority or discretion to use any form of corporal punishment against a student.

Corporal punishment refers to intentional application of physical pain as a method of changing behavior. It includes a wide variety of methods such as hitting, slapping, punching, kicking, pinching, shaking, choking, use of various objects (wooden paddles, belts, sticks, pins, or others), painful body postures, use of electric shock, use of excessive exercise drills, withholding meals, or prevention of urine or stool elimination. It also includes use of seclusion, i.e., locked isolation, and inappropriate restraint, i.e., restraint by individuals who are NOT Crisis Prevention Institute (CPI) certified or by those implementing inappropriate CPI protocol.

The Unified Student Code of Conduct for Orleans Parish Schools (District Operated and Charter Schools)

Mission of the Louisiana Department of Education

The mission of the Louisiana Department of Education is to:

- Ensure Higher Academic Achievement for all Students
- Eliminate all Achievement Gaps
- Prepare Students to be Effective Citizens in a Global Market

Purpose of the Student Code of Conduct

- Create a consistent set of expectations for student behavior
- Reinforce positive behavior and provide students with opportunities to develop appropriate social skills
- Outline the interventions and consequences for students who engage in inappropriate behavior
- Explain the rights and responsibilities of all members of the school community
- Engage students in a safe, positive, and supportive learning environment

Behavioral Expectations and Responsibilities

Responsibilities of District Administrators

- Provide appropriate training and resources as needed to implement *PBIS* and non-violent Crisis Prevention Intervention (*CPI*) at each school-site
- Require each school to have a crisis team trained in the *CPI* procedures
- Assist parents/legal guardians who are unable to resolve issues at the school-level
- Review and revise (if needed) the Student Code of Conduct annually
- Review attendance and discipline data to determine district-level decisions

Responsibilities of School Administrators

- Distribute the Student Code of Conduct to students, parents/legal guardians, and all school personnel
- Implement the Student Code of Conduct in a fair and consistent manner
- Based on school data, identify appropriate training and resources as needed to implement *PBIS*
- Require a team of at least three (3) staff be trained in *CPI* procedures. These team-members are the only personnel permitted to use the full continuum of *CPI* Non-violent Crisis Intervention procedures in situations that warrant use of physical restraint.
- Use research-based practices to prevent minor incidents from becoming major challenges
- Ensure accurate and timely entry of *discipline* referrals into the Student Information System (*SIS*) and maintain compliance (e.g. students with disabilities and qualified 504 students ten (10) day removal rule)
- Review discipline referrals and determine appropriate intervention(s) or consequence(s)
- Enforce corrective strategies which are grade level and age appropriate

Responsibilities of Students

- Be in attendance **EVERY** school day scheduled by the OPSB
- Follow the Student Code of Conduct
- Follow the school's expectations and rules
- Follow the school's dress code
- Respect school property and the property of others
- Work hard and do your best
- Ask teachers, school social workers, professional school counselors, parents/legal guardians, school administrators, and other adults for help to solve problems
- Report bullying, cyber bullying and sexting

Responsibilities of Parents/Legal Guardians

- Read, discuss and support the Student Code of Conduct
- Understand your child's rights and responsibilities
- Teach your child to respect the rights of others
- Make sure your child comes to school every day on time and ready to learn
- Teach your child to respect school property and the property of others
- Recognize that school personnel must enforce the Student Code of Conduct
- Seek available resources to assist and support your child within the school and the community

Responsibilities of Teachers

- Use appropriate classroom management strategies to maintain a learning environment that supports academic success
- Teach and positively reinforce the Student Code of Conduct
- Address infractions through a variety of interventions such as *PBIS* and *Response to Intervention (RTI)*, including alternatives to *suspension* and *expulsion*
- Provide corrective instruction to students who demonstrate challenging behavior
- Use professional judgment to prevent minor incidents from becoming major challenges
- Request additional professional staff development and/or training as needed

Bullying – ACT No. 861

(See also OPSB Policy J939 – BULLYING AND HAZING)

Definition, Behavior Constituting Bullying, and the Effect of Bullying on Others

Bullying is a pattern of any one or more of the following:

- gestures, including but not limited to obscene gestures and making faces;
- 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 through the use of a telephone, mobile phone, pager, computer, or other electronic device;
- physical acts, including but not limited to hitting, kicking, pushing, tripping, choking, damaging personal property, or unauthorized use of personal property;
- repeatedly and purposefully shunning or excluding from activities; and
- where the pattern of behavior as provided above 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 schools, or any school-sponsored activity or event.

The pattern of behavior as described above 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.

Reporting an Act of Bullying

Procedure for students and parents:

1. Report bullying incidents to the principal/designee and/or security. Students and parents may go to the OPSB website at www.opsb.us and click on “Report Bullying” in the yellow tab or call the **REPORT BULLYING HOTLINE** at 504-304-5782.
2. The principal/designee and/or Security will then complete the LDE Bullying Report Form (see Appendix and www.doe.state.la.us).
3. An investigation of complaints and reports will be completed (see “Investigating an Act of Bullying” below).

The principal/designee is responsible for receiving complaints alleging violations of the bullying policy. All school employees and parents chaperoning or supervising school-sponsored functions and events are required to report alleged violations of this policy to the principal or the principal's designee. A verbal report must be reported on the same day as the employee or parents witnessed or otherwise learned of the incident and a written report must be filed no later than two days thereafter.

The victim of bullying, anyone who witnessed the bullying, and anyone who has credible information that an act of bullying has taken place may file a report of bullying.

Retaliation and False Reports

Retaliation against any person who reports bullying in good faith, who is thought to have reported bullying, who files a complaint, or who otherwise participates in an investigation or inquiry concerning an allegation of bullying is prohibited conduct and is subject to disciplinary measures. Intentionally making false reports about bullying to school officials is prohibited and will result in appropriate disciplinary measures.

Investigating an Act of Bullying

- The principal/designee of the school must initiate the investigation the next business day during which school is in session after the report is received by a school official. The investigation must be completed no later than ten school days after the date the written report was submitted.
- The investigation must include an interview of the reporter, victim, the alleged bully, and any witnesses, and include obtaining copies or photographs of any audio-visual evidence.
- The principal/designee must notify the parent or legal guardian of a student under the age of eighteen of the allegation of bullying before the student can be interviewed and inform them of the right to attend the interview with the student.
- Documented interviews of the victim, alleged offender, and witnesses must be conducted privately, separately, and confidentially. At no time will the alleged offender and victim be interviewed together.
- The investigator will collect and evaluate the facts using the form developed by the LDE.
- The principal/designee may (in accordance with Act 861 of 2012) file a complaint with the court of juvenile jurisdiction pursuant to Children's Code Article 730(8) and 731(1), or Children's Code Article 730(1), if the parent or legal guardian refuses to attend a conference or meeting regarding the student's behavior.

The highest level of confidentiality possible must be upheld regarding the submission of a complaint or a report of bullying and the investigative procedures that follow.

Meetings with Parent or Legal Guardian of the Victim and Alleged Offender

- Meetings with the parents or legal guardians of the victim and meetings with the parents or legal guardians of the alleged offender must be separate.
- Parents or legal guardians of the victim and alleged offender must be informed of all of the available potential consequences, penalties, and counseling options at the initial meeting with school officials.

Notification to Parents/Legal Guardians of an Act of Bullying

The principal/designee will promptly notify the parents/legal guardians of all students involved of any incident of bullying as defined by this policy. Notification of the parent/legal guardian of all students involved must be made on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

Resolution of Investigation/Disciplinary and Criminal Consequences of Bullying

The principal/designee shall compose a written document containing the findings of the bullying investigation, including input from the students' parents/legal guardians, and the decision of the school or school system official. The document will be placed in the record of both students. The principal/designee shall promptly notify the complainant of the finding of the investigation and the remedial action taken, if the release of the information does not violate the law.

If the school has determined that the discipline code has been violated, the school official should take prompt and appropriate disciplinary action pursuant to LA R.S. 17:416 and 17:416.1 and report criminal conduct to law enforcement, if appropriate.

The results of the investigation will determine the level of infraction for the bullying/cyber bullying incident(s).

Procedure for Appeal in Cases of Bullying

Failure to Act

A student, parent/legal guardian, or school employee may report a bullying incident to the LEA (city, parish, or local school board or local school governing authority) if the school official does not take timely and effective action to address the incident.

The LEA or governing authority must begin an investigation of any complaint of bullying that is properly reported the next business day in which school is in session.

If the governing authority does not take timely and effective action, the student, parent, or other school employee may report the bullying incident to the Louisiana Department of Education.

Parental Relief (Parents/Legal Guardians of a Victim of Bullying)

The parent/legal guardian of a bullied student may request a transfer to another school if a parent, legal guardian, teacher, or other school official has made four or more reports of separate instances of bullying and no investigation has occurred.

The LEA must make space available for the student at another public elementary or secondary school under its jurisdiction within ten school days of the transfer request. If no other school that serves the bullied student's grade level is available within fifteen days of the transfer request, the superintendent or head of the LEA must facilitate the student's enrollment in a statewide virtual school or offer the student placement in a full-time virtual program or virtual school. The LEA may enter into a memorandum of understanding with another LEA to secure placement and transfer for the bullied student.

If none of the options above are made available to the student within thirty days after the transfer request is made, the parent or legal guardian may request a hearing with the school's governing authority. The hearing must be granted for the next scheduled meeting or within sixty calendar days, whichever is sooner.

The parent/legal guardian may request at the end of any school year that the student be transferred back to the school in which the student was enrolled when at least three of the bullying reports were made. The district must make space available for the student at the school where the student was originally enrolled. No other school will qualify for the transfer back.

Dress Code

Dress code policies support a positive school culture by identifying attire that promotes school safety and student health. Each school will develop a dress code policy. School staff will inform students, parents/guardians, and the school community of the dress code policy. All students and parents/guardians are expected to follow the written policy. Questions about the school's dress code policy should be referred to the school principal or designee.

Principals and staff will not remove a student from the instructional environment or send a student home for inappropriate attire or for not having an identification card. Staff will direct students to correct inappropriate attire that can be immediately corrected.

Attendance

All children must attend a public or private school from their 7th to their 18th birthday, or until the child graduates from high school. Any child under seven years of age that enrolls in school must also continue to attend school. Parents are responsible for ensuring that their children attend school daily during school hours.

The Orleans Parish School District expects students to be in attendance every scheduled student-activity day.

- **Pre-Kindergarten (Pre-K) Students**

Pre-K students may not accumulate more than 21 absences. Students who exceed 21 days may jeopardize their participation in the Pre-K program.

- **Elementary and Middle School Students**

To be eligible to receive grades for the 2013-2014 school year, elementary and middle school students, beginning with Kindergarten, may not accumulate more than 10 absences.

- **High School Students**

To be eligible to receive grades for the fall 2013 semester, high school students may not accumulate more than 5 absences.

To be eligible to receive grades in the spring 2014 semester, high school students may not accumulate more than 5 absences.

A student is considered to be in attendance when he or she is physically present and officially documented by school personnel at a school site, or is participating in an authorized school activity and is under the supervision of authorized school personnel.

Students are considered to be in attendance for one-half day when they are in attendance for 26%-50% of the student's instructional day.

Students are considered to be in attendance for a whole day when they are in attendance for 51%-100% of the student's instructional day.

Each school may allow students in danger of failing due to excessive absences to make up missed class time in class sessions held outside the regular class time. These make-up sessions must be completed before the end of the current semester.

Absences and Truancy

If a student has one or more instances of tardiness or unexcused absences, the parent/guardian can expect the school to take one or more of the following actions:

- Phone call or letter to parent/guardian
- Parent/guardian conference at the school
- Parent/guardian conference or home visit with the school social worker.

A student may be considered truant and referred to the Municipal Court by the school social worker when the student has had five (5) or more instances of tardiness or unexcused absences in one semester, and the school has made all reasonable efforts to correct the student's attendance problem.

Types of Absences

There are several types of absences that may affect a student differently for the purpose of receiving grades, earning credit, or being counted as truant (habitually tardy or absent).

1. These types of absences will not be counted against a student for the purposes of receiving grades and earning credit for work completed, or truancy. Students with these types of absences have a right to receive makeup work from the school for the days and classes missed:

- travel for education that is approved in advance;
- death in the immediate family (not to exceed one week);
- natural catastrophe and/or disaster;
- religious holidays of the student's own faith;
- extended physical or emotional illness, hospital stay, recuperation from an accident, or contagious disease that has been verified by a doctor, nurse practitioner, or dentist; or
- visiting a parent (for five days or less) who is a member of the US Armed Forces or National Guard and has been called to duty or is on a leave of absence from overseas deployment to a combat zone or combat support posting.

2. These types of absences will not be counted against the student for the purposes of truancy, but will be counted against the student for the purposes of receiving grades and earning credit. The school is not required to give students with these types of absences makeup work for the days and classes missed, but may do so.

- student illness, with a doctor or parent/guardian note
- serious illness in the family, with a doctor or parent/guardian note

3. Students who are suspended out of school will be counted as absent, but these absences will not be counted against the student for the purposes of truancy or receiving grades or credit for work completed. A student on suspension has the right to receive schoolwork from the school for the days the student was suspended. **In-school suspension is not considered an absence of any kind.**

4. Any other kind of absence will be counted as an “unexcused absence.” These types of absences may be counted against a student for the purposes of truancy, and receiving grades or credit. The school is not required to give students with these types of absences makeup work for the days and classes missed, but may do so. Absences to work on any job that is not part of an approved instructional program, even in a student’s own home or for a student’s parents, will be counted as an unexcused absence.

If the student is absent for any special circumstance other than those listed above that the parent/guardian believes should not be counted against the student for the purposes of truancy, or receiving grades or credit for work completed, the student’s parents/guardians should bring their concern to the school social worker or principal .

Tardiness

1. A student may be considered tardy if he or she:

- Arrives late to class; or
- Leaves or checks out of school unexcused before the end of the school day; or
- Arrives late to class when coming from off-campus.

2. A student MAY NOT be considered tardy if he or she:

- Reports late to class because a teacher or other school staff member held the student in another class or conference, causing them to arrive late.

Each school may determine whether an instance of tardiness is excused or unexcused, depending on the school’s own tardiness policy, and the individual circumstances of each instance of tardiness. **Five unexcused instances of tardiness will equal one unexcused absence.**

A parent/guardian may not be referred to the Municipal Court for truancy of his or her child based on instances of tardiness that are solely the responsibility of the student (for example: multiple instances of tardiness for arriving late to class when transferring from another class).

School Bus Conduct

A student may be suspended from riding a school bus by the school principal for any Level 2 or Level 3 infraction (below). The school principal has the exclusive authority to suspend a student from a school bus, and no other school official or employee—including the bus driver—may suspend a student from riding the bus. A student may be suspended from the school bus even though he or she is not suspended from school. In that case, it is the responsibility of the parent/guardian to ensure the student is transported to and from school by some other means of transportation.

Parents/guardians may appeal a school bus suspension according to the process outlined in this book for appeal of suspensions from school (in the “Suspension Procedures” section).

Students with transportation documented on their Individual Education Plan (IEP), who are suspended from riding the school bus, must be provided alternative transportation by the school. If transportation is not documented on the IEP, it is the responsibility of the parent/guardian to ensure the student is transported to and from school.

Behavior Infractions

Students who do not follow the school’s rules and expectations will receive consequences appropriate to the severity of their infractions. The following pages list examples of infractions and appropriate responses for school officials to take.

Discipline incidents will be classified as Level 1, Level 2, and Level 3 Infractions.

Level 1 Infractions – *Discipline* incidents that can be handled by the teacher and do not warrant a *discipline* referral to the principal or designee. Any behavior that is of low level intensity, passive in nature and/or of a non-threatening manner is a Level 1 Infraction.

Level 2 Infractions – *Discipline* incidents that interfere with anyone’s safety and learning, are of a threatening or harmful nature, legal violations and warrant administrative interventions. Such behaviors should be considered Level 2 Infractions.

Level 3 Infractions – *Discipline* incidents that severely interfere with anyone’s safety and learning, are of a threatening or harmful nature, are legal violations and warrant immediate response from administration, crisis team, entire staff, and/or community support are Level 3 Infractions.

Because every behavior infraction cannot be listed in advance, school principals may decide if an unlisted infraction is a Level 1 or Level 2 offense. **Students may only be expelled for infractions that are described in Level 3.**

Level 1 Infractions

Non-Suspendable Offenses

Level 1 infractions are incidents that occur in school buildings or grounds, or at school activities, that are the responsibility of the teacher or principal to address through corrective strategies. **A student may not be given an out-of-school suspension for Level 1 infractions.**

- | | | | |
|------|--|------|--|
| 1.01 | Boarding and de-boarding school transportation at incorrect stop | 1.11 | Littering |
| 1.02 | Horseplaying | 1.12 | Failing to do or complete homework |
| 1.03 | Entering an off-limits or restricted area | 1.13 | ID violation (if applicable) |
| 1.04 | Habitual tardiness and/or absenteeism | 1.14 | Making an unfounded charge against authority |
| 1.05 | Eating/drinking during prohibited times | 1.15 | Using profanity and/or obscene language |
| 1.06 | Skipping class/school | 1.16 | Refusing to sit in assigned seat |
| 1.07 | Dress code violation | 1.17 | Engaging in inappropriate public displays of affection (holding hands, kissing, hugging, etc.) |
| 1.08 | Not having proper materials or supplies for class | 1.18 | Talking in class at inappropriate times |
| 1.09 | Not participating in class | 1.19 | Any other infraction that the principal or designee deems similar in severity to other level 1 infractions |
| 1.10 | Not wearing required clothing for physical education class | | |

Corrective Strategies

Multiple corrective strategies may be used to address problematic behavior before a suspension, depending on the individual student's needs. For some students, including those with disabilities, this may include conducting or revising the Functional Behavior Assessment (FBA) and Behavior Intervention Plan (BIP). Corrective strategies for infractions may include but are not limited to:

- Creation of a Behavior Improvement Plan (BIP)
- Contact and/or conference with parent/guardian
- School-to-Home Communication System
- Check-In/Check-Out Process
- Personalized Behavior contract that includes expected student behavior, incentives for demonstrating expected behavior, and consequences for infractions
- Positive Behavior Intervention Support (PBIS) Systems
- After-school or lunch detention
- Saturday School
- In-School Suspension
- Loss of privileges
- Referral to the Response to Intervention (RTI) team
- Referral to school social worker or school counselor
- Intensive academic support
- Intensive social skills teaching
- Self-management program
- School bus suspension (if applicable)
- Multi-agency collaboration

Level 2 Infractions

Suspendable Offenses

Level 2 infractions are incidents that occur in school buildings or grounds or at school activities that threaten safety or interfere with learning. **A student may be given an out-of-school suspension for Level 2 infractions; however, schools should use the corrective strategies listed on the previous page whenever possible.**

- | | | | |
|------|---|------|--|
| 2.01 | Intentionally or habitually failing to attend detention or in-school suspension | 2.12 | Instigating or participating in fights (one-on-one or groups) |
| 2.02 | Possessing or using tobacco and/or possession of a lighter | 2.13 | Bullying* |
| 2.03 | Using or possessing alcohol | 2.14 | Causing a false fire alarm |
| 2.04 | Leaving school bus without permission | 2.15 | Intentionally causing a major, unnecessary disturbance in classroom/school campus |
| 2.05 | Using objects dangerously or inappropriately to harm others or damage property | 2.16 | Improper use of a cell phone |
| 2.06 | Vandalism to school property or school bus | 2.17 | Inappropriate bodily contact or harassment |
| 2.07 | Leaving school and/or classroom without permission | 2.18 | Improper use of computer: Viewing obscene, pornographic, violent, or sexually harassing material; or information on manufacturing of weapons |
| 2.08 | Theft/Stealing without use of force, threat, or intimidation of money or property valued at less than \$500 | 2.19 | Forging a signature on documentation required by the school, cheating, or lying to school personnel about academic matters |
| 2.09 | Gambling | 2.20 | Habitual level 1 behaviors |
| 2.10 | Extortion (blackmail, etc.) | 2.21 | Any other infraction that the principal deems to be similar in severity to other level 2 infractions |
| 2.11 | Willful disobedience to authority figures that substantially interferes with the learning of others or threatens the safety of others | | |

A principal may also suspend a student for some Level 3 infractions if the school believes a suspension would be more appropriate than an expulsion. Some drug and weapon related offenses require an expulsion; these offenses are noted on the following page.

*"Bullying" means:

(1) 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 through the use of 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.

- (2) (a) Where the pattern of behavior as provided in Paragraph (1) 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 schools, or any school-sponsored activity or event.
- (b) The pattern of behavior as provided in Paragraph (1) 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.

Level 3 Infractions

Expellable Offenses

Level 3 infractions are incidents that occur on school property or grounds, on school transportation, or at school activities that severely interfere with anyone's safety and learning, are of a threatening or harmful nature, and/or are legal violations. Students may be expelled for Level 3 infractions. As noted by the asterisks (*) below, there are several offenses that require an expulsion in certain circumstances. **Students may not be expelled for offenses that are not listed in Level 3.**

Tier One Offenses: Expellable for Two or More Semesters

- 3.01 Drugs: Possessing, distributing, selling, giving, loaning, or using controlled dangerous substance governed by the Uniform Controlled Dangerous substances Law*, or any prescription drug not prescribed to the accused student, or any chemical substance that affects the central nervous system and produces stimulant, depressant, euphoric, or hallucinogenic effects to the mind or body.*
- 3.02 Weapons: Carrying or possessing a firearm**
- 3.03 Weapons: Carrying or possessing a knife with a blade of 2 inches or longer***
- 3.04 Weapons: Carrying or possessing any instrument for the purpose of lethal force
- 3.05 Sexual assault or engaging in sexually explicit acts
- 3.06 Battery on a school staff member
- 3.07 Battery on another individual that causes serious injury
- 3.08 Battery on another person that involves use of a weapon or other dangerous implement

Tier Two Offenses: Expellable for Up to Two Semesters

- 3.09 Robbery of any individual on school property or at any activity of which the school has jurisdiction
- 3.10 Burglary of school property or the personal property of individuals valued at \$500 or more on school property or at any activity of which the school has jurisdiction
- 3.11 Well-documented and/or on-going commission of acts that threaten the safety or well-being of oneself or others including the bullying of students or school staff as outlined in LA Act 861 of 2012
- 3.12 Possession of dangerous implements, or the use/display of any instrument appearing dangerous
- 3.13 Conviction of a felony or conviction of an offense which, had it been committed by an adult, would have constituted a felony
- 3.14 Well-documented and/or on-going use of any electronic device to repeatedly threaten, intimidate, or bully another student or to share sexually explicit material

Students cannot, under any circumstances, be recommended for expulsion for committing the following offenses: disrespect or willful disobedience, uniform violations, or repeated suspensions for violations not listed in expellable offenses above.

* Students age 16 or older – required expulsion of at least four semesters for some substances. See La. R.S. 17:416(C)(2)(a)(ii).
Students younger than age 16 in grades 6-12 – required expulsion of at least two school semesters for some substances. See La. R.S. 17:416(C)(2)(b)(ii).
Students in grades K-5 – expulsion not required. See La. R.S. 17:416(C)(2)(c)(ii)

** Students age 16 or older – required expulsion of at least four semesters; shorter expulsion allowed on a case-by-case basis. See La. R.S. 17:416(C)(2)(a)(i).
Students younger than age 16 in grades 6-12 – required expulsion of at least four semesters; shorter expulsion allowed on a case-by-case basis. See La. R.S. 17:416(C)(2)(b)(i).
Students in grades K-5 – required expulsion of at least two semesters; shorter expulsion allowed on a case-by-case basis. See La. R.S. 17:416(C)(2)(c)(i)

*** Students in grade PK-5 younger than age 11 – expulsion not required. See La. R.S. 17:416(B)(1)(b)(ii)(cc)
Students age 11 or older – expulsion required. See La. R.S. 17:416(B)(1)(b)(ii)(cc).

Length of Expulsion Terms

The duration of each expulsion will be determined by the Student Hearing Office at the conclusion of the hearing, in accordance with the facts at hand, district policy, all relevant laws and regulations, and the guidelines below:

Tier One Offenses

- Students found guilty of Tier One offenses will receive expulsions of between 90 and 360 school days.
 - Students will only receive expulsion terms longer than 180 days for offenses listed above that have a longer expulsion term required by law (La. R.S. 17:416).
- Students found guilty of a Tier One offense during the first semester will be eligible to return from their alternative placement no earlier than the end of that school year.
- Students found guilty of a Tier One offense during the second semester will be eligible to return from their alternative placement no earlier than the end of the first semester of the next academic year.

Tier Two Offenses

- Students found guilty of a Tier Two offense will receive expulsions of between 90 and 180 school days.
 - Students found guilty of a Tier Two offense during the first semester will be eligible to return from their alternative placement at the end of that school year.
 - Students found guilty of a Tier Two offense during the second semester will be eligible to return from their alternative placement at the end of the first semester of the next academic year.

Suspension Procedures

An out-of-school suspension, in which the student is not allowed to attend school for a designated period of time, is a consequence which a school may utilize if a student commits a Level 2 or Level 3 infraction. For a student to be suspended, the following procedures must be followed:

- 1) First the principal or designee will meet with the student. At this student meeting, the student will be advised of the behavior infraction and given the opportunity to explain his or her version of the facts.
- 2) If, after the student meeting, the principal still chooses to suspend the student, the principal or designee will contact the student's parent/guardian by phone, email, or mail. The principal will give notice of the suspension, the length of the suspension, provide the reason for the suspension, and explain how to appeal the suspension. The principal must attempt to give this information to the parent/guardian in writing. The principal will also set a date for the readmission conference.

- 3) If a minor, the student shall remain in school until the end of the school day unless released into the care of his/her parent/guardian. However, if the student poses a danger to himself/herself or others, the principal may remove the student from the school immediately. After the student's removal, the school will follow the regular suspension process as soon as is practicable. **No student shall be sent home without the school properly documenting the reason for the suspension.**
- 4) Students suspended three (3) or more consecutive days shall be provided schoolwork during their suspension, which must be picked up by the parent/guardian at the school. A student suspended less than three (3) consecutive days will receive the assignments on return from his/her suspension.
- 5) Before a minor student returns to school, the parent/guardian (or their pre-determined adult designee) must participate in the scheduled readmission conference. This conference can be held in person or by phone. If a parent refuses to respond, the principal may choose not to readmit the student until the parent, guardian, or other adult designee responds, and the school social worker may refer the student to Municipal Court for truancy. **If it is the student's first suspension of the school year, the principal may readmit the student if it is in the best interest of the student, even if the parent does not attend the readmit conference.**

Suspension Appeals

Any parent or guardian of a student or a non-minor student given an out-of-school suspension has the right to appeal the suspension to the Student Hearing Office. The parent may appeal the reason for the suspension or the length of the suspension.

To appeal a suspension:

- 1) Submit a written request to appeal to the Student Hearing Office. The request must be made no later than five (5) school days after the start date of the suspension. Include a copy of the suspension documentation provided to the student, parent, or guardian.
- 2) Appeals are conducted in person with the student, school representative, parent/guardian and an additional representative of the student, parent/guardian's choice.
 - School representatives may participate in person or by telephone.
- 3) The Student Hearing Officer will assess the merits of the case and make a final determination. The decision of the Student Hearing Officer shall be final.
 - The Student Hearing Officer may uphold, modify, or reverse the decision of the school.

Expulsion Procedures (Level 3 Infractions)

In an expulsion, the student is officially removed from their school for at least the remainder of the academic year, and potentially longer. This corrective strategy will only be used if a student commits a Level 3 infraction. For a student to be expelled, the following procedures must be followed:

- 1) The expulsion process begins with the student committing a Level 3 infraction. From this point on, the student may not transfer to another school until the expulsion process is concluded.
- 2) Anytime the student commits a Level 3 infraction, the principal or designee must conduct a student conference and school-level investigation within three (3) school days of the incident.
- 3) During the investigation and expulsion hearing process, the student may be suspended. For students with disabilities, at no point may the student's suspension exceed the maximum number of days allowed by law. The school is responsible for the continual provision of a Free Appropriate Public Education (FAPE) for students with disabilities throughout this time. (*Refer to page 24 for more information.*)
- 4) After the student conference and principal's investigation, if the principal chooses to recommend the student for expulsion, the principal will submit required paperwork to the Student Hearing Office within one (1) school day after completing the investigation. If the paperwork is not submitted to the Student Hearing Office within this period, the student will be allowed to return to school (excluding special circumstances).
 - If the principal chooses to not recommend the student for expulsion, the principal will send written notification to the Student Hearing Office formally waiving the right to recommend the student for expulsion.
- 5) When the Student Hearing Office receives the paperwork, the principal's recommendation for expulsion will be reviewed for compliance with the law and the Student Code of Conduct. If the recommendation for expulsion is in compliance, the Student Hearing Officer will schedule an expulsion hearing within three (3) days of receiving the recommendation for expulsion from the principal. The hearing will be conducted within five (5) days of the Student Hearing Office receiving the principal's recommendation for expulsion.
 - If the recommendation for expulsion is not in compliance with the law and the Student Code of Conduct, the Student Hearing Office will contact the school and the parent. The recommended student will then be referred back to the sending school.
- 6) The following persons have a right to attend the expulsion hearing:
 - The student
 - The student's parents/guardians
 - An additional person of the student's/parents'/guardians' choosing to represent the student
 - The student's principal or designee (may include teacher or school staff witnessing the incident)
 - Person victimized by the student (school must inform victim(s) and/or parents of the victim(s) of hearing time and place)
 - Any other person the Student Hearing Officer determines is necessary.

- 7) If the student or parent/guardian chooses not to attend the hearing, the hearing will still be conducted in their absence.
- 8) All expulsion hearings will be tape-recorded and kept on file with the Student Hearing Office.
- 9) After the hearing, the Student Hearing Officer will make a determination of the student's guilt based on the evidence gathered during the school's investigation and any additional evidence or testimony presented during the hearing. The determination will be given, in writing, to the school, the student, and/or the minor student's parents/guardians. If the student is found guilty, the expulsion will begin immediately. The Student Hearing Officer will determine the appropriate length of the expulsion according to the guidelines on expulsion length above, and the expulsion will begin immediately. The Student Hearing Office will make arrangements for assigning the student to an alternative school or alternative educational placement after the hearing.

If the student is found not guilty, the student may return to school the following day.

- 10) After the student has completed their full expulsion term at the alternative school or educational placement to which the student is assigned, the student has the right to return to the school from which he or she was expelled.
 - **If the student was found guilty of violence against another person, and the victim of that offense is still a student or staff member at the school, the student may be required to attend a different school at the completion of their expulsion term.**
 - At the time of the hearing, the Hearing Officer, in concert with the sending school, will determine the student's eligibility to return to their expelling school.

Expulsion Appeals

Any non-minor student, or the student's parent/guardian, has the right to appeal the Student Hearing Officer's determination to the OPSB Superintendent or his/her designee. To appeal an expulsion, the parent/guardian of the student may, within five (5) school days after the decision to expel the student has been made, request that the OPSB review the findings of the Student Hearing Officer. The OPSB, in reviewing the case, may uphold, modify, or reverse the decision. Otherwise the determination of the Student Hearing Officer shall be final.

If the OPSB Superintendent or his/her designee upholds the decision of the Student Hearing Officer, the non-minor student or student's parent/guardian may appeal the expulsion to the Municipal Court in which the student's school is located within ten (10) days of the OPSB Superintendent's decision. The parish court may uphold, modify, or reverse the decision of the OPSB.

Throughout the appeal process, the student must report to their designated alternative school or alternative educational placement.

Student Placement

At the conclusion of the hearing, students found guilty will be given one of four designations that determine whether and when the student will be allowed to return to the expelling school.

Right to Return

Students found guilty and placed at an alternative education setting will be returned to their sending school at the conclusion of their expulsion term unless the Student Hearing Officer determines that there are compelling reasons that the sending school is not the best placement for the student.

No Right to Return

At the conclusion of their expulsion term, students guilty of offenses against identified victims at the sending school may be ineligible to return to the school. Certain other offences, depending on the facts, may qualify for this ineligibility for return to the sending school. Decisions about a student's right to return will be made by the Student Hearing Officer in consultation with the principal of the expelling school and based on all evidence available as of the time of the hearing.

Tier One Early Return

Students found guilty of Tier One offenses and placed at an alternative education setting may have the right to return to the expelling school prior to the conclusion of their expulsion term. A student's eligibility for early return will be determined by the expelling school at the conclusion of the hearing.

Written criteria for early return will be established by the expelling school and Student Hearing Officer at the conclusion of the hearing in consultation with the receiving school. Students eligible for early return will receive a review of their performance after being enrolled at the alternative education setting for the length of time established at the conclusion of the hearing, but not before completion of the remainder of the current semester and one additional semester. Students may only return to their sending schools under the early return policy at semester breaks.

This review will determine whether and when the student will return to the expelling school. The review for early return will be conducted by the Student Hearing Officer and expelling school and based on data provided by the alternative education placement. Students that are allowed to return to their expelling school based on their eligibility for early return may be subject to probationary conditions.

Probation

Students found guilty may have the right to early return to the expelling school prior to the conclusion of their expulsion term on a probationary basis. A student's eligibility for probation will be determined by the expelling school at the conclusion of the hearing.

Written criteria for probation will be established by the expelling school and Student Hearing Officer at the conclusion of the hearing and agreed upon in writing by the school leader and the student.

A student that is eligible for probation and who violates the terms of that probation will be eligible for placement at an alternative education setting for the remainder of the expulsion term.

Discipline for Students with Disabilities

Students with disabilities are subject to the same discipline rules and procedures as other students, but with limitations.

The federal laws providing protection to disabled students, the “Individuals with Disabilities Education Act” (IDEA) and Section 504 of the “Rehabilitation Act of 1973” are very complex and detailed, and require different protections and procedures based on a number of factors. The information in this document merely provides a brief overview of some of the most important procedures and protections.

OPSB Exceptional Children’s Services and the special education teacher(s) at each OPSB school will ensure that all procedures and protections required by law for special education students are followed and will be able to provide more detailed information on all the protections and services to which your individual child is entitled. In addition, there are numerous community groups and non-profit organizations dedicated to ensuring that students with disabilities are being provided the procedural and educational opportunities to which they are entitled.

If you have questions about the treatment of your individual student in regard to special education while at school, we encourage you to reach out to your child’s special education teacher and/or Exceptional Children’s Services.

Suspensions and Expulsions for Students with Disabilities

If a student with an IEP (Individualized Education Program) or a 504 plan is expelled or suspended for more than ten (10) school days, consecutively or cumulatively, the school must conduct a Manifestation Determination Review (MDR) within ten (10) days of the decision to suspend or expel the student.

The School’s Manifestation Determination Review (MDR) Committee must determine whether the behavior is related or not related to the student’s disability. At least one person on the committee must know the student and one other must be knowledgeable of the student’s disability. The parents/guardians must be notified of the review and at least three (3) documented attempts to reach the parents/guardians must have been made by the school to include them in the meeting. If the parents/guardians do not respond or participate, documentation of their absence must be included.

If the Behavior is a Manifestation of the Student’s Disability

- **If the MDR Committee determines that the behavior is a manifestation of the student’s disability or the direct result of the OPSB or school’s failure to implement the IEP, that student may not be suspended further or expelled for the particular incident(s) under review.** Instead, the school must reconvene the School’s IEP or 504 committee to revise the student’s IEP or 504 plan to address the behaviors at issue. Such revisions may include a change of placement if the student’s parents/guardians agree to the change of placement as part of the modification of the behavior intervention plan. In addition, for students with an IEP, the school must complete a Functional Behavioral Assessment and complete or revise a Behavior Intervention Plan.
 - Please note that for certain offenses related to drugs, weapons, or inflicting serious bodily injury upon another person, the Student Hearing Office may place the student in an alternative school or other alternative educational placement for up to 45 school days, even if the MDR Committee determines that the behavior is a manifestation of the student’s disability and the parents/guardians

do not agree to the transfer of the temporary transfer of the student to the alternative school or other alternative educational placement.

If the Behavior is NOT a Manifestation of the Student's Disability

- **If the MDR Committee determines that the behavior is not a manifestation of the student's disability, the student may be suspended or expelled from school.** For students with IEPs who are expelled or suspended for more than ten (10) school days in a school year, consecutively or cumulatively, the school must provide the student with a Free and Appropriate Public Education (FAPE) beginning on the eleventh (11th) school day that the child is out of school. For these students, the IEP committee must be convened to determine what services will be provided to the student during his or her suspension or expulsion in order to provide the student with FAPE and continue to achieve the student's IEP goals. The IEP committee may determine that the student be assigned to an alternative school or other alternative education placement.

Please contact the Student Hearing Office if you have questions about a suspension or expulsion for your child if your child has a 504 Plan or an IEP.

Parents/guardians have the right to request a due process hearing from the Louisiana Department of Education to appeal any manifestation determination. While the OPSB does not participate in these hearings, the Student Hearing Office will provide parents with the information necessary to request a hearing. The parents/guardians may be represented by counsel at the due process hearing.

Parents/guardians have the right to request that their child's school perform an IEP evaluation or re-evaluation for their student at any time, verbally or in writing.

NOTE: Students who exit the system immediately following their *expulsion*, and attempt to re-enter after the *expulsion* has expired, will be required to serve the full length of their *expulsion* after re-entry. Re-entry to school is processed through the Student Hearing Office at 504-373-6200, extension 20041.

GLOSSARY OF TERMS

Accommodations - changes in how a test is administered that do not substantially alter what the test measures; includes changes in presentation format, response format, test setting or test timing. Appropriate *accommodations* are made to level the playing field, i.e., to provide equal opportunity to demonstrate knowledge.

Aggravated Assault – an assault committed with a *dangerous weapon* (La. R.S. 14:37). A *dangerous weapon* includes any gas, liquid, or other substance or instrumentality, which, in the manner used, is calculated or likely to produce death or great bodily harm.[La. R.S. 14:2 (A)(3)].

Battery – the unlawful beating or other use of violent force on another person.

Behavior Contract – a written document between the teacher, student, and parent(s)/legal guardian(s) which specifies: expected behavior(s), positive and negative consequences, and time frame of the contract with review date.

Behavior Intervention Plan (BIP) – a plan that is the result of a *FBA*. *BIPs* are written documents that describe the inappropriate behavior to be changed as well as strategies or interventions implemented to address the target behavior. *BIPs* are developed by either the classroom teacher or a team of school personnel who assist the teacher in proactively, consistently, and effectively addressing inappropriate behavior. *BIPs* aid in communicating behavioral expectations to individual students or an entire classroom and also communicate the consequences of achieving the goal or objective. In addition, *BIPs* allow frequent feedback regarding the effectiveness of the management strategies being employed, assist in documentation of student or class progress and provide useful guidelines for interacting with students.

Bullying – a pattern of any one or more of the following:

- gestures, including but not limited to obscene gestures and making faces;
- 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 through the use of a telephone, mobile phone, pager, computer, or other electronic device;
- physical acts, including but not limited to hitting, kicking, pushing, tripping, choking, damaging personal property, or unauthorized use of personal property;
- repeatedly and purposefully shunning or excluding from activities; and
- where the pattern of behavior as provided above 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 schools, or any school-sponsored activity or event.

The pattern of behavior as described above 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.

Burglary – the unauthorized entering of any school structure, vehicle, or property, movable or immovable, with the intent to commit a felony or any theft therein.

Case Coordination – monitoring, communication, and support between family, school(s), and outside community agencies.

Change of Placement – occurs when either the school removes the student from his or her educational placement for more than ten (10) consecutive school days or the school removes the student from his or her educational placement on several occasions that constitute a pattern and add up to more than ten (10) school days.

Charter School – an independent school that is publicly funded. Under Louisiana law, private groups may apply for a charter which allows them to operate an independent school using public money. There are various types of charter schools. Some are chartered by the state Board of Elementary and Secondary Education (*BESE*), while others are chartered either by the Orleans Parish School Board or the Recovery School District. ***Charter schools MUST follow the same state law regarding discipline and the same state and federal law regarding special education.***

Check-In/Check-Out (CICO) – a positive behavioral support for students who demonstrate moderate behavior problems. It is intended to provide frequent reinforcement for compliance with behavioral goals. Each of the behavioral goals should be defined in clear behavioral terms. The goals are set and altered by the CICO coordinator (e.g., school social worker, professional school counselor) with the support of the *Response to Intervention (RTI)* team. The CICO coordinator meets twice daily with the student to individually provide social skills training related to each of the designated behavioral goals. The student will review the goals each morning with the CICO coordinator in order to completely understand the behavioral expectations.

Corrective Strategies – a list of strategies to be used as alternatives to *suspension* and *expulsion*.

Crisis Prevention Institute (CPI) – a training organization that specializes in non-violent crisis interventions.

Dangerous Weapon – 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 pocket knife with a blade of less than two and a half (2 ½) inches in length.

Day – means calendar day unless otherwise indicated as school day or business day.

Detention – a form of *discipline* in which a student is required to spend extra time in school. A *detention* may take place before or after the school day, on the weekend (traditionally known as ***Saturday School***), and during breaks in the school day, such as lunch. *Detention* is usually considered one of the milder forms of disciplinary action available to a school.

Discipline – the steps, action, or training teachers, administrators, support staff, and parents/legal guardians implement to enhance student academic, social, moral, or mental improvement.

Disrespect for Authority – Talking back, mocking, or gesturing; any act which demonstrates a disregard or interference with authority or supervising personnel.

Due Process Hearing – a formal hearing to resolve special education disputes between parents and schools. *IDEIA 2004* includes rules of procedure for resolving such disputes. These rules include mediation, *due process hearings* and appeals to state or federal court. A *due process hearing* is usually a formal, contested trial.

Exceptionality – a student’s special learning needs identified through the Multi-Disciplinary Evaluation process. There are several types of exceptionalities, including Autism/Asperger's Syndrome, Emotional Disturbance, Gifted and Talented, Specific Learning Disability and Mental Disability.

Expulsion – any denial of school attendance for the remainder of the school year, for a time designated during the current or next school year, or permanently.

Extortion – the communication of threats to another in order to obtain money, property or services.

Free and Appropriate Public Education (FAPE) – the standard of education that schools must provide to children with special needs or exceptionalities. The school must create a specific plan to address the child’s learning needs, place them in the appropriate educational setting for their needs, and deliver special education and *related services* required for the child to learn. *FAPE* differs for each student and ensures that all students with disabilities receive an appropriate public education at no expense to the family.

Functional Behavior Assessment (FBA) – a process of examining the function that a particular behavior serves for a student that includes an analysis of the frequency, intensity and duration of a behavior. The end result of the *FBA* is a *BIP*.

Group Fight – a severe attack of several students engaging in the use of physical force or the unlawful beating of others with the intent to harm or cause injury with or without the use of weapons or other objects (including, but not limited to guns, knives, brass knuckles, razor blades, batons, mace, pepper spray, etc.)

Horseplay – rowdy, rough, or boisterous play.

Home-to-School and School-to-Home Communication System – communication with families regarding school programs and student progress through effective *home-to-school and school-to-home communications*.

Individualized Accommodation Plan (IAP) – a written plan developed by a group of individuals who have knowledge of a student’s disability, knowledge of the student that addresses the student’s disability and documents specific accommodations and modifications to be provided in school so that the student benefits educationally.

Individualized Accommodation Plan (IAP) Committee – a group of individuals who review and discuss all relevant student data that results in the development of an *IAP*.

Individualized Education Plan (IEP) – a written plan developed by school staff, parents/legal guardians, and the student that outlines the student’s abilities, goals and objectives, how progress will be measured, and how the team will work together to meet these goals.

Individualized Education Plan (IEP) Team – a group of individuals who are responsible for developing, reviewing, and revising the *IEP* for a student with special needs. The *IEP Team* must review each student’s progress, as needed, to determine current progress and future needs. The review should also consider whether annual goals for the student are being achieved, staff and parental concerns regarding the student’s progress, the results of any *re-evaluation* conducted, and any changes that need to be made. By law, the *IEP Team* must include the following individuals:

- At least one general education teacher, if the student is (or will be) participating in the general education environment
- At least one special education teacher or provider
- A representative of the *LEA* who is knowledgeable about specially designed instruction for students with disabilities, the general curriculum, and the availability of *LEA* resources
- Parent(s)/legal guardian(s)
- The student, as appropriate
- Someone who is able to interpret the instructional implications of evaluation results
- Other individuals whom the parent(s)/legal guardian(s) or the school choose to invite

Individuals with Disabilities Education Improvement Act 2004 (IDEIA 2004) – federal law governing how states and public agencies provide all children with disabilities a *FAPE* that emphasizes early intervention, special education, and *related services* designed to meet their unique needs and prepare them for employment and independent living. *IDEIA 2004* provides funds to assist states in addressing the educational needs and rights of children with disabilities from birth to 26 and addresses 13 specified categories of disability.

In-School Suspension – the temporary removal of a student from his/her assigned classes and the placement of a student in an approved “time-out” program, usually at the same school.

Interim Alternative Educational Setting (IAES) – any public or private elementary or secondary school offering a more structured program of study than a traditional school. Under Louisiana law, children who are expelled must be offered alternative education.

Least Restrictive Environment (LRE) – federal law (*IDEIA 2004*) mandates that students with disabilities must be educated with their non-disabled peers to the maximum extent appropriate based on the student’s needs. This is known as the *Least Restrictive Environment* (LRE). The *IEP Team* (including the parent) determines the placement that the student needs to provide the services on the student’s *IEP* and the team must choose the *LRE* able to provide those services. This means the student should attend the school he or she would attend if non-disabled, unless the team determines that the nature of the student’s disability will not allow that student to have a successful educational experience in that environment.

Local Education Agency (LEA) – a public board of education or other public authority within a state that maintains administrative control of public elementary or secondary schools in a city, county, township, school district or other political sub-division.

Manifestation Determination Review (MDR) – a safeguard to ensure that students are not being punished because of their exceptionalities. An *MDR* examines the child’s behavior and previously documented information about the student in an effort to determine whether the behavior for which the

student is being disciplined is not a manifestation of the student's disability. The *MDR Committee* consists of the parent and at least two individuals, one who is familiar with the student's behavioral patterns and one who is knowledgeable of the student's *exceptionality*.

Manifestation Determination Review (MDR) Committee – a group of individuals who meet to determine if the behavior for which disciplinary action is taken is or is not a manifestation of the student' disability; every effort must be made by the school to have the parent/legal guardian participate in the decision.

Modifications – substantial changes in what the student is expected to demonstrate; includes changes in instructional level, content, performance criteria, and alternate assessments; may include changes in test form or format.

Multi-Disciplinary Evaluation (MDE) – an assessment of a student's current functioning levels, strengths, and educational needs. Federal and state regulations require that a comprehensive evaluation be conducted to determine if a student has a disabling condition which qualifies him/her to receive special education services. A *re-evaluation* should occur at least every three (3) years.

Murder – the unlawful killing of another human being.

Out-of-School Suspension – the temporary removal of a student from school. *Suspensions* are limited in time and the student should be able to return to school after the term of *suspension* is completed. During the *suspension* period, students are not allowed on any school property.

Personal Searches (La. R.S. 17:416.3) – The teacher, principal, school security guard, or administrator may search the person or personal effects or 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 District policy.

Placement - if a student is receiving special education or *related services* under *IDEIA 2004*, the student's placement is the educational setting that the *IEP Team* determines is best for the student, as reflected in his/her written *IEP*. *Placement* does not mean the room the student is in, but the program and services most appropriate for him/her as stated in the *IEP*.

Positive Behavior Interventions & Support (PBIS) – a school system's approach to creating and maintaining a climate of safety and learning in our schools. Use of *PBIS* is a "best practice" that decreases the need for more intrusive or aversive interventions (i.e., *suspension*) and can lead to both systemic as well as individualized change.

Probationary Status – a process of being re-admitted to school on terms and conditions stipulated by the Student Hearing Officer and agreed to in writing by the student and the student's parent or legal guardian responsible for the student's attendance.

Probation Violation – the act of a student breaking or breaching the written contractual agreement among the student, parent/legal guardian, and school which was previously accepted by all parties upon conclusion of the student's hearing.

Re-evaluation – the process of determining whether a student continues to have a disability and continues to require special education and *related services*. A *re-evaluation* is conducted to 1) identify how the student is functioning in school, 2) identify the student's educational needs, and 3) identify

any changes in the student's *IEP* to assist in meeting the annual goals and objectives included in the *IEP* and participating, as appropriate, in the general curriculum.

Reflective Activity – an assignment designed to give the student an opportunity to think critically about an instance in which he/she broke a rule. The assignment should guide the student towards determining an appropriate behavior for the given situation instead of the behavior that broke a school rule. An example of a *reflective activity* given to a student: “Write a paragraph answering these two questions: 1) What caused you to walk out of the classroom?; and 2) What you could have done differently when you started to feel like you wanted to walk out of the classroom?” Another *reflective activity* would include asking the student to fill out a self-evaluation that the teacher then reviews with the student. After discussing the self-evaluation, the teacher and student could develop a plan to help address the student's areas of weakness.

Related Services – developmental, corrective, and other supportive services that assist a student with a disability. *Related services* include: speech-language pathology and audiology services; psychological services; physical and occupational therapy; recreation, including therapeutic recreation; early identification and assessment of disabilities in children; counseling services, including rehabilitation counseling; orientation and mobility services; medical services for diagnostic or evaluation purposes; school health services; social work services in schools; parent/legal guardian counseling and training; and transportation.

Response to Intervention (RTI) – a process that provides high-quality research-based instruction and interventions that are matched to a student's needs. This process incorporates data developed to examine the student's learning rate over time to make appropriate educational and instructional decisions regarding assistance to at-risk students. In the *RTI* process, students with academic delays and/or behavioral deficits are given one or more research-validated interventions. The student's academic and behavior progress is monitored frequently to see if the interventions are sufficient to assist the student in reaching the instructional level of his or her grade. If collected data indicates that the student does not demonstrate adequate progress despite several implemented research-based interventions, consideration for special education may be warranted.

Restorative Justices Practices – the practice of bringing victims and offenders into contact so that victims can describe the impact of the crime on them, have their questions answered, and receive an apology so that offenders can understand and make good on the harm caused by their crime; restorative justice helps meet victims' needs, confronts offenders with the effects of their actions, and can help to engage the community and build confidence in the criminal justice system.

Robbery – an act or instance of illegally taking another's property by the use of intimidation or violence.

School Bus Suspension – a *corrective strategy* in which a student is not allowed to ride the school bus for a specified period of time. This strategy can be used if a student commits an infraction addressed in the Student Code of Conduct on a school bus after other *corrective strategies* have been implemented.

School day – a day when children attend school for instructional purposes.

School Level Investigation – a detailed search or examination of questionable student activities/incidents (at school, during school, or at school-related functions) to discover related facts; the investigation is conducted by the school administrator/designee.

Section 504 – a civil rights law that prohibits discrimination against individuals with disabilities. *Section 504* ensures that the student with a disability has equal access to an education. The student may receive accommodations and modifications.

Serious Bodily Injury - defined in USC 1365(g) to mean a bodily injury that involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ or faculty. [615(k)(7)(D)]

Sexting – transmitting pictures, written material, text and/or voice messages, and emails that are sexual in nature using the internet, cell phones, or any other electronically-related device (includes Internet chat rooms and online messaging services).

Sexual Assault – conduct of a sexual or indecent nature toward another person that is accompanied by actual or threatened physical force that induces fear, shame, or mental suffering.

Social Networking – transmitting pictures and/or written materials, via My Space, Facebook, Twitter, You Tube, LinkedIn or any similar social networking website, with the intent to harm others.

Special Circumstances – IDEIA defines special circumstances as follows: use of illegal drugs, weapons, and behavior causing serious bodily injury.

State Education Agency (SEA) – the agency primarily responsible for the supervision of the state’s public elementary and secondary schools. In Louisiana, the *SEA* is the Louisiana Department of Education.

“Stay Put” – the term used referring to a student’s right to remain in the current educational placement pending a disciplinary hearing (expulsion recommendation or request for a change of school setting) or a parent(s)/legal guardian(s)’ appeal to challenge a placement, manifestation determination, suspension, or expulsion; this right ensures that the student continues to receive *FAPE* in the *LRE*.

Student Information System (SIS) – data management for student information.

Suspension – see listing for “*In-School Suspension*” and “*Out-of-School Suspension*”.

Vandalism – willful or malicious destruction of public or private property.

Willful Disobedience – deliberate choice to break a rule or disobey a directive given by a person in authority.



BULLYING REPORT FORM

Instructions: Complete this form, responding only to the questions that you feel comfortable answering and are able to report accurately. Submit this form to the principal or other school employee. This form may be completed by the person reporting the incident or by the school employee to whom the incident is being reported.

Person Reporting the Incident:	Date of Report:
Person Reporting the Incident: <input type="radio"/> Student <input type="radio"/> Parent/Guardian <input type="radio"/> School Employee <input type="radio"/> Chaperone	

Description of Incident (Include the names of those involved and as much detail as possible: what, where, when, how, etc.)

List the name(s) of any witnesses to the incident.

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature of Person Filing Report	Date
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Received by :

Name	Position	Date
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Complaint Policy

1. Parents or guardians should contact **their student's school** if they wish to get information or have an issue related to the following:
 - Disagreement with a teacher or staff member at the school
 - Student records, except if the school is no longer open
 - Discipline decisions, except if it could involve expulsion or special education
 - Issues with another student at the school
2. Parents or guardians should contact the **OPSB Central Office** if they wish to get information or have an issue related to the following:
 - Student has been expelled or there are other serious discipline issues
 - Student isn't receiving needed special education services
 - Student is in danger and the school has not responded
 - Any other serious legal, safety, or special education issues that the school has not addressed

Contact Directory

Student Hearing Office

1615 Poydras Street, Suite 1400
New Orleans, Louisiana 70112
Phone: 504-373-6200, ext. 20041 or 20098
Fax: 504-309-3647

OPSB Central Office

3520 General DeGaulle Drive, Suite 5055
New Orleans, Louisiana 70114
Phone: 504-304-5660
Fax: 504-309-2865
www.opsb.us
Stan Smith, Interim Superintendent

OPSB Family and Resource Center

3520 General DeGaulle Drive, Suite 1050
New Orleans, LA 70114
Phone: 504-359-5437 (504-359-KIDS)

Orleans Parish School Board Directory

Orleans Parish Public Schools					
School	Grade	Building	Principal/Asst. Principal	Office #s	Fax
Bethune	Pre-K-6th	Bethune Elementary 4040 Eagle Street, 70118 mary_haynes-smith@opsb.us	Mary Haynes-Smith, Principal	324-7076	896-4003
Franklin Elementary	Pre-K – 5th	Franklin Elementary 111 Jefferson Avenue, 70115 charlotte_matthew@opsb.us	Charlotte Matthew, Principal	304-3932	304-6257
	6th - 8th	Franklin Extension 401 Nashville Avenue, 70115 ramona_perkins@opsb.us	Dr. Ramona Perkins, Asst. Principal	359-7730	
Mahalia Jackson	Pre-K – 2nd	Mahalia Jackson 2405 Jackson Avenue, 70113 lakeysa_london@opsb.us	Lakeysa London, Principal	359-6950	379-6976
McDonogh 35 High School	9th-12th	McDonogh 35 1331 Kerlerec Street, 70116 gerald_debose@opsb.us ulysess_collins@opsb.us	Gerald DeBose, Principal Ulysses Collins, Asst. Principal	324-7600 324-7611	942-0276
McDonogh 35 Academy	7th – 8th	McDonogh 35 1331 Kerlerec Street, 70116 john_green@opsb.us	John Green, Principal	324-7200	942-0276
McMain	7th -12th	McMain Sr. High 5712 S. Claiborne Avenue, 70125 bridgette_frick@opsb.us latasha_skidmore@opsb.us	Bridgette Frick, Principal Latasha Skidmore, Asst. Principal	324-7500 324-7513	862-5123
Alternative Learning Institute	6th-12th	Orleans Parish Prison 850 S. White Street, 70119 tyrone_casby@opsb.us	Tyrone Casby, Principal	239-3685	282-1623
Youth Study Center	N/A	Youth Study Center 1100 Milton Street, 70122 tyrone_casby@opsb.us	Tyrone Casby, Principal	239-3685	282-1623

Orleans Parish Public Schools					
School	Grade	Building	Principal/Asst. Principal	Office #s	Fax
Audubon	K-5th	Audubon 6101 Chatham Drive, 70122 janice_dupuy@auduboncharter.com latoye_brown@auduboncharter.com	Janice Dupuy, Principal Latoye Brown, Asst. Principal	862-5135	866-1691
	6th-8th	Audubon Extension 719 S. Carrollton Avenue, 70118 jvann_martin@auduboncharter.com	J'Vann Martin, Asst. Principal	324-7103	286-2642
Bricolage	K	Bricolage Academy 4238 St. Charles Avenue, 70115 jdensen@bricolagenola.org	Josh Densen, School Leader	539-4505	
Easton	9th-12th	Easton 3019 Canal Street, 70119 alexina_medley@opsb.us joseph_gilyot@opsb.us	Alexina Medley, Principal Joseph Gilyot, Asst. Principal	324-7400	324-7946
Einstein	Pre-K-8th	Einstein 5100 Cannes Street, 70129 lela_stewart@einsteincharter.org justin_jones@einsteincharter.org shawn_toranto@einsteincharter.org	Lela Stewart, Principal Justin Jones, Asst. Principal Shawn Toranto, CEO	324-7450	254-4121
	Pre-K-8th	Einstein Extension 5316 Michoud Blvd, 70129 glendalyn_lewis@einsteincharter.org linda_nixon@einsteincharter.org	Glendalyn Lewis, Principal Linda Nixon, Asst. Principal	324-7450	254-4121
ENCORE	Pre-K-5th	ENCORE Academy 2301 Marengo Street, 70115 terrismith@encorelearning.org	Terri Smith, Principal	444-2224	
Franklin Senior	9th-12th	Franklin Sr. 2001 Leon C. Simon Drive, 70122 timothy_rusnak@benfranklinhighschool.org donald_jackson@benfranklinhighschool.org david_ferris@benfranklinhighschool.org	Dr. Tim Rusnak, Principal Donald Jackson, Asst. Principal David Ferris, Asst. Principal	286-2600	286-2642
Harte	Pre-K-8th	Harte 4422 General Meyer Avenue, 70114 jamar.mckneely@inspirenolaschools.org robert.hill@inspirenolaschools.org jessica.lewis@inspirenolaschools.org	Jamar McKneely, Principal Robert Hill, Asst. Principal Jessica Lewis, Asst. Principal	302-7121	398-7103

Orleans Parish Public Schools					
School	Grade	Building	Principal/Asst. Principal	Office #s	Fax
Hynes	Pre-K-8th	Hynes 990 Harrison Avenue, 70124 michelle_douglas@opsb.us shawn_persick@opsb.us	Michelle Douglas, Principal Shawn Persick, Asst. Principal	324-7160	948-1750
Karr	9-12th	Karr 3332 Huntlee Drive, 70131 john.hiser@inspirenolaschools.org harold.clay@inspirenolaschools.org margaret.leaf@inspirenolaschools.org	John Hiser, Principal Harold Clay, Asst. Principal Margaret Leaf, Asst. Principal	302-7135	301-2721
Lake Forest	Pre-K - 8th	Lake Forest 12000 Hayne Blvd., 70126 mearly@lakeforestcharter.org rbell@lakeforestcharter.org	Mardele Early, Principal Robert Bell, Asst. Principal	826-7140	248-7020
Lusher	K-5th	Lusher (Elementary School) 7315 Willow Street, 70118 sheila_nelson@luserschool.org	Shelia Nelson, Principal	862-5110	309-4171
	6th - 8th 9th-12th	Lusher (Middle and High School) 5624 Freret Street, 70118 brenda_bourne@luserschool.org wiley_ates@luserschool.org kathleen_riedlinger@luserschool.org	Brenda Bourne, Principal Wiley Ates, Principal Kathy Reidlinger, CEO	304-3960	861-1839
Moton	Pre-K - 6th	Moton 3774 Gentilly Blvd., 70122 paulettepbruno@yahoo.com	Paulette Bruno, Principal	245-4400 669-2495	248-7300
New Orleans Math & Science	9th - 12th	New Orleans Math and Science 5625 Loyola Avenue, 70115 cjecklin@noscighigh.org cbenenson@noscighigh.org	Claire Jecklin, Co-Principal Chana Benenson, Co-Principal	324-7061	309-4178
Plessy	Pre-K - 2nd	Plessy 3820 St. Claude Avenue, 70117 sara@plessyschool.org	Sara Leikin, School Leader	421-5711	

Orleans Parish School Board Members



Ira H. Thomas, Sr.
President, District 1
[Board Member1@opsb.us](mailto:Board_Member1@opsb.us)

Leslie Ellison
Vice President, District 4
[Board Member4@opsb.us](mailto:Board_Member4@opsb.us)

Cynthia H. Cade
District 2
[Board Member2@opsb.us](mailto:Board_Member2@opsb.us)

Sarah Usdin
District 3
[Board Member3@opsb.us](mailto:Board_Member3@opsb.us)

Seth J. Bloom, J.D.
District 5
[Board Member5@opsb.us](mailto:Board_Member5@opsb.us)

Woody Koppel
District 6
[Board Member6@opsb.us](mailto:Board_Member6@opsb.us)

Nolan Marshall
District 7
[Board Member7@opsb.us](mailto:Board_Member7@opsb.us)