

ACT No. 473

2021 Regular Session

HOUSE BILL NO. 411

BY REPRESENTATIVES HUGHES, BRASS, BRYANT, CARPENTER, GARY CARTER, WILFORD CARTER, CORMIER, COUSSAN, DUPLESSIS, GLOVER, GREEN, JENKINS, JONES, LACOMBE, LANDRY, LARVADAIN, LYONS, NEWELL, PIERRE, AND SELDERS

1 AN ACT

2 To amend and reenact R.S. 17:416 and 3996(B)(40), relative to student discipline; to provide
3 for a comprehensive revision of student discipline laws; to provide relative to student
4 codes of conduct, the use of and procedures for expulsion, damages to property,
5 possession of weapons and drugs, and conferences with parents; to require certain
6 reporting by the state Department of Education; to provide for definitions; to provide
7 for applicability; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:416 and 3996(B)(40) are hereby amended and reenacted to read
10 as follows:

11 §416. Discipline of students; suspension; expulsion

12 A.(1)(a) All public schools shall endeavor to address student behavior with
13 a focus on evidence-based interventions and supports. Schools shall endeavor to
14 prioritize classroom- and school-based interventions in lieu of out-of-school
15 disciplinary removals to address student misconduct in order to minimize the loss of
16 academic instructional time. Every teacher and other school employee shall
17 endeavor to hold every student ~~to a strict accountability for any disorderly conduct~~
18 ~~in~~ accountable for his behavior in school or on the playgrounds of the school, on the
19 street or road while going to or returning from school, on any school bus, during
20 intermission or recess, or at any school-sponsored activity or function. Nothing in

1 this Subparagraph shall prohibit a public school governing authority or its employees
2 from disciplining a student in accordance with the provisions of this Section.

3 (b)(i) Each teacher may take disciplinary action to correct a student ~~who~~
4 ~~disrupts normal classroom activities, who is disrespectful to a teacher, who willfully~~
5 ~~disobeys a teacher, who uses abusive or foul language directed at a teacher or~~
6 ~~another student, who engages in bullying, who violates school rules; or who~~
7 interferes with an orderly education process.

8 (ii) In addition to those procedures set forth in R.S. 17:416.13 regarding
9 bullying, disciplinary action by a school employee may include but is not limited to:

10 (aa) Oral or written reprimands.

11 (bb) Referral for a counseling session which shall include but shall not be
12 limited to conflict resolution, social responsibility, family responsibility, peer
13 mediation, and stress management.

14 (cc) Written notification to parents of disruptive or unacceptable behavior,
15 a copy of which shall be provided to the principal.

16 (dd) Other disciplinary measures approved by the principal and faculty of the
17 school and in compliance with school board policy.

18 (c)(i) When a student's behavior prevents the orderly instruction of other
19 students or poses an immediate threat to the safety or physical well being of any
20 student or teacher, ~~when a student exhibits disrespectful behavior toward the teacher~~
21 ~~such as using foul or abusive language or gestures directed at or threatening a student~~
22 ~~or a teacher, or~~ when a student violates the school's code of conduct, or ~~when a~~
23 ~~student exhibits other disruptive, dangerous, or unruly behavior, including~~
24 ~~inappropriate physical contact, inappropriate verbal conduct, sexual or other~~
25 ~~harassment, bullying, throwing objects, inciting other students to misbehave, or~~
26 ~~destroying property;~~ the teacher may have the student immediately removed from his
27 classroom and placed in the custody of the principal or his designee. ~~A student~~
28 ~~removed from the classroom pursuant to this Subparagraph shall be assigned school~~
29 ~~work missed and shall receive either partial or full credit for such work if it is~~
30 ~~completed satisfactorily and timely as determined by the principal or his designee;~~

1 ~~upon the recommendation of the student's teacher; however, the teacher shall not be~~
2 ~~required to interrupt class instruction time to prepare any such assignment.~~

3 (ii)(aa) Upon being sent to the principal's office pursuant to the provisions
4 of this Subparagraph, the principal or his designee shall advise the pupil student of
5 the particular misconduct of which he is accused as well as the basis for such
6 accusation, and the pupil student shall be given an opportunity at that time to explain
7 his version of the facts. The principal or his designee then shall conduct a counseling
8 session with the pupil student as may be appropriate to establish a course of action;
9 consistent with school board policy to identify and correct the behavior for which the
10 pupil student is being disciplined.

11 (bb) The principal or his designee shall provide oral or written notification
12 to the parent or legal guardian of any pupil student removed from the classroom
13 pursuant to the provisions of this Subparagraph. Such notification shall include a
14 description of any disciplinary action taken.

15 (cc) The principal or his designee may provide oral or written feedback to
16 teachers initiating the removal of pupils students from the classroom. The principal
17 or his designee may provide to such teachers guidance and support on practicing
18 effective classroom management including but not limited to positive behavior
19 supports.

20 (dd) The principal or designee shall follow all procedures set forth in R.S.
21 17:416.13 regarding bullying.

22 (iii) A pupil student in kindergarten through grade ~~six~~ five removed from a
23 class pursuant to this Subparagraph shall not be permitted to return to the class for
24 at least thirty minutes unless agreed to by the teacher initiating the disciplinary
25 action. A pupil student in grades ~~seven~~ six through twelve removed from a class
26 pursuant to this Subparagraph shall not be permitted to return to the class during the
27 same class period unless agreed to by the teacher initiating the disciplinary action.
28 Additionally, the pupil student shall not be readmitted to the class until the principal
29 has implemented at least one of the following disciplinary measures:

30 (aa) Conferencing with the principal or his designee.

- 1 (bb) Referral to counseling.
- 2 (cc) Peer mediation.
- 3 (dd) Referral to the school building level committee.
- 4 (ee) Restorative justice practices.
- 5 (ff) Loss of privileges.
- 6 (gg) Detention.
- 7 ~~(aa)~~ (hh) In-school suspension.
- 8 ~~(bb) Detention.~~
- 9 ~~(cc) Suspension.~~ (ii) Out-of-school suspension.
- 10 ~~(dd)~~ (jj) Initiation of expulsion hearings.
- 11 ~~(ee)~~ (kk) Assignment Referral for assignment to an alternative school setting.
- 12 ~~(ff)~~ (ll) Requiring the completion of all assigned school and homework
- 13 ~~which that~~ would have been assigned and completed by the student during the period
- 14 of out-of-school suspension.
- 15 ~~(gg)~~ (mm) Any other disciplinary measure authorized by the principal with
- 16 the concurrence of the teacher or the school building level committee pursuant to law
- 17 and board policy.
- 18 (iv) When a pupil student is removed from a classroom pursuant to this
- 19 Subparagraph, the teacher or the principal or his designee may require that the
- 20 parent, ~~tutor~~, or legal guardian of the pupil student have a conference with the
- 21 teacher or the principal or his designee ~~in the presence of the principal or his~~
- 22 ~~designee before the pupil is readmitted.~~ Such conference may be in person or by
- 23 telephone or other virtual means.
- 24 (v) Upon the third removal from the same classroom pursuant to this
- 25 Subparagraph, the teacher and the principal shall discuss the disruptive behavior
- 26 patterns of the pupil student and the potentially appropriate disciplinary measure
- 27 before the principal implements a disciplinary measure. ~~If appropriate, a referral of~~
- 28 ~~the matter may be made to an appropriate building level committee.~~ In addition, a
- 29 conference between the teacher or other appropriate school employee and the pupil's
- 30 student's parent, ~~tutor~~, or legal guardian ~~shall~~ may be required prior to the pupil

1 student being readmitted to that same classroom. Such conference may be in person
2 or by telephone or other virtual means. If such conference is required by the school,
3 the school shall give written notice to the parent.

4 (vi)(aa) For students who experience multiple behavioral incidents or
5 disciplinary referrals, a principal or his designee shall consider a referral of the
6 matter to an appropriate school building level committee. If disruptive behavior
7 persists, the teacher may request that the principal transfer the ~~pupil~~ student into
8 another setting.

9 (bb) Each city, parish, or other local public school board may adopt a policy
10 that requires the parent or legal guardian of a ~~pupil~~ student removed from the
11 classroom pursuant to this Subparagraph to attend after school or Saturday
12 intervention sessions with the ~~pupil~~ student. Such a policy, if adopted, shall be
13 enumerated in the code of conduct and shall include accommodations for parents and
14 legal guardians who demonstrate a documented inability to attend due to work or
15 disability or other health matters pertaining to the parent or legal guardian or a
16 family member under his care. The school board may refer a parent who fails to
17 attend such session to the court of competent jurisdiction in accordance with Chapter
18 2 of Title VII of the Louisiana Children's Code. Each time a parent is referred to the
19 court of competent jurisdiction, the court may impose a fine of not less than twenty-
20 five dollars and not more than two hundred fifty dollars, forty hours of court-
21 approved school or community service activities, or a combination of forty hours of
22 court-approved school or community service and attendance at a court-approved
23 family counseling program by both a parent or legal guardian and the ~~pupil~~ student,
24 and may suspend any recreational license issued by the Department of Wildlife and
25 Fisheries.

26 (vii)(aa) Notwithstanding any provision of law to the contrary, whenever a
27 ~~pupil~~ student is formally accused of violating the provisions of R.S. 14:34.3 or
28 school disciplinary rules, or both, by committing a battery on any school employee
29 or is formally accused of violating the provisions of R.S. 14:38.2 or school
30 disciplinary rules, or both, by committing an assault on any school employee, the

1 principal shall suspend the pupil student from school immediately and the pupil
2 student shall be removed immediately from the school premises without the benefit
3 of the out-of-school suspension procedures provided by this Section; however, the
4 necessary notifications and other procedures shall ~~follow~~ be implemented as soon as
5 is practicable.

6 (bb) No pupil student suspended in accordance with the provisions of this
7 Item shall be considered for readmission to the school to which the school employee,
8 allegedly assaulted or battered, or both, by the pupil student, is assigned until all
9 hearings and appeals associated with the alleged violation have been exhausted.

10 (cc) Except when the school system has no other school of suitable grade
11 level for the pupil student to attend, no pupil student found guilty by a court of
12 competent jurisdiction of violating the provisions of R.S. 14:34.3 or 38.2, or both,
13 or found guilty at a school system suspension hearing of committing a battery or
14 assault on any school employee, or both, shall be assigned to attend or shall attend
15 the school to which the school employee battered or assaulted by the pupil student
16 is assigned.

17 (dd) Notwithstanding any provision of R.S. 17:158 to the contrary, a school
18 system shall not be required to provide transportation to any pupil student reassigned
19 to attend a school pursuant to the provisions of this Item if providing such
20 transportation for the pupil student will result in additional transportation costs to the
21 school system.

22 (2) As used in this Section:

23 (a)(i) "In-school suspension" means removing a pupil student from his
24 normal classroom setting but maintaining him under supervision within the school.
25 Pupils Students participating in in-school suspension ~~may~~ shall receive credit for
26 work performed during the in-school suspension. However, any pupil student who
27 fails to comply fully with the rules for in-school suspension ~~shall~~ may be subject to
28 immediate out-of-school suspension.

1 (ii) Each city, ~~and parish, or other local public~~ school board shall adopt rules
2 regarding the implementation of in-school suspension ~~by no later than January 1,~~
3 ~~1995.~~

4 (b)(i) "Detention" means activities, assignments, or work held before the
5 normal school day, after the normal school day, or on weekends.

6 (ii) Failure or refusal by a pupil student to participate in assigned detention
7 ~~shall~~ may subject the pupil student to immediate out-of-school suspension.

8 (iii) Assignments, activities, or work which may be assigned during
9 detention include but are not limited to counseling, homework assignments, behavior
10 modification programs, or other activities aimed at improving the ~~self-esteem~~
11 behavior and conduct of the pupil student.

12 (iv) Each city, ~~and parish, or other local public~~ school board shall adopt rules
13 regarding the implementation of detention ~~by no later than January 1, 1995.~~

14 (c) Unless otherwise defined as a permanent expulsion and except as
15 otherwise provided by Subsections B and C of this Section, "expulsion" shall be
16 defined as a removal from all regular school settings for a period of not less than one
17 school semester. During an expulsion the superintendent shall place the pupil
18 student in an alternative school or in an alternative educational placement.

19 (d) "Bullying" is defined in R.S. 17:416.13.

20 (e) "Firearm" means any pistol, revolver, rifle, shotgun, machine gun,
21 submachine gun, black powder weapon, or assault rifle that is designed to fire or is
22 capable of firing fixed cartridge ammunition or from which a shot or projectile is
23 discharged by an explosive.

24 (f) "Out-of-school suspension" means the removal of a student from all
25 classes of instruction on public school grounds and all other school-sponsored
26 activities.

27 (3)(a) A school principal may suspend from school or suspend from riding
28 on any school bus any student who:

29 (i) Is guilty of willful disobedience.

- 1 (ii) Treats a teacher, principal, superintendent, member, or employee of the
- 2 city, parish, or other local public school board with intentional disrespect.
- 3 (iii) Makes against any one of them an unfounded charge.
- 4 (iv) Uses unchaste or profane language.
- 5 (v) Is guilty of immoral or vicious practices, or of conduct or habits injurious
- 6 to his associates.
- 7 (vi) Uses tobacco or who possesses alcoholic beverages or any controlled
- 8 dangerous substance governed by the Uniform Controlled Dangerous Substances
- 9 Law, in any form, in school buildings, on school grounds, or on school buses owned
- 10 by, contracted to, or jointly owned by any city, ~~or parish,~~ or other local public school
- 11 board.
- 12 (vii) Disturbs the school and habitually violates any rule.
- 13 (viii) Cuts, defaces, or injures any part of public school buildings, any
- 14 property belonging to the buildings, or any school buses owned by, contracted to, or
- 15 jointly owned by any city, ~~or parish,~~ or other local public school board.
- 16 (ix) Writes any profane or obscene language or draws obscene pictures in or
- 17 on any school material or on any public school premises, or on any fence, pole,
- 18 sidewalk, or building on the way to or from school, or on any school bus, including
- 19 those owned by, contracted to, or jointly owned by any city, ~~or parish,~~ or other local
- 20 public school board.
- 21 (x) Is found carrying firearms, knives, or other implements which can be
- 22 used as weapons, the careless use of which might inflict harm or injury.
- 23 (xi) Throws missiles liable to injure other persons on the school grounds or
- 24 while on any school bus, including those owned by, contracted to, or jointly owned
- 25 by any city, ~~or parish,~~ or other local public school board.
- 26 (xii) Instigates or participates in fights while under school supervision.
- 27 (xiii) Violates traffic and safety regulations.
- 28 (xiv) Leaves the school premises without permission.
- 29 (xv) Leaves his classroom during class hours or detention without
- 30 permission.

1 (xvi) Is habitually tardy or absent.

2 (xvii) Has engaged in bullying.

3 (xviii) Commits any other serious offense.

4 (b)(i) Prior to any out-of-school suspension, assignment to alternative
 5 placement, or expulsion, the school principal; or his designee; shall advise the pupil
 6 student in question of the particular misconduct of which he is accused as well as the
 7 basis for such accusation, and the pupil student shall be given an opportunity at that
 8 time to explain his version of the facts to the school principal or his designee. In
 9 each case of out-of-school suspension, assignment to alternative placement, or
 10 expulsion, the school principal; or his designee; shall contact, by telephone at the
 11 telephone number shown on the pupil's student's registration card or ~~sent by~~
 12 electronic communication or a certified letter at sent to the address shown on the
 13 pupil's student's registration card, ~~to the parent, tutor,~~ or legal guardian of the pupil
 14 student in question giving notice of the out-of-school suspension, assignment to
 15 alternative placement, or expulsion, the reasons therefor, and establishing a date and
 16 time for a conference with the principal or his designee as a requirement for
 17 readmitting the pupil student. ~~provided that in~~ In the case of expulsion, the contact
 18 with the parent or guardian shall include a certified letter. If the parent, ~~tutor,~~ or
 19 legal guardian fails to attend the required conference within five school days of
 20 mailing the certified letter or other contact with the parent, the truancy laws shall
 21 become effective. On not more than one occasion each school year when the parent;
 22 ~~tutor,~~ or legal guardian refuses to respond, the principal may determine whether
 23 readmitting the pupil student is in the best interest of the student. On any subsequent
 24 occasions in the same year, the pupil student shall not be readmitted unless the
 25 parent, ~~tutor,~~ legal guardian, court, or other appointed representative responds. A
 26 pupil student whose presence in or about a school poses a continued danger to any
 27 person or property or an ongoing threat of disruption to the academic process shall
 28 be immediately removed from the school premises without the benefit of the
 29 procedure described hereinabove; however, the necessary procedure shall follow as
 30 soon as is practicable.

1 (ii)(aa) ~~In any case where~~ If a teacher, principal, or other school employee
 2 is authorized ~~in by~~ this Section to require the parent ~~tutor~~, or legal guardian of a pupil
 3 student ~~who is under the age of eighteen and not judicially emancipated or~~
 4 ~~emancipated by marriage~~ to attend a conference or meeting regarding the pupil's
 5 student's behavior and, after notice, the parent, ~~tutor~~, or legal guardian willfully
 6 refuses to attend, the principal or his designee; shall file a complaint with a court
 7 exercising juvenile jurisdiction, pursuant to Children's Code Article 730(8) and 731.
 8 The principal may file a complaint pursuant to Children's Code Article 730(1) or any
 9 other applicable ground when, in his judgment, doing so is in the best interests of the
 10 pupil student.

11 (bb) The principal, assistant principal, or child attendance and welfare
 12 supervisor or his assistant of any school, public or nonpublic, shall be a
 13 representative of an agency having the responsibility or ability to supply services to
 14 a family as that phrase is used in Children's Code Article 731(A).

15 (c) Any parent, ~~tutor~~ or legal guardian of a pupil student suspended shall
 16 have the right to appeal to the ~~city or parish~~ local superintendent of schools or his
 17 designee, who shall conduct a hearing on the merits. The decision of the
 18 superintendent of schools on the merits of the case, as well as the term of the out-of-
 19 school suspension, shall be final, reserving to the superintendent of schools the right
 20 to remit any portion of the time of the out-of-school suspension.

21 (d) A pupil student suspended for damages to any property belonging to the
 22 school system or to property contracted to the school system or any property on
 23 school grounds owned by a school employee or student shall not be readmitted until
 24 payment in full has been made for such damage, an alternative restitution
 25 arrangement has been executed, an alternative payment plan has been arranged, or
 26 until directed by the superintendent of schools. If the property damaged is a school
 27 bus owned by, contracted to, or jointly owned by any ~~parish or city,~~ parish, or other
 28 local public school board, a pupil student suspended for such damage shall not be
 29 permitted to enter or ride any school bus until payment in full has been made for

1 such damage, an alternative restitution arrangement has been executed, an alternative
2 payment plan has been arranged, or until directed by the superintendent of schools.

3 (e) A pupil student who is suspended for ten days or fewer shall be assigned
4 school work missed while he is suspended and shall receive ~~either partial or full~~ the
5 same credit originally available for such work if it is completed satisfactorily and
6 timely as determined by the principal or his designee, upon the recommendation of
7 the ~~pupil's~~ student's teacher. A pupil student who is suspended for more than ten
8 days, or is expelled and receives educational services at an alternative school site,
9 shall be assigned work by a certified teacher and shall receive credit for school work
10 if it is completed satisfactorily and timely as determined by the teacher. Such work
11 shall be aligned with the curriculum used at the school from which the pupil student
12 was suspended or expelled.

13 (f) When a pupil student is suspended for a second time within one school
14 year, the principal may require that a counseling session be held with the parent and
15 pupil student by the school counselor if a counselor is assigned or available to that
16 school. In the event there is no school counselor ~~available,~~ assigned to that school,
17 the principal may require a conference between the parent, pupil student, and all the
18 ~~pupil's~~ student's teachers and the principal or other administrator.

19 (4) The governing authority of each public elementary and secondary school
20 shall adopt such rules and regulations as it deems necessary to implement the
21 provisions of this Subsection and of R.S. 17:416.13. Such rules and regulations shall
22 include but not be limited to the following provisions:

23 (a) A procedure permitting any teacher or other school employee to report
24 any violation of the provisions of this Subsection to the appropriate school principal.
25 The procedure shall provide for the uniform use throughout the school system of two
26 forms to report incidents of alleged discipline violations. One form shall be used to
27 report only school transportation-related incidents and one form shall be used to
28 report all other incidents.

29 (i) The form for reporting a transportation-related incident shall provide for
30 the following information:

1 (aa) Bus number and name of operator.

2 (bb) ~~Pupil~~ Student name and grade level.

3 (cc) School name and name of the principal.

4 (dd) Date of the incident and whether it occurred on the way to or on the way
5 from the school or school function.

6 (ee) A menu of check-off items to indicate the nature of the incident,
7 including fighting or bullying at the bus stop, fighting or bullying on the bus,
8 smoking on the bus, leaving the bus without permission, boarding the bus at the
9 incorrect stop, showing disrespect toward the operator, committing an immoral or
10 vicious act, throwing objects within the bus or out of bus windows or doors, refusing
11 to occupy an assigned seat, using profane language, showing willful disobedience,
12 defacing the bus, carrying objects or implements which can be used as weapons, or
13 committing some other undesignated violation.

14 (ff) Space to provide specific remarks and comments concerning the incident
15 and alleged discipline violation.

16 (gg) Space to indicate a ~~pupil's~~ student's prior history of discipline violations
17 related to school transportation incidents.

18 (hh) A statement to be signed and dated by the bus operator or other school
19 employee, if applicable, that the named ~~pupil~~ student is causing a discipline problem,
20 that disciplinary action against the ~~pupil~~ student is recommended, and that the
21 signatory desires to be informed of action taken on the incident report or the reasons
22 for not taking action.

23 (ii) A space to report action taken on the incident report, including a menu
24 of check off items to indicate that a parent or other person responsible for the ~~pupil's~~
25 student's school attendance has been contacted, that a conference has been conducted
26 with the ~~pupil's~~ student's parent or other responsible person, that the ~~pupil~~ student has
27 been reprimanded, that the ~~pupil~~ student has been suspended from receiving school
28 transportation services and for what period of time, that the ~~pupil~~ student has been
29 suspended from school and for what period of time, or that some other action has

1 been taken and an explanation of such action. The report on action taken shall be
2 dated and signed by the school principal.

3 (jj) Space for comments and remarks by the ~~pupil~~ student or a ~~pupil's~~
4 student's parent or other responsible person concerning the incident and action taken.

5 (kk) A menu of ~~check-off~~ check-off items to indicate that copies of the
6 completed document have been supplied to the ~~pupil's~~ student's parent or other
7 responsible person, the school's ~~pupil~~ student file, the school employee filing the
8 incident report, the supervisor of transportation services for the school system, and
9 the principal.

10 (ll) Such other information as may be determined by the city, ~~or parish,~~ or
11 other local public school board.

12 (ii) The form for reporting a nontransportation-related incident shall provide
13 for the following information:

14 (aa) School name.

15 (bb) Name and telephone number of the ~~pupil~~ student.

16 (cc) Indication of whether the ~~pupil~~ student is in regular or special education
17 and the ~~pupil's~~ student's homeroom number.

18 (dd) Time and location of the incident.

19 (ee) Space to provide specific remarks and comments concerning the
20 incident and alleged discipline violation.

21 (ff) A menu of ~~check-off~~ check-off items indicating action taken by the
22 teacher, including having a conference with the ~~pupil~~ student, assigning remedial
23 work, referring the ~~pupil~~ student to a counselor, ~~referring the pupil to a social~~
24 worker, or certified school psychologist, placing the ~~pupil~~ student in detention, or
25 taking other action with an explanation of such other action.

26 (gg) A menu of ~~check-off~~ check-off items indicating the type and date of
27 contact with the ~~pupil's~~ student's parent or other person responsible for the ~~pupil's~~
28 student's school attendance, including by phone, by letter, by school conference, or
29 by behavior reports.

1 (hh) A space for recommendations from the teacher or other school
2 employee initiating the incident report.

3 (ii) A statement to be signed and dated by the teacher or other school
4 employee initiating the incident report that the named pupil student is causing a
5 discipline problem, that disciplinary action against the pupil student is
6 recommended, and that the signatory desires to be informed of action taken on the
7 incident report or the reasons for not taking action.

8 (jj) A space to report action taken on the incident report, including a menu
9 of check off items to indicate contact with the pupil's student's parent or other
10 responsible person, conduct of a conference with the pupil student and the pupil's
11 student's parent or other responsible person and a summary of conference
12 proceedings, referral to a counselor, issuance of a reprimand, placement on
13 detention, placement on probation, suspension, or that some other action has been
14 taken and an explanation of such action. The report on action taken shall be dated
15 and signed by the school principal.

16 (kk) Space for comments and remarks by the pupil student or a pupil's
17 student's parent or other responsible person concerning the incident and action taken.

18 (ll) A menu of ~~check-off~~ check-off items to indicate that copies of the
19 completed document have been supplied to the pupil's student's parent or other
20 responsible person, the school's pupil student file, the teacher or other school
21 employee filing the incident report, and the principal.

22 (mm) Such other information as may be determined by the city, ~~or~~ parish,
23 or other local public school board.

24 (iii) The State Board of Elementary and Secondary Education shall develop
25 the forms necessary to implement the provisions of this Subparagraph and such
26 forms shall be used by each city, ~~and~~ parish, or other local public school board.

27 (b) Procedures implementing the provisions of R.S. 17:416.13 regarding
28 bullying.

29 (c) A procedure requiring that, within a reasonable period of time, a principal
30 shall review any such report and then act upon it as provided by this Section, or R.S.

1 17:416.13, or explain the reasons for failing to act to the local superintendent of
 2 schools or his designee and to the teacher, other school employee, student, parent,
 3 or legal guardian reporting the violation.

4 (5) The provisions of this Subsection shall not be construed to conflict with
 5 any federal or state rules or regulations or other guidelines, including but not limited
 6 to those affecting ~~special education~~ students with exceptionalities as defined in R.S.
 7 17:1943 et seq.

8 (6) In carrying out the provisions of this Section, school employees and
 9 administrators shall account for and abide by any relevant provisions contained in
 10 the Individualized Education Program, Behavior Intervention Plan, or Section 504
 11 Plan, as well as the general requirements of the federal Individuals with Disabilities
 12 Education Act.

13 B.(1)(a) Any student after being suspended for committing any of the
 14 offenses enumerated in this Section may be expelled, upon recommendation by the
 15 principal of the public school in which said student is enrolled, which recommended
 16 expulsion shall be subject to the provisions of Subsection C of this Section.

17 (b)(i) Notwithstanding the provisions of Subsection A of this Section, the
 18 principal or his designee shall immediately suspend a student who is found carrying
 19 or possessing a firearm or another dangerous instrumentality other than a knife, or
 20 who possesses, distributes, sells, gives, or loans any controlled dangerous substance
 21 governed by the Uniform Controlled Dangerous Substances Law, in any form. ~~He~~
 22 The principal or his designee shall immediately recommend the student's expulsion
 23 in accordance with Subsection C of this Section.

24 (ii)(aa) Except as provided in Item (c)(i) of this Paragraph, no student shall
 25 be permitted to carry or possess a knife of any blade length.

26 (bb) A student who is found carrying or possessing a knife with a blade less
 27 than two and one-half inches in length may be suspended by the school principal as
 28 provided in Paragraph (A)(3) of this Section; however, in appropriate cases such
 29 student, at a minimum, shall be placed in in-school suspension.

1 (cc) The principal shall immediately suspend a student who is found carrying
2 or possessing a knife the blade of which equals or exceeds two and one-half inches
3 in length. He also shall immediately recommend the student's expulsion in
4 accordance with Subsection C of this Section, except that; in the case of a student
5 less than eleven years of age in pre-kindergarten through grade five, the principal
6 may, ~~but shall not be required to,~~ recommend the student's expulsion in accordance
7 with Subsection C of this Section.

8 (c) The provisions of this Section shall not apply to the following:

9 (i) A student carrying or possessing a firearm or knife for purposes of
10 involvement in a school class or course or school-approved cocurricular or
11 extracurricular activity or any other activity approved by the appropriate school
12 officials.

13 (ii) A student possessing any controlled dangerous substance governed by
14 the Uniform Controlled Dangerous Substances Law that has been obtained directly
15 or pursuant to a valid prescription or order from a licensed ~~physician~~ medical
16 provider. However, ~~such the~~ student shall carry evidence of ~~that the~~ prescription or
17 ~~physician's~~ medical provider's order on his person at all times when in possession of
18 any controlled dangerous substance which shall be subject to verification. Evidence
19 of the prescription or medical provider's order includes possession of the controlled
20 dangerous substance in its original packaging as received from the pharmacy.

21 (2) Any ~~pupil~~ student who has been suspended on three occasions for
22 committing any of the offenses enumerated in this Subsection or Subsection C of this
23 Section during the same school year shall, upon committing the fourth such offense,
24 be expelled from all the public schools of the city, parish, or other local public school
25 system wherein he resided until the beginning of the next regular school year, and
26 the ~~pupil's~~ student's reinstatement shall be subject to the review and approval of the
27 city, parish, or other local public school board.

28 (3)(a)(i) No student who has been expelled pursuant to the provisions of this
29 Section shall be admitted to any public school in any other ~~parish or~~ city, parish, or

1 other local public school system in the state except upon the review and approval of
 2 the school board of the school system to which he seeks admittance.

3 (ii) No student who has been expelled from any public or nonpublic school
 4 outside the state of Louisiana or any nonpublic school within Louisiana for
 5 committing any of the offenses enumerated in this Section shall be admitted to any
 6 public school in the state except upon the review and approval of the governing body
 7 of the admitting school.

8 (b) No student who has been expelled pursuant to the provisions of
 9 Paragraph (C)(2) of this Section shall be readmitted to a regular public school in the
 10 city, parish, or other local public school system from which he was expelled prior to
 11 the completion of the specified period of expulsion at the school system's alternative
 12 education setting, unless he has complied with the provisions of Subparagraph
 13 (C)(2)(d) of this Section.

14 (c) To facilitate the review and approval mandated by this Paragraph, any
 15 student who has been expelled from any public or nonpublic school within or outside
 16 the state of Louisiana shall provide to any public school or school system in the state
 17 to which the student is seeking admission information on the dates of any expulsions
 18 and the reason or reasons for which the student was expelled. Additionally, the
 19 transfer of a student's records by any public school or school system in the state to
 20 any other public or nonpublic school or school system shall include information on
 21 the dates of any expulsions and the reason or reasons for which the student was
 22 expelled.

23 (d)(i) ~~In addition to any other limitations established by this Subsection on~~
 24 ~~the admission of previously expelled pupils to public elementary and secondary~~
 25 ~~schools in Louisiana, no pupil~~ No student who has been expelled from any public or
 26 nonpublic school within or outside the state of Louisiana for possessing on school
 27 property or on a school bus a firearm, knife, or other dangerous weapon or
 28 instrumentality customarily used or intended for probable use as a dangerous
 29 weapon, or for possessing, possessing with intent to distribute, or distributing,
 30 selling, giving, or loaning while on school property or on a school bus any controlled

1 dangerous substance governed by the Uniform Controlled Dangerous Substances
2 Law ~~shall~~ may be admitted to any public elementary or secondary school in the state,
3 or readmitted to any such school on a probationary basis prior to the completion of
4 the minimum period of expulsion as provided in Subsection C of this Section, until
5 the ~~pupil~~ student produces written documentation that he and his parent or legal
6 guardian have enrolled and participated in an appropriate rehabilitation or counseling
7 program related to the reason or reasons for the ~~pupil's~~ student's expulsion.

8 (ii) The rehabilitation or counseling required by the provisions of this
9 Subparagraph shall be provided by existing or new programs approved by the
10 juvenile or family court having jurisdiction, if applicable, or by the school system
11 and shall be at no additional cost to the school system. Such rehabilitation or
12 counseling programs may include the following components relative to successful
13 programs, approaches, and activities for parental involvement which better equip
14 parents and legal guardians to provide support for the education of their children:

15 (aa) Enhancing parenting skills and expanding curriculum offerings relative
16 to character development, the development of a healthy self-esteem and sense of
17 personal and social responsibility, violence prevention, and conflict resolution.

18 (bb) Raising the educational level of the parents and legal guardians of
19 public school students through instruction in basic skills.

20 (cc) Improving developmental skills of students to prepare them for
21 academic success.

22 (dd) Providing a role model for the child through parental interest in
23 education.

24 (ee) Enabling parents and legal guardians to become familiar with and
25 comfortable in the school setting.

26 (ff) Enhancing the relationship of the parent or legal guardian and child
27 through planned, structured parent-school interaction.

28 (gg) Demonstrating to parents and legal guardians their power to affect their
29 child's ability to learn.

1 (iii) The requirements of this Subparagraph for a student's enrollment and
2 participation in a rehabilitation or counseling program shall be waived by the school
3 system upon a documented showing by the student that no appropriate program is
4 available in the area or that the student cannot enroll or participate due to financial
5 hardship.

6 (iv) The provisions of this Subparagraph shall be applicable to ~~exceptional~~
7 ~~children~~ students provided special education services pursuant to Part I of Chapter
8 8 of this Title and to students who have an Individualized Education Program or a
9 Section 504 Individualized Accommodation Plan only to the extent the provisions
10 are not in conflict with federal rules, regulations, and guidelines applicable to the
11 education of ~~exceptional students~~ students with exceptionalities or the provisions of
12 the students' specific plans.

13 C.(1) Upon the recommendation by a principal for the expulsion of any
14 student as authorized by Subsection B ~~hereof~~, of this Section or a school board's code
15 of conduct, a hearing shall be conducted by the superintendent or his designee within
16 fifteen school days ~~or by any other person designated so to do by the superintendent~~
17 to determine the facts of the case and make a finding of whether or not the student
18 is guilty of conduct warranting a recommendation of expulsion. The school board
19 must provide written notice of the hearing to the student and his parent or legal
20 guardian, and such notice shall advise the student and his parent or legal guardian of
21 their rights. Upon the conclusion of the hearing and upon a finding that the student
22 is guilty of conduct warranting expulsion, the superintendent; or his designee; shall
23 determine whether such student shall be expelled from the school system or if other
24 corrective or disciplinary action shall be taken. ~~At said~~ the hearing the principal or
25 teacher concerned may be represented by any person appointed by the
26 superintendent. The concerned teacher shall be permitted to attend such hearing and
27 shall be permitted to present information the teacher believes relevant. Until such
28 hearing takes place the student shall remain suspended from the school with access
29 to classwork and the opportunity to earn academic credit. At such hearing the
30 student may be represented by any person of his choice. A student who is expelled

1 or suspended for longer than ten days shall be provided with academic instruction
2 at an alternative setting in accordance with R.S. 17:416.2.

3 (2)(a)(~~†~~) Notwithstanding the provisions of Subsection B of this Section, any
4 student sixteen years of age or older found guilty of being in possession of a firearm
5 on school property, on a school bus, or in actual possession at a school-sponsored
6 event, pursuant to a hearing as provided for by Paragraph (1) of this Subsection, shall
7 be expelled from school for a minimum period of four complete school semesters
8 and shall be referred to the district attorney for appropriate action. However, the
9 superintendent ~~of a city, parish, or other local public school system~~ may modify the
10 length of such minimum expulsion requirement on a case-by-case basis, provided
11 such modification is in writing.

12 (~~†~~) (b) Notwithstanding the provisions of Subsection B of this Section, any
13 student sixteen years of age or older found guilty of possession of, or knowledge of
14 and intentional distribution of, or possession with intent to distribute any illegal
15 narcotic, drug, or other controlled substance on school property, on a school bus, or
16 at a ~~school-sponsored~~ school-sponsored event pursuant to a hearing as provided for
17 by Paragraph (1) of this Subsection shall be expelled from school for a minimum
18 period of four complete school semesters.

19 (~~†~~)(i) Any student who is under sixteen years of age and in grades six
20 through twelve and who is found guilty of being in possession of a firearm on school
21 property, on a school bus, or in actual possession at a ~~school-sponsored~~ school-
22 sponsored event, pursuant to a hearing as provided for by Paragraph (1) of this
23 Subsection, shall be expelled from school for a minimum period of four complete
24 school semesters, and shall be referred to the district attorney for appropriate action.
25 However, the superintendent of a city, parish, or other local public school system
26 may modify the length of such minimum expulsion requirement on a case-by-case
27 basis, provided such modification is in writing.

28 (ii) Any student who is under sixteen years of age and in grades six through
29 twelve and who is found guilty of possession of, or knowledge of and intentional
30 distribution of, or possession with intent to distribute any illegal narcotic, drug, or

1 other controlled substance on school property, on a school bus, or at a ~~school~~
2 ~~sponsored~~ school-sponsored event pursuant to a hearing as provided for by
3 Paragraph (1) of this Subsection shall be expelled from school for a minimum period
4 of two complete school semesters.

5 (c)(i) Any case involving a student in kindergarten through grade five found
6 guilty of being in possession of a firearm on school property, on a school bus, or in
7 actual possession at a school-sponsored event, pursuant to a hearing as provided for
8 by Paragraph (1) of this Subsection, shall be expelled from school for a minimum
9 period of two complete school semesters and shall be referred to the district attorney
10 for appropriate action. However, the superintendent ~~of a city, parish, or other local~~
11 ~~public school system~~ may modify the length of such minimum expulsion
12 requirement on a case-by-case basis, provided such modification is in writing.

13 (ii) Any case involving a student in kindergarten through grade five found
14 guilty of possession of, or knowledge of and intentional distribution of, or possession
15 with intent to distribute any illegal narcotic, drug, or other controlled substance on
16 school property, on a school bus, or at a school sponsored event pursuant to a hearing
17 as provided for by Paragraph (1) of this Subsection shall be referred to the city,
18 parish, or other local public school board where the student attends school through
19 a recommendation for action from the superintendent.

20 (d)(i) Any student expelled from school may be readmitted on a probationary
21 basis to school at any time during the specified period of expulsion on such terms
22 and conditions as may be stipulated by the city, parish, or other local public school
23 board and agreed to in writing by the student and by the student's parent or other
24 person responsible for the student's school attendance. ~~Such terms and conditions~~
25 ~~may include but need not be limited to placing the student in a suitable alternative~~
26 ~~education program as determined by the school board.~~ However, any such written
27 agreement shall include a provision that upon the school principal or superintendent
28 of schools making a determination that the student has violated any term or condition
29 agreed to, the student shall be immediately removed from the school premises
30 without the benefit of any hearing or other procedure applicable to student out-of-

1 school suspensions and expulsions and returned to the school system's alternative
2 school setting. As soon thereafter as possible, the principal or his designee shall
3 provide verbal notice to the superintendent of schools of any such determination and
4 also shall attempt to provide such verbal notice to the student's parent or other person
5 responsible for the student's school attendance. The principal or his designee also
6 shall provide written notice of the determination and the reasons therefor to the
7 superintendent and to the student's parent or other responsible person.

8 (ii) Any student expelled pursuant to the provisions of this Subsection or
9 Subsection B of this Section seeking readmission on a probationary basis prior to the
10 end of the specified period of expulsion must also comply with the provisions of
11 Subparagraph (B)(3)(d) of this Section.

12 (iii) The provisions of this Subparagraph shall not be applicable to any
13 student found guilty by a court of competent jurisdiction, or adjudicated a delinquent
14 by a court of competent jurisdiction, of a criminal violation of any provision of Title
15 14 of the Louisiana Revised Statutes of 1950 which is related to the reason for the
16 suspension, unless the judge finds otherwise.

17 (3)(a) Any student arrested for possession of, or intentional distribution of,
18 or possession with intent to distribute any illegal narcotic, drug, or other controlled
19 substance on school property shall be referred by the school principal or his
20 designee, within five days after such arrest, for testing or screening by a qualified
21 medical professional for evidence of abuse of alcohol, illegal narcotics, drugs, or
22 other controlled dangerous substances.

23 (b) If evidence of abuse is found, the ~~student shall be referred~~ principal or
24 his designee shall refer the student to an alcohol and drug abuse treatment
25 professional chosen by the student's parent or ~~tutor~~ legal guardian. If the student is
26 found by the professional to be in need of treatment, and if the student agrees to
27 cooperate in the recommended treatment, as certified in writing by the medical
28 professional, such documentation may be used to initiate reopening the student's
29 case. The school board shall take into consideration the student's agreement to

1 receive treatment as a positive factor in the final decision relative to any final
2 disciplinary action.

3 (4) The parent or ~~tutor~~ legal guardian of the ~~pupil~~ student who has been
4 recommended for expulsion pursuant to this Section may, within five days after the
5 decision is rendered, submit a request to the city, or parish, or other local public
6 school board to review the findings of the superintendent or his designee at a time
7 set by the school board; otherwise the decision of the superintendent shall be final.
8 If requested, as herein provided, and after reviewing the findings of the
9 superintendent or his designee, the school board may affirm, modify, or reverse the
10 action previously taken. The parent or ~~tutor~~ legal guardian of the ~~pupil~~ student shall
11 have such right of review even if the recommendation for expulsion is reduced to a
12 suspension. Each school board's code of conduct shall include information detailing
13 the appeal process provided in this Paragraph and Subparagraph (5)(a) of this
14 Subsection.

15 (5)(a) The parent or ~~tutor~~ legal guardian of the ~~pupil~~ student who has been
16 recommended for expulsion pursuant to this Section may, within ten school days,
17 appeal to the district court for the parish in which the student's school is located, an
18 adverse ruling of the school board in upholding the action of the superintendent or
19 his designee. The court may reverse or revise the ruling of the school board upon a
20 finding that the ruling of the board was based on an absence of any relevant evidence
21 in support thereof. The parent or ~~tutor~~ legal guardian of the ~~pupil~~ student shall have
22 such right to appeal to the district court even if the recommendation for expulsion
23 is reduced to a suspension.

24 (b) If a judgment is rendered in favor of a student who sought judicial review
25 of a decision of a school board pursuant to this Paragraph, the judgment may include
26 an award for reasonable attorney fees if the court finds any school official acted in
27 a grossly negligent manner; with deliberate disregard for the consequences of his
28 actions to the student; with willful or malicious indifference; with intent to deprive
29 the student, his parent, guardian, or tutor of due process; or initiated a charge that is
30 knowingly false. The court may award any damages appropriate under the

1 circumstances and render any other appropriate relief including but not limited to
 2 requiring the school board to issue an official apology letter, which shall be provided
 3 to the student, his parent, legal guardian, or tutor, and retained in the student's
 4 educational records.

5 D.(1) The conviction of any student of a felony or the incarceration of any
 6 student in a juvenile institution for an act which had it been committed by an adult
 7 would have constituted a felony may be cause for expulsion of the student for a
 8 period of time as determined by the board. The expulsion shall require the vote of
 9 two-thirds of the elected members of the school board, shall not be for a period of
 10 time longer than the student's period of adjudication as determined by the applicable
 11 court presiding over the student's criminal matter, and shall run concurrent to the
 12 student's period of disposition. If the student was serving an expulsion period when
 13 the student was incarcerated for a separate offense and the student completes the
 14 period of incarceration with time left in the expulsion period, the superintendent or
 15 his designee may require the student to serve the time left in the expulsion period.

16 (2) The conviction of any student of a felony or the incarceration of any
 17 student in a juvenile institution for an act, whether ~~said~~ the act is committed in this
 18 state or outside this state, which had it been committed by an adult would have
 19 constituted a felony in this state may be sufficient cause for any ~~public school system~~
 20 superintendent to refuse admission of ~~said~~ the student to any school except upon
 21 review and approval of a majority of the elected members of the school board when
 22 request for admission is made to the board.

23 E. The provisions of this Section shall be applicable to ~~exceptional children~~
 24 students with exceptionalities provided special education services pursuant to Part
 25 I of Chapter 8 of this Title or to students who have an Individualized Education
 26 Program or a Section 504 Individualized Accommodation Plan to the maximum
 27 extent allowed by federal law and rules applicable to the education of ~~exceptional~~
 28 ~~children~~ students with exceptionalities in the state. No policy adopted by the State
 29 Board of Elementary and Secondary Education applicable to ~~exceptional children~~

1 students with exceptionalities as provided in this Subsection shall be more restrictive
 2 than required by federal law and rules.

3 F. Notwithstanding any provision of this Section to the contrary, school
 4 officials shall have total discretion and shall exercise such discretion in imposing on
 5 a pupil student any disciplinary actions authorized by this Section for possession by
 6 a pupil student of a firearm or knife on school property when such firearm or knife
 7 is stored in a motor vehicle and there is no evidence of the pupil's student's intent to
 8 use the firearm or knife in a criminal manner.

9 G. The State Board of Elementary and Secondary Education shall formulate,
 10 develop, adopt, and fully implement ~~by not later than the beginning of the 1998-1999~~
 11 ~~school year~~ methods and procedures for use as part of the board's school-approval
 12 process to determine whether or not state laws and board policies regarding student
 13 discipline are being fully complied with by a school's administrators, teachers, and
 14 other employees. Any school determined not to be in compliance with such laws and
 15 procedures shall not be approved. The provisions of this Subsection shall not apply
 16 to private nonpublic schools.

17 H.(1) ~~Effective for the 1997-1998 school year and thereafter, no pupil~~ No
 18 student shall be disciplined in any manner by the governing authority of a public
 19 elementary or secondary school or by any public elementary or secondary school
 20 administrator, teacher, or other school employee for the use of force upon another
 21 person when it can be reasonably concluded that the use of such force more probably
 22 than not was committed solely for the purpose of preventing a forcible offense
 23 against the pupil student or a forcible offense provided that the force used must be
 24 reasonable and apparently necessary to prevent such offense.

25 (2) A pupil student who is the aggressor or who brings on a difficulty cannot
 26 claim the right provided by this Subsection to defend himself.

27 I.(1) ~~Effective beginning with the 1999-2000 school year and thereafter, any~~
 28 Any public school administrator and any administrator's designee who is required to
 29 make a recommendation, decide an issue, or take action in a matter involving the
 30 discipline of a pupil student shall both recuse themselves from doing so whenever

1 a member of the immediate family of the school administrator or of the
 2 administrator's designee is involved in any manner in the recommendation to be
 3 made, the issue to be decided, or the action to be taken. In case of such recusal, the
 4 recommendation shall be made by, the issued decided by, or the action taken by the
 5 ~~school system~~ superintendent or an impartial designee of the superintendent.

6 (2) For the purposes of this Subsection, immediate family means the
 7 individual's children, brothers, sisters, parents, and spouse and the children, brothers,
 8 sisters, and parents of the spouse.

9 J.~~(H)~~ Notwithstanding the provisions of this Section or any other provision
 10 of law, a student enrolled in grades prekindergarten through five shall not be
 11 suspended or expelled from school or suspended from riding on any school bus for
 12 a uniform violation that is not tied to willful disregard of school policies.

13 ~~(2) Notwithstanding any other provision of law to the contrary, this~~
 14 ~~Subsection shall apply to charter schools. Furthermore, no charter school shall~~
 15 ~~suggest to a parent that it has the authority to suspend or expel a student for a~~
 16 ~~uniform violation that is not tied to willful disregard of school policies.~~

17 K. For the purposes of this Section, "virtual instruction" means instruction
 18 provided to a student through an electronic delivery medium including but not
 19 limited to electronic learning platforms that connect to a student in a remote location
 20 to classroom instruction. A city, ~~or~~ parish, or other local public school board
 21 discipline policy shall clearly define the rules of conduct and expectations of
 22 students engaged in virtual instruction, shall provide for notice of such rules and
 23 expectations to the parents and guardians of students, shall include clearly defined
 24 consequences of conduct, shall be narrowly tailored to address compelling
 25 government interests, and shall take into consideration the students' and their
 26 families' rights to privacy and other constitutional rights while at home or in a
 27 location that is not school property. The provisions of this Section herein related to
 28 mandatory recommendation for expulsion shall not be applied to virtual instruction
 29 received by a student in the student's home.

1 L. Each city, parish, or other local public school board shall maintain and
 2 administer student codes of conduct that meet the minimum requirements of the
 3 model master discipline plan as provided in R.S. 17:252. Codes of conduct shall
 4 include progressive levels of minor through major infractions and identify
 5 corresponding minor through major interventions and consequences. Before an
 6 initial referral for a student's expulsion, codes of conduct shall require the prior
 7 administration of interventions in accordance with the minor tiers in the code of
 8 conduct, except in instances where the expulsion referral is the result of accumulated
 9 minor infractions in accordance with the code of conduct, or the underlying incident
 10 threatens the safety and health of students or staff. Expulsions shall be reserved for
 11 the major tier of behavioral infractions involving weapons or drugs, or when the
 12 safety of students and staff has been put in jeopardy.

13 M. The state Department of Education shall publish annually and publish on
 14 its website data regarding disciplinary removals disaggregated at the state, system,
 15 and school level and also disaggregated and capable of cross-tabulation by the
 16 characteristics of gender, race, disability, English language learner status, and
 17 economically disadvantaged status. In reporting such data, the department shall
 18 comply with all federal and state privacy laws and shall strive to ensure that all
 19 relevant state accountability metrics are valid and reliable.

20 N. A public school governing authority that maintains a parish-wide student
 21 expulsion process as required by R.S. 17:10.7.1(E)(4) may maintain and develop
 22 policies and procedures for student expulsions without regard to the requirements of
 23 this Section.

24 * * *

25 §3996. Charter schools; exemptions; requirements

26 * * *

27 B. Notwithstanding any state law, rule, or regulation to the contrary and
 28 except as may be otherwise specifically provided for in an approved charter, a
 29 charter school established and operated in accordance with the provisions of this
 30 Chapter and its approved charter and the school's officers and employees shall be

1 exempt from all statutory mandates or other statutory requirements that are
2 applicable to public schools and to public school officers and employees except for
3 the following laws otherwise applicable to public schools with the same grades:

4 * * *

5 (40) ~~Prohibits suspension or expulsion of students in grades prekindergarten~~
6 ~~through five~~ Discipline of students, R.S. ~~17:416(J)~~ 17:416 and 416.2.

7 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____