



WHAT TO DO IF YOUR STUDENT'S SCHOOL DISCIPLINE RIGHTS HAVE BEEN VIOLATED?

Types of School Discipline In-School Suspension, Out-of-School Suspension, Expulsion, unilateral transfers to alternative education programs/settings

➔ Right to Informal Immediate Conference

➤ Student's Rights:

- Be informed of the accusations against them
- Explain their side of the story
- Refuse to answer questions without an adult present
- Have their schoolwork sent home

➤ Parent's Rights:

- Be notified of the reasons for suspension via phone or mail
- Be notified of the scheduling of the suspension conference

➔ Right to Formal Expulsion Hearing before the Hearing Officer

- The parent/guardian has the right to be contacted by telephone or certified letter giving notice of the suspension with recommendation of expulsion
- The student will remain suspended until the hearing
- The student has the right to be accompanied by an advocate of their choice at the hearing

➔ Right to Conference with Parents and Administration

- A parent/guardian must attend a suspension conference within five days of being contacted. If you don't attend or respond your child could be found truant or be prevented from returning to school.

➔ Right to Appeal

- You have the right to appeal within five calendar days.
- To appeal a suspension:
 - Contact the district hearing officer
 - The Superintendent's Office will make the decision, the decision is final
- To appeal an expulsion:
 - Contact a district hearing officer
 - The school board will review the case and may reverse, maintain or modify the expulsion
 - If the school board upholds the expulsion the parent/guardian have 10 days to appeal to the Parish District Court

Undocumented Suspensions when a student is sent home early for disciplinary purposes or asked not to return to school for some time.

- ➔ Ask for documentation from the school to create your own documentation
- ➔ If the problems persist, know who to contact from the school district
- ➔ Review process for your school's disciplinary actions that are not suspensions or expulsions

For more information on your rights see La. Rev. Stat. Ann. § 17:416.

What to do if your student is subject to a school-based arrest

A **school-based arrest** is the arrest of a student for any action that occurs on school grounds, during off-campus school activities (such as on a school bus), or due to a referral by any school official.

All school-based arrests are considered **referrals to law enforcement**.

A **referral to law enforcement** occurs when a student is reported to any law enforcement agency (including school police units), for any incident that occurs on school grounds, on school transportation, or during school related events, whether or not official action is taken. They can come in the form of: citations, tickets, court referrals, and school-based arrests.

If arrested, your student has the right **not** to:

- ➔ Answer questions without a parent or guardian present.
- ➔ Sign anything without a parent or guardian present

A parent has the right to be notified of the arrest if:

- ➔ The student is 16 or younger for **any** crime.
- ➔ The student is 17 or younger for **non-violent** crimes.

If you have any questions, contact Children's Rights at Southern Poverty Law Center at 504-526-1532