

**TERREBONNE PARISH SCHOOL BOARD
201 STADIUM DRIVE
HOUMA, LOUISIANA 70360**

School Board Meeting – January 15, 2013

Order of Business

7:00 P.M.

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Matter Pertaining to Opening of Bids Received for an Oil, Gas, and Mineral Lease on the following Section 16 Lands:

A. Section 101, Township 15 South, Range 16 East (Andrew Price School Site)

RECOMMENDATION: That the Board accept the bid received meeting all specifications from _____, for an oil, gas, and mineral lease on Section 101, Township 15 South, Range 16 East for _____ acres in the amount of \$_____ per acre, totaling \$_____ initial consideration and a ten percent (10%) fee in the amount of \$_____, with royalty to be _____ percent, subject to review by the Board's oil and gas consultant, the Board Attorney, and approval by the State Mineral Board, and further, authorize the Board President and Superintendent to sign any necessary documents pertaining thereto.

B. Section 16, Township 22 South, Range 17 East

RECOMMENDATION: That the Board accept the bid received meeting all specifications from _____, for an oil, gas, and

mineral lease on Section 16, Township 22 South, Range 17 East for _____ acres in the amount of \$_____ per acre, totaling \$_____ initial consideration and a ten percent (10%) fee in the amount of \$_____, with royalty to be _____ percent, subject to review by the Board's oil and gas consultant, the Board Attorney, and approval by the State Mineral Board, and further, authorize the Board President and Superintendent to sign any necessary documents pertaining thereto.

C. Section 16, Township 21 South, Range 17 East

RECOMMENDATION: That the Board accept the bid received meeting all specifications from _____, for an oil, gas, and mineral lease on Section 16, Township 21 South, Range 17 East for _____ acres in the amount of \$_____ per acre, totaling \$_____ initial consideration and a ten percent (10%) fee in the amount of \$_____, with royalty to be _____ percent, subject to review by the Board's oil and gas consultant, the Board Attorney, and approval by the State Mineral Board, and further, authorize the Board President and Superintendent to sign any necessary documents pertaining thereto.

D. Section 16, Township 22 South, Range 16 East

RECOMMENDATION: That the Board accept the bid received meeting all specifications from _____, for an oil, gas, and mineral lease on Section 16, Township 22 South, Range 16 East for _____ acres in the amount of \$_____ per acre, totaling \$_____ initial consideration and a ten percent (10%) fee in the amount of \$_____, with royalty to be _____ percent, subject to review by the Board's oil and gas consultant, the Board Attorney, and approval by the State Mineral Board, and further, authorize the Board President and Superintendent to sign any necessary documents pertaining thereto.

E. Section 16, Township 21 South, Range 16 East

RECOMMENDATION: That the Board accept the bid received meeting all specifications from _____, for an oil, gas, and

mineral lease on Section 16, Township 21 South, Range 16 East for _____ acres in the amount of \$_____ per acre, totaling \$_____ initial consideration and a ten percent (10%) fee in the amount of \$_____, with royalty to be _____ percent, subject to review by the Board's oil and gas consultant, the Board Attorney, and approval by the State Mineral Board, and further, authorize the Board President and Superintendent to sign any necessary documents pertaining thereto.

6. Board Committee Meeting Report

A. Education and Policy Committee (See Attached Committee Agenda and Report of January 7, 2013)

7. Superintendent's Agenda

A. Agenda Items

(1) Request for Board Authorization to Advertise for Requests for Proposals (RFPs) for a Wide Area Network Service

RECOMMENDATION: That the Board authorize the Purchasing Department to Advertise for Requests for Proposals (RFPs) for a Wide Area Network Service.

(2) Approval of Resolution Recognizing February 2013 as African American History Month

RECOMMENDATION: That the Board approve the following resolution recognizing February 2013 as African American History Month in Terrebonne Parish Schools:

RESOLUTION

WHEREAS, The month of February is traditionally observed as African American History Month; and

WHEREAS, The observance of a special period to recognize achievements and contributions by African Americans dates back to

February 1926; and

WHEREAS, The observance period is ultimately the recognition of America's struggle to become a more perfect union; now

THEREFORE, BE IT RESOLVED, That the Terrebonne Parish School Board recognizes February 2013 as African American History Month in the Terrebonne Parish Public Schools and encourages administrators, teachers, and students to observe this month with appropriate activities and programs that raise awareness and appreciation of African American History; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to all Terrebonne Parish Public Schools and office buildings.

(3) Personnel Section

(a) Personnel Actions for Period of December 13, 2012, through January 9, 2013 [list of professional instructional and non-instructional/support personnel (contract renewal, appointments, resignations, and retirements – Information Only)]

(b) Leaves of Absence

1) Family and Medical Leave

RECOMMENDATION: That the Board approve a family and medical leave in accordance with Policy (FILE: F-11.4a) for Andrea Gregoire, Teacher at Ellender Memorial High School, beginning January 11, 2013, through April 19, 2013 (care for newborn).

2) Leave Without Pay

RECOMMENDATION: That the Board approve a leave of absence without pay in accordance with Policy (FILE: F-11.10) for Andrea Gregoire, Teacher at Ellender Memorial High School, beginning April 22, 2013, through May 23, 2013 (personal).

8. Individual Board Member

- A. Mr. Roger Dale DeHart - Consideration of Approval of Appointment to Executive Committee

RECOMMENDATION: That the Board approve the following appointment to the 2013 Executive Committee, as presented by President DeHart: Mr. Roger Dale DeHart, President; Mr. Richard Jackson, Vice-President, and Mr. Hayes J. Badeaux.

- B. Mr. Roger Dale DeHart – Announcement of 2013 Standing Committee Appointments

EXECUTIVE COMMITTEE

Roger Dale DeHart, President
Richard Jackson, Vice-President
Hayes J. Badeaux (pending Board approval)

FINANCE, INSURANCE, and SECTION 16 LANDS COMMITTEE

Donald Duplantis, Chairman
Roosevelt Thomas, Vice-Chairman
Debi Benoit

BUILDINGS, FOOD SERVICE, and TRANSPORTATION COMMITTEE

Hayes J. Badeaux, Chairman
Gregory Harding, Vice-Chairman
L. P. Bordelon, III

EDUCATION and POLICY COMMITTEE

Richard Jackson, Chairman
Donald Duplantis, Vice-Chairman
Dr. Brenda Leroux Babin

****LEGISLATIVE LIAISON – Roger Dale DeHart***

ADVISORY MEMBERS FOR HEALTH and HOSPITALIZATION

Risk Manager

President-Principals Association or Designee

President-T.A.E. or Designee

President-Terrebonne Professional Educators or Designee

President-Bus Drivers Association or Designee

President-School Food Services Association or Designee

Clerical/Maintenance/Custodian Representative

Designated Representatives (2) – Retired Teachers Associations

Executive Director of Finance

At-large Member

- C. Mr. Roger Dale DeHart – Reschedule School Board Meeting of March 5, 2013, to March 12, 2013 (Due to Louisiana School Boards Association Convention), and Reschedule Agenda Deadline from Noon Wednesday, February 27, 2013, to Noon Wednesday, March 6, 2013

RECOMMENDATION: That the Board reschedule the School Board Meeting of March 5, 2013, to March 12, 2013 (Due to Louisiana School Boards Association Convention), and reschedule the agenda deadline from noon Wednesday, February 27, 2013, to noon Wednesday, March 6, 2013.

9. Announcements

1/12

6:00 “Teenager of the Year Recognition” – American Legion

1/17

5:00 ERC

1/28

5:00 Finance, Insurance, & Section 16 Lands Committee

2/4

5:00 Education & Policy Committee

2/5

7:00 Regular School Board Meeting

10. Adjournment

Philip Martin, Superintendent
Terrebonne Parish School Board
P. O. Box 5097
Houma, Louisiana 70361
985-876-7400

In accordance with the Americans with Disabilities Act, if you need special assistance, please contact Philip Martin, Superintendent, Terrebonne Parish School Board, at 985-876-7400, Ext. 220, describing the assistance that is necessary.

RLB

TERREBONNE PARISH SCHOOL BOARD, 201 STADIUM DRIVE
HOUMA, LOUISIANA 70360

EDUCATION AND POLICY COMMITTEE MEETING

Monday, January 7, 2013

5:00 P.M.

Central Office Board Room

A-G-E-N-D-A

1. Invocation and Pledge of Allegiance
2. Matter pertaining to Policy FILE: H-3.1 Due Process – **(Proposed Recommendation)** - Dr. Brenda Leroux Babin

The Committee recommends that the Board approve, as presented, the revisions to policy FILE: H-3.1 Due Process.

3. Matter pertaining to policy FILE: B-12.2 Agenda (Forethought) – **(Proposed Recommendation)** – Carol Davis

The Committee recommends that the Board approve, as presented, revised policy FILE: B-12.2 Agenda.

4. Matter pertaining to policy FILE: D-3.8 Equipment and Merchandise Sales (Forethought) – **(Proposed Recommendation)** – Lydia Alleman

The Committee recommends that the Board approve, as presented, revised policy FILE: D-3.8 Equipment and Merchandise Sales.

5. Matter pertaining to policy FILE: E-1.8d Naming of Facilities (Forethought) – **(Proposed Recommendation)** – Donald Chamberlain

The Committee recommends that the Board approve, as presented, revised policy FILE: E-1.8d Naming of Facilities.

6. Matter pertaining to policy FILE: F-9.1 Compensation (Forethought) – **(Proposed Recommendation)** – Dr. Debra Yarbrough

The Committee recommends that the Board approve, as presented, revised policy FILE: F-9.1 Compensation.

7. Matter pertaining to policy FILE: F-9.4a Employment of Retired Certified Personnel (Forethought) – **(Proposed Recommendation)** – Dr. Debra Yarbrough

The Committee recommends that the Board approve, as presented, revised policy FILE: F-9.4a Employment of Retired Certified Personnel.

8. Matter pertaining to policy FILE: F-10.4a Employment of Retired Support Personnel (Forethought) – **(Proposed Recommendation)** – Dr. Debra Yarbrough

The Committee recommends that the Board approve, as presented, revised policy FILE: F-10.4a Employment of Retired Support Personnel.

9. Matter pertaining to policy FILE: F-12.9a Electronic Communications Between Employees and Students (Forethought) – **(Proposed Recommendation)** – Carol Davis

The Committee recommends that the Board approve, as presented, revised policy FILE: F-12.9a Electronic Communications Between Employees and Students.

10. Matter pertaining to policy FILE: G-8.3 Computer and Internet Use (Forethought) – **(Proposed Recommendation)** – Carol Davis

The Committee recommends that the Board approve, as presented, revised policy FILE: G-8.3 Computer and Internet Use.

11. Matter pertaining to new policy FILE: E-1.1e Use of Automated External Defibrillator (AED), (Forethought) – **(Proposed Recommendation)** – Linda Joseph

The Committee recommends that the Board approve, as presented, new policy FILE: E-1.1e Use of Automated External Defibrillator (AED).

12. Matter pertaining to policy FILE: G-2.4g Alternative Schools Education

Program (Forethought) – **(Proposed Recommendation)** – Linda Joseph

The Committee recommends that the Board approve, as presented, revised policy FILE: G-2.4g Alternative Schools Education Program.

13. Matter pertaining to policy FILE: H-2.3c Homeless Students (Forethought) – **(Proposed Recommendation)** – Linda Joseph

The Committee recommends that the Board approve, as presented, revised policy FILE: H-2.3c Homeless Students.

14. Matter pertaining to policy FILE: H-3.3 Student Conduct (Forethought) – **(Proposed Recommendation)** – Linda Joseph

The Committee recommends that the Board approve, as presented, revised policy FILE: H-3.3 Student Conduct.

15. Matter pertaining to policy FILE: H-3.3h Bullying, Cyber-Bullying, Intimidation, Harassment, and Hazing (Forethought) – **(Proposed Recommendation)** – Linda Joseph

The Committee recommends that the Board approve, as presented, revised policy FILE: H-3.3h Bullying, Cyber-Bullying, Intimidation, Harassment, and Hazing.

16. Matter pertaining to policy FILE: H-3.5 Discipline (Forethought) – **(Proposed Recommendation)** – Linda Joseph

The Committee recommends that the Board approve, as presented, policy FILE: H-3.5 Discipline.

17. Matter pertaining to policy FILE: H-3.5b Suspension/Expulsion (Forethought) **(Proposed Recommendation)** – Linda Joseph

The Committee recommends that the Board approve, as presented, revised policy FILE: H-3.5b Suspension/Expulsion.

18. Matter pertaining to policy FILE: H-4.5 Child Abuse (Forethought) – **(Proposed Recommendation)** – Linda Joseph

The Committee recommends that the Board approve, as presented, revised policy FILE: H-4.5 Child Abuse.

19. Adjournment

COMMITTEE MEMBERS

Richard Jackson, Chairman
Brenda Leroux Babin, Vice-Chairman
Donald Duplantis

Carol Davis, Assistant Superintendent
Instruction and Student Support Services

CD/dc

c: Board Members
Superintendent and Staff
Schools and ERC Members
Mr. Clayton Lovell, Legal Counsel
Ms. Lottie Beebe, BESE, District 3
The Courier, Tri-Parish Times, KFOL-HTV; Radio Stations, KCIL/KXOR
Houma-Terrebonne Chamber of Commerce
Presidents ... TAE, TPA, A+PEL, Bus Drivers' Association, Food Service

**TERREBONNE PARISH SCHOOL BOARD
P. O. BOX 5097
HOUMA, LOUISIANA 70361**

January 15, 2013

Dear Members of the Board:

The EDUCATION and POLICY COMMITTEE met in the Board Room of the School Board Office, 201 Stadium Drive, at 5:00 P.M., on Monday, January 7, 2013, with the following members present: Mr. Richard Jackson, Chairman, and Mr. Donald Duplantis. Dr. Brenda Leroux Babin, Vice-Chairman, entered after the meeting began. Also in attendance were Assistant Superintendent Carol Davis and members of the staff.

Mr. Jackson called the meeting to order. The meeting began with the invocation and Pledge of Allegiance to the Flag.

The Committee deviated from the regular order of the agenda to take up agenda item # 4 Matter pertaining to policy FILE: D-3.8 Equipment and Merchandise Sales.

Mrs. Lydia Alleman, Purchasing Agent/Grant Specialist, presented revisions, according to recent legislation, to policy FILE: D-3.8 Equipment and Merchandise Sales.

RECOMMENDATION NO. 1

The Committee recommends that the Board approve, as presented, the following revisions to policy FILE: D-3.8 Equipment and Merchandise Sales:

FILE: D-3.8

EQUIPMENT AND MERCHANDISE SALES

Merchandise and equipment no longer usable for the purpose for which it was acquired or built, shall be declared surplus by the head of the

department to which the merchandise or equipment has been assigned.

The Terrebonne Parish School Board will then call for sealed bids for the sale of such merchandise or equipment and said bids will be opened publicly and disposed of in a prudent, business-like manner. The Terrebonne Parish School Board shall reserve the right to accept or reject any and all bids.

The sale of surplus merchandise or equipment shall be final, on the "as is" or "where is" basis and will carry no warranties whatsoever.

SALE OF SURPLUS USED BUSES AND OTHER VEHICLES

1. Surplus buses and other vehicles will be disposed of in a prudent business-like manner.
2. Surplus buses and other vehicles will be sold to the general public by sealed bid to the Terrebonne Parish School Board. All bids must be enclosed and sealed in the self-addressed return envelope furnished by the Terrebonne Parish School Board for that purpose, or a facsimile thereof, and forwarded through the United States mail. Bid forms and envelopes may be obtained from the school Transportation Department.
3. Bids will be opened at a regular meeting of the Terrebonne Parish School Board.
4. Bids must be accompanied by a 10% deposit or twenty-five dollars (\$25.00), whichever is greater, with no deposit less than \$25.00, which may be in the form of a personal check, cashier's check or money order made payable to the Terrebonne Parish School Board.
5. Successful bidders must pay for and remove the units which they were awarded within ten (10) working days after notified of their successful bids. Failure to comply will result in forfeiture of deposit.
6. Any buses and other vehicles offered for bid, but not sold, may be disposed of by the supervisor, transportation with the written approval of the assistant superintendent, administration, finance and statistics

or the Superintendent.

COMPUTING DEVICES

When the School Board determines that an individual computing device used by a student or students has reached the end of its typical life cycle, is no longer needed for school purposes, and will be removed from classroom use, and that the best interest of the public school system would be served by the private sale of such device due to the cost of auctioning the device or recycling it or due to other factors, the School Board may sell the device to a student enrolled in a school in the school system or to the parent, tutor, or legal guardian of such a student.

The sale price for the device shall be reasonably equivalent to the value of the device, taking into consideration its typical life cycle, current condition, and costs of other methods of alienation or disposal.

All such sales shall be in accordance with School Board policies, and sale prices shall be approved by appropriate school system administrative personnel prior to sale. Such sales shall apply only to individual computing devices used for class work by students and shall not apply to other computer equipment or related equipment such as routers, switches, or servers.

Revised: January 2013

Ref: La. Rev. Stat. Ann. §§17:87.6, 49:125.

Dr. Babin entered the meeting at this time and was in attendance for the remainder of the meeting. The Committee returned to the regular order of the agenda.

Dr. Babin discussed revisions to policy FILE: H-3.1 Due Process and offered the following recommendation:

RECOMMENDATION NO. 2

The Committee recommends that the Board approve, as presented, the following revisions to policy FILE: H-3.1 Due Process:

DUE PROCESS

The Terrebonne Parish 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.

Due process requires, at a minimum, 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.

Under due process, each student shall be guaranteed a fair hearing, a fair judgment, a written record of the decision, and notice of the right to appeal the decision. The degree of procedural due process afforded in any disciplinary situation shall be dependent upon two factors: (1) the gravity of the offense a student is alleged to have committed; and (2) the severity of the contemplated penalty. For example, a much greater degree of procedural due process shall be applicable in an expulsion situation than in one where the penalty is a short-term suspension.

Full protection of procedural due process shall be afforded any student facing possible long-term suspension or expulsion. **The parent and/or legal guardian has the right to appeal to the Board on behalf of their child.**

April 1999

Revised: January 2013

Ref: U.S. Const. amend. XIII; U.S. Const. amend. XIV, §1; Ingraham v. Wright, 97 S.Ct. 1401 (1977); Goss v. Lopez, 95 S.Ct. 729 (1975); Carey v. Piphus, 98 S.Ct. 1042 (1978); Board minutes, 4-20-99.

Mrs. Davis presented revisions, according to recent legislation, to policy FILE: B-12.2 Agenda. She said the changes to the policy are minor and already in place with our procedures. Mrs. Ramona Brunet, Executive Assistant to the Board, addressed the Committee and stated she had spoken to Mr. Clayton Lovell, Board Attorney, who verified that this policy is in compliance, with regards to State Statute.

RECOMMENDATION NO. 3

The Committee recommends that the Board approve, as presented, the following revisions to policy FILE: B-12.2 Agenda:

FILE: B-12.2

AGENDA

The Terrebonne Parish School Board President and the Superintendent shall prepare the agenda for all regular and special meetings of the Board. ~~The agenda will be prepared by the Superintendent and the President of the Board.~~ The agenda shall be itemized so as to advise the public in general terms each subject to be discussed. To accomplish this, Board Members and citizens shall be required to submit to the Superintendent, in writing, items they wish to have placed on the agenda a minimum of five (5) days in advance of the next regular Board meeting. (Items to be placed on the agenda for Tuesday night meetings must be submitted by noon on Wednesday prior to the meetings). The itemized agenda shall include the subject to be discussed along with the name of the person requesting that said item be placed on the agenda. **The agenda shall not be changed less than twenty-four (24) hours prior to the meeting.**

Each item on the agenda shall be listed separately and described with reasonable specificity. Before the School Board may take any action on the agenda item, the presiding officer shall read aloud the description of the item.

The Board may take up a matter not on the agenda upon the *unanimous approval* **of the members present** at a meeting. The motion to add an item not on the agenda shall identify the item with reasonable

specificity, including the purpose for the proposed addition to the agenda, and shall be entered into the minutes. In keeping with state law and Board policy, prior to any vote to add an item to the agenda, there shall be an opportunity for public comment on the motion.

The reports of all committees of the Board shall be given when deemed necessary by the President and Superintendent.

ORDER OF BUSINESS

The Board's business shall be transacted in the order outlined below:

- a. Call to order
- b. Invocation
- c. Roll call
- d. Consideration of minutes of the last regular meetings and any special meeting(s) held since the last consideration
- e. Presentation by citizens of any matters they wish to bring to the attention of the Board
- f. Unfinished business (Unfinished business is defined as items on the previous Board meeting agenda that were not addressed due to adjournment.)
- g. Reports of committees
- h. Reports and recommendations of the Superintendent and his/her staff
- i. Consideration of matters to be brought up by individual Board Members
- j. Adjournment

Revised: March 2001

Revised: November 2008

Revised: February 2011

Revised: January 2013

Ref: La. Rev. Stat. Ann. §42:7 **42:19; Jackson v. Assumption Parish School Board, App. 1 Cir. 1995, 652 So2d 549, 1994-0901 (La. App. 1 Circ. 3/3/95)**; Board minutes, 3-8-73, 2-20-79, 6-19-84, 1-14-86, 1-16-90, 4-16-91, 12-21-93, 2-21-95, 11-19-96, 12-19-00, 3-20-01, 11-18-08, 2-15-11.

Mr. Donald Chamberlain, Plant Operations Manager, presented revisions, according to recent legislation, to policy FILE: E-1.8d Naming of Facilities.

RECOMMENDATION NO. 4

The Committee recommends that the Board approve, as presented, the following revised policy FILE: E-1.8d Naming of Facilities:

FILE: E-1.8d

NAMING OF FACILITIES

The Terrebonne Parish School Board believes naming a school is a matter of great importance, ~~one that deserves the most thoughtful attention.~~ The Board shall not be influenced in its decision by personal prejudice or favoritism, political pressure, or temporary popularity in choosing a name. No school, school building, or other public building shall be named after any living person. However, **a street that is maintained by the School Board and that is not a state or federal highway, or** any existing athletic facilities at a ~~high~~ school within the Board's jurisdiction may be named in honor of a living person.

The Superintendent shall be responsible for soliciting names from staff, students, and the community and shall prepare, ~~for approval of the board,~~ procedures to follow in naming school properties. These procedures shall **may** include a timetable for the naming process in order to lessen any community or factional pressures that may build up when a selection is delayed or seems uncertain. ~~The timetable shall take into account that there will be less confusion in accounts, files, and records for new schools if they are assigned names before construction begins.~~

New policy: March 2009

Revised: January 2013

Ref: La. Rev. Stat. Ann. §§17:81, 17:85, 42:267; Board minutes, 3-17-09.

Mrs. Davis presented revisions, according to recent legislation, to policy FILE: F-9.1 Compensation.

RECOMMENDATION NO. 5

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-9.1 Compensation:

FILE: F-9.1
Cf: F-5, F-9.2

COMPENSATION

SALARY SCHEDULES

Upon the recommendation of the Superintendent, the School Board shall establish salary schedules by which to determine the salaries to be paid to teachers and all other school employees. Salaries of all school personnel shall be set by the Superintendent. The salaries of all personnel are generally based upon an established salary schedule and associated regulations; provided, however, that salaries may be stated in and controlled by an employment contract. The salaries as provided in any salary schedule shall be considered as full compensation for all work required and performed within each employee's prescribed scope of duties and responsibilities.

Salary schedules established for teachers, administrators, and other certified school personnel shall be based upon the following criteria, with no one criterion accounting for more than fifty percent (50%) of the formula used to compute such employees' salaries:

1. Effectiveness, as determined by the performance evaluation program as provided in La. Rev. Stat. Ann. §§17:3881 through

3905.

2. Demand, inclusive of area of certification, particular school need, geographic area, and subject area, which may include advanced degree levels.
3. Experience.

No employee who is rated *ineffective* pursuant to the Board's performance evaluation program shall receive a higher salary in the year following the evaluation than the employee received in the year of the evaluation.

The amount of the annual salary paid to any employee in any school year shall not be reduced below the amount of such salary paid during the previous school year, nor shall the amount of the annual salary paid to any employee be reduced at any time during an academic year. The limitations on the reduction in the amount of the annual salary paid to any employee shall not be applicable to the correction of any accounting errors or to a reduction necessitated by the elimination of a state program or state funding. Any salary reduction shall not apply to any local salary supplement funded, in whole or in part, from a revenue source requiring voter approval, when such voter approval has not been obtained. The limitation on the reduction of salary shall also not apply to an employee who has been promoted and subsequently demoted. In this case, the employee's salary shall return to the salary previously received in the lower position from which promoted.

Ordinarily, no teacher shall be placed on the payroll of the school district unless the teacher holds a valid certificate as required by law, and a copy of the teacher's contract has been filed with the Superintendent. Exceptions may be made only when qualified teachers with valid certification are not available for employment.

SALARY SUPPLEMENTS

The Board, at its discretion, may allow salary supplements to certain instructional personnel who assume special duties. Such supplements shall

be reviewed and adopted upon the recommendation of the Superintendent.

EXPERIENCE CREDIT

A year of teaching experience is defined as each scholastic year of employment as a certified teacher in public schools within any of the fifty states of the United States of America, or within any of its territorial possessions; or as a teacher in a private or parochial school, as an employee in a state department of education, or as an instructor in an institution of higher learning. All such experience must have been as a teacher in an institution or school accredited by one of the recognized regional accrediting agencies in the United States of America (e.g., SACS). Experience outside the United States of America, its territories or possessions must be in an institution or school accredited by an accrediting agency recognized by the United States of America.

A year of teaching experience shall be granted if the person was employed for at least ninety-one (91) instructional days during one (1) scholastic year, excluding holidays, as verified by the Superintendent. However, not more than one (1) year of experience shall be granted for a period inclusive of twelve (12) consecutive calendar months. All experience must have been on a full-time basis.

Any teacher holding a valid Louisiana teaching certificate in the public school system of Louisiana who has transferred to Louisiana from a public school system of another state and who, at the time of such transfer, held a valid teacher's certificate from that state, shall be given full credit under the salary schedule for the years of satisfactory teaching service previously rendered in the public school system of that state. Credit for previous teaching experience shall also be granted to anyone employed who holds a valid Louisiana teaching certificate and is employed or has been employed by another public school system in the state.

ADVANCED DEGREE

When a teacher earns additional college credit, is awarded an advanced degree, or receives additional training that would result in an increase in salary, said teacher shall be paid for the advanced degree or

training beginning with the next school semester after all necessary documentation has been received from the Louisiana Department of Education. It shall be the responsibility of the employee to assure proper notification is given to the Superintendent or his/her designee.

RETIREES

The salary of any retiree who is re-employed as a full-time teacher shall be based on the salary schedule which accounts for all prior years of teaching service and pertinent experience. The status of any retiree who is re-employed shall be the same as a full-time active employee, subject to all applicable rules, procedures, policies, and statutes that apply to all such full-time active employees.

~~Sick leave, and annual leave if applicable, shall accrue as any other newly hired employee. No sick leave or annual leave shall be carried forward at the time of rehire.~~

The retirement of an employee prior to his/her re-employment as a retiree shall constitute a break in his/her service with the School Board for purposes of tenure and sabbatical leave. The retiree shall not be allowed to carry forward annual leave days accumulated by him/her as of the date of his/her retirement, but he/she may carry forward accumulated sick leave days provided that he/she has returned to employment within five (5) years of his/her last employment as a teacher within the school system. A retiree shall have the right to earn additional sick leave and annual leave, if applicable, on the same basis as other similarly situated newly hired employees while a retiree.

LONGEVITY INCREMENTS

All personnel are covered by a program of longevity increments to veteran Parish employees by the payment of longevity increments based upon all years credited in the employment of a school system plus a maximum of four (4) years military service prior to December 13, 1975, and all years in the employment of Terrebonne Parish School Board after December 13, 1975, above the regular annual salary.

Longevity Increments

<u>YEARS</u>	<u>INCREMENT</u>	<u>YEARS</u>	<u>INCREMENT</u>
8	\$100	21	\$1,400
9	\$200	22	\$1,500
10	\$300	23	\$1,600
11	\$400	24	\$1,700
12	\$500	25	\$1,800
13	\$600	26	\$1,900
14	\$700	27	\$2,000
15	\$800	28	\$2,100
16	\$900	29	\$2,200
17	\$1,000	30	\$2,300
18	\$1,100	31	\$2,400
19	\$1,200	32+	\$2,500
20	\$1,300		

STIPENDS

Stipends will be paid, only when offered, to employees including, but not limited to, teachers, school administrators, and paraprofessionals who participate in in-service training activities. Stipends, if offered, will be paid only after regular work hours, during holidays (exclusive of any paid holiday), or after the employee's regular contract period.

Maximum standards for stipends will be established by the Superintendent and staff and must be adhered to by all funding sources. In advance of each activity, presenters and participants shall be informed of the stipend.

The appropriate staff member shall approve employee eligibility for attendance of in-service training activities and the payment of stipends for said activities.

Revised: September 1998

Revised: December 2001

Revised: July 2006

Revised: November 2012

Revised: January 2013

Ref: **29 USC 201** et seq. (*Fair Labor Standards Act of 1938, as amended*); La. Rev. Stat. Ann. §§11:710, 17:81; 17:83, 17:84, 17:84.1, 17:411, 17:413, 17:418, 17:421.4, 17:422.6, 17:423, 17:424, 17:424.2, 17:424.3, 17:444, 17:491, 17:492, 17:496, 17:496.1, 17:497, 17:497.1, 17:498; *Wright v. Caldwell Parish School Board*, 30.448 (La. App. 2 Cir. 6/16/99); *Garcia v. San Antonio Metropolitan Transit Authority et al.*, 105 S. Ct. 1005 (February 1985); *Harrah Independent School District v. Martin*, 99 S. Ct. 1062 (1979); Board minutes, 12-16-75, 9-13-88, 9-18-90, 11-27-90, 6-93, 11-21-95, 9-15-98, 12-18-01, 7-11-06, 10-20-09 (reference), 11-20-12.

Mrs. Davis presented revisions, according to recent legislation, to policy FILE: F-9.4a Employment of Retired Certified Personnel.

RECOMMENDATION NO. 6

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-9.4a Employment of Retired Certified Personnel:

FILE: F-9.4a
Cf: F-9.1, F-10.4a

EMPLOYMENT OF RETIRED CERTIFIED PERSONNEL

The Terrebonne Parish School Board **Superintendent, or principal, with the approval of the Superintendent**, may employ retired employees under certain conditions; however, an employee whose retirement has been accepted by the School Board shall not be guaranteed any position/employment with the Board. ~~It shall be the policy of the School Board to vest in its Superintendent or his/her designee the power to recommend candidates for rehire after the person has traditionally retired from the school system.~~

~~The Superintendent or his/her designee may bring recommendations to the Board for approval for the rehire of retiring certified personnel after the performance of the retiring applicant has been assessed, and it is determined to be in the best interest of the school system to rehire this individual.~~

CERTIFIED PERSONNEL

Certified personnel who are members of the *Teachers' Retirement System of Louisiana* (TRSL) **who have retired** and are rehired by the School Board shall be classified **designated** as **either** a *retired teacher* or *retired member*, **as provided below**:

Retired Teachers

A *retired teacher* is:

1. Any teacher who returns to active service as a full-time or part-time classroom teacher in grades K-12 in a critical shortage area, or
2. A retiree who returns to active service as a full-time certified speech therapist, speech pathologist, or audiologist whose position requires a valid Louisiana ancillary certificate where the shortage exists, or
3. A retired employee who has returned to active employment service covered by La. Rev. Stat. Ann. §11:710 on or before June 30, 2010.
4. A retired member who retired on or after May 1, 2009, and on or before June 30, 2010, and who returns to active employment service to a position requiring a valid Louisiana teaching certificate or a valid Louisiana ancillary certificate.
- 5. A retired employee who returns to active employment service as a substitute classroom teacher who teaches any student in pre-kindergarten through twelfth grade.**
- 6. A retired employee who holds an advanced degree in speech therapy, speech pathology, or audiology.**
- 7. A retired employee who has a valid Louisiana teaching certificate who returns to active employment service who is**

assigned the professional activities of instructing adults through an adult education or literacy program administered by the School Board.

Critical shortage area shall mean any shortage of certified teachers existing in a subject area that has been certified by both the Superintendent and personnel director to Louisiana Board of Elementary and Secondary Education (BESE) and the *Teachers Retirement System of Louisiana*.

Classroom teacher shall mean any employee whose position requires a valid Louisiana teaching certificate and who is assigned activities of instructing pupils in classroom courses for which daily attendance figures are kept, including school classroom, home or hospital settings or other learning situations that may be delivered inside or outside the classroom or in other teacher-student settings.

Substitute classroom teacher shall mean a classroom teacher employed in a temporary capacity to fill the position of another classroom teacher who is unavailable to teach for any reason.

Prior to making such certification of critical shortage for any *full-time teaching position*, the School Board shall be required to advertise in the Board's official journal, on two (2) separate occasions, notice that a shortage of certified teachers exists and the positions to be filled. If a certified applicant who is not a retiree applies for an advertised position, such person *shall be hired* before any certified retired teacher is employed, unless fewer than three (3) teachers have applied for the position each of whom are certified in the critical shortage area being filled.

The salary of any retired teacher who is reemployed by the School Board shall be based on the salary schedule which accounts for all prior years of teaching service and pertinent experience. **The earnings of a retired teacher reemployed as a substitute classroom teacher or adult education instructor may result in a reduction in retirement benefits received, in accordance with statutory provisions.**

Whenever a retiree returns to active service, the School Board shall, within thirty (30) days thereafter, notify the TRSL in writing of such

employment, the date of reemployment, and a determination by the Board as to whether the person is a *retired teacher* **or retired member.** **Other reports shall be submitted as required by state law.** The salary of any retired teacher shall be based on the salary schedule which accounts for all prior years of teaching service and pertinent experience.

Retired Members

A *retired member* is any person who is a member of the Teachers Retirement System of Louisiana and who after being reemployed, is not classified as a *retired teacher*. A retired member, once reemployed, shall have his/her retirement benefits suspended for the duration of reemployment, **even if such employment is based on a contract,** and shall receive no additional service credit nor accrue any additional retirement benefits.

New policy: September 2010

Revised: October 2011

Revised: January 2013

Ref: La. Rev. Stat. Ann. §§11:710, 11:1006, 11:1007, 17:81; Board minutes, 9-21-10, 10-18-11.

Mrs. Davis presented revisions, according to recent legislation, to policy FILE: F-10.4a Employment of Retired Support Personnel.

RECOMMENDATION NO. 7

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-10.4a Employment of Retired Support Personnel:

FILE: F-10.4a
Cf: F-9.1, F-10.4

EMPLOYMENT OF RETIRED SUPPORT PERSONNEL

The Terrebonne Parish School Board **Superintendent, or Principal, with the approval of the Superintendent,** may employ retired employees under

~~certain conditions; however, an employee whose retirement has been accepted by the School Board shall not be guaranteed any position/employment with the Board. It shall be the policy of the School Board to vest in its Superintendent or his/her designee the power to recommend candidates for rehire after the person has traditionally retired from the school system.~~

~~The Superintendent or his/her designee may bring recommendations to the Board for approval for the rehire of retiring certified personnel after the performance of the retiring applicant has been assessed, and it is determined to be in the best interest of the school system to rehire this individual.~~

BUS DRIVERS

A bus driver who has retired from service may be employed ~~by the School Board~~ and return to service as a full-time bus driver. If ~~the Board elects to reemploy~~ a retired bus driver **is reemployed**, the Superintendent shall certify to the BESE that a shortage of qualified bus drivers exists in the school district.

Whenever a retired bus driver is reemployed, the School Board shall notify the *Louisiana School Employees Retirement System* (LSERS) in writing within ten (10) days of such employment and the date employment began. In addition, the School Board shall submit to LSERS before September 1 of each school year of reemployment of a bus driver a declaration stating the Board's intent to reemploy the bus driver. The declaration shall be signed by the Superintendent or his/her designee and the employee. If such declaration is not received by September 1, the reemployed bus driver shall be subject to retirement benefits and other conditions in accordance with La. Rev. Stat. Ann. §11:1006. Upon the bus driver's termination, the School Board shall provide LSERS in writing information and notice of the termination.

The School Board shall be required to report to LSERS within forty-five (45) days after June 30th of each year the names of all retired bus drivers being paid by the Board, their social security numbers, and the amounts of their earnings during the previous year.

Actuarial Cost

If ~~the School Board decides to reemploy~~ a retired bus driver **is reemployed**, the School Board shall pay to LSERS the actuarial cost for the bus driver that is in excess of the cost that would have been incurred if the School Board had reemployed the bus driver pursuant to the provisions of La. Rev. Stat. Ann. §11:1006.

OTHER NON-CERTIFIED EMPLOYEES

Any retired non-certified employee, other than a bus driver, may be reemployed ~~by the School Board~~ as a full-time, part-time, temporary, or substitute employee. The School Board shall be required to transmit monthly, by the fifteenth (15th) day after the end of the month, a report to the *Louisiana School Employees Retirement System* (LSERS) with the name, social security number, and the amount of earnings of the retiree during the previous month.

New policy: September 2010

Revised: January 2013

Ref: La. Rev. Stat. Ann. §§11:710, 11:1006, 11:1007, 17:81; Board minutes, 9-21-10.

Mrs. Davis presented revisions, according to recent legislation, to policy FILE: F-12.9a Electronic Communications Between Employees and Students.

RECOMMENDATION NO. 8

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-12.9a Electronic Communications Between Employees and Students:

FILE: F-12.9a
Cf: F-12.3, G-8.3, H-3.3g

ELECTRONIC COMMUNICATIONS BETWEEN EMPLOYEES AND STUDENTS

The Terrebonne Parish School Board shall require that all communications between employees and students be appropriate and in accordance with state law. All electronic or any other communications by employees to students, at any time, shall be expected to be professional, acceptable in content to any reasonable person, and limited to information that is school-related or is acceptable to both student and parent.

All electronic communication, including electronic mail, by an employee ~~at a school~~ to **any** student enrolled ~~at that~~ **in a public** school **in this school district** relative to the educational services provided to the student, shall use a means provided by or otherwise made available by the school system for this purpose and the School Board shall prohibit the use of all such system means to electronically communicate with a student for a purpose not related to such educational services, except communication with an immediate family member, if such communication is specifically authorized by the School Board.

Any electronic communication made by an employee ~~at a school~~ to **any** student enrolled ~~at that~~ **in a public** school or that is received by an employee ~~at a school~~ from **any** student enrolled ~~at that~~ **in a public** school **in this district** using a means other than one provided by or made available by the school system shall be reported by the employee in a manner deemed appropriate by the School Board. Records of any such reported communication shall be maintained by the School Board for a period of at least one (1) year.

The School Board may authorize a school principal, or his/her designee, to permit an employee at the school to contact one or more specifically identified students enrolled at the school and be contacted by such student or students using a means other than one provided by or made available by the school, provided the employee has requested and received permission from the principal, or his/her designee, to do so and has provided documentation in writing to the principal, or his/her designee, stating the purpose or purposes for such contact. Such purposes may include, but need not be limited to, necessary communications relative to extracurricular activities, student athletic activities, community-based youth activities such as scouting, and faith-based activities such as a youth group sponsored by a religious organization.

DEFINITIONS

1. *Electronic Communication* includes any direct communication facilitated by voice or text-based telecommunication devices, or both, computers, as well as those devices that facilitate indirect communication using an intermediate method, including but not limited, to Internet-based social networks. It shall also include transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature in whole or in part by wire, radio, electromagnetic, photoelectric, or photo-optical system and pertains to both personal and School Board issued devices.
2. *Electronic mail* – the transmission of text-based information or communication by use of the Internet, computers, a facsimile machine, a pager, a cellular telephone, a video recorder, or any other electronic device or means sent to a person identified by a unique address or address number and received by that person.
3. *Computers* – pertains to any and all computers.
4. *Social networks* – locations on the Internet where users may interact with other users -- examples are Face book, MySpace, YouTube, and other social networks site available on the Internet.
5. *Improper or inappropriate communications* – any communication between employee and student, regardless of who initiates the communication, that may be viewed as derogatory, sexual or lewd in content, threatening or harassing, discriminatory, simple fraternization, or suggestive in nature.

NOTIFICATION

The School Board shall ensure that at the beginning of each school year each employee, student, and parent, or other person responsible for a student's attendance, be notified of the provisions of this policy and any related procedures or practices regarding communications between employees and students.

The parent or other person responsible for a student's attendance shall

also be notified of his/her right to request that his/her child not be contacted through electronic communication by any school employee unless the purpose of such communication is directly related to the child's educational services and is sent to and received by more than one student at the school.

INAPPROPRIATE COMMUNICATIONS

The School Board is aware that the reputation and career of students and educators have been damaged due to inappropriate communications between parties. Therefore, it is the intent of the Terrebonne Parish School Board to make all employees and students aware of the expectations and procedures of the school system and the School Board, in regard to proper use of all telecommunication devices and computers, if used to communicate with one another. The policy is not intended to limit the use of technology as an effective teaching tool.

In addition to reporting communication to or from students not made through the means provided by the school system, employees must report to their supervisor at the first opportunity available, any student-initiated communication that may be construed as inappropriate.

Employees shall be required to comply with all policies, procedures, and practices established by the School Board regarding direct communications with a student, and any failure to do so may result in disciplinary action, up to and including termination of employment. Extreme circumstances may constitute willful neglect of duty. Should an employee's failure to comply also violate state or federal law, the Superintendent or his/her designee shall report such violation to the proper authorities.

VIOLATIONS

1. Any violation of this policy shall be immediately investigated by the employee's supervisor. The investigation shall include dates, the name of the person reporting the allegation, and the specific allegation made.
2. The supervisor shall meet with the employee to document his/her response to the allegation. The employee shall be required to cooperate fully with the investigation.

3. All information of the investigation shall be provided to the Superintendent and the Personnel Director by the supervisor.

Violations of this policy or any implementing regulations or procedures may result in discipline of the employee up to and including termination of employment, **in accordance with Board policy.**

New policy: October 2009

Revised: January 2013

Ref: La. Rev. Stat. Ann. §§14:40.3, 17:81, 17:239; Board minutes, 10-20-09.

Mrs. Davis presented revisions, according to recent legislation, to policy FILE: G-8.3 Computer and Internet Use.

RECOMMENDATION NO. 9

The Committee recommends that the Board approve, as presented, the following revised policy FILE: G-8.3 Computer and Internet Use:

FILE: G-8.3

COMPUTER AND INTERNET USE

The Terrebonne Parish School Board believes it is necessary for all persons to become aware of acceptable use of computers. Any person using computers or other electronic information resources shall be required to use such equipment and resources in a responsible, legal manner. The School Board retains the right to monitor all computer usage and files for compliance to all regulations and/or procedures.

~~All elementary schools, beginning with the third grade and all secondary schools shall provide instruction for educating children regarding Internet safety.~~ **Age and grade appropriate classroom instruction shall be provided regarding Internet and cell phone safety. Such instruction shall include appropriate on-line behavior, interacting with other individuals on social networking websites and in chat rooms, and cyber bullying awareness and response, as well as areas of concern as authorized in state**

and federal law.

The Internet is a vast global computer network that provides access to major universities around the world, governmental agencies, other school systems, and commercial providers of data banks. The School Board shall establish appropriate guidelines for exploring and using Internet resources within the school district to enhance learning and teaching activities. The Board shall incorporate the use of computer-related technology or the use of Internet service provider technology designed to block access or exposure to any harmful materials or information, such as sites that contain obscene, pornographic, pervasively vulgar, excessively violent, or sexually harassing information or material. Sites which contain information on the manufacturing of bombs or other incendiary devices shall also be prohibited.

It shall be the policy of the Terrebonne Parish School Board that any use of the Internet that adversely affects its operation in pursuit of teaching and learning or jeopardizes its use or performance for other community members is prohibited and may result in loss of Internet privileges, suspension of the student, or other appropriate disciplinary action. The School Board does not condone the use of the Internet for any illegal or inappropriate activities and shall not be responsible for any such use by staff or students. Parents shall be made aware that Internet usage is only partially controllable by supervision.

Students may use the Internet only if under the direct supervision of a teacher or other professional designated by the teacher.

USE OF INTERNET REGULATIONS

The School Board provides access to the Internet to students, teachers, staff and administrators. The Internet is a very exciting educational tool which can greatly benefit schools. Research, collaborative learning, and exchange of educational ideas and information are regularly pursued on the Internet. The Board believes that there are appropriate regulations to maximize effective educational use of the Internet and minimize abuse of the opportunity being provided to our schools. Ethical, efficient and legal use of any network is the key to a successful linkage with the Internet.

Guidelines are provided so that Internet users are aware of the responsibilities they are about to assume. Responsibilities include efficient, ethical, and legal utilization of network resources. All users, including students, employees, or any other users of School Board computers, hardware, and Board network shall abide by all policies of the School Board and any applicable administrative regulations and procedures.

Accordingly, regulations for participation by anyone on the Internet shall include, but not be limited to, the following:

1. Users must demonstrate honest, integrity, and respect for others at all times. Appropriate manners and language shall be required.
2. No individual student shall be permitted to have an e-mail account, unless mandated for use in a pre-approved online course, such as Louisiana Virtual School. Only teachers and classes as a whole may be permitted to use e-mail. E-mail is not guaranteed to be private on the Internet. Therefore, only appropriate teacher or class messages shall be allowed.
3. No photographs with student names associated, personal addresses, personal phone numbers, or last names will be permitted in student use of the Internet.
4. Illegal activities, including copyright or contract violations shall not be permitted. The Internet may not be used for financial or commercial gain.
5. Threatening, profane, or abusive messages shall be forbidden.
6. No activities shall be allowed which may damage or interrupt equipment or any networking system.
7. Any attempt to alter, harm or destroy the data of another user of the Internet, or any network on the Internet shall be forbidden.
8. No user is permitted to upload or create a computer virus on the Internet or any networking system.

9. Resources offered by the Internet and paid for by the Board may not be willfully wasted.
10. A user shall not attempt to access any Internet resources or entities not previously authorized by the teacher.
11. Invading the privacy of another user, or using their account, shall not be tolerated.
12. Posting personal messages without the author's consent shall be forbidden.
13. Sending or posting anonymous messages shall be forbidden.
14. Perusing or otherwise accessing obscene or pornographic material, or using profanity in messages shall be forbidden.
15. Perusing or otherwise accessing information on manufacturing bombs or other incendiary devices shall be forbidden.
16. Product advertising, political lobbying, or sending messages involving illegal activities shall not be permitted. Violations shall be reported to the teacher when evidence of such is encountered on the Internet.
17. Any subscriptions to list servers, bulletin boards, or on-line services shall be approved by the Superintendent or his/her designee prior to any such usage.
18. When a security problem is detected, it shall be reported immediately to the teacher. The problem shall not be demonstrated to other users.
19. Suspension shall automatically result for a user who accesses, sends, receives, or configures electronically any profane or obscene language or pictures.

Revised: March 1999

Revised: October 1999
Revised: February 2005
Revised: March 2009
Revised: September 2011
Revised: January 2013

Ref: 47 USC 254(h), *Children's Internet Protection Act* (CIPA); La. Rev. Stat. Ann. §§17:81, 17:100.7, 17:280; Board minutes, 3-16-99, 10-19-99, 3-1-05, 3-17-09, 9-20-11.

Ms. Linda Joseph, Supervisor of Child Welfare and Attendance, presented new policy FILE: E-1.1e Use of Automated External Defibrillator (AED). She stated the defibrillators were donated to several schools and any personnel that will be handling them must first go through training on the operation/usage of the devices.

RECOMMENDATION NO. 10

The Committee recommends that the Board approve, as presented, the following new policy FILE: E-1.1e Use of Automated External Defibrillator (AED):

FILE: E-1.1e
Cf: H-4.4

USE OF AUTOMATED EXTERNAL DEFIBRILLATOR (AED)

The Terrebonne Parish School Board directs that if funding is available, each high school that participates in interscholastic athletics shall have an Automated External Defibrillator (AED) on its premises. In schools which have an AED on site, any expected AED user (those designated by the Superintendent or principal to render emergency care at that school) shall receive appropriate training in the use of AEDs from any nationally recognized course in cardiopulmonary resuscitation (CPR) and AED use. All training of personnel in the use of AEDs shall be fully documented. In addition, all AEDs shall be maintained and tested according to the manufacturer's guidelines.

The School Board shall notify the Department of Health and Hospitals

and a local provider of emergency medical services (such as 911 service, local ambulance service, or fire department) of the acquisition, location, and type of any AED device.

This policy shall not create an obligation to use an AED, nor is it intended to create any expectation that an AED will be present or that a trained employee will be present and/or able to use an AED, if a condition arises making the use of an AED beneficial.

In addition to the civil immunity provided to persons rendering emergency assistance as provided by law, any person or entity which provides training in CPR and in the use of an AED and any expected AED user shall not be liable for any civil damages arising from any act or omission of acts related to the operation of or failure to operate an AED that do not amount to willful or wanton misconduct or gross negligence.

New policy: January 2013

Ref: La. Rev. Stat. Ann. §§9:2793, 17:81, 40:1236.12, 40:1236.13.

Ms. Joseph presented revisions, according to recent legislation, to policy FILE: G-2.4g Alternative Schools Education Program.

RECOMMENDATION NO. 11

The Committee recommends that the Board approve, as presented, the following revised policy FILE: G-2.4g Alternative Schools Education Program:

FILE: G-2.4g
Cf: H-3.5c, H-3.5d

ALTERNATIVE SCHOOLS EDUCATION PROGRAM

The Terrebonne Parish School Board recognizes that exclusion from the educational program of the schools, whether by suspension or expulsion, is the most severe sanction that can be imposed on a **student** ~~pupil in this parish~~ and one that cannot be imposed without due process, since expulsion deprives a **student** ~~pupil~~ of the right to an education.

Students pupils suspended for more than ten (10) days or expelled/~~excluded~~ from school shall remain under the supervision of the school system using an alternative education program designed to continue the educational process in an alternative setting educational placement. An alternative setting may be located on or off the school site. The alternative education program is designed to offer variations of traditional instructional programs and strategies for the purpose of increasing the likelihood that students pupils who are unmotivated or unsuccessful in the traditional programs or who are disruptive in the traditional school environment remain in school and earn course credits when possible, and to provide assistance with social skills and work habits, obtain a high school diploma. Any expelled pupils attending the alternative education program and exhibiting disorderly conduct shall be dismissed from that program and shall not be permitted to return to any school program until the period of expulsion has ended.

A student placed in an alternative school or an alternative education program shall attend and participate in such school, program, or education services. The parent, tutor, or legal guardian of any such student shall ensure attendance of the student as required. The Supervisor of Child Welfare and Attendance, with the approval of the Superintendent, shall have the authority to file court proceedings to enforce the attendance requirements.

Upon the request of the student's parent, tutor, or other person responsible for the student's school attendance, a student enrolled in school between ages of sixteen (16) and eighteen (18) years may be allowed, with approval of the School Board, to attend an alternative education program.

The School Board may solicit and contract with an education service provider to provide educational services to students placed in an alternative school or an alternative education program. Alternative educational services to be rendered shall be in accordance with state law and rules and regulations promulgated by the Louisiana Board of Elementary and Secondary Education.

Other alternative education programs may be available for students

with special needs. These programs are enumerated in the Board's Pupil Progression Plan.

October 2002

Revised: January 2013

Ref: La. Rev. Stat. Ann. §§17:7.5, **17:100.5, 17:221,** 17:224, 17:416.2; **Alternative Education Schools/Programs Standards, Bulletin 131, Louisiana Department of Education;** Board minutes 10-15-02.

Ms. Joseph presented revisions, according to recent legislation, to policy FILE: H-2.3c Homeless Students.

RECOMMENDATION NO. 12

The Committee recommends that the Board approve, as presented, the following revised policy FILE: H-2.3c Homeless Students:

FILE: H-2.3c

HOMELESS STUDENTS

~~The Terrebonne Parish School Board shall provide a free appropriate public education, including preschool education, to any homeless child or youth within the jurisdiction of the School Board.~~

~~For the purpose of this policy, the term *homeless* includes an individual who lacks a fixed, regular or adequate residence; or has a primary nighttime residence in a shelter, an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings; or is sharing the housing of other persons. The term does not include any individual imprisoned or adjudicated.~~

~~Homeless students requesting enrollment will be placed in school immediately, even if required registration documents are unavailable. School documents needed should be requested after the student has been enrolled. There will be no barriers to homeless children and youth~~

entering school.

In addition to the above, the Terrebonne Parish School Board shall:

- ~~Maintain and have immediately available, any records ordinarily kept by the school of each homeless child or youth (immunization records, academic records, birth certificates, guardianship records, evaluations for special services or programs, etc.). Students meeting the definition of *homeless* will not be denied entry into a school due to the lack of records or documentation normally required for entry into a school.~~
- ~~Continue the education of homeless children or youth in the school of origin for the remainder of the academic year, or for the following academic year if the family becomes homeless between academic years, or enroll the child or youth in any school in which other students living in the attendance area in which the child or youth is actually residing are eligible to attend, whichever is in their best interest.~~
- ~~Ensure school placement of the homeless child or youth according to the School Board's admission policy.~~
- ~~Provide services comparable to services offered to other students in the school of attendance, including transportation services, educational services for which the child or youth meets the eligibility criteria (Title I programs, special education, limited English proficiency), programs in vocational education, programs for the gifted and talented, and school meals programs.~~
- ~~Designate a homeless liaison to coordinate services and ensure that there are no barriers to the enrollment, transportation, attendance, and success in school for homeless children and youth. Additionally, the homeless liaison will promptly solve disputes regarding educational placement.~~

The Terrebonne Parish School Board recognizes that homelessness alone should not be sufficient reason to separate students from the

mainstream school environment. Therefore, the School Board, in accordance with state and federal law, shall give special attention to ensure that homeless children in the school district have access to a free and appropriate public education and to hopefully ensure that there are no barriers to the enrollment, transportation, attendance and success in school of homeless children and youth.

DEFINITION

Homeless children and youth means individuals who lack a fixed, regular and adequate nighttime residence and include the following:

- Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement.
- Children and youth who have a primary nighttime residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings.
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.
- Migratory children who meet one of the above-described circumstances are also recognized under this definition.

ENROLLMENT/PLACEMENT

The best interest of the child, with parental involvement, shall be considered in determining whether the child should be enrolled in the school of origin or the school that non-homeless students who live in the attendance area in which the homeless child or youth is actually living are eligible to attend. To the extent feasible, and in accordance with the child or youth's best interest, the child or youth should continue his or her education in the school of origin. If the youth is unaccompanied by a parent or guardian, the homeless coordinator shall consider the views of the youth in deciding

where the youth shall be educated. The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

The school selected shall immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, immunization records, proof of residency or other documentation. However, the district may require a parent or guardian of a homeless child or youth to submit contact information, such as medical emergency information, contact information regarding the parent, guardian, or caregiver.

The district shall provide a written explanation, including a statement regarding the right of appeal, to the homeless child or youth's parent or guardian, or to the homeless youth if unaccompanied, if the district sends the child or youth to a school other than the school of origin or other than a school requested by the parent or guardian.

If a dispute arises over school selection or enrollment in a school, the child, youth, parent or guardian shall be referred to the district homeless coordinator, who will carry out the dispute resolution process as expeditiously as possible.

For the purposes of this policy, *school of origin* is defined as the school that the student attended when permanently housed or the school in which the student was last enrolled.

Children in Foster Care

The School Board shall ensure that a student who is in foster care pursuant to placement through the Louisiana Department of Children and Family Services shall be allowed to remain enrolled in the public school in which the child was enrolled at the time he/she entered foster care for the duration of the child's stay in the custody of the state or until he/she completes the highest grade offered at the school if the Department of Children and Family Services determines that remaining in that school is in the best interest of the child.

If foster care placement is outside the jurisdictional boundaries of the public school in which the student is enrolled, the School Board shall be

responsible for providing free transportation for the student to and from a designated location which is within that school district and is located nearest to the child's residence and is determined to be appropriate by the Board and the Department of Children and Family Services.

SERVICES

Each homeless child or youth shall be provided services comparable to services offered to other students in the district including, but not limited to, transportation services; educational services for which the child meets the eligibility criteria, such as educational programs for disadvantaged students, students with disabilities and gifted and talented students; vocational programs and technical education; school nutrition programs; preschool programs; before- and after-school care programs; and programs for students with limited English proficiency. Homeless students shall not be segregated in a separate school or in a separate program within a school based on the students' status as homeless.

TRANSPORTATION

In the event that it is in the best interest of the homeless child or youth to attend the school of origin, transportation to and from that school shall be provided at the request of the parent or guardian or, in the case of an unaccompanied youth, the homeless coordinator. If the student begins living in an area served by another School Board, both School Boards shall agree on a method to apportion the responsibility and costs for transporting the child to and from the school of origin. If an agreement cannot be reached, the costs will be shared equally.

RECORDS

Any records ordinarily kept by the school, including immunization records, academic records, birth certificates, guardianship records and evaluations for special services or programs of each homeless child or youth shall be maintained so that appropriate services may be given the student, so that necessary referrals can be made, and so that records may be transferred in a timely fashion when a homeless child or youth enters a new school district. Copies of records shall be made available upon request to students or parents in accordance with the *Family Educational Rights and Privacy Act* and School Board policy.

ENROLLMENT DISPUTES

If a dispute arises over school selection or enrollment in a school:

- (1) Unless otherwise provided for in any desegregation order, the child or youth shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute;**
- (2) The parent or guardian of the child or youth shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or youth to appeal the decision;**
- (3) The child, youth, parent, or guardian shall be referred to the Board's homeless liaison, who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute; and**
- (4) In the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.**

LIAISON

One individual shall be appointed by the Board to act as the district's homeless liaison. The School Board shall inform school personnel, service providers and advocates working with homeless families of the duties of the district homeless liaison.

DISCIPLINE – NOT REQUIRED TO ENROLL

Nothing in this policy shall require the enrollment of any child not permitted by another school system to attend school, either permanently or temporarily, as a result of disciplinary actions.

July 2003

Revised: January 2013

Ref: 42 USC 11431 et seq. (*Stewart B. McKinney Homeless Assistance Act*);
34 CFR Part 200 (Title I - Improving the Academic Achievement of the

Disadvantaged; Plyler v. Doe 457 U.S. 202 (1982); La. Rev. Stat. Ann. §§17:81, 17:151.3, 17:221, 17:221.2, 17:222, 17:235.1, 17:238, 17:416; Louisiana Handbook for School Administrators, Bulletin 741, Louisiana Department of Education; Board minutes, 7-15-03.

Ms. Joseph presented revisions, according to recent legislation, to policy FILE: H-3.3 Student Conduct.

RECOMMENDATION NO. 13

The Committee recommends that the Board approve, as presented, the following revised policy FILE: H-3.3 Student Conduct:

FILE: H-3.3
Cf: H-3.1, H-3.5, H-3.5c

STUDENT CONDUCT

The Terrebonne Parish School Board expects students to be well behaved while attending school or any school activity and conduct themselves in an appropriate manner at all times. Every teacher **and every other school employee** ~~is~~ **shall be** authorized to hold every pupil **student** to a strict accountability for any disorderly conduct, **and discipline policies shall be applicable**, in school or on the playgrounds of the school, on the street or road while going to or returning from school, **on any school bus**, ~~or~~ during intermission **or** recess **or at any school-sponsored activity or function**.

Students have the responsibility to know and respect the rules of the school system. Students shall comply with all Board policies and school regulations, student codes of conduct, and directions of principals, teachers, and other authorized school personnel during any period of time when the student is under the authority of school personnel.

The ~~Terrebonne Parish~~ School Board shall demand reasonable student behavior and administer discipline with fundamental fairness without regard to gender, race, ethnic origin, religion or political belief. All students shall be afforded the basic rights of citizenship recognized and protected for persons of their age and maturity. Students shall exercise their rights and responsibilities in accordance with rules established for orderly

conduct of the school's mission. Students who violate the rules of conduct shall be subject to disciplinary measures designed to correct the misconduct so that an environment conducive to learning can be maintained. ~~Discipline policies shall be applicable at school, on the way to and from school, on a school bus, and at all school sponsored events.~~

Moreover, the School Board reserves the authority to discipline students for behavior that may constitute a material disruption of the educational process such as audio, video, or other materials/information that may appear on the Internet or be transferred over electronic devices.

STUDENT CODE OF CONDUCT

While the School Board cannot reasonably be expected to develop a Student Code of Conduct in such detail as to anticipate every type of misconduct that could possibly occur, the Board shall develop and maintain a Student Code of Conduct, which shall enumerate the necessary discipline action to be taken against any student who violates the Code of Conduct. It shall be in compliance with all existing policies, rules, and regulations of the Louisiana Board of Elementary and Secondary Education and all state laws relative to student discipline.

Prior to the beginning of each school year, all schools of the Terrebonne Parish School District shall provide each student, and his/her parent, tutor, or legal guardian with a Student Handbook or similar document that identifies and explains discipline policies, rules or regulations, and procedures that are parish-wide and/or specific to that school, as well as outline the consequences for students who violate the Student Code of Conduct or any school policy, regulation, or procedure. Such consequences may include, but may not be limited to, oral or written reprimands, parental contact, removal of the student from the classroom, detention, in-school suspension, suspension from school, assignment to an alternative school, recommending expulsion from school, or any other disciplinary measure authorized by the principal in conjunction with state law and/or Board policy.

ORIENTATION/NOTICE

Students shall be informed by school authorities that violations of

Board policy and school rules **or regulations** may result in a range of disciplinary actions including corporal punishment, suspension or expulsion. ~~Copies of current School Board discipline policies shall be distributed to each school prior to the beginning of school each year. The Board, through its schools, shall provide each pupil and his/her parent, tutor, or legal guardian with a copy of the Board's current discipline policies, which shall include a *Student Code of Conduct* and a copy of the school's rules and regulations.~~ Each school shall plan and conduct an orientation and other meetings within the first five (5) days of school each year to fully inform all employees and pupils **students** of all discipline policies, provisions of the *Student Code of Conduct* applicable to such students, and rules and regulations necessary for the safe and orderly operation of the public schools. The orientation shall also include information on the consequences of failure to comply with disciplinary rules and requirements of the *Student Code of Conduct*, **particularly bullying and other similar prohibited conduct, including suspension, expulsion, the possibility of suspension of student's driver's license, and the possible criminal** consequences of violent acts committed on school property, at a school-sponsored function, or in a firearm-free zone, as well as the contents of the *Teacher Bill of Rights*. Meetings shall also be held throughout the school year as may be necessary to inform new employees and new students of such discipline policies, and regulations, contents of the *Student Code of Conduct*, and pertinent school rules.

The orientation instruction shall be age appropriate and grade appropriate and take into consideration whether the student is in a regular or special education program.

Any student who does not receive the orientation during the first five (5) days of the school year shall be provided an orientation during the first five (5) days of the student's attendance.

STATEMENT OF COMPLIANCE

Each student in grades 4-12 and each parent or guardian of a student in grades 4-12, shall annually sign a *Statement of Compliance*. For students, the *Statement of Compliance* shall state that the student agrees to attend school regularly, arrive at school on time, demonstrate significant effort toward completion of homework assignments, and follow school and

classroom rules. For parents, the *Statement of Compliance* shall state that the parent or legal guardian agrees to ensure his/her child's daily attendance at school, ensure his/her child's arrival at school on time each day, ensure his/her child completes all assigned homework, and attend all required parent/teacher/principal conferences. Failure by a student and/or parent or guardian to sign the respective *Statement of Compliance* may result in disciplinary action.

Revised: April 1999

Revised: January 2000

Revised: November 2008

Revised: January 2013

Ref: La. Rev. Stat. Ann. §§17:223, 17:235.2, 17:416, 17:416.1, 17:416.8, 17:416.12, **17:416.13**, 17:416.20; Board minutes, 4-20-99, 1-18-00, 11-18-08.

Ms. Joseph presented revisions, according to recent legislation, to policy FILE: H-3.3h Bullying, Cyber Bullying, Intimidation, Harassment, and Hazing.

RECOMMENDATION NO. 14

The Committee recommends that the Board approve, as presented, the following revised policy FILE: H-3.3h Bullying, ~~Cyber Bullying~~, Intimidation, ~~Harassment~~, and Hazing:

FILE: H-3.3h
Cf: F-12.3, G-11.4
Cf: H-3.3, H-4.5

BULLYING, ~~CYBER BULLYING~~, INTIMIDATION, ~~HARASSMENT~~, AND HAZING

The Terrebonne Parish School Board is committed to maintaining a safe, orderly, civil and positive learning environment so that no student feels **bullied**, threatened, **or harassed** while in school or participating in school-related activities. Students and their parents/guardians shall be notified that the school, school bus, and all other school environments are to be safe and secure for all. Therefore, all statements or actions of a bullying, **hazing**, ~~cyber bullying~~, ~~intimidating~~, or similar behavior such as

threatening **or harassment**, harassing, hazing, or any other violent nature made on campus, at school-sponsored activities **or events**, on school buses, at school bus stops, and ~~en-route from home to the bus stop and from the bus stop home~~ **on the way to and from school** shall not be tolerated. Even if made in a joking manner, these statements or actions threatening, **of** bullying or hazing, **or similar behavior towards** other students, school personnel, or school property shall be unacceptable.

All students, teachers, and other school employees shall take responsible measures within the scope of their individual authority to prevent violations of this policy.

BULLYING, CYBER BULLYING, INTIMIDATION, HARASSMENT

~~Bullying, intimidation, and harassment, shall mean any intentional gesture or written, verbal, or physical act that a reasonable person under the circumstances should know will have the effect of harming a student or damaging his/her property or placing a student in reasonable fear of harm to his/her life or person or damage to his/her property and is so severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for a student.~~

Bullying shall mean:

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. Where the pattern of behavior as enumerated 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.

3. The pattern of behavior as provided 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.

~~Cyber bullying shall mean harassment, intimidation, or bullying of a student on school property by another student using a computer, mobile phone, or other interactive or digital technology or harassment, intimidation, or bullying of a student while off school property by another student using any such means when the action or actions are intended to have an effect on the student when the student is on school property.~~

HAZING

Hazing shall mean any knowing behavior, whether by commission or omission, of any student to encourage, direct, order, or participate in any activity which subjects another student to potential physical, mental, or psychological harm for the purpose of initiation or admission into, affiliation with, continued membership in, or acceptance by existing members of any

organization or extracurricular activity at a public elementary or secondary school, whether such behavior is planned or occurs on or off school property, including any school bus and school bus stop. Hazing does not mean any adult-directed and school-sanctioned athletic program practice or event or military training program.

Any solicitation to engage in hazing, and the aiding and abetting another person who engages in hazing shall be prohibited. The consent, stated or implied, of the hazing victim shall not be a defense in determining disciplinary action.

NOTICE TO STUDENTS AND PARENTS

The School Board shall inform each student, orally and in writing, at the required orientation conducted at the beginning of each school year, of the prohibition against bullying, hazing, or similar behavior of a student by another student; the nature and consequences of such actions; including the potential criminal consequences and loss of driver's license, and the proper process and procedure for reporting any incidents involving such prohibited actions. A copy of the written notice shall also be delivered to each student's parent or legal guardian.

REPORTING PROCEDURES

~~Any student who believes he or she has been the victim of bullying, cyber bullying, intimidation, threatening behavior, harassment or hazing by a student, teacher, administrator or other school personnel, or by any other person who is participating in, observing or otherwise engaged in activities including sporting events and other extracurricular activities, under the auspices of the school district or a school within the school system, is encouraged to immediately report the alleged acts to any appropriate school district official.~~

~~Any teacher, administrator, or other school personnel who has or receives notice that a student has or may have been the victim of bullying, cyber bullying, intimidation, threatening behavior, harassment, or hazing at school or any school activity shall be required to immediately report the alleged acts to an appropriate school district official, utilizing the Louisiana Department of Education's behavior incidence checklist to document the~~

details of each reported incident of harassment, intimidation, and bullying, including cyber bullying.

~~Any student, School Board employee, or school volunteer who in good faith reports an incident of harassment, intimidation, bullying or cyber bullying to the school administrator in accordance with appropriate procedures shall be immune from a right of action for damages arising from any failure to remedy the reported incident.~~

At the School Building Level

~~The principal shall be the person responsible at the school level for receiving written reports of bullying, cyber bullying, intimidation, threatening behavior, harassment, or hazing of a student. Any other school administrator, teacher, or other school personnel who receives a report of bullying, cyber bullying, intimidation, threatening behavior, harassment or hazing of a student shall immediately inform the principal, who shall notify the Superintendent or his/her designee.~~

Other Sites

~~Building administrators designated by the Superintendent at each administrative, support, or maintenance site shall be responsible for receiving written reports of bullying, cyber bullying, intimidation, threatening behavior, harassment, or hazing of a student. Upon receipt of a report, the building administrator shall immediately notify the Superintendent or his/her designee.~~

The principal or his/her designee shall be authorized to receive complaints alleging violation of this policy. All employees, parents, volunteers, or any other school personnel shall report alleged violations to the principal or his/her designee. Any written or oral report of an act of bullying, hazing, or similar behavior shall be considered an official means of reporting such act(s). Complaints, reports, and investigative reports of bullying, hazing, or similar behavior shall remain *confidential*, with limited exception of state or federal law.

The reporting of incidents of bullying, hazing, or similar behavior shall be made on the *Bullying Report* form, which shall include an *affirmation of*

truth. Any bullying, hazing, or similar behavior report submitted, regardless of recipient, shall use this form, but additional information may be provided.

Students and Parents

Any student who believes that he/she has been, or is currently, the victim of bullying, hazing, or similar behavior, or any student, or any parent or guardian, who witnesses bullying, hazing, or similar behavior or has good reason to believe bullying, hazing, or similar behavior is taking place, may report the situation to a school official, who in turn shall report the situation to the principal or his/her designee. A student, or parent or guardian, may also report concerns regarding bullying, hazing, or similar behavior to a teacher, counselor, other school employee, or to any parent chaperoning or supervising a school function or activity. Any report shall remain confidential.

School Personnel

Any school employee, whether full- or part-time, and any parent/volunteer chaperoning or supervising a school function or activity, who witnesses or learns of bullying, hazing, or similar behavior from a student or parent, shall report the incident to the principal or his/her designee. Verbal reports shall be submitted by the employee or parent/volunteer on the same day as the employee or parent/volunteer witnessed or otherwise learned of the incident, and a written report shall be filed no later than two (2) days thereafter.

All other members of the school community, including students, parents or legal guardians, volunteers, and visitors shall be encouraged to report any act that may be a violation of this policy to the principal or his/her designee.

False Reports

Intentionally making false reports about bullying, hazing, or similar behavior to school officials shall be prohibited conduct and shall result in appropriate disciplinary measures as determined by the School Board.

INVESTIGATION OF COMPLAINTS AND REPORTS PROCEDURE

~~The Superintendent or his/her designee shall immediately investigate or authorize the investigation of all reports and complaints involving alleged bullying, cyber bullying, intimidation, threatening behavior, harassment or hazing of students. Investigations may consist of personal interviews with the complainants or the individual who is alleged to have been bullied, cyber bullied, intimidated, threatened, harassed or hazed, the individual or individuals against whom the complaint is made, witnesses, and any other persons who may have knowledge of the alleged incident or incidents or circumstances leading to or giving rise to the complaint. Other methods of investigation also may be used and pertinent documents may be examined by the investigator.~~

~~During the pendency of an investigation, the school district may take immediate steps, at its discretion, to protect the complainant, students, teachers, administrators or other school personnel pending completion of the investigation. (Moved below)~~

~~Investigations shall be completed as soon as practicable. A written report shall be prepared upon the completion of the investigation. If the complaint involves the Superintendent, the report shall be made and filed directly with the School Board. The written report shall include determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.~~

Investigations of any reports of bullying, hazing or similar behavior of a student by another student shall be in accordance with the following:

1. Timing

The school shall begin an investigation of any complaint that is properly reported and that alleges the prohibited conduct the next business or school day after the report is received by the principal or his/her designee. The investigation shall be completed not later than ten (10) school days after the date the written report of the incident is submitted to the principal or his/her designee. If additional information is received after the end of the ten-day period, the school principal or his/her designee shall amend all documents and reports required to reflect such information.

2. Scope of Investigation

An investigation shall include documented interviews of the reporter, the alleged victim, the alleged bully or offender, and any witnesses, and shall include obtaining copies or photographs of any audio-visual evidence. Interviews must be conducted privately, separately, and confidentially. At no time shall the alleged offender and alleged victim be interviewed together.

The principal or his/her designee shall collect and evaluate all facts using the *Bullying Investigation* form.

3. Parental Notification

Upon receiving a report of bullying, hazing, or similar behavior, the school shall notify the parents or legal guardians of the alleged offender and the alleged victim no later than the following business or school day. Delivery of notice to the parents or legal guardians by an involved student shall not constitute the required parental notice.

Before any student under the age of eighteen (18) is interviewed, his/her parent or legal guardian shall be notified by the principal or his/her designee of the allegations made and shall have the opportunity to attend any interviews with their child conducted as part of the investigation.

All meetings with the parents or legal guardians of the alleged victim and the parents or legal guardians of the alleged offender shall be in compliance with the following:

A. Separate meetings shall be held with the parents or legal guardians of the alleged victim and the parents or legal guardians of the alleged offender.

B. Parents or legal guardians of the alleged victim and of the alleged offender shall be informed of the potential consequences, penalties, and counseling options.

In any case where a teacher, principal, or other school employee is authorized to require the parent or legal guardian of a student who is under the age of eighteen (18) and not judicially emancipated or emancipated by marriage to attend a conference or meeting regarding the student's behavior and, after notice, the parent, tutor, or legal guardian willfully refuses to attend, the principal or his/her designee shall file a complaint, pursuant to Louisiana Children's Code, Article 730 or 731, with a court exercising juvenile jurisdiction. The principal may also file a complaint on the grounds the student is a truant or has willfully and repeatedly violated school rules, or any other applicable ground when, in his/her judgment, doing so is in the best interests of the student.

4. Documentation

At the conclusion of an investigation of bullying, hazing, or similar behavior, and after meeting with the parents or legal guardians, the principal or his/her designee or School Board shall:

- A. Prepare a written report containing the findings of the investigation, including input from students' parents or legal guardians, and the decision by the principal or his/her designee or school system official. The document shall be placed in the school records of both students.
- B. Promptly notify the reporter/complainant of the findings of the investigation and whether remedial action has been taken, if such release of information does not violate the law.
- C. Keep reports/complaints and investigative reports confidential, except where disclosure is required to be made by applicable federal laws, rules, or regulations or by state law.
- D. Maintain reports/complaints and investigative reports for three (3) years.

E. As applicable, provide a copy of any reports and investigative documents to the School Board for disciplinary measures, or to the Louisiana Department of Education, as necessary.

During the pendency of an investigation, the school district may take immediate steps, at its discretion, to protect the complainant **alleged victim**, students, teachers, administrators or other school personnel pending completion of the investigation. (Moved from above)

APPEAL

~~The parent of a student disciplined for violation of this policy may appeal to the Superintendent or his/her designee no later than five (5) days after being notified of the disciplinary action. The Superintendent or his/her designee shall review all documentation regarding the incident, and if determined to be necessary by the Superintendent or designee, conduct a hearing on the matter. The results of the review or hearing shall be sent to the parents or legal guardian within three (3) school days. The decision of the Superintendent shall be final, except for a student expulsion, which may be appealed to the School Board in accordance with statutory provisions.~~

If the school principal or his/her designee does not take timely and effective action, the student, parent, or school employee may report, in writing, the incident to the School Board. The School Board shall begin an investigation of any properly reported complaint that alleges prohibited conduct the next business day during which school is in session after the report is received by the School Board.

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

DISCIPLINARY ACTION

~~The school district shall take appropriate action in response to a report following an investigation of any alleged bullying, cyber bullying,~~

~~intimidation, threatening behavior, harassment, or hazing of a student. When the report determines that the alleged act or conduct appears to be in violation of this policy, disciplinary action shall be taken as outlined in the Student Code of Conduct. The principal/designee shall contact the parent, tutor, or legal guardian of the pupil being disciplined for alleged misconduct to notify them of the disciplinary action.~~

~~Whenever the act or conduct determined to be a violation of this policy may also constitute a violation of state or federal criminal statute, the appropriate law enforcement officer shall be promptly notified.~~

Once a report has been received at a school, and a school principal or his/her designee has determined that an act of bullying, hazing, or similar behavior has occurred, and after having met with the parent or legal guardian of the student involved, the principal or his/her designee, or applicable school official shall take prompt and appropriate disciplinary action against the student, and report criminal conduct to law enforcement. Counseling and/or other interventions may also be recommended

Students may be disciplined for off-campus bullying, hazing, or similar behavior the same as if the improper conduct occurred on campus, if the actions of the offender substantially interferes with the education opportunities or educational programs of the student victim and/or adversely affects the ability of the student victim to participate in or benefit from the school's education programs or activities.

PARENTAL RELIEF

If a parent, legal guardian, teacher, or other school official has made four (4) or more reports of separate instances of bullying, and no investigation pursuant to state law or this policy has occurred, the parent or legal guardian of the alleged victim may request that the student be transferred to another school operated by the School Board.

Such request shall be filed with the Superintendent. Upon receipt of the request to transfer the student to another school, the School Board shall make a seat available at another school under its jurisdiction within ten (10) school days of the parent or legal guardian's request for a transfer. If the School Board has no other school under its jurisdiction serving the

grade level of the victim, within fifteen (15) school days of receiving the request, the Superintendent shall:

1. Inform the student and his/her parent or legal guardian and facilitate the student's enrollment in a statewide virtual school.
2. Offer the student a placement in a full-time virtual program or virtual school under the School Board's jurisdiction.
3. Enter into a memorandum of understanding with the Superintendent or director of another governing authority to secure a placement and provide for the transfer of the student to a school serving the grade level of the student, in accordance with statutory provisions.

If no seat or other placement is made available within thirty (30) calendar days of the receipt of the request by the Superintendent, the parent or legal guardian may request a hearing with the School Board, which shall be public or private at the option of the parent or legal guardian. The Board shall grant the hearing at the next scheduled meeting or within sixty (60) calendar days, whichever is sooner.

At the end of any school year, the parent or legal guardian may make a request to the School Board to transfer the student back to the original school. The School Board shall make a seat available at the original school that the student attended. No other schools shall qualify for transfer under this provision.

RETALIATION

Retaliation against any person who reports bullying, hazing, or similar behavior in good faith, who is thought to have reported such conduct, who files a complaint, or who otherwise participates in an investigation or inquiry concerning allegations of bullying, hazing, or similar behavior is prohibited conduct and subject to disciplinary action.

CHILD ABUSE

The provisions of this policy shall not be interpreted to conflict with or supersede the provisions requiring mandatory reporting pursuant to

Louisiana Children's Code, Art. 609 and as enforced through La. Rev. Stat. Ann. §14:403.

NOTIFICATION

~~The School Board shall inform each student in writing within ten (10) days after enrolling in school of the prohibition against harassment, intimidation, and bullying, including cyber bullying, of a student by another student; the nature and consequences of such actions; and the proper process and procedure for reporting any incidents involving such prohibited actions.~~

Revised: August 2004

Revised: September 2010

Revised: January 2013

Ref: 20 USC 1232(g-i) (*Family Educational Rights and Privacy Act*); La. Rev. Stat. Ann. §§**14:40.3, 14:40.7, 14:403, 17:105, 17:105.1**, 17:183, 17:416, **17:416.1**, 17:416.13; La. Children's Code, Art. **609**, 730, 731; **Davis v. Monroe County Board of Education, 119 S.Ct. 1661 (1991)**; Board minutes, 8-3-04, 9-21-10.

Ms. Joseph presented revisions, according to recent legislation, to policy FILE: H-3.5 Discipline.

RECOMMENDATION NO. 15

The Committee recommends that the Board approve, as presented, the following revised policy FILE: H-3.5 Discipline:

FILE: H-3.5
Cf: B-13, G-2.4c, G-11.4
Cf: H-2.5, H-3.3, H-3.5b

DISCIPLINE

It is the purpose of the Terrebonne Parish School Board to operate the schools in a manner that will provide an orderly process of education and that will provide for the welfare and safety of all pupils **students** who attend

these schools. The school's primary goal is to educate, not discipline; however, when the behavior of the individual pupil **student** comes in conflict with rights of others, corrective actions may be necessary both for the benefit of that individual and the school as a whole.

In order to ensure a positive, safe, and stimulating learning environment in the public schools of Terrebonne Parish, every teacher **and other school employee in the public school system** shall endeavor to hold every student to a strict accountability for any disorderly conduct in school or on the grounds of the school, **on any school bus**, on the street or road while going to or returning from school, or during **intermission or recess, or at any school-sponsored activity or function**. To assist the teacher, the Board shall establish regulations for the use of disciplinary measures within the schools and continually monitor and appraise their usefulness. Discipline shall be administered uniformly, consistently, and in a nondiscriminatory manner.

Principals shall have both the authority and the duty to take disciplinary action whenever the behavior of any pupil **student(s)** materially interferes with or substantially disrupts the maintenance of a proper atmosphere for learning within the classroom or other parts of the school. However, no pupil **student** shall be disciplined in any manner by the School Board or school administrator, teacher, or other school employee for the use of force upon another person when it can be reasonably concluded that the use of such force more probably than not was committed solely for the purpose of preventing a forcible offense against the pupil **student** or a forcible offense provided that the force used must be reasonable and apparently necessary to prevent such offense. A pupil **student** who is the aggressor or who brings on a difficulty cannot claim the right stated above to defend himself/herself.

Each teacher may take disciplinary action to correct a student **who engages in bullying**, 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 student, who violates school rules, or who interferes with an orderly education process. **The disciplinary action taken by the teacher shall be in accordance with such regulations and procedures established by the Board.**

Principals and teachers should be guided by the following procedures:

I. CLASSROOM DISCIPLINE

- A. Before referring the student to the principal, a teacher may take several actions to correct a student who disrupts the class. Disciplinary actions may include, but not be limited to, the following:
1. Oral or written reprimand
 2. Referral for counseling which shall include, but shall not be limited to, conflict resolution, social responsibility, family responsibility, peer mediation, and stress management
 3. Written notification of parent (A copy of this notification shall be provided to the principal.)
 4. Other disciplinary measures approved by the principal and the faculty in compliance with this policy.
- B. The teacher has the authority to have the student removed from the classroom and placed in the custody of the principal or designee if the behavior warrants such action. The teacher should use the most recent BESE approved *School Behavior Report* form available. This form shall be reviewed by the principal or designee and acted upon.

Should the principal fail to act on any report of misconduct or school violation, he/she shall explain the reasons for doing so to the Superintendent or his/her designee and to the teacher or school employee, student, parent, or legal guardian reporting the violation.

Examples of such discipline violations may include the

following:

1. A student prevents the orderly instruction of other students.
 2. A student poses an immediate threat to the safety or well-being of any student or teacher.
 3. A student exhibits disrespectful behavior such as:
 - a. Directing foul or abusive language or gestures directed at or threatening a ~~pupil~~ **student** or teacher.
 - b. Violating the school's code of conduct.
 - c. Exhibits other disruptive, dangerous, or unruly behavior, including inappropriate physical contact, inappropriate verbal conduct, sexual or other harassment, throwing objects, inciting other ~~pupils~~ **students** to misbehave, or destroying property.
- C. When a student has been removed from the classroom, the principal or designee shall:
1. Advise the student of the misconduct of which he/she is accused and the basis for the accusation.
 2. Give the student an opportunity to explain his/her version of the facts.
 3. Conduct a counseling session with the student as may be appropriate to establish a course of action, consistent with school board policy, to identify and correct the behavior for which the student is being disciplined.
- D. A student removed from the classroom shall be assigned

school work missed and shall receive either partial or full credit for such work if it is completed satisfactorily and timely as determined by the principal or his/her designee, upon the recommendation of the student's teacher.

- E. A ~~pupil~~ **student** removed from class in kindergarten through grade 6 shall not be permitted to return to class for at least thirty (30) minutes unless agreed to by the teacher. A ~~pupil~~ **student** removed from class in grades 7 through 12 shall not be permitted to return to class during the same class period, unless agreed to by the teacher initiating the disciplinary action. When he/she is removed from a classroom, the student shall not be readmitted to the classroom until the principal has implemented one or more of the following disciplinary measures:
1. Requiring the completion of all assigned school and homework missed by the student
 2. In-school suspension (Information moved below to definitions.)
 3. Detention (Information moved below to definitions.)
 4. Suspension
 5. Initiation of expulsion hearings
 6. Assignment to an alternative school/setting
 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.

F. Parental Notification

The principal or his/her designee shall provide oral or written notification to the parent or legal guardian of any

student removed from the classroom. Such notification shall include a description of any disciplinary action taken.

- G. The teacher may require that the parent, tutor, or legal guardian of the student has a conference with the teacher in the presence of the principal or his/her designee before the student is readmitted.
- H. In any case where a teacher, principal, or other school employee is authorized to require the parent, tutor, or legal guardian of a pupil **student** to attend a conference or meeting regarding the pupil's **student's** behavior, and after notice, the parent, tutor, or legal guardian willfully refuses to attend, the principal or designee shall file a complaint, in accordance with statutory provisions, with a court exercising juvenile jurisdiction. "Notice" of the conference, specifying the time and date of the conference, shall be given by contacting the parent, tutor, or legal guardian by telephone at the telephone number shown on the pupil's **student's** registration card or by sending a certified letter to the address shown on the pupil's registration card.
- I. Upon the *third removal* from the same classroom, the teacher and the principal shall discuss the disruptive behavior patterns of the student and the potentially appropriate disciplinary measure(s) before the principal implements a disciplinary measure.
 - 1. The student's behavior may be referred to an appropriate building level committee.
 - 2. A conference between the teacher or other appropriate school employee and the student's parent, tutor, or legal guardian shall be required before the student can be readmitted.
- J. The teacher may request that the principal transfer the student into another setting if the student's disruptive

behavior persists.

- K. Whenever a teacher has been struck by a student, the student, in addition to any other applicable disciplinary measure, shall be permanently removed from the teacher's classroom unless the teacher objects to such removal or unless the principal, with the concurrence of the building level committee, finds the striking to be entirely inadvertent.

II. TRANSPORTATION DISCIPLINE

Transportation-related incidents shall be reported on the most recent Board of Elementary Education approved *School Bus Behavior Report* form available for such incidents.

III. REVOCATION OF SPECIAL PERMISSION

A student on Special Permission shall have his/her special permission revoked if he/she has been suspended or has received two (2) conference letters or three (3) disciplinary referrals to the principal's office.

NOTE: Revocation shall occur upon principal's recommendation with presentation of documentation and concurrence of Supervisors of Child Welfare and Attendance.

IV. DISCIPLINE OF STUDENTS WITH DISABILITIES

Discipline of students with disabilities shall be in accordance with applicable statutes or federal law and regulations.

V. RECUSAL OF ADMINISTRATOR IN DISCIPLINE MATTERS

Any school administrator or administrator's designee who is required to make a recommendation, decide an issue, or take action in a matter involving the discipline of a student shall recuse themselves whenever a member of the immediate

family of the administrator or administrator's designee is involved in any manner in the discipline matter. In case of recusal, the action to be taken shall be done so by the Superintendent or an impartial designee of the Superintendent.

Immediate family means the individual's children, brothers, parents, and spouse and the children, brothers, sisters, and parents of the spouse.

VI. DEFINITIONS

A. *In-school suspension* shall mean

1. Student is temporarily removed from his/her usual classroom placement to an alternative setting for a period of time specified by the Office of Child Welfare and Attendance.

An *alternative setting* may be located on or off the school site, provided that the student continues to receive instructional services and remains under the supervision of school personnel of their designees.

2. No interruption of instructional services occurs.

B. *Suspension* shall mean that student is temporarily prohibited from participating in his/her usual placement within school. This usually involves temporary removal from school.

C. *Detention* shall mean activities, assignments, or work held before the normal school day, after the normal school day, or on weekends. Failure or refusal by a ~~pupil~~ **student** to participate in assigned detention shall subject the ~~pupil~~ **student** to immediate suspension. Assignments, activities, or work which may be assigned during detention include, but are not limited to, the following:

1. Counseling
2. Homework assignments/class work

3. Behavior modification programs
4. Other activities aimed at improving the self-esteem of the student.

Any student who fails or refuses to participate in assigned detention shall be subject to immediate suspension.

D. *In-school expulsion* shall mean

1. Student is temporarily removed from his/her usual classroom placement to an alternative ~~setting~~ **educational placement** for a period of time specified by the Office of Child Welfare and Attendance.

An *alternative setting* **educational placement** may be located on or off the school site, provided that the student continues to receive instructional services and remains under the supervision of school personnel of their designees.

2. No interruption of services occurs.

E. *Expulsion* shall mean the removal of a student from school for at least one (1) school semester.

~~F. *Exclusion* shall mean the removal of a pupil from a specific school with reassignment to another appropriate educational environment that addresses the student's educational needs without loss of instructional time.~~

Revised: July 1996

Revised: January 1997

Revised: March 1998

Revised: January 2000

Revised: November 2009

Revised: January 2013

Ref: 42 USCA 12112 et seq. (*Equal Opportunity for Individuals with Disabilities*); La. Rev. Stat. Ann. §§17:223, 17:224, 17:233, 17:239, 17:252,

17:416, 17:416.1); Pupil Appraisal Handbook, Bulletin 1508, Regulations for Implementation of the Exceptional Children's Act, Bulletin 1706, Louisiana Department of Education; Board minutes, 1-16-96, 1-21-97, 3-17-98, 1-18-00, 11-17-09.

Ms. Joseph presented revisions, according to recent legislation, to policy FILE: H-3.5b Suspension/Expulsion.

RECOMMENDATION NO. 16

The Committee recommends that the Board approve, as presented, the following revised policy FILE: H-3.5b Suspension/Expulsion:

FILE: H-3.5b
Cf: G-2.4g, H-3.3
Cf: H-3.3b, H-3.5

SUSPENSION/EXPULSION

SUSPENSION

The Terrebonne Parish School Board recognizes its authority to maintain good order and discipline within the schools of the school district. Therefore, the Board recognizes the principal's authority to suspend a ~~pupil~~ **student** in accordance with statutory provisions. The term of suspension may carry over into the next school year, when necessary, unless otherwise provided for in state statutes.

In each case of suspension, the school principal, or his/her designee, prior to any suspension, shall advise the student of the particular misconduct of which he/she is accused as well as the basis for such accusation, and the ~~pupil~~ **student** shall be given an opportunity at that time to explain his/her version of the facts. The school principal or designee shall contact the parent, tutor, or legal guardian of the ~~pupil~~ **student** to notify him/her of the suspension and establish a date and time for a conference with the principal or designee as a requirement for readmitting the ~~pupil~~ **student**.

Students suspended for more than ten (10) days shall remain under the supervision of the school system using an alternative education program

designed to continue the educational process in an alternative educational placement. The student shall be placed in an alternative school or an alternative education program and shall be required to attend and participate in such school, program, or educational services.

No suspended pupil **student** shall be allowed to leave the school premises during the school day until the parent, guardian, or other proper authorities assume responsibility for him/her, unless immediate removal from school due to danger or threat of disruption to academic process is warranted.

EXPULSION

Expulsion is defined as a removal from all regular school settings for a period of not less than one (1) school semester. The Board shall authorize the Superintendent to expel a pupil **student** from school if an offense committed by the pupil **student** is serious enough to warrant such action or is in violation of state law. Upon the recommendation for expulsion of a pupil **student** by the principal, the Superintendent or designee shall conduct a hearing to determine the facts of the case and make a finding of whether or not the student is guilty of conduct warranting a recommendation of expulsion.

At the hearing, the teacher shall be permitted to attend and present any relevant information. Until the hearing, the pupil **student** shall remain suspended. At the conclusion of the hearing, the Superintendent or designee shall determine whether expulsion or other corrective action is necessary.

Upon the conclusion of the hearing and upon finding the student guilty of conduct warranting expulsion, the Superintendent shall determine whether such student shall be expelled and the specified period of expulsion, or if other disciplinary action shall be taken. Unless otherwise stipulated by state statutes, the period of expulsion shall not be less than one (1) school semester and may carry over into the next school year, if necessary. **During an expulsion, the Superintendent shall place the student in an alternative school or in an alternative educational placement.**

REASONS FOR SUSPENSION/EXPULSION

Reasons for suspending or expelling a student from school shall include, but not be limited to, the following:

- A. Is guilty of willful disobedience
- B. Treats with intentional disrespect school employees or members of the local School Board
- C. Makes unfounded charges against school employees or members of the local School Board
- D. Uses unchaste or profane language
- E. Is guilty of immoral or vicious practices or of conduct or habits injurious to his/her associates
- F. Uses tobacco or possesses alcoholic beverages or any controlled dangerous substance governed by the Uniform Controlled Dangerous Substance Law, in any form, in school buildings, on school grounds, at any school-sponsored activity, or on school buses owned by, contracted to, or jointly owned by the Board
- G. Disturbs the school and/or habitually violates any rule
- H. Cuts, defaces, or injures any part of public school buildings, any property belonging to the buildings, or any school buses owned by, contracted to, or jointly owned by the Board
- I. Writes any profane or obscene language or draws obscene pictures in or on any school material or on any public school premises or on any fence, pole, sidewalk, or building on the way to or from school or on any school bus, including those owned by, contracted to, or jointly owned by the Board
- J. Is found carrying firearms, knives, or other implements which can be used as weapons, the careless use of which might inflict harm or injury

- K. Throws missiles liable to injure other persons on the school grounds or while on any school bus, including those owned by, contracted to, or jointly owned by the Board
- L. Instigates or participates in fights while under school supervision
- M. Violates traffic and safety regulations
- N. Leaves the school premises without permission
- O. Leaves his/her classroom during class hours or detention without permission
- P. Is habitually tardy or absent
- Q. Is using, distributing, or is in possession of weapons, illegal drugs, alcohol, and unauthorized telecommunication devices
- R. Commits assault or battery of a school employee
- S. Commits any other serious offense.

School officials, in accordance with statutory provisions, shall have total discretion and shall exercise such discretion in imposing on a ~~pupil~~ **student** any disciplinary actions authorized by state law for possession by a ~~pupil~~ **student** of a firearm or knife on school property when such firearm or knife is stored in a motor vehicle, and there is no evidence of the ~~pupil's~~ **student's** intent to use the firearm or knife in a criminal manner.

ASSAULT OR BATTERY OF SCHOOL EMPLOYEES

Whenever a ~~pupil~~ **student** is formally accused of violating state law or school disciplinary regulations, or both, by committing assault or battery on any school employee, the principal shall suspend the ~~pupil~~ **student** from school immediately and the ~~pupil~~ **student** shall be removed immediately from the school premises without the benefit of required procedures, provided, however, that such procedures shall follow as soon as practicable. The student shall not be readmitted to the school to which

the employee is assigned until all hearings and appeals associated with the alleged violation have been exhausted. Before being readmitted to school, a student who commits assault or battery of a teacher shall be required to appear before the full Board.

Except when the school system has no other school of suitable grade level for the pupil **student** to attend, no pupil **student** found guilty by a court of competent jurisdiction or found guilty at a school system suspension hearing of committing battery or assault on any school employee, or both, shall be assigned to attend or shall attend the school to which the school employee battered or assaulted is assigned.

RECUSAL OF ADMINISTRATOR IN DISCIPLINE MATTERS

Any school administrator or administrator's designee who is required to make a recommendation, decide an issue, or take action in a matter involving the discipline of a student shall recuse himself/herself whenever a member of the immediate family of the administrator or administrator's designee is involved in any manner in the discipline matter. In case of recusal, the action to be taken shall be done so by the Superintendent or an impartial designee of the Superintendent. Immediate family means the individual's children, brothers, sisters, parents, and spouse and the children, brothers, sisters, and parents of the spouse.

PROCEDURES

- A. The principal shall immediately suspend a student who is found carrying or possessing a firearm or knife, the blade of which equals or exceeds two (2) inches in length, or other dangerous instrumentality, except as provided below under the section entitled *Suspension Not Applicable*, or who distributes, sells, gives, or loans any controlled dangerous substance governed by the *Uniform Controlled Dangerous Substances Law*, in any form. The principal shall immediately recommend the student's expulsion, except that, in the case of a student less than eleven (11) years old in pre-kindergarten through grade five (5) who is found carrying or possessing a knife as described above, the principal may, but shall not be required to, recommend the student's expulsion.

A student found carrying or possessing a knife with a blade less than two (2) inches in length may be suspended by the school principal, but, in appropriate cases, at a minimum, shall be placed in in-school suspension.

1. Expulsion Involving Firearms

Any student, sixteen (16) years of age or older, or under sixteen (16) and in grades six (6) through twelve (12), who is found guilty of being in possession of a firearm on school property, on a school bus or in actual possession at a school-sponsored event, pursuant to a hearing, shall be expelled from school for a minimum period of four (4) complete school semesters and shall be referred to the district attorney for appropriate action.

Any student in kindergarten through grade five (5) who is found guilty of being in possession of a firearm on school property, on a school bus, or in actual possession at a school-sponsored event, pursuant to a hearing, shall be expelled from school for a minimum period of two (2) complete school semesters and shall be referred to the district attorney for appropriate action.

The Superintendent, however, may modify the length of the minimum expulsion required in the above paragraphs on a case-by-case basis, provided such modification is in writing.

2. Expulsion Involving Drugs

Any student, sixteen (16) years of age or older, found guilty of possession of, or knowledge of and intentional distribution of, or possession with intent to distribute any illegal narcotic, drug, or other controlled substance on school property, on a school bus or at a school-sponsored event, pursuant to a hearing, shall be expelled from school for a minimum period of four (4) complete school semesters.

Any student who is under sixteen (16) years of age and in grades six (6) through twelve (12) and who is found guilty of possession of, or knowledge of and intentional distribution of, or possession

with intent to distribute any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school-sponsored event, pursuant to a hearing, shall be expelled from school for a minimum period of two (2) complete school semesters.

Any case involving a student in kindergarten through grade five (5) found guilty of possession of, or knowledge of and intentional distribution of, or possession with intent to distribute any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school-sponsored event, pursuant to a hearing, shall be referred to the Board through a recommendation for action from the Superintendent.

3. Expulsion Involving Knife/Weapon

The Terrebonne Parish School Board requires a student to be immediately suspended when found carrying or possessing a knife, the blade of which equals or exceeds two (2) inches in length, or other dangerous instrumentality.

The principal shall immediately recommend the student's expulsion, except that, in the case of a student less than eleven (11) years old in pre-kindergarten through grade five (5) who is found carrying or possessing a knife, the principal may, but shall not be required to, recommend the student's expulsion.

A student found carrying or possessing a knife with a blade less than two (2) inches in length may be suspended, but, in appropriate cases, at a minimum shall be placed in in-school suspension.

Any student who is under sixteen (16) years of age and in grades six (6) through twelve (12) and who is found guilty of being in possession of a knife/weapon on school property, on a school bus, or in actual possession at a school-sponsored event, pursuant to a hearing, shall be expelled from school for a minimum period of two (2) complete school semesters and shall be referred to the district attorney for appropriate action.

Any student sixteen (16) years of age or older who is found guilty of being in possession of a knife/weapon on school property, on a school bus, or in actual possession at a school-sponsored event, pursuant to a hearing, shall be expelled from school for a minimum period of four (4) complete school semesters and shall be referred to the district attorney for appropriate action.

A *weapon*, in accordance with federal statutes, means a firearm or any device which is designed to expel a projectile or any destructive device, which in turn means any explosive, incendiary or poison gas, bomb, grenade, rocket, missile, mine or similar device.

- B. The conviction of any student of a felony or the incarceration of any student in a juvenile institution for an act which, had it been committed by an adult, would have constituted a felony, may be cause for expulsion of the student for a period of time as determined by the Board, provided that such expulsion shall require the vote of two-thirds of the elected members of the Board.
- C. The parent or tutor of the student may submit a written request, within five (5) days after the decision of the hearing is rendered, that the Board review the findings of the Superintendent or designee at a time set by the Board; otherwise, the decision of the Superintendent shall be final. If requested, as herein provided, and after reviewing the findings of the Superintendent or designee, the Board may affirm, modify, or reverse the action previously taken.
- D. The principal shall promptly advise the Superintendent or designee of all such suspensions, stating the reasons for the suspensions. No suspended pupil **student** shall be allowed to leave the school premises during the school day until parent, guardian, or other proper authorities assume responsibility for him/her, unless immediate removal from school due to danger or threat of disruption to academic process is warranted.

The principal and other appropriate personnel shall be required to file written documentation of all suspensions. Said documentation shall

include the circumstances surrounding any suspension, the reason for suspension, and any other pertinent facts concerning the disciplinary action. The principal shall file copies of his/her report with the Superintendent, other appropriate personnel, and the parent or guardian and retain a copy for his/her records.

READMITTANCE

- A. No student who has been expelled shall be admitted to any public school in any other parish or city school system in the state except upon the review and approval of the Superintendent or the Supervisor of Child Welfare and Attendance as his/her designee.
- B. Upon request for admittance, any student who has been expelled from any school shall provide the Board information on the dates of any expulsions and the reason or reasons for which the student was expelled. Additionally, the transfer of a student's records by any public school or school system in the state to any other public or nonpublic school or school system shall include information on the dates of any expulsions and the reason or reasons for which the student was expelled.
- C. Any student expelled from school may be readmitted on a probationary basis to school at any time during the specified period of expulsion on such terms and conditions as may be stipulated by the Board and agreed to, in writing, by the student and by the student's parent or other person responsible for the student's school attendance. However, any such written agreement shall include a provision that upon the school principal's or Superintendent's making a determination that the student has violated any term or condition ~~agreed to~~ **of the agreement**, the student shall be immediately removed from the school premises without the benefit of any hearing or other procedure applicable to student suspensions and expulsions.
- D. In addition to the readmittance provisions for all expulsions stated above, a ~~pupil~~ **student** that has been expelled ~~from any school in or out of state~~ for possessing on school property or on a bus, a firearm, knife, or other dangerous weapon, or possessing or possession with intent to distribute or distributing, selling, giving, or loaning while on

school property or a school bus any controlled dangerous substance shall not be enrolled or readmitted to any such school on a probationary basis prior to the completion of the period of expulsion until the pupil **student** produces written documentation that he/she and his/her parent or legal guardian have enrolled and participated or is participating in an appropriate rehabilitation or counseling program related to the reason(s) for the pupil's **student's** expulsion. The rehabilitation or counseling programs shall be provided by such programs approved by the juvenile or family court having jurisdiction, if applicable, or by the School Board. The requirement for enrollment and participation in a rehabilitation or counseling program shall be waived only upon a documented showing by the pupil **student** that no appropriate program is available in the area or that the pupil **student** cannot enroll or participate due to financial hardship.

- E. Any student, upon serving the minimum time at an alternative school for a gun violation, shall be required to appear before the full Board prior to being readmitted to any Terrebonne Parish school.

CREDIT FOR SCHOOL WORK MISSED

A student who is suspended for ten (10) days or fewer shall be assigned school work missed while he/she is suspended and shall receive either partial or full credit for such work, upon the recommendation of the student's teacher, if it is completed satisfactorily and timely as determined by the principal or his/her designee.

A student who is suspended for more than ten (10) days, or expelled, and receives educational services at an alternative school site, shall be assigned work by a certified teacher and shall receive credit for school work if it is completed satisfactorily and timely as determined by the teacher. Such work shall be aligned with the curriculum used at the school from which the student is suspended.

PARENTAL CONFERENCE

In each case of suspension or expulsion, the principal or designee shall contact the parent, tutor, or legal guardian to notify the parent, tutor, or legal guardian of the suspension or expulsion and to set up a

conference. "Notice" shall be given by contacting the parent, tutor, or legal guardian by telephone at the telephone number shown on the pupil's **student's** registration card or by sending a certified letter to the address shown on the pupil's **student's** registration card. In the case of expulsion, a certified letter must be sent.

If the parent, tutor, or legal guardian fails to attend the required conference set by the principal within five (5) school days of notification, the truancy laws shall be effective. On not more than one occasion each school year when the parent, tutor, or legal guardian refuses to respond, the principal may determine whether readmitting the pupil **student** is in the best interest of the pupil **student**. On any subsequent occasions in the same school year, the pupil **student** shall not be readmitted unless the parent, tutor, or legal guardian, court or other appointed representative responds.

In any case where a teacher, principal, or other school employee is authorized to require the parent, tutor, or legal guardian of a pupil **student** to attend a conference or meeting regarding the pupil's **student's** behavior and after notice, the parent, tutor, or legal guardian willfully refuses to attend, the principal or designee shall file a complaint, in accordance with statutory provisions, with a court exercising juvenile jurisdiction.

SUSPENSION NOT APPLICABLE

Suspension of a student shall not apply to the following:

1. A student carrying or possessing a firearm or knife for purposes of involvement in a school class, course, or school-approved co-curricular or extracurricular activity or any other activity approved by appropriate school officials.
2. A student possessing any controlled dangerous substance that has been obtained directly or due to a valid prescription or order from a licensed physician.

However, such student shall carry verifiable evidence of that prescription or physician's order on his/her person at all times when in possession of any controlled dangerous substance.

Revised: June 1999
Revised: January 2000
Revised: February 2001
Revised: February 2004
Revised: February 2006
Revised: September 2006
Revised: November 2006

Revised: September 2007
Revised: June 2008
Revised: November 2008
Revised: November 2009
Revised: January 2013

Ref: 18 USC 921 (Firearms – Definitions); 20 USC 7151 (Gun-Free Schools Act); La. Rev. Stat. Ann. §§17:223, 17:416, 17:416.1, 17:416.2, 17:416.3, 17:2092; Goss v. Lopez, 95 S.Ct. 729 (1973); Regulations for Implementation of the Exceptional Children's Act, Bulletin 1706, Louisiana Department of Education; Board minutes, 3-17-98, 6-15-99, 1-18-00, 10-17-00, 2-21-06, 8-15-06, 9-18-07, 6-17-08, 11-18-08, 11-17-09.

Ms. Joseph presented revisions, according to recent legislation, to policy FILE: H-4.5 Child Abuse.

RECOMMENDATION NO. 17

The Committee recommends that the Board approve, as presented, the following revised policy FILE: H-4.5 Child Abuse:

FILE: H-4.5
Cf: F-12.3, H-3.5a

CHILD ABUSE

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

DEFINITIONS

Child, for purposes of child abuse, is defined as a person under

eighteen (18) years of age, who prior to juvenile proceedings, has not been judicially emancipated or emancipated by marriage.

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

- (a) The infliction, attempted infliction, or, as a result of inadequate supervision, the allowance of the infliction or attempted infliction of physical or mental injury upon the child by a parent or any other person.
- (b) The exploitation or overwork of a child by a parent or any other person.
- (c) The involvement of the child in any sexual act with a parent or any other person, or the aiding or toleration by the parent or the caretaker of the child's sexual involvement with any other person or of the child's involvement in pornographic displays, or any other involvement of a child in sexual activity constituting a crime under the laws of this state.

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

A *mandatory reporter* is any person ~~who provides training and supervision of a child, including any one of the following individuals performing~~ **considered to be a teaching or child care provider performing** their occupational duties: ~~teacher, teacher's aide, instructional aide,~~

~~school principal, and school staff member,~~ **such as any person who provides or assists in the teaching, training, or supervision of a child, including any public or private teacher, teacher's aide, instructional aide, school principal, school staff member, bus driver, coach, social worker, or any individual who provides such services to a child in a voluntary or professional capacity.**

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

PROCEDURE FOR REPORTING CHILD ABUSE/NEGLECT

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

- I. The *mandatory reporter* having the information shall contact the principal or designee immediately. The principal or other supervising employee shall immediately:
 - (A) When the suspected abuser is believed to be a parent or caretaker, make the report to the ~~local child protection unit of the Department of Social Services~~ **Children and Family Services through the designated state child protection reporting hotline telephone number.**
 - (B) When the abuse or neglect is believed to be perpetrated by someone other than a parent or caretaker, and a parent or caretaker is not believed to have any responsibility for the abuse or neglect, make the report to the ~~the~~ **a** local **or state** law enforcement agency ~~having jurisdiction over the place where the abuse/neglect occurred.~~

- II. If the initial report was in oral form, it shall be followed by a written report on the approved form, which written report shall be delivered within five (5) days to the local child protection agency or the local law enforcement agency to whom the initial report was made.

- III. The principal, assistant principal, or other supervisory employee to whom the initial reporter gave the report shall have the primary responsibility of reporting the information to the appropriate agency as herein provided. The teacher or other Board employee who was the initial reporter is not relieved of responsibility, however, and to ensure that the report is delivered to the appropriate agency as required by law, the principal/designee/supervisory employee shall confer with the initial reporting employee and confirm that the report was made to the appropriate agency. If the principal/designee/supervisory employee fails or refuses to make a required report, the initial reporting employee shall make the required report to the appropriate agency and shall, within five (5) days of filing the required written report file a confidential report of the entire matter in writing with the Superintendent.

The report shall contain the following information, if known:

- 1) The name, address, age, sex, and race of the child.
- 2) The nature, extent, and cause of the child's injuries or endangered condition, including any previous known or suspected abuse to this child or the child's siblings.
- 3) The name and address of the child's parent(s) or other caretaker.
- 4) The names and all the ages of all other members of the child's household.
- 5) The name and address of the reporter.

- 6) An account of how this child came to the reporter's attention.
- 7) Any explanation of the cause of the child's injury or condition offered by the child, the caretaker, or any other person.
- 8) The number of times the reporter has filed a report on the child or the child's siblings.
- 9) Any other information which the reporter believes might be important or relevant.

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

If the initial report was in oral form by a mandatory reporter, it shall be followed by a written report made within five (5) days to the local child protection unit, or if necessary, to the local law enforcement agency.

INVESTIGATION OF REPORTS

Admission of the investigator on school premises or access to the child in school shall not be denied by school officials.

ALLEGATION AGAINST SCHOOL EMPLOYEES OR VOLUNTEERS

When an employee is accused of the use of impermissible corporal punishment or moral offenses involving students, the principal shall initiate an investigation (see procedures under policy F-12.3, *Employee Investigations*). If the offender is a central office employee, or principal, the immediate supervisor will initiate an investigation.

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

caretaker or someone other than a caretaker.

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

ALLEGATIONS OF SEXUAL OFFENSES

The Superintendent or his/her designee shall be required to notify the local law enforcement agency of any allegation made by a student of the commission of a sex offense as defined by La. Rev. Stat. Ann. §15:541(~~17~~). Such notification shall be made by the Superintendent or his/her designee within twenty-four (24) hours of the time the student notified the Superintendent or other appropriate personnel. Any school employee who receives information from a student concerning the possible commission of a sexual offense shall immediately inform the Superintendent and/or his/her designee.

CONFIDENTIALITY

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

INSERVICE TRAINING

At the beginning of each school year, each principal shall provide

mandated in-service training for mandatory reporters and other school personnel and volunteers on how to recognize and report suspected child abuse or child neglect. Each employee and volunteer shall sign a form indicating he/she has received and understands the guidelines for reporting child abuse/neglect.

IMMUNITY FROM CIVIL OR CRIMINAL LIABILITY

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

LIABILITY

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

Revised: July 1999

Revised: November 2003

Revised: March 2004

Revised: December 2004

Revised: April 2008

Revised: January 2013

Ref: La. Rev. Stat. Ann. §§ 14:403, 15:542.2, 17:81.6; La. Children's Code, Title VI, Art. 601 et seq.; Board minutes, 7-20-99, 3-15-04, 12-21-04, 4-15-08.

There being no further business to come before the **Education and Policy Committee**, the meeting adjourned at 6:00 P.M.

Respectfully submitted,

Richard Jackson, Chairman

Dr. Brenda Leroux Babin, Vice-Chairman

Donald Duplantis

DC