

TO: Members, Calcasieu Parish School Board

FROM: Gary Anderson. Assistant Superintendent
Human Resources/Auxiliary Services

DATE: March 7, 2008

SUBJECT: **Administrative and Personnel Committee Meeting**

Mr. Bill Jongbloed, Chairman, has called an Administrative and Personnel Committee Meeting for **Tuesday, March 11, 2008 at 4:45 p.m.** in the Board Room at 1732 Kirkman Street, Lake Charles, Louisiana.

AGENDA

- | | |
|--------------------------------------|---------|
| 1. Just for Jesus Rally | page 2 |
| 2. Standardized Participation | page 3 |
| 3. Policy Updates | page 5 |
| <i>GBRA Employee Conduct</i> | |
| <i>JGCE Child Abuse</i> | |
| 4. Public Participation, Policy BCBI | page 13 |
| 5. Proposed Alcohol/Drug Policy | page 15 |

GA/dv

Administrative Staff
Legal Counsel

Internal Auditor
Publications

Administrative and Personnel Committee:

Bill Jongbloed, Chair	Dale Bernard
Mack Dellafosse, Vice-Chair	James Karr
Fred Hardy	Billy Breaux
Annette Ballard	Clara Duhon
Chad Guidry	

AGENDA ITEM # 1

JUST FOR JESUS RALLY

James Bertrand

AGENDA ITEM # 2

Standardized Participation



Sulphur High School

100 Sycamore Street • Sulphur, LA 70663

(337) 527-5145 PHONE • (337) 528-7687 FAX

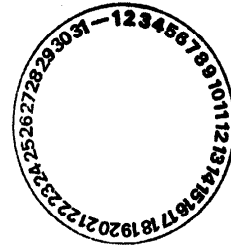
Keith Bonin
Principal

Andrew B. Patton Barbara R. Culpepper David D. Pool
Assistant Principals

A committee made up of principals from the following schools Bell City, Iowa, Sulphur, Vinton, Wash. Marion, Westlake and Don Caldwell came to a consensus; Only disciplinary infractions occurring during the current school year can be held against the student while trying out for a club or organization.

Respectively

Keith Bonin
Principal Sulphur High



Home of the Golden Tornado

AGENDA ITEM # 3

Policy changes generated by legislative session.

Policy GBRA: *Employee Conduct*, incorporates the provisions of a new criminal statute prohibiting sexual conduct between an “educator” and a student. (page 6)

Policy JGCE: *Child Abuse*, addresses changes in the definition of one of its term regarding a caretaker as an operator or employee of a registered family child day care home. (page 8)

EMPLOYEE CONDUCT

The Calcasieu Parish School Board believes the teaching profession occupies a position of public trust involving not only the individual teacher's personal conduct, but also the interaction of the school and the community. Education is most effective when these many relationships operate in a friendly, cooperative, and constructive manner. A teacher's conduct, as well as the conduct of all employees throughout the school district, should meet acceptable standards of the community and show respect for the law and the rights of others.

All employees have the responsibility to be familiar with and abide by the laws of the state, the policies and decisions of the Calcasieu Parish School Board, and the administrative regulations and procedures designed to implement Board policies. Employees shall also comply with the standards of conduct set out in this policy and with any other policies, regulations, procedures, or guidelines that impose duties, requirements, or standards of conduct attendant to their status as School Board employees.

Employees shall be expected to observe at least the following standards of conduct:

1. Be courteous to students, one another, and the public and conduct themselves in a professional and ethical manner.
2. Recognize and respect the rights and property of students, other employees, and the public.
3. Maintain confidentiality of all matters relating to students and other employees.
4. Demonstrate dependable attendance and punctuality with regard to assigned activities and work schedules.
5. Observe and adhere to all terms of an employee's contract or job description.
6. Strive to keep current and knowledgeable about the employee's area of responsibility.
7. Refrain from promoting personal attitudes and opinions for matters other than general discussion.
8. Refrain from using undue influence to gain, or attempt to gain, promotion, leave, favorable assignments, or other individual benefit or advantage.
9. Advocate positive personal behavior on or off campus and attempt to avoid improprieties or the appearance of improprieties.

While the operation of the Parish School Board and its schools is governed by the provisions of this and all other Board policies, regulations, and procedures, as well as procedures of the individual schools, no policy manual can list each and every instance of misconduct that is precluded. Accordingly, employees are cautioned that the appropriateness of certain action or behavior must necessarily be dictated by the nature of the position held by the employee and standards of common sense. By virtue of one's education and experience, an employee knows and understands that certain actions or conducts are unacceptable even in the absence of formal Board policy. For instance, without the need of a specific prohibition or warning, a classroom teacher should be aware of the impropriety of certain practices such as leaving students unattended, using profanity or sexually suggestive language, or bringing a firearm onto campus. Such conduct constitutes both incompetence and willful neglect of duty. Such conduct, as well as violation of any state or federal law or Board policies, regulations, or procedures, or school regulations or procedures, shall result in the imposition of discipline up to and including termination.

PROHIBITED SEXUAL CONDUCT

Employees shall be prohibited from engaging in any form of sexual conduct with students. In particular, it is a violation of criminal statutes for any educator, which includes any administrator, coach, instructor, teacher, paraprofessional, teacher aide, or student aide, to engage in sexual conduct, as defined in La. Rev. Stat. Ann. §14:81.4 with a student who is seventeen (17) years of age or older, but less than nineteen (19) years of age.

Notwithstanding any claim of privileged communication, any educator, having cause to believe that prohibited sexual conduct has occurred between another educator and a student, shall be required by state law to immediately report such conduct to a local or state law enforcement agency.

NOTIFICATION BY EMPLOYEES

Teachers and/or any other School Board employee shall be required, in accordance with state and federal statutory provisions, to notify the Board upon conviction of certain crimes.

- A. A teacher or any other School Board employee shall report any final conviction or plea of guilty or *nolo contendere* to a crime enumerated in La. Rev. Stat. Ann. §15:587.1, except La. Rev. Stat. Ann. §14:74, to the School Board within forty-eight (48) hours of conviction.
- B. A teacher or any other School Board employee shall notify the School Board of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

Revised: September, 2006

Revised: November, 2007

Ref: 41 USC 702 (*Drug-Free Workplace*); La. Rev. Stat. Ann. §§14:81.4, 17:15, 17:81; *Sylvester v. Cancienne*, 95-0789 (La. App. 1st Cir. 11/9/95), 664 So.2d 1259; *Howard v. West Baton Rouge Parish School Board*, 2000-3234 (La. 6/29/01), 793 So.2d 153; *Spurlock v. East Feliciana Parish School Board*, 03-1879 (La. App. 1st Cir. 6/25/04), 885 So.2d 1225; Board minutes, 9-17-02, 2-6-07.

FILE: JGCE
Cf: JDA, JG

CHILD ABUSE

The Calcasieu 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 their occupational duties: teacher, teacher's aide, instructional aide, school principal, and school staff member. *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.
 - (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 local 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. 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(14.1). 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 inservice 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 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 Calcasieu 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: September, 2004

Revised: November, 2007

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, 4-2-93, 5-11-04, 12-7-04.

AGENDA ITEM # 4

Public Participation

Policy BCBI

All requests to speak before the board must be submitted in writing to the Superintendent eight working days prior to the meeting date.

FILE: BCBI
Cf: BCBD
Cf: BCBK
Cf: BCBI-AP

PUBLIC PARTICIPATION

The Board shall conduct all meetings in full view of and with welcome participation by the public. All delegations or individuals who wish to appear before the Board shall submit their requests in writing to the Superintendent at least eight (8) [working](#) days prior to the meeting date, stating the matter they wish considered by the Board and the approximate time such matter should consume at the meeting. Such items may be included on the agenda of the meeting at which the delegation or individual wishes to appear before the Board. Each delegation appearing before the Board shall select one (1) person in advance as its spokesman.

After the agenda is set and published, all delegations or individuals who wish to comment on any agenda item must submit their requests, in writing, to the Superintendent prior to the convening of the meeting, stating what agenda item they wish to address. A procedure of general consent may be used for Board action but that procedure shall not preclude public participation or public comment as provided for in this policy. Each delegation appearing before the Board shall select one (1) person in advance as a spokesperson.

The Board reserves the right to recess into or call executive sessions as provided by state law. At no time will actions be taken or resolutions made during executive sessions.

The Board may have removed from a Board meeting any person or persons who willfully disrupt a meeting to the extent that orderly conduct of the meeting is seriously compromised.

Revised: December, 1997
Revised: October, 1999

Ref: La. Rev. Stat. Ann. §§17:81, 42:5, 42:5.1, 42:6; Board minutes, 3-7-95, 3-21-95, 10-21-97.

Calcasieu Parish

AGENDA ITEM # 5

EMPLOYEE ALCOHOL, DRUG, AND SUBSTANCE ABUSE

New Proposed CPSB Policy: GAME

A committee researched other school district's policies to recommend to the Board an employee alcohol, drug and substance abuse policy.

EMPLOYEE ALCOHOL, DRUG, AND SUBSTANCE ABUSE

The Calcasieu Parish School Board, sometimes thereafter referred to as the School Board, has a strong commitment to its constitutionally mandated mission to provide a safe work force and to establish policies promoting high standards of employee health and safety. In keeping with these commitments, it is the School Board's intent to maintain a drug/alcohol-free work force.

Employees are expected to report to work in a physical and emotional condition that will allow them to perform their assigned tasks in a competent and safe manner. The use, abuse, presence in the body, or reporting to work under the influence of alcohol, drugs, and other substances by an employee limits the ability of the user to exercise good judgment, react properly in unexpected situations, perform tasks safely and efficiently, and endangers not only that employee, but fellow employees, the students, and the general public. The Calcasieu Parish School Board has implemented this policy to eliminate these problems and to meet the following objectives:

1. PURPOSE AND OBJECTIVES
 - a. To assist in maintaining a safe and healthful working environment for employees of the Calcasieu Parish School Board.
 - b. To maintain a drug/alcohol-free workplace and a drug/alcohol-free work force.
 - c. To provide counseling and/or rehabilitation assistance for employees when appropriate.
 - d. To prevent accidental injuries and to protect property.
 - e. To prevent the occurrence of incidents, the consequences of which may drastically affect the safety and of School Board operations.
 - f. To minimize absenteeism and tardiness.
 - g. To improve productivity and to ensure quality work.
 - h. To protect the reputation of the School Board and employees within the community.
 - i. To protect the community and the general public.

This policy shall apply to all regular and part-time employees as well as those positions that would be labeled as safety-sensitive or security-sensitive positions. (La. Rev. Stat. Ann. 49:1015)

This would include positions where: a hazardous condition or practice in the workplace could result in a potential danger which could reasonably cause death or physical harm to individuals, operation of machinery and equipment could cause serious injury to individuals in the work area, or public safety demands that employees carry deadly weapons in the course and scope of their duties and must be prepared to make clear-headed instant decisions that could cause injury or death. Positions in this would include nurses, nurse supervisor, police officers, or security guards.

The following are examples of safety-sensitive and security-sensitive positions:

- Positions with duties that are required or authorized to carry a firearm;
- Positions with duties that allow access to controlled substances (drugs);
- Positions with duties that are required or are authorized to inspect, handle, or transport hazardous waste as defined in La. Rev. Stat. Ann. 30.2173 (2) or hazardous material as defined in La. Rev. Stat. Ann 32:1502 (5);
- Positions with duties that require operating or maintaining any heavy equipment or machinery.

2. SCHOOL BOARD PREMISES

For the purposes of this policy, the term "School Board's premises" for the Calcasieu Parish School Board includes all property, offices, facilities, land, platforms, buildings, structures, fixtures, installations, automobiles, trucks, buses, and all other vehicles and equipment, whether owned, leased or used. This policy also includes all areas under the School Board's control, any other work location or mode of transportation to and from those locations during working time (while in the course and scope of Calcasieu Parish School Board employment or pay status, and while on any activity for the Calcasieu Parish School Board such as athletic events or field trips. This list is illustrative and not exclusive.)

3. SCHOOL BOARD STATEMENT

This is to notify all employees that the use, abuse, presence in the body, reporting to work under the influence, bringing onto the School Board's premises, possession, transfer, storage, concealment, transportation,

promotion or sale of illegal and unauthorized drugs and substances or illegal drug related paraphernalia by employees and others is strictly prohibited out the School Board's premises, or while on School Board business. Prohibited substances are defined and explained as follows:

a. Possession or use by an employee any substance in Schedules I, II, III, IV, and V or La. Rev. Stat. Ann. 40:964, presently or as amended, and any substance added to the schedules pursuant to La. Rev. Stat. Ann. 40:962 presently or as amended, is a violation of this policy. These substances will be hereinafter be referred to as *controlled substances*. Possession and use of controlled substances pursuant to a valid prescription is not a violation of this Section, but is subject to Section C below.

b. UNAUTHORIZED ALCOHOLIC OR INTOXICATING BEVERAGES

An employee whose blood alcohol concentration if 0.04 or greater during working time is in violation of this policy.

c. PRESCRIBED CONTROLLED SUBSTANCES

1. Employees who have been informed that medication could cause adverse side effects while working or who prescription indicates such warning, shall inform their supervisor prior to using such substances on the job. Employees shall possess only a reasonable amount of medication.
2. The employee shall not consume prescribed drugs more often than prescribed by the employee's physician.
3. The employee whose name appears on the prescription label shall not allow another person to consume his/her prescribed drugs.
4. All medicine shall be in its original container and shall be in the employee's name, and shall have the doctor's name and prescription number on the label.
5. Each prescription shall be no older than one (1) year of the date issued.

The use of drugs/medicine prescribed by a licensed physician for the individual employee is permitted provided that it will not affect work performance and provided it is possessed and used in accordance with this policy and as prescribed.

However, the School Board, at all times, reserves the right to have a licensed physician determine if use of a prescription drug of medication by an employee

produces effects which may increase the risk of injury to the employee or others while working. If such finding is made, the School Board reserves the right to limit or suspend the work activity of the employee during the period that the physician advised that the employee's ability to perform his/her job safely may be adversely affected by the consumption of such medication.

Compliance with this policy is a condition of continued employment.

4. INVOLUNTARY TESTING SITUATIONS

The School Board reserves the right to require employees to submit to unannounced medical or physical examinations or test including, but not limited to, the urine drug test or other examinations to determine the presence of any illegal or unauthorized drugs, alcohol or other substances prohibited by this policy. These unannounced tests may be utilized under the following circumstances:

- a. REASONABLE SUSPICION TESTING shall be used when there is reasonable suspicion that an employee's behavior, performance, error in judgment, accident or incident, or unsafe actions while working is related to substance abuse. Under these circumstances, the employee shall not ride from the place of employment to the testing site alone.
- b. POST ACCIDENT OR INCIDENT TESTING may be used if an employee suffers an occupational on-the-job injury or causes injury to a fellow employee. An employee who is seriously injured and cannot provide a specimen at the time of the accident shall provide the necessary authorization for obtaining hospital reports and other documents that would indicate whether there was any alcohol or drugs in his/her system.
- c. PRE-EMPLOYMENT TESTING shall be required of an applicant or candidate as a condition of employment prior to being approved to work at the Calcasieu Parish School Board. The cost of the initial test shall be the responsibility of the School Board. The costs of any confirmation of the initial test results shall be the responsibility of the applicant or candidate.

All urine and blood sampling will be performed with concern for each employee's personal privacy, dignity and confidentiality. Substance abuse testing will not be done in conjunction with the periodic physical examination program.

5. NOTICE OF DISCIPLINARY ACTION FOR POLICY VIOLATIONS

Failure to comply with the provisions of the policy shall be grounds for

disciplinary action. Discharge from employment may occur even for a first-offense violation. Violations for which an employee shall be subject to discipline, up to and including termination, include but are not limited to:

- a. Possession of controlled substances without a prescription or sale of controlled substances while on School Board premises;
- b. Refusal to cooperate or to participate in his/her testing or sampling when required to do so under this policy;
- c. Substituting or tampering with a urine or blood sample required by this policy;
- d. Being arrested and convicted for any drug-related felony by a court of competent jurisdiction. As discussed in this policy, the term “drug-related” includes all substances discussed in Section 3 (a)-(c) of this policy;
- e. Testing positive or a substance prohibited by this policy as a result of confirmed urine or blood test required by this policy.

In the event if the necessity for an investigation of a policy violation, the employee may be placed on suspension pending review of the surrounding circumstances and facts concerning policy violations.

No adverse action shall be taken against any employee based on a confirmed positive test result if reasonable doubt exists as to either the accuracy of the result or the chain of custody of the sample, which doubt was not occasioned by the employee.

REHABILITATION AND DISCIPLINE AS A RESULT OF POLICY VIOLATION

As part of its disciplinary action against employees not terminated for violation of this policy, the School Board may require the employee to participate in School Board-approved drug and/or alcohol rehabilitation programs. As a condition of being allowed to participate in said programs, the employee shall allow the School Board access to the employees' program records. Refusal of the employee to participate in such a program or failure of the employee to comply with or to complete the program, for reasons not beyond the control of the employee, shall result in further disciplinary action including termination in accord with applicable law. Participation in such drug and/or alcohol rehabilitation programs shall be at the expense of the employee.

6. VOLUNTARY COUNSELING/REHABILITATION

The School Board wishes to avoid situations in which the employee would be subjected to involuntary drug/alcohol testing in accord with this policy.

Thus, the School Board encourages employees who feel they may have a drug/alcohol problem that could result in such involuntary testing to take steps to prevent the situation from becoming an involuntary test situation. To that end, even if an employee has not been subjected to involuntary drug/alcohol testing in accord with this policy, the employee is encouraged to voluntarily seek assistance from the School Board. No employee's job will be placed in jeopardy nor will any employee be subject to disciplinary action for voluntarily requesting assistance under this provision of the policy.

Confidential assistance may be requested from the Superintendent or his/her designated representative. An employee who seeks assistance shall be given a list of assistance programs which have been approved by the School Board. All costs associated with any counseling or rehabilitation shall be the sole responsibility of the employee. Any employee participating in a counseling/rehabilitation program shall be expected to maintain satisfactory job performance.

Confidentiality in accordance with the School Board's policies shall be followed regarding such counseling or a rehabilitation program. When it becomes necessary for an employee to undergo appropriate treatment under a prescribed rehabilitation program, absences will be handled in accordance with the School Board's existing policies or agreements regarding disability, sick leave, or leave of absence.

7. ADMINISTRATION

Testing shall be conducted in accordance with Chapter 17 of Title 49 of the Louisiana Revised Statutes, presently or as amended, and with the procedures of the Mandatory Guidelines for Federal workplace Drug Testing Programs, presently or as amended.

Specific administrative procedure will be reviewed by the School Board Superintendent prior to implementation of the procedures. This policy does not supersede or replace existing School Board policy or procedures pertaining to discipline, but is complimentary thereto.

This policy shall be amended from time to time to ensure continued compliance with the requirements of Federal and State law. Amendments and exceptions to the policy must have prior approval of the majority of the School Board members.

Those employees with drugs and alcohol abuse problems make up only a small fraction of the work force, and the Calcasieu Parish School Board regrets any inconvenience that may be caused to the many non-abusers by the problems of the few. It is believed, however, that the benefits derived from the prevention of accidents, the greater safety of employees and the general public and the rehabilitation or discharge of those who, because of alcohol or drugs, are a potential danger to others, will more than make up

for any inconvenience.

All employees of the Calcasieu Parish School Board shall attend a yearly one hour safe and drug-free awareness program. Employees shall be given a copy of this policy and shall be required to acknowledge receipt of and understanding of it. Failure to complete these requirements shall constitute a violation of the Safe and Drug-Free Workplace Policy.

8. SEVERABILITY

If any part or portion of this policy is held by any body of authority or court of competent jurisdiction to be invalid for any reason whatsoever, then, in that event, only that part or portion so declared to be invalid shall be so, and the remaining parts or portions not so declared shall remain in full force and effect.

9. POLICY FOR CONTRACTORS AND SUBCONTRACTORS

The Calcasieu Parish School Board Alcohol, Drug and Substance Abuse policy applies not only to its own employees, but equally to all employees of contractors and subcontractors while in the scope of contract employment or on School Board premises.

10. EMPLOYER RESERVATION OF RIGHTS

The Calcasieu Parish School Board reserves the right to amend, interpret, change, rescind, or depart from this written policy in whole or in part. The employee shall be notified in writing of any such changes.

Ref: Omnibus Transportation Employee Testing Act of 1991, Federal Motor Safety Regulations, PL 102-143 (Title V); 49 CFR 40 et seq.; 49 CFR10, 382, 391, 394; LA. Rev. Stat. Ann “17:81, 23:1081, 23:1601, 49:1001 et seq.