

08/16/2006 “See News Release 044 for any Concurrences and/or Dissents.”

SUPREME COURT OF LOUISIANA

No. 2006-CC-1981

B.W.S., JR.; T.A.S. AS ADMINISTRATORS OF THE ESTATE OF M.T.S.

Versus

**LIVINGSTON PARISH SCHOOL BOARD AND RANDY POPE
SUPERINTENDENT OF LIVINGSTON PARISH SCHOOL BOARD,
CECIL PICARD, LOUISIANA DEPARTMENT OF EDUCATION STATE
BOARD OF ELEMENTARY AND SECONDARY EDUCATION**

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL
FIRST CIRCUIT, PARISH OF LIVINGSTON**

JOHNSON, J. would deny the writ application for the following reasons:

The loss of an entire school year is a tremendous hardship. Expulsion from the system is the most severe punishment, and I doubt that expulsion was warranted from the facts presented here.

In the event of expulsion, LA. REV. STAT. § 17:416(A)(2)(c) mandates that the local school district provide an alternative education to the expelled student. The Livingston Parish School District has not only ignored the statutory mandates, the system has refused to cooperate with the family’s effort at home schooling.

I would affirm the action taken by the court of appeal rather than cause this student any additional irreparable injury. The course suggested by the majority may very well result in this student losing a second school year.