



TO: Members, Calcasieu Parish School Board

FROM: Shannon LaFargue, Chief Operations Officer
Human Resources/Auxiliary Services

DATE: February 26, 2019

SUBJECT: Administrative and Personnel Committee Meeting

Mr. Eric Tarver, Chairman, has called an Administrative and Personnel Committee Meeting for **Tuesday, February 26, 2019** at 5:00 p.m. in the Board Room at 3310 Broad Street, Lake Charles, Louisiana.

AGENDA

1. **Updated CPSB Policies**
 - a. **Policy DFD – Tax and Bond Elections and Sales**
 - i. **Act 486 changed the minimum number of days required to advertise the time, date, and place of the meeting at which public entities intend to propose a new ad valorem property tax or sales and use tax, or increase or renew any existing ad valorem property tax or sales and use tax from thirty days to twenty days. The Act became effective August 1, 2018.**
 - b. **Policy DJE – Purchasing**
 - i. **Act 306 further clarifies and reinforces that equipment can be purchased through a qualified Group Purchasing Organization. The Act also added that the price list used by the Organization, which is not a public record and not available for public inspection, shall become a public record when the purchase contract is executed with the Organization.**
 - c. **Policy GAEAA – Sexual Harassment**
 - i. **The prevention of sexual harassment was a big issue in the 2018 Legislative session. Most school boards already have sexual harassment policies for employees or students, or both, the provisions of Act 270 resulted in some revisions to the policy such as annual training, notification of the policy, completion of an annual report by the Superintendent regarding the school board’s compliance, and the posting of the policy on the school system’s website.**
 - d. **Policy GBC – Personnel Recruitment**
 - i. **Act 634 requires the dismissal of an administrator, teacher or substitute teacher who has been convicted of any felony offense, and any other school employee who has been convicted of offenses listed in La. RS 15:587.1. Also, the Act prohibits the School Board from hiring anyone as a bus operator, substitute bus operator, janitor, or as a temporary,**

part-time, or permanent school employee of any kind, who has been convicted or plead no contest to any crime listed in La. RS 15:587.1 The Act does not permit the School Board to hire a person as a teacher who has been convicted of or plead no contest to a felony not listed in La. RS 15:587.1. In addition, a person may no longer be hired temporarily pending the results of the criminal background check.

- e. **Policy JBCC – Student Assignment**
 - i. Act 634 includes language which states that at the request of a student’s parent or legal guardian, a student shall be removed from the class of any teacher who has a felony conviction and placed in another class.
- f. **Policy GBD – Employment of Personnel**
 - i. Act 699 requires the School Board to notify the most tenured school bus operator of a route vacancy by mail to his/her residence.
- g. **Policy GBDA – Employment of Retired Personnel**
 - i. Act 492 redefines critical shortage to mean any situation in which the school board has advertised and posted notice of unfilled positions and has received fewer than three certified applicants. The Act also expands the reemployment-eligible critical shortage positions to include pre-kindergarten teacher, interpreter, educational transliterator, or educator of deaf or hard of hearing.
- h. **Policy GBRIB – Sick Leave –**
 - i. The passing of Act 631 shall grant regularly employed teachers sick leave for the adoption of a child, not to exceed thirty days.
- i. **Policy GBRIC – Maternity and Adoptive Leave**
 - i. Act 631 allows for the thirty days of additional extended sick leave that may be granted to a teacher on maternity leave has been expanded to maternity leave as well.
- j. **Policy GBD – AP – Staff Hiring – Administrative Procedures**
 - i. The language in the policy has been modified to include current job titles and also updates the procedures to match the on-line application requirements.

Administrative and Personnel Committee:

Eric Tarver, Chair
Fred Hardy, Vice Chair
Annette Ballard
Bliss Bujard
Russell Castille
Mack Dellafosse
John Duhon
Aaron Natali
Dean Roberts
Alvin Smith
Desmond Wallace

Other Board Members:

Billy Breaux
Glenda Gay
Damon Hardesty
Ron Hayes

**Agenda Item #1a
Legislative Policy Updates
DFD – Tax and Bond Elections and Sales**

**FILE: DFD
Cf: DE, DFA**

TAX AND BOND ELECTIONS

The Calcasieu Parish School Board shall call elections for the public to vote on tax or bond revenue issues. Every bond, tax, or other election at which a proposition or question is to be submitted to the voters shall be held only on one of the dates set forth by state law or upon proper application to and approval of the State Bond Commission on a date not provided by statute. The proposition placed on the ballot submitted to the voters in any bond election shall state the kinds and sources of revenues which shall be pledged to retire the bonds, should the proposition be successful.

Public notice of the date, time, and place of any meeting at which the School Board intends to ~~levy~~ propose, increase, or renew any ad valorem property tax or sales and use tax, and ~~or~~ authorize the calling of an election for submittal of such question to the voters shall be both published in the official journal of the School Board no more than sixty (60) days nor less than ~~thirty (30)~~ twenty (20) days before such public meeting and shall be announced to the public during the course of a public meeting no more than sixty (60) days nor less than ~~thirty (30)~~ twenty (20) days before such public meeting; and notice of such meeting shall be written and hand delivered or transmitted by email to each voting member of any governing authority of a political subdivision that is required to approve such a measure previously adopted by another governing authority and to each state senator and representative in whose district all or a portion of the political subdivision is located, no more than sixty (60) days nor less than ~~thirty (30)~~ twenty (20) days before such public meeting. Email delivery shall be made to the official email address of such voting members or legislators and to any other address provided in writing to the School Board by such a voting member or legislator.

If such a meeting is postponed or cancelled, notice of any subsequent meeting to consider taking action regarding property or sales taxes shall be published in the School Board's official journal no less than ten (10) days before the subsequent meeting.

If consideration of or action upon the tax proposal is postponed, or if no action was taken regarding the tax proposal, then ~~notice of~~ any subsequent meeting to consider the tax proposal shall be subject to the provisions of the above second paragraph of this policy. ~~published no less than ten (10) days before the subsequent meeting, unless the date, time, and place of the subsequent meeting was announced to the public during the meeting.~~

If, at a meeting held in accordance with above provisions, the School Board adopts such a measure, the provisions shall not apply to a subsequent meeting if the only action taken at the subsequent meeting is one which results in a change to the previously adopted measure that reduces the rate or term of the tax in the measure and thereby reduces the

total amount of tax that would be collected under the measure, or substantially reduces the cost to the School Board of any bond or debt obligation to be incurred by the School Board.

On the date and at the hour and place specified in the notice of election, the School Board, in public session, shall examine and canvass the returns and declare the result of the elections. The result shall be promulgated by one publication in the official journal of the School Board.

SALE OF BONDS

~~If approved by the electorate, the School Board shall adopt a resolution providing for the issuance of school bonds within a particular bonding district. Said issuance of bonds shall prescribe the form and fix the maturities thereof, and provide for the payment of said bonds in principal and interest.~~

After an election authorizing the School Board issuance of bonds, the School Board may proceed to issue the bonds within the parameters approved by the electors. The School Board shall have the authority to adopt all procedures necessary for the authorization, sale, and delivery of bonds, including the right to enter into all contractual arrangements as may be necessary to effectuate the purpose for which the bonds are being issued under terms determined by the School Board.

Bonds issued may be sold at a public or private sale upon such terms, in the manner and by following such procedures as may be determined by the School Board. No bond issued shall be required to be registered with the secretary of state or any other office or official.

All bonds shall be advertised for sale on sealed bids, which advertisement shall be published at least once a week for three (3) weeks, the first publication to be made at least fifteen (15) days preceding the date fixed for the reception of bids. Advertisement shall be in the official journal of the governing authority at least fifteen (15) days before the date fixed for the reception of bids. Notice of sale shall also be published once a week for three (3) weeks preceding the date fixed for the reception of bids, either in a financial paper published in the city of New York or the city of Chicago, or in a newspaper of general circulation published in a city of the state of Louisiana having a population of not less than twenty thousand inhabitants, according to the last federal census.

~~The School Board may reject any and all bids. If the bonds are not sold pursuant to the advertisement, they may be sold by the School Board by private sale, within sixty (60) days after the date advertised for the reception of sealed bids, but no private sale shall be made at a price less than the highest bid which shall have been received. If not sold, the bonds shall be readvertised in the manner prescribed above.~~

Revised: May, 2011

Revised: October 8, 2013

Revised: February 10, 2015

Revised: December, 2018

Ref: Constitution of Louisiana, Art. VI, Sec. 30, Sec. 33; La. Rev. Stat. Ann. "18:1281, 18:1282, 18:1283, 18:1284, 18:1285, 18:1286, 18:1293, [39:503](#), [39:505](#), [39:521](#), 39:570, 39:1421, 39:1422, 39:1423, 39:1424, 39:1424.1, 39:1425, 39:1426, 39:1427, 39:1428, 39:1429, 42:19.1; Board minutes, 2-7-12, 10-8-13, 2-10-15.

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**Agenda Item #1b
Legislative Policy Updates
DJE – Purchasing**

**PURCHASING FILE: DJE
Cf: DI, DJE-AP, DJED**

Purchases of supplies, equipment, services and major repairs, including construction/ renovation public works contracts, shall adhere to rules and regulations set forth in applicable Louisiana Revised Statutes.

~~It shall be the policy of the School Board that~~ All purchasing for the school system to be paid from School Board funds shall be made by the Superintendent or his/her designee in conformance with existing regulations and procedures of the School Board and the laws pertinent to state and federal agencies. [Budget allocations for specific purposes shall constitute advance School Board approval for all purchases except in such cases as state law or School Board policy may require. No debt shall be contracted in the name of the Calcasieu Parish School Board without action by the School Board, except those items which are provided for in the regular budget.](#) All purchase orders shall be properly signed by the Superintendent or his/her designee.

Purchases shall be made at the lowest possible cost to the school system consistent with the system specifications of quality and service.

Each principal shall assure that purchases by the individual school shall be made in accordance with [applicable state and federal law, and administrative](#) regulations and procedures developed by the Superintendent and staff, and as further detailed in the School Board's handbook, *School Activity Funds, Principles and Procedures*.

No employee, officer or agent of the Calcasieu Parish School Board shall participate in the selection, award, or administration of a contract [or purchase of supplies, materials and equipment](#) if a conflict of interest, real or apparent would be involved. Such a conflict would arise when:

1. The employee, officer or agent;
2. Any member of their immediate family;
3. His or her partner or business associate;
4. An organization which employs, or is about to employ any of the above, has a financial or other interest in the firm selected for award.

The Calcasieu Parish School Board's employees shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subagreements. [All purchasing shall comply with the U.S. Department of Education Department General Administrative Regulations \(EDGAR\), the Louisiana Public Bid Law, the Louisiana Code of Governmental Ethics, the Louisiana Procurement Code, and applicable state or federal regulations.](#)

PROCUREMENT METHOD

[Depending on the funding source and purchase amount, the following procurement methods shall be used:](#)

Procurement Methods	Federal Requirement Uniform Grants Guidance Section 200.320	State Requirement Title 38 La. Bid Law R.S. 38:2212.1	State Requirement Title 39 La. Procurement Code R. S. 39:1551-1755 Executive Order: JBE 2017-18	Action required
Micro Purchases (new method)	Purchases less than \$10,000	Purchases less than \$1,000	Purchases less than \$5,000	Title 38 - Follow more restrictive state requirement.

	No competitive process required.	No competitive process required.	No competitive process required.	Title 39 - Follow more restrictive state requirement.
Small Purchases (informal)	\$10,000-\$250,000 Price or rate quotation from adequate number of qualified sources.	\$1,000 - \$10,000 3 or more quotes suggested but not required.	Purchases less than \$5,000 No competitive process required.	Title 38 - Follow more restrictive state requirement. Title 39 - Follow more restrictive state requirement.
		\$10,000 - \$30,000 Solicit 3 or more quotes.	\$5,000 - \$15,000 Solicit 3 or more quotes.	Title 38 and Title 39 Align with federal requirement.
			\$15,000 - \$25,000 Solicit 5 or more quotes.	Title 39 - Follow more restrictive state requirement.
Sealed Bids (formal advertising)	Exceeding \$250,000 Publicly bid and award to lowest responsible bidder.	Materials and Supplies Exceeding \$30,000 Public Works Exceeding \$154,450 Publicly bid and award to lowest responsible bidder.	Exceeding \$25,000 Refer to LA Procurement Code (R.S. 39:1551-1755)	Title 38 - Follow more restrictive state requirement. Title 39 - Follow more restrictive state requirement.
Competitive Proposals	Exceeding \$250,000 Request for Proposal from adequate number of sources; must have written method for selecting recipients.	Materials and Supplies Exceeding \$30,000 Public Works Exceeding \$154,450 Publicly bid and award to lowest responsible bidder.	Exceeding \$25,000 Refer to LA Procurement Code (R.S. 39:1551-1755)	Title 38 and Title 39 Follow more restrictive state requirement.
Noncompetitive Proposals – Sole Source Purchases	Sole source purchases are appropriate only under the circumstances listed below. These circumstances must be adequately documented. 1. The item procured is only available from a single source; 2. The purchase is in response to a public emergency that will not permit a delay resulting from the competitive process; 3. The purchase is expressly authorized by awarding or pass-through agency in response to written request from the School Board; or 4. After soliciting a number of sources competition is deemed inadequate. Process must be adequately documented.			

The School Board may choose by resolution to adopt the [Louisiana Procurement Code](#) in part or in its entirety. The School Board may also purchase from vendors with state contracts that have been pre-approved by the [Office of State Procurement \(OSP\)](#).

USE OF FEDERAL FUNDS

Procurement of materials and supplies made when using federally generated funds shall follow the appropriate procurement method as summarized in the above chart.

Solicitations from Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms

When spending federal funds, the Calcasieu Parish School Board shall take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps shall include:

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
2. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses and women's business enterprises;
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses and women's business enterprises;
5. Using the services and assistance, as appropriate, of such organizations as the Louisiana Economic Development Agency, and Small Business Administration and the Minority Business Development Agency of the United States Department of Commerce; and
6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs 1 through 5 of this section.

Exclusion or Rejection of Quotes or Bids

A contract award or a purchase made with federal funds shall not be made to parties listed on the government-wide exclusions in the *System for Award Management* maintained by the U.S. Government, which contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority.

USE OF STATE FUNDS

Procurement of materials and supplies when using state or locally generated funds shall follow the procurement method as summarized in the above chart. As noted in the chart, the procurement method may be dependent on whether the School Board has adopted the provisions of Title 38 or Title 39 of the Louisiana Statutes as it pertains to the actual purchase.

Financing Purchases

The School Board may finance the purchase of equipment or other movable property to be used by the School Board by entering into an installment sale, lease, or similar agreement with any lender or other person. Such agreement shall be subject to approval of the State Bond Commission in accordance with statutory provisions. No individual school or employee shall obligate the School Board without proper school system personnel knowledge and approval.

Use of State Contract

If equipment, materials or supplies are available from a State of Louisiana Contract, the Superintendent and/or his/her designee may approve the purchase without using one of the purchasing procedures outlined in statutory provisions, if advantageous to the School Board.

The School Board may also piggyback, or purchase materials and supplies on valid contracts of other political subdivisions. In doing so, the School Board shall obtain documentation from the other agency that clearly demonstrates the contract was previously bid and is a viable contract. The price paid by the School Board shall be the same as the contract's bid price.

Louisiana Procurement Code

State law authorizes School Boards to adopt all or any part of the Louisiana Procurement Code as contained in state statutes (La. Rev. Stat. Ann. '39:1551-39:1755). For proper and efficient operations, the Calcasieu Parish School Board may adopt, by resolution or otherwise, pertinent provisions of the Louisiana Procurement Code, accompanying administrative regulations as promulgated in the Louisiana Procurement Code, as well as guidelines and policies issued by the state's Office of State Purchasing relevant to the procurement of materials, supplies, merchandise, and other types of property.

Sole Source Provider

The School Board may award a contract for the purchase of supplies, services, or major repairs without competition when the Superintendent or designated employee has determined, in writing, that there is only one source for the supply, service, or major repair item(s) to be acquired. Pertinent procedures for purchasing such items from a sole source shall be as outlined in the State of Louisiana Office of State Purchasing's *Purchasing Rules and Regulations*, and as noted at the bottom of the *Procurement Method Chart* included above.

Qualified Group Purchasing Organizations

A qualified group purchasing organization means an organization, whether for profit or not for profit, of which two (2) or more public school districts are members and which solicits proposals or bids from vendors of **services**, materials, equipment, or supplies of the type and nature as may be purchased by a public school district or public school.

As provided in La. Rev. Stat. Ann. §38:2212.1, the School Board may enter into an agreement with: (A) one or more School Boards to form a qualified group purchasing organization; or (B) one or more qualified group purchasing organizations for the purchase of **services**, materials, equipment, and supplies, including installation thereof. Any such agreement shall require that the qualified group purchasing organization submit a price list for those materials, equipment, and supplies offered by it and that the prices quoted on the list remain in effect for a stated period of time of not less than three (3) months. Any such price list shall be considered, for all purposes, to be a valid and binding bid by the qualified group purchasing organization during the effective period of the agreement, and no additional bid by the qualified group purchasing organization is necessary.

The School Board may purchase [materials](#), equipment, [or supplies directly](#) from [or through](#) a qualified group purchasing organization if the price ~~for such equipment~~ is less than that for the same or substantially similar [materials](#), equipment, [or supplies](#) on the state [contract or](#) bid list.

Competitive Online Solicitation

The School Board may use a *reverse auction* or *competitive online solicitation process* on the Internet for the purchase of equipment, supplies, and other materials in lieu of the more formal bid process when the School Board's procurement officer determines that the electronic bidding is more advantageous and in the best interests of the School Board.

Prior to the use of a competitive online solicitation process, the School Board may require that:

1. Vendors register before opening dates and time, and as part of the registration, require that the vendors agree to any terms and conditions and other requirements of the solicitation.
2. Vendors be prequalified prior to placing bids and allow only bidders who are prequalified to submit bids.
3. The solicitation shall designate an opening date and time and the closing date and time. The closing date and time may be fixed or remain open depending on the structure of the item being bid.
4. At the opening date and time, the School Board shall begin accepting online bids and continue accepting bids until the bidding is officially closed. Registered bidders shall be allowed to lower the price of their bid below the lowest bid posted on the Internet until the closing date and time.
5. Bidders' identities shall not be revealed during the bidding process; only the successively lower prices, ranks, scores, and related bid details shall be revealed.
6. All bids shall be posted electronically and updated on a real-time basis.
7. The School Board shall retain the right to cancel the solicitation if it determines that it is in the School Board's best interest.
8. The School Board shall retain its existing authority to determine the criteria that will be used as a basis for making awards.

Adequate public notice for purchases using a reverse auction or competitive online solicitation process shall be given as follows:

1. The advertisement or notice shall be published two (2) times in a newspaper in the locality, the first advertisement to appear at least fifteen (15) days before the opening date of the reverse auction. In addition to the newspaper advertisement, the School Board may also publish an advertisement by electronic media available to the general public.
2. The first publication of the advertisement shall not occur on a Saturday, Sunday, or legal holiday.

VENDORS

The School Board shall seek business and bids from all eligible vendors, regardless of race, creed, color, sex, national origin, age or handicap. No favoritism shall be extended to any vendor. Each order shall be placed on the basis of quality, price and delivery; past services being a factor if all other considerations are equal.

No person officially connected with or employed by the School Board shall be an agent for, or have any pecuniary or beneficial interest in or receive any compensation or reward from any vendor for the sale of supplies, materials, equipment, services or public works contracts.

No employee of the School Board shall solicit or accept, directly or indirectly, anything of economic value as a gift or gratuity from any vendor representative or agent of a vendor, or a prospective vendor or contractor.

Revised: June, 2010

Revised: November, 2011

Revised: February 10, 2015

Revised: February 14, 2017

Revised: May, 2017

Revised: December 2018

Ref: 2 CFR 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards), 48 CFR 2.101 (Definitions); La. Rev. Stat. Ann. "33:4712.7, 38:2211, 38:2212, 38:2212.1, 38:2214, 38:2218, 38:2219, 38:2271, 38:321.1, 39:1551, 39:1552, 39:1553, 39:1554, 39:1554.1, 39:1556, 39:1557, 39:1558, 39:1597, 39:1710; School Activity Funds Principles and Procedures; Board minutes, 5-11-10, 2-7-12, 2-10-15, 2-14-17.

PURCHASING

**FILE: DJE
Cf: DI, DJE-AP, DJED**

Purchases of supplies, equipment, services and major repairs, including construction/ renovation public works contracts, shall adhere to rules and regulations set forth in applicable Louisiana Revised Statutes.

All purchasing for the school system to be paid from School Board funds shall be made by the Superintendent or his/her designee in conformance with existing regulations and procedures of the School Board and the laws pertinent to state and federal agencies. Budget allocations for specific purposes shall constitute advance School Board approval for all purchases except in such cases as state law or School Board policy may require. No debt shall be contracted in the name of the Calcasieu Parish School Board without action by the School Board, except

those items which are provided for in the regular budget. All purchase orders shall be properly signed by the Superintendent or his/her designee.

Purchases shall be made at the lowest possible cost to the school system consistent with the system specifications of quality and service.

Each principal shall assure that purchases by the individual school shall be made in accordance with applicable state and federal law, and administrative regulations and procedures developed by the Superintendent and staff, and as further detailed in the School Board's handbook, *School Activity Funds, Principles and Procedures*.

No employee, officer or agent of the Calcasieu Parish School Board shall participate in the selection, award, or administration of a contract or purchase of supplies, materials and equipment if a conflict of interest, real or apparent would be involved. Such a conflict would arise when:

1. The employee, officer or agent;
2. Any member of their immediate family;
3. His or her partner or business associate;
4. An organization which employs, or is about to employ any of the above, has a financial or other interest in the firm selected for award.

The Calcasieu Parish School Board's employees shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subagreements. All purchasing shall comply with the U.S. Department of Education Department *General Administrative Regulations* (EDGAR), the *Louisiana Public Bid Law*, the *Louisiana Code of Governmental Ethics*, the *Louisiana Procurement Code*, and applicable state or federal regulations.

PROCUREMENT METHOD

Depending on the funding source and purchase amount, the following procurement methods shall be used:

Procurement Methods	Federal Requirement Uniform Grants Guidance Section 200.320	State Requirement Title 38 La. Bid Law R.S. 38:2212.1	State Requirement Title 39 La. Procurement Code R. S. 39:1551-1755 Executive Order: JBE 2017-18	Action required
Micro Purchases (new method)	Purchases less than \$10,000 No competitive process required.	Purchases less than \$1,000 No competitive process required.	Purchases less than \$5,000 No competitive process required.	Title 38 - Follow more restrictive state requirement. Title 39 - Follow more restrictive state requirement.
Small Purchases (informal)	\$10,000-\$250,000 Price or rate quotation from adequate number of qualified sources.	\$1,000 - \$10,000 3 or more quotes suggested but not required.	Purchases less than \$5,000 No competitive process required.	Title 38 - Follow more restrictive state requirement.

				Title 39 - Follow more restrictive state requirement.
		\$10,000 - \$30,000 Solicit 3 or more quotes.	\$5,000 - \$15,000 Solicit 3 or more quotes.	Title 38 and Title 39 Align with federal requirement.
			\$15,000 - \$25,000 Solicit 5 or more quotes.	Title 39 - Follow more restrictive state requirement.
Sealed Bids (formal advertising)	Exceeding \$250,000 Publicly bid and award to lowest responsible bidder.	Materials and Supplies Exceeding \$30,000 Public Works Exceeding \$154,450 Publicly bid and award to lowest responsible bidder.	Exceeding \$25,000 Refer to LA Procurement Code (R.S. 39:1551-1755)	Title 38 - Follow more restrictive state requirement. Title 39 - Follow more restrictive state requirement.
Competitive Proposals	Exceeding \$250,000 Request for Proposal from adequate number of sources; must have written method for selecting recipients.	Materials and Supplies Exceeding \$30,000 Public Works Exceeding \$154,450 Publicly bid and award to lowest responsible bidder.	Exceeding \$25,000 Refer to LA Procurement Code (R.S. 39:1551-1755)	Title 38 and Title 39 Follow more restrictive state requirement.
Noncompetitive Proposals – Sole Source Purchases	Sole source purchases are appropriate only under the circumstances listed below. These circumstances must be adequately documented. <ol style="list-style-type: none"> 1. The item procured is only available from a single source; 2. The purchase is in response to a public emergency that will not permit a delay resulting from the competitive process; 3. The purchase is expressly authorized by awarding or pass-through agency in response to written request from the School Board; or 4. After soliciting a number of sources competition is deemed inadequate. Process must be adequately documented. 			

The School Board may choose by resolution to adopt the *Louisiana Procurement Code* in part or in its entirety. The School Board may also purchase from vendors with state contracts that have been pre-approved by the *Office of State Procurement* (OSP).

USE OF FEDERAL FUNDS

Procurement of materials and supplies made when using federally generated funds shall follow the appropriate procurement method as summarized in the above chart.

Solicitations from Small and Minority Businesses, Women’s Business Enterprises, and Labor Surplus Area Firms

When spending federal funds, the Calcasieu Parish School Board shall take all necessary affirmative steps to assure that minority businesses, women’s business enterprises, and labor surplus area firms are used when possible. Affirmative steps shall include:

7. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
8. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
9. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses and women's business enterprises;
10. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses and women's business enterprises;
11. Using the services and assistance, as appropriate, of such organizations as the Louisiana Economic Development Agency, and Small Business Administration and the Minority Business Development Agency of the United States Department of Commerce; and
12. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs 1 through 5 of this section.

Exclusion or Rejection of Quotes or Bids

A contract award or a purchase made with federal funds shall not be made to parties listed on the government-wide exclusions in the *System for Award Management* maintained by the U.S. Government, which contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority.

USE OF STATE FUNDS

Procurement of materials and supplies when using state or locally generated funds shall follow the procurement method as summarized in the above chart. As noted in the chart, the procurement method may be dependent on whether the School Board has adopted the provisions of Title 38 or Title 39 of the Louisiana Statutes as it pertains to the actual purchase.

Financing Purchases

The School Board may finance the purchase of equipment or other movable property to be used by the School Board by entering into an installment sale, lease, or similar agreement with any lender or other person. Such agreement shall be subject to approval of the State Bond Commission in accordance with statutory provisions. No individual school or employee shall obligate the School Board without proper school system personnel knowledge and approval.

Use of State Contract

If equipment, materials or supplies are available from a State of Louisiana Contract, the Superintendent and/or his/her designee may approve the purchase without using one of the purchasing procedures outlined in statutory provisions, if advantageous to the School Board.

The School Board may also *piggyback*, or purchase materials and supplies on valid contracts of other political subdivisions. In doing so, the School Board shall obtain documentation from the other agency that clearly

demonstrates the contract was previously bid and is a viable contract. The price paid by the School Board shall be the same as the contract's bid price.

Louisiana Procurement Code

State law authorizes School Boards to adopt all or any part of the *Louisiana Procurement Code* as contained in state statutes (La. Rev. Stat. Ann. '39:1551-39:1755). For proper and efficient operations, the Calcasieu Parish School Board may adopt, by resolution or otherwise, pertinent provisions of the *Louisiana Procurement Code*, accompanying administrative regulations as promulgated in the *Louisiana Procurement Code*, as well as guidelines and policies issued by the state's Office of State Purchasing relevant to the procurement of materials, supplies, merchandise, and other types of property.

Sole Source Provider

The School Board may award a contract for the purchase of supplies, services, or major repairs without competition when the Superintendent or designated employee has determined, in writing, that there is only one source for the supply, service, or major repair item(s) to be acquired. Pertinent procedures for purchasing such items from a sole source shall be as outlined in the State of Louisiana Office of State Purchasing's *Purchasing Rules and Regulations*, and as noted at the bottom of the *Procurement Method Chart* included above.

Qualified Group Purchasing Organizations

A *qualified group purchasing organization* means an organization, whether for profit or not for profit, of which two (2) or more public school districts are members and which solicits proposals or bids from vendors of materials, equipment, or supplies of the type and nature as may be purchased by a public school district or public school.

As provided in La. Rev. Stat. Ann. §38:2212.1, the School Board may enter into an agreement with: (A) one or more School Boards to form a qualified group purchasing organization; or (B) one or more qualified group purchasing organizations for the purchase of materials, equipment, and supplies, including installation thereof. Any such agreement shall require that the qualified group purchasing organization submit a price list for those materials, equipment, and supplies offered by it and that the prices quoted on the list remain in effect for a stated period of time of not less than three (3) months. Any such price list shall be considered, for all purposes, to be a valid and binding bid by the qualified group purchasing organization during the effective period of the agreement, and no additional bid by the qualified group purchasing organization is necessary.

The School Board may purchase materials, equipment, or supplies directly from or through a qualified group purchasing organization if the price is less than that for the same or substantially similar materials, equipment, or supplies on the state contract or bid list.

Competitive Online Solicitation

The School Board may use a *reverse auction* or *competitive online solicitation process* on the Internet for the purchase of equipment, supplies, and other materials in lieu of the more formal bid process when the School Board's procurement officer determines that the electronic bidding is more advantageous and in the best interests of the School Board.

Prior to the use of a competitive online solicitation process, the School Board may require that:

1. Vendors register before opening dates and time, and as part of the registration, require that the vendors agree to any terms and conditions and other requirements of the solicitation.
2. Vendors be prequalified prior to placing bids and allow only bidders who are prequalified to submit bids.
3. The solicitation shall designate an opening date and time and the closing date and time. The closing date and time may be fixed or remain open depending on the structure of the item being bid.
4. At the opening date and time, the School Board shall begin accepting online bids and continue accepting bids until the bidding is officially closed. Registered bidders shall be allowed to lower the price of their bid below the lowest bid posted on the Internet until the closing date and time.
5. Bidders' identities shall not be revealed during the bidding process; only the successively lower prices, ranks, scores, and related bid details shall be revealed.
6. All bids shall be posted electronically and updated on a real-time basis.
7. The School Board shall retain the right to cancel the solicitation if it determines that it is in the School Board's best interest.
8. The School Board shall retain its existing authority to determine the criteria that will be used as a basis for making awards.

Adequate public notice for purchases using a reverse auction or competitive online solicitation process shall be given as follows:

1. The advertisement or notice shall be published two (2) times in a newspaper in the locality, the first advertisement to appear at least fifteen (15) days before the opening date of the reverse auction. In addition to the newspaper advertisement, the School Board may also publish an advertisement by electronic media available to the general public.
2. The first publication of the advertisement shall not occur on a Saturday, Sunday, or legal holiday.

VENDORS

The School Board shall seek business and bids from all eligible vendors, regardless of race, creed, color, sex, national origin, age or handicap. No favoritism shall be extended to any vendor. Each order shall be placed on the basis of quality, price and delivery; past services being a factor if all other considerations are equal.

No person officially connected with or employed by the School Board shall be an agent for, or have any pecuniary or beneficial interest in or receive any compensation or reward from any vendor for the sale of supplies, materials, equipment, services or public works contracts.

No employee of the School Board shall solicit or accept, directly or indirectly, anything of economic value as a gift or gratuity from any vendor representative or agent of a vendor, or a prospective vendor or contractor.

Revised: June, 2010

Revised: November, 2011

Revised: February 10, 2015

Revised: February 14, 2017

Revised: May, 2017

Revised: December 2018

Ref: 2 CFR 200 (*Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*), 48 CFR 2.101 (*Definitions*); La. Rev. Stat. Ann. "33:4712.7, 38:2211, 38:2212, 38:2212.1, 38:2214, 38:2218, 38:2219, 38:2271, 38:321.1, 39:1551, 39:1552, 39:1553, 39:1554, 39:1554.1, 39:1556, 39:1557, 39:1558, 39:1597, 39:1710; School Activity Funds Principles and Procedures; Board minutes, 5-11-10, 2-7-12, 2-10-15, 2-14-17.

**Agenda Item #1c
Legislative Policy Updates
GAEAA – Sexual Harassment**

**FILE: GAEAA
Cf: GAAA, GAE, GAMC
Cf: GBK, JAA, JCED**

SEXUAL HARASSMENT

The Calcasieu Parish School Board recognizes that sexual harassment ~~on the basis of sex~~ is a violation of state and federal law. The Board, therefore, will not tolerate any sexual harassment on the part of any public servant employee towards another public servant employee or a student ~~within the workplace~~. Conduct in violation of this prohibition shall result in severe disciplinary measures, up to and including dismissal.

Sexual harassment ~~on the basis of sex~~ is defined as any unwelcome sexual advances, requests for sexual favors, and other verbal, ~~or~~ physical, ~~or inappropriate~~ conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment/education-; or

2. Submission to or rejection of such conduct by an individual is used as a basis for employment/education decisions affecting the individual; or
3. Such conduct ~~has the purpose or effect of~~ unreasonably ~~interferes~~ interfering with an individual's work/education or ~~creates~~ creating an intimidating, hostile, or offensive ~~work/education working/educational~~ environment; or
4. The conduct explicitly or implicitly affects and individual's employment or the holding of office.

"Public servant" means a School Board employee or elected official.

~~Incidents of S~~sexual harassment may include verbal harassment such as derogatory comments, jokes, or slurs, or remarks or questions of a sexual nature; physical harassment such as unnecessary or offensive touching; and visual harassment such as derogatory or offensive posters, cards, cartoons, graffiti, drawings, looks, or gestures. ~~Harassment does not only depend upon the perpetrator's intention, but also upon how the person who is the target perceives the behavior or is affected by it. Individuals who experience sexual harassment from co-workers or others should make it clear that such behavior is offensive to them.~~

~~It is recognized that instances occur within the school system involving individuals and personalities and these matters are best handled informally. In the event that an individual believes such instances require a remedy or that there is a basis for a complaint, the individual shall first discuss the issue with the individual's principal or immediate supervisor. Should no resolution occur to the satisfaction of the individual after five (5) days, a formal complaint may be filed.~~

REPORTING PROCEDURE:

Any person who believes he or she has been the victim of sexual harassment by a public servant or non-employee volunteer of the Calcasieu Parish School Board, or any person with knowledge or belief of conduct which may constitute sexual harassment should immediately report the alleged acts to the public servant's immediate supervisor who, in turn, shall submit it to the Superintendent or his/her designee. If the alleged acts were committed by the public servant's immediate supervisor, the complaint should be directed to the Superintendent or his/her designee or to the Calcasieu Parish School Board's General Counsel. If criminal activity is involved, the victim should also report the incident to local law enforcement. Sexual harassment by a non-employee volunteer should be reported to the appropriate Administrative Director or the Chief Operating Officer. The person to whom the complaint is given shall promptly prepare a written report and forward it to the Superintendent or his/her designee.

FORMAL PROCEDURE FOR SEXUAL HARASSMENT COMPLAINTS:

STEP 1—Employee:

~~If any employee has concerns or a complaint about the nature of any conduct or physical contact by another employee or the school district, the individual should file a formal written complaint with the Personnel Department or with the Superintendent. The receiving office shall be charged with investigating the complaint and shall attempt to remedy it to the mutual satisfaction of all parties involved. After twenty (20) working days from receipt of the complaint, the investigating office shall indicate its disposition of the complaint in writing and shall furnish copies to all concerned parties.~~

STEP 1 – Student:

~~— If a student has concerns or a complaint about the nature of any conduct or physical contact by an employee of the Calcasieu Parish School Board, the student should contact either the school administrator or the school counselor. The school administrator will report the alleged incident to the appropriate assistant superintendent and to the Personnel Department. The school administrator and the administrator of the Personnel Department shall be charged with investigating the complaint and shall attempt to remedy it to the mutual satisfaction of all parties involved. After twenty (20) working days from receipt of the complaint, the investigating office shall indicate its disposition of the complaint in writing and shall furnish copies to all concerned parties.~~

STEP 2 – Employee and/or Student:

~~In the event any of the concerned parties are not satisfied with the disposition of the complaint at Step 1 or if no disposition has been made, then the concerned party may appeal to the Sexual Harassment Panel. The Sexual Harassment Panel shall include a chairperson, three (3) males and three (3) females selected by the Superintendent.~~

~~The Sexual Harassment Panel has seven (7) working days to schedule a hearing. If harassment is found, the panel may exercise one of the following options:~~

- ~~1. The panel may require an appropriate remedy which seeks to redress the wrong. Non-compliance with the remedy will result in disciplinary action.~~
- ~~2. The panel may recommend to the Superintendent that documentation be placed in one's evaluation folder, short or long term suspension with or without pay, or dismissal.~~

~~The Sexual Harassment Panel shall give written disposition of the complaint within five (5) working days of such hearing and shall furnish copies to the appropriate parties and to the Superintendent.~~

STEP 3 – Employee and/or Student:

~~In the event the parties concerned are not satisfied with the disposition of Step 2 or if no disposition has been made within five (5) working days of such meeting, the parties concerned may appeal to the Superintendent. The appeal shall be in writing and set forth the same information as in Step~~

~~2. The Superintendent, within thirty (30) days, shall meet with the appropriate parties. Disposition shall be furnished to the appropriate parties.~~

~~STEP 4 – Employee and/or Student:~~

~~In the event the parties concerned are not satisfied with the disposition of Step 3, the concerned parties may appeal to the Calcasieu Parish School Board. The appeal shall be in writing and shall request that the Superintendent place the concern on the agenda of the next regularly scheduled Board meeting. Such written request must include copies of all decisions previously rendered in connection with the complaint.~~

Administrators and supervisors who become aware of any allegation of possible sexual harassment shall report such allegations to the Superintendent or designee. All reports received shall be properly and adequately investigated. Appropriate disciplinary action shall be taken when violations of this policy have been determined. The Board shall prohibit retaliation against an employee or student for a complaint made or for participating in an investigation of alleged harassment.

Nothing contained in this policy and/or procedure shall restrict or diminish the authority of the Superintendent to suspend any employee in accordance with the policies of the Calcasieu Parish School Board, state law, and applicable statutes.

INVESTIGATION:

1. The School Board shall respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible, consistent with the School Board's legal obligations and the necessity to investigate allegations of harassment, and take corrective or disciplinary action when prohibited conduct has occurred.

Upon receipt of a report or complaint alleging sexual harassment by a public servant or nonemployee volunteer, such a complaint shall be immediately investigated by personnel designated by the Superintendent to conduct such investigation utilizing the procedures outlined in policy *GAMC, Investigations*. The investigation may also include personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint, as well as a review of related charges, if any, personnel files, work records and other pertinent information.

In determining whether alleged conduct constitutes sexual harassment, the Superintendent or designee should consider the surrounding circumstances, the nature of the sexual advances, relationships between the parties involved and the context in which the alleged incidents occurred.

A report shall be made to the Superintendent upon completion of the investigation involving a public servant or non-employee volunteer. The report may include a finding that the complaint was unfounded, informally resolved, or recommended to the Superintendent for disciplinary action.

2. Upon receipt of a recommendation that is valid, the Superintendent shall take such action as appropriate based on the results of the investigation, up to and including termination of employment.
3. The Superintendent shall discipline any individual who retaliates against any person who reports alleged sexual harassment or who retaliates against any person who testifies, assists or participates in an investigation, proceeding or hearing relating to a sexual harassment complaint. *Retaliation* shall include, but is not limited to, any form of intimidation, reprisal or harassment at the time of a report or any time after a report.
4. Whether a particular action or incident is a personal, social relationship without a prohibited discriminatory effect requires a determination based on all the facts and surrounding circumstances.
5. Under certain circumstances, sexual harassment of a student may constitute sexual abuse under the Louisiana Children's Code. In such situations, School Board personnel are *mandatory reporters* and shall comply with *Article 609(A)* of the Louisiana Children's Code and directly report the sexual abuse to the appropriate agency. Also, activity of a criminal nature should be reported by the victim to local law enforcement.
6. Notice of this policy shall be posted on the School Board's website and shall be circulated to all schools and departments of the Calcasieu Parish School Board and referenced in teacher handbooks. Training sessions on this policy and the prevention of sexual harassment shall be held in all schools on an annual basis. Training sessions for new non-teaching employees shall be conducted annually. Those who are designated by the Superintendent to receive or investigate complaints of sexual harassment shall receive additional education and training. Students shall be notified at least annually of the prohibition of sexual harassment, and that complaints of sexual harassment are to be made to their school counselor, principal, or to the Superintendent. Records of compliance with these training requirements must be submitted by each school and department head to the Superintendent or his/her designee.
7. Both Federal and State laws prohibit sexual harassment. Employment related sexual harassment complaints may be filed with the U.S. Equal Employment Opportunity Commission, and/or with the Louisiana Commission on Human Rights. Sexual harassment complaints by students may be submitted to the School Board's Title IX Coordinator or to the Office for Civil Rights, U.S. Department of Education. There are

other government agencies which may have jurisdiction over employment related complaints. These complaint procedures are in addition to those provided herein.

. Revised: December, 2018

Ref: 42 USC 2000e et seq. (*Civil Rights Act of 1964*); 29 CFR §1604.11 (*Guidelines on Discrimination Because of Sex*); La. Rev. Stat. Ann. §§14:41, 14:42, 14:42.1, 14:43, 14:81.4, 17:81, 23:967, 42:341~~431~~, 42:342~~432~~, 42:343, 42:344; La. Civil Code, '2315.

FILE: GAEAA
Cf: GAAA, GAE, GAMC
Cf: GBK, JAA, JCED

SEXUAL HARASSMENT

The Calcasieu Parish School Board recognizes that sexual harassment is a violation of state and federal law. The Board, therefore, will not tolerate any sexual harassment on the part of any public servant towards another public servant or a student. Conduct in violation of this prohibition shall result in severe disciplinary measures, up to and including dismissal.

Sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors, and other verbal, physical, or inappropriate conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment/education; or
2. Submission to or rejection of such conduct by an individual is used as a basis for employment/education decisions affecting the individual; or
3. Such conduct unreasonably interferes with an individual's work/education performance or creates an intimidating, hostile, or offensive work/education environment; or
4. The conduct explicitly or implicitly affects an individual's employment or the holding of office.

Public servant means a School Board employee or elected official.

Sexual harassment may include verbal harassment such as derogatory comments, jokes, or slurs, or remarks or questions of a sexual nature; physical harassment such as unnecessary or offensive touching; and visual harassment such as derogatory or offensive posters, cards, cartoons, graffiti, drawings, looks, or gestures.

REPORTING PROCEDURE

Any person who believes he or she has been the victim of sexual harassment by a public servant or non-employee volunteer of the Calcasieu Parish School Board, or any person with knowledge or belief of conduct which may constitute sexual harassment should immediately report the alleged acts to the public servant's immediate supervisor who, in turn, shall submit it to the Superintendent or his/her designee. If the alleged acts were committed by the public servant's immediate supervisor, the complaint should be directed to the Superintendent or his/her designee or to the Calcasieu Parish School Board's General Counsel. If criminal activity is involved, the victim should also report the incident to local law enforcement. Sexual harassment by a non-employee volunteer should be reported to the appropriate Administrative Director or the Chief Operating Officer. The person to whom the complaint is given shall promptly prepare a written report and forward it to the Superintendent or his/her designee.

Both Federal and State laws prohibit sexual harassment. Employment related sexual harassment complaints may be filed with the U.S. Equal Employment Opportunity Commission, and/or with the Louisiana Commission on Human Rights. Sexual harassment complaints by students may be submitted to the School Board's Title IX Coordinator or to the Office for Civil Rights, U.S. Department of Education. There are other government agencies which may have jurisdiction over employment related complaints. These complaint procedures are in addition to those provided herein.

Administrators and supervisors who become aware of any allegation of possible sexual harassment shall report such allegations to the Superintendent or designee. All reports received shall be properly and adequately investigated. Appropriate disciplinary action shall be taken when violations of this policy have been determined. The Board shall prohibit retaliation against an employee or student for a complaint made or for participating in an investigation of alleged harassment.

Nothing contained in this policy and/or procedure shall restrict or diminish the authority of the Superintendent to suspend any employee in accordance with the policies of the Calcasieu Parish School Board, state law, and applicable statutes.

INVESTIGATIONS AND RECOMMENDATIONS

1. The School Board shall respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible, consistent with the School Board's legal obligations and the necessity to investigate allegations of harassment, and take corrective or disciplinary action when prohibited conduct has occurred.

Upon receipt of a report or complaint alleging sexual harassment by a public servant or nonemployee volunteer, such a complaint shall be immediately investigated by personnel designated by the Superintendent to conduct such investigation utilizing the procedures outlined in policy *GAMC, Investigations*. The investigation may also include personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint, as well as a review of related charges, if any, personnel files, work records and other pertinent information.

In determining whether alleged conduct constitutes sexual harassment, the Superintendent or designee should consider the surrounding circumstances, the nature of the sexual advances, relationships between the parties involved and the context in which the alleged incidents occurred.

A report shall be made to the Superintendent upon completion of the investigation involving a public servant or non-employee volunteer. The report may include a finding that the complaint was unfounded, informally resolved, or recommended to the Superintendent for disciplinary action.

2. Upon receipt of a recommendation that the report or the complaint is valid, the Superintendent shall take such action as appropriate based on the results of the investigation, up to and including termination of employment.
3. The Superintendent shall discipline any individual who retaliates against any person who reports alleged sexual harassment or who retaliates against any person who testifies, assists or participates in an investigation, proceeding or hearing relating to a sexual harassment complaint. *Retaliation* shall include, but is not limited to, any form of intimidation, reprisal or harassment at the time of a report or any time after a report.
4. Whether a particular action or incident is a personal, social relationship without a prohibited discriminatory effect requires a determination based on all the facts and surrounding circumstances.
5. Under certain circumstances, sexual harassment of a student may constitute sexual abuse under the Louisiana Children's Code. In such situations, School Board personnel are *mandatory reporters* and shall comply with *Article 609(A)* of the Louisiana Children's Code and directly report the sexual abuse to the appropriate agency. Also, activity of a criminal nature should be reported by the victim to local law enforcement.
6. Notice of this policy shall be posted on the School Board's website and shall be circulated to all schools and departments of the Calcasieu Parish School Board and referenced in teacher handbooks. Training sessions on this policy and the prevention of sexual harassment shall be held in all schools on an annual basis. Training sessions for new non-teaching employees shall be conducted annually. Those who are designated by the Superintendent to receive or investigate complaints of sexual harassment shall receive additional education and training. Students shall be notified at least annually of the prohibition of sexual harassment, and that complaints of sexual harassment are to be made to their school counselor, principal, or to the Superintendent. Records of compliance with these training requirements must be submitted by each school and department head to the Superintendent or his/her designee.

7. Both Federal and State laws prohibit sexual harassment. Employment related sexual harassment complaints may be filed with the U.S. Equal Employment Opportunity Commission, and/or with the Louisiana Commission on Human Rights. Sexual harassment complaints by students may be submitted to the School Board's Title IX Coordinator or to the Office for Civil Rights, U.S. Department of Education. There are other government agencies which may have jurisdiction over employment related complaints. These complaint procedures are in addition to those provided herein.

Revised: December, 2018

Ref: 42 USC 2000e et seq. (*Civil Rights Act of 1964*); 29 CFR §1604.11 (*Guidelines on Discrimination Because of Sex*); La. Rev. Stat. Ann. §§14:41, 14:42, 14:42.1, 14:43, 14:81.4, 17:81, 23:967, 42:341~~431~~, 42:342~~432~~, 42:343, 42:344; La. Civil Code, '2315.

SEXUAL HARASSMENT AS SEXUAL ABUSE

Under certain circumstances, sexual harassment of a student may constitute sexual abuse under the Louisiana Children's Code. In such situations, School Board personnel are *mandatory reporters* and shall comply with *Article 609(A)* of the Louisiana Children's Code and directly report the sexual abuse to the appropriate agency. Also, activity of a criminal nature should be reported by the victim to local law enforcement.

NOTIFICATION OF POLICY

Notice of this policy shall be posted on the School Board's website and shall be circulated to all schools and departments of the Calcasieu Parish School Board and referenced in teacher handbooks. Training sessions on this policy and the prevention of sexual harassment shall be held in all schools on an annual basis. Training sessions for new non-teaching employees shall be conducted annually. Those who are designated by the Superintendent to receive or investigate complaints of sexual harassment shall receive additional education and training. Students shall be notified at least annually of the prohibition of sexual harassment, and that complaints of sexual harassment are to be made to their school counselor, principal, or to the Superintendent. Records of compliance with these training requirements must be submitted by each school and department head to the Superintendent or his/her designee.

Revised: June, 1999

Revised: December, 2018

Ref: 42 USC 2000e et seq. (*Civil Rights Act of 1964*); 29 CFR §1604.11 (*Guidelines on Discrimination Because of Sex*); La. Rev. Stat. Ann. §§14:41, 14:42, 14:42.1, 14:43, 14:81.4, 17:81, 23:967, 42:341, 42:342, 42:343, 42:344; La. Civil Code, '2315; Board minutes, 8-4-92.

Agenda Item #1d
Legislative Policy Updates
GBC – Recruitment

The Calcasieu Parish School Board shall make a concerted effort to recruit the best qualified applicants available. When vacancies occur in existing positions or when new positions are created, and such positions are not filled by transfer of qualified personnel, the Superintendent or his/her designee shall post notice of the vacancy and shall have the discretion to advertise for certain positions when circumstances warrant.

When filling vacancies in positions of authority or those with policymaking duties, the Superintendent or his/her designee shall not utilize only oral contacts and interviews of applicants considered, or use any other means to circumvent the provisions of state statute. Nothing, however, shall prohibit oral contact prior to a person becoming an applicant or shall prohibit oral contact which may result in a written application or other documents.

APPLICATIONS

Applications submitted for positions within the jurisdiction of the School Board shall be maintained on active status for a period of one (1) year from the date of receipt by the personnel department. Each individual seeking employment shall complete and submit the appropriate application designed for the position sought, and an employee seeking reassignment or promotion shall file the appropriate documents in a timely manner for each position sought.

Disclosure of Information by Applicant

As part of the application process, the School Board shall require the applicant to sign a statement that authorizes the release and disclosure of the following information by the applicant's current or previous employer(s):

1. All actual cases of sexual misconduct with a minor or student by the applicant.
2. All instances of *sexual misconduct with students*, as defined by the Louisiana Board of Elementary and Secondary Education (BESE), and outlined in the *Louisiana Handbook for School Administrators*, Bulletin 741, committed by the applicant, if any, if such employer is/was a city, parish, or other local public School Board.
3. All investigations of sexual misconduct by the applicant with a minor or student that occurred within thirty-six (36) months prior to the applicant's resignation, dismissal, or retirement from employment.

4. All actual or investigated cases of *abuse* or *neglect* committed by the applicant, if any, if such employer is/was the Louisiana School for the Deaf, the Louisiana School for the Visually Impaired, or the Louisiana Special Education Center.

If an investigation determined that a formal allegation of an applicant was inconclusive, unjustified, or otherwise without cause for further formal pursuit, the applicant shall not be required to disclose such information.

The statement shall also request the current or previous employing School Board make available to the School Board, through its Superintendent or his/her designee, within twenty (20) business days of receipt of the request, copies of all documents as contained in the applicant's personnel file maintained by such employer relative to instances of sexual misconduct, if any. Such request for information shall include a copy of the required statement signed by the applicant.

The Superintendent, or principal, with the approval of the Superintendent, may employ any applicant on a conditional basis pending a review of any information obtained pursuant to this request. Permanent employment shall not occur until the information has been satisfactorily verified. However, in accordance with statutory provisions, the Superintendent shall not hire any applicant who does not sign the release of information statement as required by law.

Any information obtained by the School Board as a result of the signed release statement and request outlined above shall be used by the Superintendent *only* for the purpose of evaluating an applicant's qualifications for employment in the position for which he/she has applied, is not subject to the state public records statutes, and shall not be disclosed to any person, other than the applicant, who is not directly involved in the process of evaluating the applicant's qualifications for employment.

In addition to the above, as part of the application process, the School Board shall request the applicant's performance evaluation results, if applicable. The applicant, once the evaluation results have been received, shall be given an opportunity to review the information received and provide any response or information the applicant deems appropriate.

Finally, the applicant shall grant permission by signing a statement on the application form that permits the School Board to have access to any and all reference, background, and previous employment information and to receive copies of any such documentation from a current or previous employer.

Disclosure of Applicant's Records

The name of each applicant for certain positions of authority or those with policymaking duties, the qualifications of such an applicant, and any relevant employment history or experience of such an applicant shall be available for public inspection, examination, copying, or reproduction as provided for in the statutory provisions governing public works.

Bus Operators

All persons, prior to employment as a bus operator with the Board, shall fill out an application form. Each applicant shall complete all prerequisites required by law and Bulletin 119, *Louisiana Student Transportation Specifications and Procedures*, before he/she shall be considered for employment as a bus operator or substitute bus operator.

Upon completion of the prerequisites, the applicant's valid application shall be filed in the personnel department for consideration of employment to fill vacancies as they occur. All applications shall be validated each year.

CRIMINAL HISTORY OF APPLICANTS

The Calcasieu Parish School Board shall require, in accordance with state law, applicants for employment with the School Board to submit necessary information regarding their backgrounds. ~~A~~ Every prospective employee shall be required to provide authorization for the disclosure of any information regarding past criminal activities, including arrests, convictions, having pled *nolo contendere*, or other dispositions, including dismissal of convictions, of any criminal offense, in accordance with La. Rev. Stat. Ann. §15:587.

A standard applicant fingerprint card acceptable to the Louisiana Bureau of Criminal Identification and Information and a disclosure authorization form shall be provided the applicant by the School Board or may be obtained from local police authorities. It shall be the responsibility of the applicant to have his/her fingerprints taken by a qualified individual and submitted to the proper authorities for processing. Any cost associated with fingerprinting or the disclosure of background information on an applicant may be passed on to the applicant.

1. For the purposes of reviewing the criminal history of prospective employees, any person employed to provide cafeteria, transportation, janitorial or maintenance services by any person or entity that contracts with a school or school system to provide such services shall be considered to be hired by the school system.
2. ~~No~~ A person who has been convicted of or has pled *nolo contendere* to crimes listed in La. Rev. Stat. Ann. §15:587.1 shall not be hired as a ~~teacher, substitute teacher,~~ bus operator, substitute bus operator, or janitor, or as a temporary, part-time, or permanent school employee of any kind.

A. The School Board may hire a person as an administrator, teacher, or substitute teacher who has been convicted of or plead *nolo contendere* to a felony not listed in La. Rev. Stat. Ann. §15:587.1(C), who has been found to have submitted fraudulent documentation to the Louisiana Board of Elementary and Secondary Education (BESE) or the Louisiana Department of Education (LDOE) as part of an application for a Louisiana teaching certificate or other teaching authorization, or who has been found to have facilitated cheating on any state assessment if BESE properly issues a teaching certificate or authorization after a formal appeal request submitted by the person.

B. The School Board may reemploy an administrator, teacher, or other school employee who has been dismissed for conviction of a crime, except a crime listed in La. Rev. Stat. Ann. 15:587.1(C) only upon written approval of the district judge of the parish and district attorney, or upon written documentation from the court in which the conviction occurred stating that the conviction has

been reversed, set aside, or vacated. Such statement of approval from the judge and district attorney and any written documentation from the court shall be kept on file and produced upon request by law enforcement.

No later than thirty (30) days after the documentation is placed on file by the school, the school principal shall submit a copy of said documentation from the court to the Louisiana Superintendent of Education.

- ~~3. — Every such prospective employee shall be subjected to fingerprinting and each person's fingerprints shall be submitted to the proper authorities for a criminal history review.~~
- ~~4. — A person who has submitted his/her fingerprints may be temporarily hired pending the results of the inquiry, subject to the approval of the Superintendent.~~
- ~~5. — Upon the final conviction or upon a plea of *nolo contendere* of any crimes enumerated in La. Rev. Stat. Ann. §15:587.1, except La. Rev. Stat. Ann. §14:74 (criminal neglect of family), any teacher may be dismissed following a review held in accordance with statutory provision.~~
- ~~6. — Any other school employee if such employee is convicted of or pleads *nolo contendere* to crimes enumerated in La. Rev. Stat. Ann. §15:587.1, except La. Rev. Stat. Ann. §14:74, may be dismissed.~~
- ~~7. — A teacher or any other School Board employee shall report any final conviction or plea of guilty or *nolo contendere* to any criminal offense, excluding traffic offenses, to the School Board within forty eight (48) hours of conviction or plea.~~
- ~~8. — The Superintendent, or principal with the approval of the Superintendent, may reemploy a teacher or other school employee who has been convicted of crimes enumerated in La. Rev. Stat. Ann. §15:587.1, except La. Rev. Stat. Ann. §14:74, **only** upon written approval of a district judge and the district attorney who has jurisdiction in this school district, or upon written documentation from the court in which the conviction occurred stating that the conviction had been reversed, set aside, or vacated.~~

Revised: November, 2006

Revised: June, 2012

Revised: March 13, 2018

Revised: December, 2018

Ref: La. Rev. Stat. Ann. "15:587, 15:587.1, 17:15, 17:24.2, 17:81, 17:81.9, 17:83, 17:430, 17:3884, 23:291, 42:1119, 44:12.1, 44:31, 44:31.1, 44:32, 44:33, 44:34; La. Children's Code, Art. 603, 606; Board minutes, 2-6-07, 8-7-12, 3-13-18.

**FILE: GBC
Cf: GBBA, GBD**

RECRUITMENT

The Calcasieu Parish School Board shall make a concerted effort to recruit the best qualified applicants available. When vacancies occur in existing positions or when new positions are created, and such positions are not filled by transfer of qualified personnel, the Superintendent or his/her designee shall post notice of the vacancy and shall have the discretion to advertise for certain positions when circumstances warrant.

When filling vacancies in positions of authority or those with policymaking duties, the Superintendent or his/her designee shall not utilize only oral contacts and interviews of applicants considered, or use any other means to circumvent the provisions of state statute. Nothing, however, shall prohibit oral contact prior to a person becoming an applicant or shall prohibit oral contact which may result in a written application or other documents.

APPLICATIONS

Applications submitted for positions within the jurisdiction of the School Board shall be maintained on active status for a period of one (1) year from the date of receipt by the personnel department. Each individual seeking employment shall complete and submit the appropriate application designed for the position sought, and an employee seeking reassignment or promotion shall file the appropriate documents in a timely manner for each position sought.

Disclosure of Information by Applicant

As part of the application process, the School Board shall require the applicant to sign a statement that authorizes the release and disclosure of the following information by the applicant's current or previous employer(s):

1. All actual cases of sexual misconduct with a minor or student by the applicant.
2. All instances of *sexual misconduct with students*, as defined by the Louisiana Board of Elementary and Secondary Education (BESE), and outlined in the *Louisiana Handbook for School Administrators*, Bulletin 741, committed by the applicant, if any, if such employer is/was a city, parish, or other local public School Board.
3. All investigations of sexual misconduct by the applicant with a minor or student that occurred within thirty-six (36) months prior to the applicant's resignation, dismissal, or retirement from employment.
4. All actual or investigated cases of *abuse* or *neglect* committed by the applicant, if any, if such employer is/was the Louisiana School for the Deaf, the Louisiana School for the Visually Impaired, or the Louisiana Special Education Center.

If an investigation determined that a formal allegation of an applicant was inconclusive, unjustified, or otherwise without cause for further formal pursuit, the applicant shall not be required to disclose such information.

The statement shall also request the current or previous employing School Board make available to the School Board, through its Superintendent or his/her designee, within twenty (20) business days of receipt of the request, copies of all documents as contained in the applicant's personnel file maintained by such employer relative to

instances of sexual misconduct, if any. Such request for information shall include a copy of the required statement signed by the applicant.

The Superintendent, or principal, with the approval of the Superintendent, may employ any applicant on a conditional basis pending a review of any information obtained pursuant to this request. Permanent employment shall not occur until the information has been satisfactorily verified. However, in accordance with statutory provisions, the Superintendent shall not hire any applicant who does not sign the release of information statement as required by law.

Any information obtained by the School Board as a result of the signed release statement and request outlined above shall be used by the Superintendent *only* for the purpose of evaluating an applicant's qualifications for employment in the position for which he/she has applied, is not subject to the state public records statutes, and shall not be disclosed to any person, other than the applicant, who is not directly involved in the process of evaluating the applicant's qualifications for employment.

In addition to the above, as part of the application process, the School Board shall request the applicant's performance evaluation results, if applicable. The applicant, once the evaluation results have been received, shall be given an opportunity to review the information received and provide any response or information the applicant deems appropriate.

Finally, the applicant shall grant permission by signing a statement on the application form that permits the School Board to have access to any and all reference, background, and previous employment information and to receive copies of any such documentation from a current or previous employer.

Disclosure of Applicant's Records

The name of each applicant for certain positions of authority or those with policymaking duties, the qualifications of such an applicant, and any relevant employment history or experience of such an applicant shall be available for public inspection, examination, copying, or reproduction as provided for in the statutory provisions governing public works.

Bus Operators

All persons, prior to employment as a bus operator with the Board, shall fill out an application form. Each applicant shall complete all prerequisites required by law and Bulletin 119, *Louisiana Student Transportation Specifications and Procedures*, before he/she shall be considered for employment as a bus operator or substitute bus operator.

Upon completion of the prerequisites, the applicant's valid application shall be filed in the personnel department for consideration of employment to fill vacancies as they occur. All applications shall be validated each year.

CRIMINAL HISTORY OF APPLICANTS

The Calcasieu Parish School Board shall require, in accordance with state law, applicants for employment with the School Board to submit necessary information regarding their backgrounds. Every prospective employee shall be required to provide authorization for the disclosure of any information regarding past criminal activities, including

arrests, convictions, having pled *nolo contendere*, or other dispositions, including dismissal of convictions, of any criminal offense, in accordance with La. Rev. Stat. Ann. §15:587.

A standard applicant fingerprint card acceptable to the Louisiana Bureau of Criminal Identification and Information and a disclosure authorization form shall be provided the applicant by the School Board or may be obtained from local police authorities. It shall be the responsibility of the applicant to have his/her fingerprints taken by a qualified individual and submitted to the proper authorities for processing. Any cost associated with fingerprinting or the disclosure of background information on an applicant may be passed on to the applicant.

1. For the purposes of reviewing the criminal history of prospective employees, any person employed to provide cafeteria, transportation, janitorial or maintenance services by any person or entity that contracts with a school or school system to provide such services shall be considered to be hired by the school system.
2. A person who has been convicted of or has plead *nolo contendere* to crimes listed in La. Rev. Stat. Ann. §15:587.1 shall be hired as a bus operator, substitute bus operator, or janitor, or as a temporary, part-time, or permanent school employee of any kind.
 - A. The School Board may hire a person as an administrator, teacher, or substitute teacher who has been convicted of or plead *nolo contendere* to a felony not listed in La. Rev. Stat. Ann. §15:587.1(C), who has been found to have submitted fraudulent documentation to the Louisiana Board of Elementary and Secondary Education (BESE) or the Louisiana Department of Education (LDOE) as part of an application for a Louisiana teaching certificate or other teaching authorization, or who has been found to have facilitated cheating on any state assessment if BESE properly issues a teaching certificate or authorization after a formal appeal request submitted by the person.
 - B. The School Board may reemploy an administrator, teacher, or other school employee who has been dismissed for conviction of a crime, except a crime listed in La. Rev. Stat. Ann. 15:587.1(C) only upon written approval of the district judge of the parish and district attorney, or upon written documentation from the court in which the conviction occurred stating that the conviction has been reversed, set aside, or vacated. Such statement of approval from the judge and district attorney and any written documentation from the court shall be kept on file and produced upon request by law enforcement.

No later than thirty (30) days after the documentation is placed on file by the school, the school principal shall submit a copy of said documentation from the court to the Louisiana Superintendent of Education.

Revised: November, 2006

Revised: June, 2012

Revised: March 13, 2018

Revised: December, 2018

Ref: La. Rev. Stat. Ann. "15:587, 15:587.1, 17:15, 17:24.2, 17:81, 17:81.9, 17:83, 17:430, 17:3884, 23:291, 42:1119, 44:12.1, 44:31, 44:31.1, 44:32, 44:33, 44:34; La. Children's Code, Art. 603, 606; Board minutes, 2-6-07, 8-7-12, 3-13-18.

**Agenda Item #1e
Legislative Policy Updates
JBCC – Student Assignment**

FILE: JBCC

Cf: JBCC-AP, JBCCD

ATTENDANCE ZONE REQUIREMENTS

The Calcasieu School Board shall have authority and responsibility for the assignment, placement, transfer, and continued education of all students attending schools within its jurisdiction. The School Board shall require a student to attend the appropriate school as determined by the residence (domicile) of the student or the parent, legal guardian, or if he/she is eighteen years old or has been emancipated by a court order, by the student's own domicile. However, the School Board reserves the authority and responsibility to assign and/or transfer a student to any of the public schools within its jurisdiction, if circumstances warrant. The parent or legal guardian of a pupil may file in writing to the School Board an objection to the assignment of the pupil, in which case the School Board shall review the assignment and investigate the circumstances in order to render a decision.

The School Board, by statute, shall be required to assign a student to attend any public school requested by a parent or other legally responsible person when the requested school has space available and is of suitable grade level, and the child resides not more than one (1) mile from such school. Such assignment shall be made if not specifically contrary to the provisions of law, rule, regulation, or an order of a court of competent jurisdiction. Assignment shall also be made without regard to parish boundaries.

Legal custody is defined as the legal status created by a court order which establishes in a custodian the right to have physical custody of the child or minor. The school principal or designee shall be responsible for monitoring the school enrollment list and shall immediately terminate and/or transfer an unauthorized student.

Any child temporarily residing within the district who has no permanent address, or who has been abandoned by his/her parent, or who is in foster care, shall be enrolled and allowed to attend school in the zone appropriate to the special circumstance of the child. Surrogate parents may be appointed when appropriate for special needs students.

Elementary Child Care Hardship

A parent or guardian of a child enrolled in elementary grades may request permission for the child to attend school out-of-zone due to child care needs. (An example of a child care hardship case would include the case of a single

working parent with limited income who is dependent on a relative for assistance in caring for a child while the parent works.) Requests based on child care needs may be made as the need arises and will be approved based on the merits of the individual case. Transportation to an out-of-zone school for child care purposes shall be the responsibility of the parent or legal guardian.

Requests Due to Changes in Residence

A student whose parents or legal guardian move to another school zone during the course of a semester may request permission to remain at the initial school until the end of the semester. If the student is a graduating senior, he/she may request permission to remain at the initial school until the end of the school term. However, no out-of-zone permit shall be issued to a student whose legal domicile changed prior to the beginning of a school term. Transportation for students requesting to remain at their initial school after a change in residence shall be the responsibility of the parent or legal guardian.

VERIFICATION OF RESIDENCE

The School Board shall require verification of residence of those students whose residence is suspected to be outside the attendance zone of the school the student is attending. When investigating the residence of a student, the School Board shall attempt to verify the primary place of residence of the legal parent or legal guardian. Such verification of residence shall be based on such items as the following:

1. Voter registration card of parent or custodian, or
2. Property tax statement of parent or custodian showing homestead exemption, or
3. Certified copy of any judicially ordered tutorship, custody or guardianship of any minor child student not domiciled or in the custody of their natural and/or legal parents. Verification of the physical residency of the legal custodian, tutor/tutrix or nonparent shall also be required, or
4. Any other documentation as may be stipulated by the School Board.

ASSIGNMENT OF STUDENTS WITH EXCEPTIONALITIES

Unless the *Individualized Education Program* (IEP) of a student with an exceptionality, except a gifted and talented student, requires some other arrangement, the School Board shall require the student with such an exceptionality to be educated in the school that the student would attend if he/she did not have an exceptionality. However, if the educational needs of the student cannot be achieved satisfactorily in a regular class setting, the student may be placed in an educational environment designed to meet the appropriate needs of the student, as determined by the IEP committee.

However, a student with an exceptionality, except a gifted and talented student, shall be assigned to a school as requested by the parent, in accordance with La. Rev. Stat. Ann. §17:1944, if all the following conditions are met:

1. The parent submits a written request to the School Board responsible for the student and the respective School Board having jurisdiction over the school being requested, by not later than April first of the school year preceding the school year for which the parent is requesting the school assignment. The request shall include a recommendation from at least two (2) licensed physicians who have treated the student during the year prior to the submission of the request.
2. The School Board responsible for the student and the respective School Board having jurisdiction over the school being requested by the parent enter into an agreement for the assignment of the student to the requested school.
3. The requested school is located at least ten (10) miles from the school to which the student is assigned, in accordance with applicable school attendance zone requirements.
4. The requested school is located at least fifteen (15) miles from the student's home.
5. The requested school is not located in a public school district in which fifty percent (50%) or more of the public schools in the district are charter schools and fifty percent (50%) or more of the public schools in the district participate in a single application and enrollment process for public school enrollment.

CLASSROOM ASSIGNMENT

Generally, student assignments in K through 8 will be made by the principal of the school. However, in some cases schools may be structured so that students in higher grades may select classes and courses of study. The placement of a student shall be based on grades, achievement test scores, and participation in special programs.

[High School](#)

Selection of classes and courses of study in grades 9 through 12 shall be uniformly made by individual students. Assistance in planning course of study and selection of classes shall be provided by teachers, counselors, and administrators. Each student shall be furnished a schedule of classes offered and requirements for graduation. Some classes may have prerequisites for enrollment.

[Multiple Siblings](#)

In grades kindergarten through second grade, the parent of twins, triplets, etc. (more than one child at a single birth event) may request that their children be placed initially in the same, or separate, classrooms, if the children are in the same grade at the same school. Such a request shall be presented to the Superintendent or his/her designee no later than fourteen (14) days either after the first day of the school year or after the first day of attendance if the child enrolls after the fourteenth day of the school year. Notwithstanding any law, rule, regulation, or School Board policy to the contrary, the request of the parent for initial placement shall be granted subject to further review.

As soon as possible after the end of the student's first grading period, the Superintendent or his/her designee shall review the initial placement of the child. If the Superintendent or his/her designee, in consultation with the

school principal, the child's(ren's) teacher(s), and the parent, determines that the initial placement of the children is disruptive to the school or is not in the best educational interests of the child(ren), the initial placement of the child shall be modified, and the child(ren) shall be placed in accordance with School Board policy otherwise applicable to the child(ren).

Teachers with Felony Convictions

At the request of a student's parent or legal guardian, a student shall be removed from the class of any teacher who has a felony conviction and placed in another class.

Revised: September, 1992

Revised: December, 1992

Revised: November, 1993

Revised: January, 2004

Revised: September, 2008

Revised: December, 2009

Revised: February 14, 2017

Revised: December, 2018

Ref: La. Rev. Stat. Ann. "9:951, 9:952, 9:953, 9:954, [17:15](#), 17:81, 17:104.1, 17:221.2, 17:221.4, 17:221.5, 17:238, 17:1944; *Louisiana Handbook for School Administrators*, Bulletin 741, Louisiana Department of Education; Board minutes, 8-4-92, 9-16-03, 10-7-08, 3-16-10, 2-8-11, 2-14-17.

FILE: JBCC

Cf: JBCC-AP, JBCCD

STUDENT ASSIGNMENT

ATTENDANCE ZONE REQUIREMENTS

The Calcasieu School Board shall have authority and responsibility for the assignment, placement, transfer, and continued education of all students attending schools within its jurisdiction. The School Board shall require a student to attend the appropriate school as determined by the residence (domicile) of the student or the parent, legal guardian, or if he/she is eighteen years old or has been emancipated by a court order, by the student's own domicile. However, the School Board reserves the authority and responsibility to assign and/or transfer a student to any of the public schools within its jurisdiction, if circumstances warrant. The parent or legal guardian of a pupil may file in writing to the School Board an objection to the assignment of the pupil, in which case the School Board shall review the assignment and investigate the circumstances in order to render a decision.

The School Board, by statute, shall be required to assign a student to attend any public school requested by a parent or other legally responsible person when the requested school has space available and is of suitable grade level, and the child resides not more than one (1) mile from such school. Such assignment shall be made if not specifically contrary to the provisions of law, rule, regulation, or an order of a court of competent jurisdiction. Assignment shall also be made without regard to parish boundaries.

Legal custody is defined as the legal status created by a court order which establishes in a custodian the right to have physical custody of the child or minor. The school principal or designee shall be responsible for monitoring the school enrollment list and shall immediately terminate and/or transfer an unauthorized student.

Any child temporarily residing within the district who has no permanent address, or who has been abandoned by his/her parent, or who is in foster care, shall be enrolled and allowed to attend school in the zone appropriate to the special circumstance of the child. Surrogate parents may be appointed when appropriate for special needs students.

Elementary Child Care Hardship

A parent or guardian of a child enrolled in elementary grades may request permission for the child to attend school out-of-zone due to child care needs. (An example of a child care hardship case would include the case of a single working parent with limited income who is dependent on a relative for assistance in caring for a child while the parent works.) Requests based on child care needs may be made as the need arises and will be approved based on the merits of the individual case. Transportation to an out-of-zone school for child care purposes shall be the responsibility of the parent or legal guardian.

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A student whose parents or legal guardian move to another school zone during the course of a semester may request permission to remain at the initial school until the end of the semester. If the student is a graduating senior, he/she may request permission to remain at the initial school until the end of the school term. However, no out-of-zone permit shall be issued to a student whose legal domicile changed prior to the beginning of a school term. Transportation for students requesting to remain at their initial school after a change in residence shall be the responsibility of the parent or legal guardian.

VERIFICATION OF RESIDENCE

The School Board shall require verification of residence of those students whose residence is suspected to be outside the attendance zone of the school the student is attending. When investigating the residence of a student, the School Board shall attempt to verify the primary place of residence of the legal parent or legal guardian. Such verification of residence shall be based on such items as the following:

1. Voter registration card of parent or custodian, or
2. Property tax statement of parent or custodian showing homestead exemption, or

3. Certified copy of any judicially ordered tutorship, custody or guardianship of any minor child student not domiciled or in the custody of their natural and/or legal parents. Verification of the physical residency of the legal custodian, tutor/tutrix or nonparent shall also be required, or
4. Any other documentation as may be stipulated by the School Board.

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Unless the *Individualized Education Program* (IEP) of a student with an exceptionality, except a gifted and talented student, requires some other arrangement, the School Board shall require the student with such an exceptionality to be educated in the school that the student would attend if he/she did not have an exceptionality. However, if the educational needs of the student cannot be achieved satisfactorily in a regular class setting, the student may be placed in an educational environment designed to meet the appropriate needs of the student, as determined by the IEP committee.

However, a student with an exceptionality, except a gifted and talented student, shall be assigned to a school as requested by the parent, in accordance with La. Rev. Stat. Ann. §17:1944, if all the following conditions are met:

1. The parent submits a written request to the School Board responsible for the student and the respective School Board having jurisdiction over the school being requested, by not later than April first of the school year preceding the school year for which the parent is requesting the school assignment. The request shall include a recommendation from at least two (2) licensed physicians who have treated the student during the year prior to the submission of the request.
2. The School Board responsible for the student and the respective School Board having jurisdiction over the school being requested by the parent enter into an agreement for the assignment of the student to the requested school.
3. The requested school is located at least ten (10) miles from the school to which the student is assigned, in accordance with applicable school attendance zone requirements.
4. The requested school is located at least fifteen (15) miles from the student's home.
5. The requested school is not located in a public school district in which fifty percent (50%) or more of the public schools in the district are charter schools and fifty percent (50%) or more of the public schools in the district participate in a single application and enrollment process for public school enrollment.

CLASSROOM ASSIGNMENT

Generally, student assignments in K through 8 will be made by the principal of the school. However, in some cases schools may be structured so that students in higher grades may select classes and courses of study. The placement of a student shall be based on grades, achievement test scores, and participation in special programs.

High School

Selection of classes and courses of study in grades 9 through 12 shall be uniformly made by individual students. Assistance in planning course of study and selection of classes shall be provided by teachers, counselors, and administrators. Each student shall be furnished a schedule of classes offered and requirements for graduation. Some classes may have prerequisites for enrollment.

Multiple Siblings

In grades kindergarten through second grade, the parent of twins, triplets, etc. (more than one child at a single birth event) may request that their children be placed initially in the same, or separate, classrooms, if the children are in the same grade at the same school. Such a request shall be presented to the Superintendent or his/her designee no later than fourteen (14) days either after the first day of the school year or after the first day of attendance if the child enrolls after the fourteenth day of the school year. Notwithstanding any law, rule, regulation, or School Board policy to the contrary, the request of the parent for initial placement shall be granted subject to further review.

As soon as possible after the end of the student's first grading period, the Superintendent or his/her designee shall review the initial placement of the child. If the Superintendent or his/her designee, in consultation with the school principal, the child's(ren's) teacher(s), and the parent, determines that the initial placement of the children is disruptive to the school or is not in the best educational interests of the child(ren), the initial placement of the child shall be modified, and the child(ren) shall be placed in accordance with School Board policy otherwise applicable to the child(ren).

Teachers with Felony Convictions

At the request of a student's parent or legal guardian, a student shall be removed from the class of any teacher who has a felony conviction and placed in another class.

Revised: September, 1992

Revised: December, 1992

Revised: November, 1993

Revised: January, 2004

Revised: September, 2008

Revised: December, 2009

Revised: February 14, 2017

Revised: December, 2018

Ref: La. Rev. Stat. Ann. "9:951, 9:952, 9:953, 9:954, 17:15, 17:81, 17:104.1, 17:221.2, 17:221.4, 17:221.5, 17:238, 17:1944; *Louisiana Handbook for School Administrators*, Bulletin 741, Louisiana Department of Education; Board minutes, 8-4-92, 9-16-03, 10-7-08, 3-16-10, 2-8-11, 2-14-17.

Agenda Item #1f
Legislative Policy Updates
GBD – Employment of Personnel

FILE: GBD
Cf: DFF, GBC, GBD-AP
Cf: GBDA, GBJ, GBM

The Calcasieu Parish School Board and its administrative staff believes that it has an obligation to provide the children attending its schools with the very best personnel available regardless of race, color, creed, sex, age, national origin or any similar personal characteristic. Age shall be considered only with respect to minimums set by law.

The Superintendent or his/her designee shall be responsible for establishing and maintaining appropriate procedures for reviewing and evaluating any and all applicants for selection, including administrative and supervisory personnel, and assuring adherence to applicable state and federal legal requirements. Selection of personnel to fill all positions shall be based upon performance, effectiveness, and qualifications applicable to each specific position. Decisions shall be made on a non-discriminatory basis with selection procedures and evaluative criteria known to all applicants. Applicants should not resort to the use of political, social, or other pressures to gain employment or promotion.

Teachers and all other personnel shall be selected for employment by the Superintendent. It shall be the responsibility of the Superintendent to ensure that all persons recommended have proper certification where applicable, and are qualified for the position. Seniority and tenure shall not be used as the primary criteria when making any employment decision.

The Superintendent shall delegate to the school principal all decisions regarding the employment of any teacher or other personnel at the school in which the principal is employed, subject to the approval of the Superintendent.

The Superintendent and/or his/her designee shall consult with teachers regarding any possible selections made by the Superintendent for the hiring or placement of a principal at the school in which such teachers are employed, subject to the provisions of any applicable court order.

BUS OPERATORS

Whenever a school bus operator is needed to drive a new route or a route vacated by a previous operator, the school bus operator who is tenured and has acquired the greatest seniority shall be offered the opportunity to and may change from driving his/her route to the vacant route before another operator is selected. [The School Board shall notify such bus operator of the route vacancy by mail to his/her residence.](#) If the tenured bus operator with the greatest seniority chooses not to change to the vacant route, the route shall then be offered in order of seniority to a school bus operator who has acquired tenure.

If no tenured operator chooses to change to the vacant route, the route shall then be offered to a full-time probationary bus operator.

If no regular bus operator, tenured or probationary, chooses to change to the vacant route, then a substitute bus operator shall be selected for the position from a list of approved substitute school bus operators. If no tenured, probationary, or substitute bus operator wants the route, then a new operator shall be hired.

Whenever a school bus operator owning his/her own bus retires, a vacated route shall be offered first to any person meeting the requirements of the School Board who is willing to acquire the bus of the retiring operator at full appraised value. This provision shall be applicable only when the bus owned by the retiring operator has been manufactured within a period of five (5) years immediately prior to the operator's retirement and the operator is retiring due to a documented physical disability.

The Superintendent may select an operator to fill a vacant route using a different process than outlined above, but **only** if the School Board is required to bear an increase in the unreimbursed costs for nonpassenger miles over those attributable to the previous operator who vacated the route.

Whenever a vacancy occurs on a route due to death, resignation, retirement, or the expiration of the regular operator's approved leave, or a new route is established, the route shall be filled with a regular school bus operator using the process stated above no later than the following school year unless the route is consolidated or eliminated. A substitute bus operator may only be used as a temporary measure until a permanent operator is appointed to a route.

If an operator is on approved leave, his/her route shall not be considered a vacant route. A substitute shall be used to drive a route for an operator on approved leave regardless of the length of time of the approved leave.

Substitute operators for bus routes shall have and shall meet the same qualifications as regular operators.

FEDERAL OR STATE GRANT FUNDED POSITIONS

Whenever the School Board is the recipient of grants from federal, state or private funding agencies for supplementing and/or funding of innovative educational strategies, long range planning, and special supportive services, such grants may fund staff positions related to the grants. *Grant-funded positions* may be full-time or part-time positions established for specific periods of time, not to exceed the scheduled termination date of the applicable grant funded. The letter of appointment sent to an employee for grant-funded positions shall state that continuation of the employee's service in that position shall be contingent upon the continuing availability of funds from the applicable grant funding source.

Revised: December, 1990

Revised: May, 2007

Revised: December, 1992

Revised: September, 2008

Revised: November, 1993

Revised: September, 2009

Revised: December, 1995

Revised: August, 2010

Revised: October, 1997

Revised: November, 2010

Revised: June, 1998

Revised: March, 2011

Revised: October, 1998

Revised: June, 2012

Revised: October, 2001

Revised: September 13, 2016

Revised: August, 2005

Revised: December, 2018

Revised: December, 2005

Revised: September, 2006

Revised: October, 2006

Ref: La. Rev. Stat. Ann. "17:81, 17:81.9, 17:413, 17:493.1, 23:897; Louisiana Handbook for School Administrators, Bulletin 741, Louisiana Department of Education; Board minutes, 7-21-87, 9-6-94, 8-18-98, 5-7-02, 8-16-05, 5-9-06, 7-11-06, 2-6-07, 5-1-07, 10-7-08, 5-5-09, 1-12-10, 2-8-11, 10-2-12, 9-13-16.

EMPLOYMENT OF PERSONNEL

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Teachers and all other personnel shall be selected for employment by the Superintendent. It shall be the responsibility of the Superintendent to ensure that all persons recommended have proper certification where applicable, and are qualified for the position. Seniority and tenure shall not be used as the primary criteria when making any employment decision.

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The Superintendent and/or his/her designee shall consult with teachers regarding any possible selections made by the Superintendent for the hiring or placement of a principal at the school in which such teachers are employed, subject to the provisions of any applicable court order.

BUS OPERATORS

Whenever a school bus operator is needed to drive a new route or a route vacated by a previous operator, the school bus operator who is tenured and has acquired the greatest seniority shall be offered the opportunity to and may change from driving his/her route to the vacant route before another operator is selected. The School Board shall notify such bus operator of the route vacancy by mail to his/her residence. If the tenured bus operator with the greatest seniority chooses not to change to the vacant route, the route shall then be offered in order of seniority to a school bus operator who has acquired tenure.

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The Superintendent may select an operator to fill a vacant route using a different process than outlined above, but **only** if the School Board is required to bear an increase in the unreimbursed costs for nonpassenger miles over those attributable to the previous operator who vacated the route.

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Substitute operators for bus routes shall have and shall meet the same qualifications as regular operators.

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Whenever the School Board is the recipient of grants from federal, state or private funding agencies for supplementing and/or funding of innovative educational strategies, long range planning, and special supportive services, such grants may fund staff positions related to the grants. *Grant-funded positions* may be full-time or part-time positions established for specific periods of time, not to exceed the scheduled termination date of the applicable grant funded. The letter of appointment sent to an employee for grant-funded positions shall state

that continuation of the employee’s service in that position shall be contingent upon the continuing availability of funds from the applicable grant funding source.

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Revised: June, 1998

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Revised: October, 1998

Revised: June, 2012

Revised: October, 2001

Revised: September 13, 2016

Revised: August, 2005

Revised: December, 2018

Revised: December, 2005

Revised: September, 2006

Revised: October, 2006

Ref: La. Rev. Stat. Ann. "17:81, 17:81.9, 17:413, 17:493.1, 23:897; *Louisiana Handbook for School Administrators*, Bulletin 741, Louisiana Department of Education; Board minutes, 7-21-87, 9-6-94, 8-18-98, 5-7-02, 8-16-05, 5-9-06, 7-11-06, 2-6-07, 5-1-07, 10-7-08, 5-5-09, 1-12-10, 2-8-11, 10-2-12, 9-13-16.

Agenda Item #1g
Legislative Policy Updates
GBDA – Employment of Retired Personnel

FILE: GBDA
Cf: GBA, GBD

The Superintendent, or principal, with the approval of the Superintendent, may employ retired employees under certain conditions; however, an employee whose retirement has been accepted shall not be guaranteed any position/employment with the Calcasieu Parish School Board.

CERTIFIED PERSONNEL

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

Retired Teachers

A *retired teacher* is:

1. A person reemployed in a reemployment-eligible position, specifically:
 - A. *Reemployment-eligible critical shortage position* or *critical shortage position* which shall include any of the following:
 - (1) A position for a full-time or part-time classroom teacher who teaches any student in pre-kindergarten through twelfth grade in a school where a critical shortage exists.
 - (2) A position for a full-time certified speech therapist, speech pathologist, audiologist, educational diagnostician, school social worker, ~~or~~ school counselor school psychologist, interpreter, educational transliterator, or educator of the deaf or hard of hearing, whose position of employment requires a valid Louisiana ancillary certificate approved and issued by the Louisiana Department of Education where a critical shortage exists.
 - B. *Reemployment-eligible position* which shall include:
 - (1) A position for a substitute classroom teacher who teaches any student in pre-kindergarten through twelfth grade.
 - (2) A position assigned to the professional activities of instructing adults through an adult education or literacy program administered through a public institution of elementary or secondary education, provided the retiree has a valid Louisiana teaching certificate.
 - (3) A position for a school nurse.
 - (4) A position for a presenter or professional development training.
 - (5) A position for a tutor for any student in pre-kindergarten through twelfth grade.
 - (6) A position for a classroom teacher employed in a temporary capacity to proctor tests.
2. A person classified as a reemployment-eligible retiree who is:
 - A. A member of the TRSL who was retired on or before June 30, 2010.
 - B. A retiree who holds an advanced degree in speech therapy, speech pathology, or audiology.

Critical shortage shall mean a situation ~~where there exists a shortage of certified teachers in a certain subject area or a shortage of certified speech therapists, speech pathologists, audiologists, educational diagnosticians, school social workers, or school counselors.~~ in which the School Board has advertised and posted notice of positions to be filled and has received fewer than three (3) certified applicants. Certification that a critical shortage exists shall

be presented to the Louisiana Board of Elementary and Secondary Education (BESE) and the *Teachers Retirement System of Louisiana*, in order for a retiree who is employed in a critical shortage area to be eligible to receive retirement benefits.

Prior to making such certification of a critical shortage for any *full-time critical shortage position*, the School Board shall be required to advertise in the School Board's official journal, on two (2) separate occasions, notice that a shortage of certified teachers exists and the positions to be filled. Additionally, the School Board shall cause notice of the shortage of certified teachers to be posted at the career development or similar office of every post-secondary institution within a 120 mile radius of the School Board. If a certified applicant who is not a retiree applies for an advertised position, such person *shall be hired* before any certified retiree is employed, unless fewer than three (3) applicants have applied for the position, each of whom is certified in the critical shortage area being filled.

Classroom teacher shall mean any employee whose position of employment requires a valid Louisiana teaching certificate and who is assigned professional activities of instructing pupils in courses in classroom situations for which daily pupil attendance figures are kept, or is assigned to proctor admission, evaluation, or assessment testing; however, such proctoring shall not be considered a subject area for a critical shortage. Such classroom situations may include testing in school classrooms or other settings such as, homes or hospitals or other learning situations including co-curricular activities. Instruction may be provided in person or through an approved medium such as television, radio, computer, Internet, multimedia telephone, or correspondence and may be delivered inside or outside the classroom or in other teacher-student settings.

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

Salary of Retired Teacher

The salary of any retired teacher who is reemployed shall be based on the salary schedule which accounts for all prior years of teaching service and pertinent experience. The earnings of a retired teacher returning to active service may result in a reduction in retirement benefits received, in accordance with statutory provisions.

Retired Member Not Considered a Retired Teacher

A retired member not considered a *retired teacher*, who returns to active service with the School Board, shall have his/her retirement benefits suspended for the duration of reemployment, even if such employment is based on a contract, and shall make no contributions to the TRSL and shall receive no additional service credit nor accrue any additional retirement benefits.

Notification to TRSL

Whenever a retiree returns to active service, the School Board shall, within thirty (30) days thereafter, notify the TRSL in writing of such employment, the date of reemployment, and a determination as to whether the person is a *retired teacher*. Other reports shall be submitted as required by state law.

BUS OPERATORS

A bus operator who has retired from service may be employed and return to service as a full-time bus operator. If a retired bus operator is reemployed, the Superintendent shall certify to the BESE that a shortage of qualified bus operators exists in the school district.

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

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

Actuarial Cost

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

OTHER NON-CERTIFIED EMPLOYEES

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

New policy: August, 2010

Revised: March 8, 2016

Revised: August, 2011

Revised: December, 2018

Revised: November, 2012

Ref: La. Rev. Stat. Ann. §§11:710, 11:1006, 11:1007, 17:81; Board minutes, 10-5-10, 2-7-12, 2-5-13, 3-8-16.

**FILE: GBDA
Cf: GBA, GBD**

EMPLOYMENT OF RETIRED PERSONNEL

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Ref: La. Rev. Stat. Ann. §§11:710, 11:1006, 11:1007, 17:81; Board minutes, 10-5-10, 2-7-12, 2-5-13, 3-8-16.

**Agenda Item #1h
Legislative Policy Updates
GBRIB – Sick Leave**

FILE: GBRIB

Cf: EGAA, [GBRIBA](#), GBRIBB

The Calcasieu Parish School Board shall grant all employees hired for the school year or longer a minimum of ten (10) days absence per year because of personal illness or other emergencies without loss of pay in accordance with the following schedule:

<u>Months Employed</u>	<u>Sick Leave Days per Year</u>
9	10
10	11
11	11
12	12

Sick leave, when not used, shall be allowed to accumulate to the credit of the employee without limitation. However, upon initial employment, a *teacher* employed by the School Board shall not be allowed any sick leave until he/she reports for duty and actually performs work.

The minimum of ten days of sick leave for an employee shall be based on the employee beginning work at the beginning of the school year. In the case of an employee beginning work in the first month of the school year, *ten days* sick leave shall be allowed. If an employee begins work in the second month of the school year, *nine days* of sick leave shall be allowed, and the number of days of sick leave shall continue to be prorated for an employee who begins work until the eighth month of the school year, when only *three days* of sick leave shall be allowed. The Superintendent and/or his/her designee shall be responsible for developing and maintaining pertinent regulations and procedures governing sick leave.

All other employees (10, 11, and 12 month employees) will be given a minimum of 10, 11, or 12 days which will be based on the employee's hire date. If hired after the appropriate starting time, their sick leave will be prorated from a schedule established by the Personnel Department.

TERMINOLOGY

Statutes governing sick leave for School Board personnel include differing provisions for different categories of employees. For purposes of this policy, the following terminology shall apply:

A *teacher* shall mean any person employed by the School Board who holds a valid teaching certificate or any social worker, guidance counselor, or school psychologist employed by the School Board who holds, as applicable, a valid professional ancillary certificate.

A *bus operator* shall mean any person employed by the School Board who operates a school bus transporting children under the supervision of the School Board.

A *school employee* shall mean any person employed by the School Board who is not a teacher or whose employment does not require the holding of a teacher's certificate or who is not employed as a bus operator.

The use of the term *employee* shall include all three categories of personnel.

An employee who is absent for six (6) or more consecutive days shall be required to present a certificate from a physician certifying such absence upon return to work. In the case of repeated absences of less than six (6) days because of illness, the School Board reserves the right to require verification of illness. Should a pattern of behavior so warrant, upon the request of the Superintendent or School Board, the employee shall be required, at the expense of the School Board, to provide a certificate from a physician specified by the Superintendent or School Board, in order to verify the existence of an illness, injury, or medical emergency.

Excuses for employee absences due to illness or injury must be provided on physician's letterhead containing the physician's name, address, and telephone number, typed, printed, or as part of the letterhead. The physician's typed or neatly printed name shall also appear beneath his/her signature. The letter must clearly state the reason for the illness or injury, date of the illness or injury, and the anticipated return-to-work date.

If an employee is absent from duty under circumstances in which he/she is not entitled to any kind of leave, such employee shall be considered to be in violation of his/her contract, and is not entitled to be paid for the days of unauthorized absence and non-performance of duties.

SICK LEAVE FOR EMERGENCIES

Emergencies for sick leave purposes shall be defined by the School Board as:

1. serious illness or disability of immediate family (spouse or children);
2. serious illness or disability of the employee's parents or those to the spouse, brothers and sisters or those of the spouse; or
3. wedding of the employee.

Emergencies not listed shall be considered by the Superintendent.

EXTENDED SICK LEAVE

The School Board shall permit employees to take up to ninety (90) days of extended sick leave in each six-year period of employment which may be used for a medical necessity at any time the employee has **no** remaining regular sick leave balance at the time the extended sick leave is set to begin. The initial six-year period of employment shall begin on August 15, 1999 for all *teachers* and *bus operators* employed as of that date, on August

15, 2008 for *school employees* employed as of that date, or on the effective date of employment for those employees employed after the dates above. All decisions relative to the granting of extended sick leave shall be made by the Superintendent.

Unused days during any six-year period of employment shall not cumulate or carry forward into the next six-year period of employment. The balance of days of extended sick leave available shall transfer with the employee from one public school employer to another without loss or restoration of days.

Interruptions of service between periods of employment with a public school employer shall not be included in any calculation of a six-year period, such that any employment with any public school employer, regardless of when it occurs, shall be included in any determination of the balance of days of extended sick leave available to the employee.

Any employee on extended sick leave shall be paid **sixty-five percent (65%)** of the salary paid the employee at the time the extended sick leave begins.

Definitions

Child means a biological son or daughter, an adopted son or daughter, a foster son or daughter, a stepson or daughter, or a legal ward of an employee standing in *loco parentis* to that ward who is either under the age of eighteen (18) or who is eighteen (18) years of age but under twenty-four (24) years of age and is a full-time student, or who is nineteen (19) years of age or older and incapable of self-care because of a mental or physical disability.

Immediate family member shall mean a spouse, parent, or child of the employee.

Infant means a child under one year of age.

Medical necessity shall be the result of a catastrophic illness or injury, a life-threatening, chronic, or incapacitating condition, as certified by a physician, of the employee or a member of his/her immediate family.

Parent means the biological parent of an employee or an individual who stood in *loco parentis* to the employee.

Extended Sick Leave for Maternity or Adoptive Purposes

Each *teacher* granted maternity [or adoptive](#) leave in accordance with state law and who has no remaining sick leave [balance](#) available may ~~also~~ be granted up to (30) days of additional extended sick leave in each six-year period of employment for personal illness relating to pregnancy, illness of an infant, or for required medical visits certified by a physician as relating to infant or maternal health.

Gainful Employment Permitted

An employee may undertake additional gainful employment while on extended sick leave, provided **all** of the following conditions are met:

1. The employee can demonstrate that he/she will be working not more than twenty (20) hours a week in a part-time job that the employee has been working for not less than one hundred twenty (120) days prior to the beginning of any period of extended sick leave.
2. The physician who certifies the medical necessity of the leave indicates that such part-time work does not impair the purpose for which the extended sick leave is required.

Any violation of the provisions regarding gainful employment may require the employee to return to the School Board all compensation paid during any week of extended sick leave in which the employee worked more than twenty (20) hours and to reimburse the School Board all related employment costs attributable to such period as calculated by the School Board, without any restoration of leave days.

Application Process

On every occasion that a *teacher* uses extended sick leave, a statement from a licensed physician certifying that it is for personal illness relating to pregnancy, illness of an infant, or for required medical visits related to infant or maternal health, or that it is a medical necessity, shall be presented prior to extended sick leave being taken.

On every occasion that a *bus operator* or *school employee* uses extended sick leave, a statement from a licensed physician certifying that it is a medical necessity for the *bus operator* or *school employee* to be absent for at least ten (10) consecutive work days shall be presented prior to extended sick leave being taken.

The required physician's statement may be presented along with the request for extended sick leave subsequent to the *teacher's* or *school employee's* return to service. In such a case, the extended sick leave shall be granted for all days for which extended sick leave is requested, provided the request and required documentation is presented within three (3) days after the *teacher* or *school employee* returns to service. However, the School Board or the Superintendent reserves the right to question the validity of the medical certification after the three day period.

If the period an employee is on extended sick leave is anticipated to carry over from one school year to the start of the next school year, another application and physician's statement shall be submitted prior to the start of the next school year in order to be eligible for continued extended sick leave.

SICK LEAVE FOR ASSAULT OR BATTERY

Any employee of the public schools who is disabled while acting in his/her official capacity as a result of an assault or battery by any student or person shall receive sick leave without reduction in pay, and without reduction in accrued sick leave days while disabled as a result of such assault and battery. A *teacher* shall be required to provide a certificate from a physician certifying the disability. A *bus operator* or *school employee* shall be required to present certification of the disability from a physician if the bus operator or school employee is absent for six (6) or more consecutive days as a result of the disability.

Disability, for purposes of this policy, shall mean the inability to perform the essential functions of the job.

The sick leave authorized shall be in addition to all other sick leave authorized herein, shall not be accumulated from year to year, nor shall such additional sick leave be compensated for at death or retirement, or compensated for in any manner except as set forth above.

The School Board shall not reduce the pay or accrued sick leave of any employee who is absent from his/her duties to seek medical attention or treatment as a result of an injury from assault or battery.

If the employee's physician determines that the employee is able to return to regular duties with restrictions and the School Board does not allow the employee to return to duty with those restrictions, the employee's leave shall be granted or continued as provided by statute.

If any ~~teacher or school~~ employee, ~~but not a bus operator~~ is receiving sick leave as a result of assault or battery as provided in this section and begins receiving retirement benefits, the sick leave provided herein shall cease.

SICK LEAVE FOR PHYSICAL CONTACT WITH A STUDENT

Any *teacher* who is disabled while acting in his/her official capacity as a result of physical contact with a student while providing physical assistance to a student to prevent danger or risk of injury to the student, shall receive sick leave for a period of up to one (1) calendar year without reduction in pay and without reduction in accrued sick leave days while disabled as a result of rendering such assistance. Any *school employee*, but not a *bus operator*, disabled in a similar manner shall receive up to ninety (90) days of such sick leave. The *teacher* or *school employee* shall be required to present a certificate from a physician certifying the disability. The School Board may extend the period of sick leave beyond the allowable period at its discretion.

The School Board shall not reduce the pay or accrued sick leave of any *teacher* or *school employee* who is absent from his/her duties to seek medical attention or treatment as a result of an injury from physical contact with a student.

If the *teacher's* or *school employee's* physician determines that the employee is able to return to regular duties with restrictions and the School Board does not allow the employee to return to duty with those restrictions, the *teacher's* or *school employee's* leave shall be granted or continued as provided by statute.

VALIDITY OF PHYSICIAN'S CERTIFICATION

If at any time during the period of certified disability the School Board questions the validity or accuracy of the physician's certification for any type of sick leave request made by a *teacher*, or for extended leave or leave requested as a result of physical assault or battery made by a *bus operator* or *school employee*, the School Board may require the employee to be examined by a licensed physician selected by the School Board.

Any further review of medical certification shall proceed as follows:

1. Upon review of the physician's certification submitted, if the School Board or Superintendent questions the validity or accuracy of the certification, the School Board or Superintendent may require the employee, or the immediate family member, as applicable, as a condition for taking the applicable sick

leave, to be examined by a licensed physician selected by the School Board or Superintendent. If the physician finds medical necessity or certifies a disability, the leave shall be granted.

2. If the selected physician disagrees with the original medical certification from the physician selected by the employee, then the School Board or Superintendent may require the employee, or immediate family member, as applicable, as a condition for taking the applicable sick leave, to be examined by a *third* licensed physician, whose name appears next in the rotation of physicians on a list established by the local medical society and maintained by the School Board or Superintendent. The final determination of medical necessity or certification of a disability shall be based on the opinion of the third physician.
3. In the determination of the validity of a physician's certification, the opinion of *all* physicians consulted shall be submitted to the School Board or Superintendent in the form of a **sworn statement**. All information contained in any statement from a physician shall be confidential and shall not be subject to the public records law.

The School Board shall pay all costs of any examinations and tests determined to be necessary.

SICK LEAVE/WORKERS' COMPENSATION

Should any *teacher* become injured or disabled while acting in his/her official capacity, other than by assault, the *teacher* shall be entitled to appropriate worker's compensation benefits and/or sick leave benefits, at the *teacher's* option, for the period of time while injured or disabled. Any benefits received, however, shall not exceed the total amount of the regular salary the *teacher* was receiving at the time of injury or disability. The *teacher* shall be required to present a certificate from a physician certifying such injury or incapacitation.

VESTING OF SICK LEAVE

All sick leave accumulated by a *teacher* or *school employee*, but *not a bus operator*, shall be vested in the *teacher* or *school employee* by whom such leave has been accumulated. In the event of the transfer of a *teacher* or *school employee* from one school system to another in Louisiana, or upon the return of such *teacher* or *school employee* to the same school system within five (5) years or such longer period that may be approved by the School Board to which the *teacher* or *school employee* returned, regardless of the dates on which the leave was accumulated or the date of transfer or return of the *teacher* or *school employee*, such vested leave which remains unused or for which the *teacher* or *school employee* has not been compensated directly or transferred such days for retirement credit, shall be transferred, returned to, or continued by the School Board and shall be retained to the credit of *teacher* or *school employee*.

PAYMENT UPON RETIREMENT OR DEATH

Upon the retirement of any employee, or upon the employee entering or upon the employee's death prior to retirement, the School Board shall pay the employee or his/her heirs or assigns, for any unused sick leave, not to exceed twenty-five (25) days. Such pay shall be at the daily rate of pay paid to the employee at the time of his/her retirement or death.

DEFERRED RETIREMENT OPTION PROGRAM (DROP)

ny employee of the Calcasieu Parish School Board who participates in the *Deferred Retirement Option Program* (DROP) shall be eligible for and may elect to receive on a one-time basis severance pay (accrued sick leave up to a maximum of twenty-five (25) days) upon entering DROP on the same basis as any other employee who retires or otherwise leaves employment; otherwise, any accrued sick leave shall be paid only upon final retirement of the employee.

Revised: December, 1991

Revised: January, 2010

Revised: December, 1995

Revised: July, 2010

Revised: June, 1999

Revised: September, 2012

Revised: August, 1999

Revised: September 9, 2014

Revised: September, 1999

Revised: March 13, 2018

Revised: August, 2001

Revised: December, 2018

Revised: September, 2001

Revised: June, 2003

Revised: September, 2004

Revised: September, 2008

Ref: La. Rev. Stat. Ann. "14:125, 17:425, 17:425.1, 17:500, 17:500.1, 17:500.2, 17:1200, 17:1201, 17:1202, 17:1205, 17:1206, 17:1206.1, 17:1206.2; Board minutes, 3-17-92, 6-5-01, 3-11-03, 12-7-04, 10-7-08, 1-12-10, 7-13-10, 10-2-12, 9-9-14, 3-13-18.

FILE: GBRIB

Cf: EGAA, GBRIBA, GBRIBB

SICK LEAVE

The Calcasieu Parish School Board shall grant all employees hired for the school year or longer a minimum of ten (10) days absence per year because of personal illness or other emergencies without loss of pay in accordance with the following schedule:

<u>Months Employed</u>	<u>Sick Leave Days per Year</u>
9	10
10	11

11

11

12

12

Sick leave, when not used, shall be allowed to accumulate to the credit of the employee without limitation. However, upon initial employment, a *teacher* employed by the School Board shall not be allowed any sick leave until he/she reports for duty and actually performs work.

The minimum of ten days of sick leave for an employee shall be based on the employee beginning work at the beginning of the school year. In the case of an employee beginning work in the first month of the school year, *ten days* sick leave shall be allowed. If an employee begins work in the second month of the school year, *nine days* of sick leave shall be allowed, and the number of days of sick leave shall continue to be prorated for an employee who begins work until the eighth month of the school year, when only *three days* of sick leave shall be allowed. The Superintendent and/or his/her designee shall be responsible for developing and maintaining pertinent regulations and procedures governing sick leave.

All other employees (10, 11, and 12 month employees) will be given a minimum of 10, 11, or 12 days which will be based on the employee's hire date. If hired after the appropriate starting time, their sick leave will be prorated from a schedule established by the Personnel Department.

TERMINOLOGY

Statutes governing sick leave for School Board personnel include differing provisions for different categories of employees. For purposes of this policy, the following terminology shall apply:

A *teacher* shall mean any person employed by the School Board who holds a valid teaching certificate or any social worker, guidance counselor, or school psychologist employed by the School Board who holds, as applicable, a valid professional ancillary certificate.

A *bus operator* shall mean any person employed by the School Board who operates a school bus transporting children under the supervision of the School Board.

A *school employee* shall mean any person employed by the School Board who is not a teacher or whose employment does not require the holding of a teacher's certificate or who is not employed as a bus operator.

The use of the term *employee* shall include all three categories of personnel.

An employee who is absent for six (6) or more consecutive days shall be required to present a certificate from a physician certifying such absence upon return to work. In the case of repeated absences of less than six (6) days because of illness, the School Board reserves the right to require verification of illness. Should a pattern of behavior so warrant, upon the request of the Superintendent or School Board, the employee shall be required, at the expense of the School Board, to provide a certificate from a physician specified by the Superintendent or School Board, in order to verify the existence of an illness, injury, or medical emergency.

Excuses for employee absences due to illness or injury must be provided on physician's letterhead containing the physician's name, address, and telephone number, typed, printed, or as part of the letterhead. The physician's typed or neatly printed name shall also appear beneath his/her signature. The letter must clearly state the reason for the illness or injury, date of the illness or injury, and the anticipated return-to-work date.

If an employee is absent from duty under circumstances in which he/she is not entitled to any kind of leave, such employee shall be considered to be in violation of his/her contract, and is not entitled to be paid for the days of unauthorized absence and non-performance of duties.

SICK LEAVE FOR EMERGENCIES

Emergencies for sick leave purposes shall be defined by the School Board as:

1. serious illness or disability of immediate family (spouse or children);
2. serious illness or disability of the employee's parents or those to the spouse, brothers and sisters or those of the spouse; or
3. wedding of the employee.

Emergencies not listed shall be considered by the Superintendent.

EXTENDED SICK LEAVE

The School Board shall permit employees to take up to ninety (90) days of extended sick leave in each six-year period of employment which may be used for a medical necessity at any time the employee has **no** remaining regular sick leave balance at the time the extended sick leave is set to begin. The initial six-year period of employment shall begin on August 15, 1999 for all *teachers* and *bus operators* employed as of that date, on August 15, 2008 for *school employees* employed as of that date, or on the effective date of employment for those employees employed after the dates above. All decisions relative to the granting of extended sick leave shall be made by the Superintendent.

Unused days during any six-year period of employment shall not cumulate or carry forward into the next six-year period of employment. The balance of days of extended sick leave available shall transfer with the employee from one public school employer to another without loss or restoration of days.

Interruptions of service between periods of employment with a public school employer shall not be included in any calculation of a six-year period, such that any employment with any public school employer, regardless of when it occurs, shall be included in any determination of the balance of days of extended sick leave available to the employee.

Any employee on extended sick leave shall be paid **sixty-five percent (65%)** of the salary paid the employee at the time the extended sick leave begins.

Definitions

Child means a biological son or daughter, an adopted son or daughter, a foster son or daughter, a stepson or daughter, or a legal ward of an employee standing in *loco parentis* to that ward who is either under the age of eighteen (18) or who is eighteen (18) years of age but under twenty-four (24) years of age and is a full-time student, or who is nineteen (19) years of age or older and incapable of self-care because of a mental or physical disability.

Immediate family member shall mean a spouse, parent, or child of the employee.

Infant means a child under one year of age.

Medical necessity shall be the result of a catastrophic illness or injury, a life-threatening, chronic, or incapacitating condition, as certified by a physician, of the employee or a member of his/her immediate family.

Parent means the biological parent of an employee or an individual who stood in *loco parentis* to the employee.

Extended Sick Leave for Maternity or Adoptive Purposes

Each *teacher* granted maternity or adoptive leave in accordance with state law and who has no remaining sick leave balance available may be granted up to (30) days of additional extended sick leave in each six-year period of employment for personal illness relating to pregnancy, illness of an infant, or for required medical visits certified by a physician as relating to infant or maternal health.

Gainful Employment Permitted

An employee may undertake additional gainful employment while on extended sick leave, provided **all** of the following conditions are met:

1. The employee can demonstrate that he/she will be working not more than twenty (20) hours a week in a part-time job that the employee has been working for not less than one hundred twenty (120) days prior to the beginning of any period of extended sick leave.
2. The physician who certifies the medical necessity of the leave indicates that such part-time work does not impair the purpose for which the extended sick leave is required.

Any violation of the provisions regarding gainful employment may require the employee to return to the School Board all compensation paid during any week of extended sick leave in which the employee worked more than twenty (20) hours and to reimburse the School Board all related employment costs attributable to such period as calculated by the School Board, without any restoration of leave days.

Application Process

On every occasion that a *teacher* uses extended sick leave, a statement from a licensed physician certifying that it is for personal illness relating to pregnancy, illness of an infant, or for required medical visits related to infant or maternal health, or that it is a medical necessity, shall be presented prior to extended sick leave being taken.

On every occasion that a *bus operator* or *school employee* uses extended sick leave, a statement from a licensed physician certifying that it is a medical necessity for the *bus operator* or *school employee* to be absent for at least ten (10) consecutive work days shall be presented prior to extended sick leave being taken.

The required physician's statement may be presented along with the request for extended sick leave subsequent to the *teacher's* or *school employee's* return to service. In such a case, the extended sick leave shall be granted for all days for which extended sick leave is requested, provided the request and required documentation is presented within three (3) days after the *teacher* or *school employee* returns to service. However, the School Board or the Superintendent reserves the right to question the validity of the medical certification after the three day period.

If the period an employee is on extended sick leave is anticipated to carry over from one school year to the start of the next school year, another application and physician's statement shall be submitted prior to the start of the next school year in order to be eligible for continued extended sick leave.

SICK LEAVE FOR ASSAULT OR BATTERY

Any employee of the public schools who is disabled while acting in his/her official capacity as a result of an assault or battery by any student or person shall receive sick leave without reduction in pay, and without reduction in accrued sick leave days while disabled as a result of such assault and battery. A *teacher* shall be required to provide a certificate from a physician certifying the disability. A *bus operator* or *school employee* shall be required to present certification of the disability from a physician if the bus operator or school employee is absent for six (6) or more consecutive days as a result of the disability.

Disability, for purposes of this policy, shall mean the inability to perform the essential functions of the job.

The sick leave authorized shall be in addition to all other sick leave authorized herein, shall not be accumulated from year to year, nor shall such additional sick leave be compensated for at death or retirement, or compensated for in any manner except as set forth above.

The School Board shall not reduce the pay or accrued sick leave of any employee who is absent from his/her duties to seek medical attention or treatment as a result of an injury from assault or battery.

If the employee's physician determines that the employee is able to return to regular duties with restrictions and the School Board does not allow the employee to return to duty with those restrictions, the employee's leave shall be granted or continued as provided by statute.

If any employee is receiving sick leave as a result of assault or battery as provided in this section and begins receiving retirement benefits, the sick leave provided herein shall cease.

SICK LEAVE FOR PHYSICAL CONTACT WITH A STUDENT

Any *teacher* who is disabled while acting in his/her official capacity as a result of physical contact with a student while providing physical assistance to a student to prevent danger or risk of injury to the student, shall receive sick leave for a period of up to one (1) calendar year without reduction in pay and without reduction in accrued

sick leave days while disabled as a result of rendering such assistance. Any *school employee*, but not a *bus operator*, disabled in a similar manner shall receive up to ninety (90) days of such sick leave. The *teacher* or *school employee* shall be required to present a certificate from a physician certifying the disability. The School Board may extend the period of sick leave beyond the allowable period at its discretion.

The School Board shall not reduce the pay or accrued sick leave of any *teacher* or *school employee* who is absent from his/her duties to seek medical attention or treatment as a result of an injury from physical contact with a student.

If the *teacher's* or *school employee's* physician determines that the employee is able to return to regular duties with restrictions and the School Board does not allow the employee to return to duty with those restrictions, the *teacher's* or *school employee's* leave shall be granted or continued as provided by statute.

VALIDITY OF PHYSICIAN'S CERTIFICATION

If at any time during the period of certified disability the School Board questions the validity or accuracy of the physician's certification for any type of sick leave request made by a *teacher*, or for extended leave or leave requested as a result of physical assault or battery made by a *bus operator* or *school employee*, the School Board may require the employee to be examined by a licensed physician selected by the School Board.

Any further review of medical certification shall proceed as follows:

1. Upon review of the physician's certification submitted, if the School Board or Superintendent questions the validity or accuracy of the certification, the School Board or Superintendent may require the employee, or the immediate family member, as applicable, as a condition for taking the applicable sick leave, to be examined by a licensed physician selected by the School Board or Superintendent. If the physician finds medical necessity or certifies a disability, the leave shall be granted.
2. If the selected physician disagrees with the original medical certification from the physician selected by the employee, then the School Board or Superintendent may require the employee, or immediate family member, as applicable, as a condition for taking the applicable sick leave, to be examined by a *third* licensed physician, whose name appears next in the rotation of physicians on a list established by the local medical society and maintained by the School Board or Superintendent. The final determination of medical necessity or certification of a disability shall be based on the opinion of the third physician.
3. In the determination of the validity of a physician's certification, the opinion of *all* physicians consulted shall be submitted to the School Board or Superintendent in the form of a **sworn statement**. All information contained in any statement from a physician shall be confidential and shall not be subject to the public records law.

The School Board shall pay all costs of any examinations and tests determined to be necessary.

SICK LEAVE/WORKERS' COMPENSATION

Should any *teacher* become injured or disabled while acting in his/her official capacity, other than by assault, the *teacher* shall be entitled to appropriate worker's compensation benefits and/or sick leave benefits, at the *teacher's* option, for the period of time while injured or disabled. Any benefits received, however, shall not exceed the total amount of the regular salary the *teacher* was receiving at the time of injury or disability. The *teacher* shall be required to present a certificate from a physician certifying such injury or incapacitation.

VESTING OF SICK LEAVE

All sick leave accumulated by a *teacher* or *school employee*, but *not a bus operator*, shall be vested in the *teacher* or *school employee* by whom such leave has been accumulated. In the event of the transfer of a *teacher* or *school employee* from one school system to another in Louisiana, or upon the return of such *teacher* or *school employee* to the same school system within five (5) years or such longer period that may be approved by the School Board to which the *teacher* or *school employee* returned, regardless of the dates on which the leave was accumulated or the date of transfer or return of the *teacher* or *school employee*, such vested leave which remains unused or for which the *teacher* or *school employee* has not been compensated directly or transferred such days for retirement credit, shall be transferred, returned to, or continued by the School Board and shall be retained to the credit of *teacher* or *school employee*.

PAYMENT UPON RETIREMENT OR DEATH

Upon the retirement of any employee, or upon the employee entering or upon the employee's death prior to retirement, the School Board shall pay the employee or his/her heirs or assigns, for any unused sick leave, not to exceed twenty-five (25) days. Such pay shall be at the daily rate of pay paid to the employee at the time of his/her retirement or death.

DEFERRED RETIREMENT OPTION PROGRAM (DROP)

Any employee of the Calcasieu Parish School Board who participates in the *Deferred Retirement Option Program* (DROP) shall be eligible for and may elect to receive on a one-time basis severance pay (accrued sick leave up to a maximum of twenty-five (25) days) upon entering DROP on the same basis as any other employee who retires or otherwise leaves employment; otherwise, any accrued sick leave shall be paid only upon final retirement of the employee.

Revised: December, 1991

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Revised: June, 1999

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Revised: September, 2004

Revised: September, 2008

Ref: La. Rev. Stat. Ann. "14:125, 17:425, 17:425.1, 17:500, 17:500.1, 17:500.2, 17:1200, 17:1201, 17:1202, 17:1205, 17:1206, 17:1206.1, 17:1206.2; Board minutes, 3-17-92, 6-5-01, 3-11-03, 12-7-04, 10-7-08, 1-12-10, 7-13-10, 10-2-12, 9-9-14, 3-13-18.

Agenda Item #1i
Legislative Policy Updates
GBRIC – Maternity and Adoptive Leave

FILE: GBRIC
Cf: GBRIB, GBRIBA

MATERNITY LEAVE

The Calcasieu Parish School Board shall grant leaves of absence to ~~an~~ regular employees for a reasonable time before and after ~~childbirth~~ the birth of a child. Reasonable period of time means that period during which the female employee is disabled on account of pregnancy, childbirth, or related medical conditions. Regular employees, for purposes of this policy, shall mean teachers serving under contract (not to include substitute teachers or teachers replacing others on leave) and other female employees who are employed by the School Board on a regular basis. Such leave shall be granted upon proper application to the School Board for maternity leave.

~~The granting of such leaves shall not affect any of the tenure rights or continuous service which the employee may have acquired prior to the leave.~~

An applicant for maternity leave must select one (1) of four (4) plans denoted below in order to receive maximum maternity leave benefits, and each applicant is encouraged to confer with an appropriate supervisor in order to ensure the selection of the best plan of benefits. Options for taking maternity leave are as follows:

1. Plan A - The employee shall be absent ~~only during a period of disability~~ and ~~has~~ have enough accrued sick leave ~~in an amount sufficient~~ to cover the entire disability leave period.
2. Plan B - The employee shall be absent ~~only during period of disability but~~ and will ~~need to use~~ exhaust all accrued sick leave ~~plus additional sick leave in accordance with statutory provisions, to cover disability period beyond accrued sick leave available~~ and will use the extended sick leave provision in accordance with policy GBRIB, Sick Leave.
3. Plan C - The employee shall be absent ~~before and/or after period of disability, and subsequently hereby request the use of sick leave during the period of disability to include additional sick leave in accordance with statutory provisions, if necessary, and leave without pay~~

~~for the absences before and/or after the disability period~~ and will exhaust all accrued sick leave and all extended sick leave and will be docked the daily rate of pay for all absences not covered by sick leave.

4. Plan D - The employee shall be on *leave without pay* ~~only for the period of absence.~~

~~The leave without pay provision of Plan C or D herein shall be limited to ninety (90) calendar days before and/or after the expected date of delivery as verified by the attending physician.~~

~~Maternity leave under Plan A or B shall not affect the accrual of sabbatical leave or tenure provisions to which the employee may be entitled. Maternity leave under Plan C or D shall not cause a loss of benefits accrued prior to the semester or semesters of the leave; however, each semester affected by Plan C or D does not accrue for sabbatical or tenure benefits.~~

Maternity leave shall not affect the accrual of sabbatical leave or tenure provisions to which the employee may be entitled.

Disability due to pregnancy shall be treated as any other personal illness; therefore, a ~~minimum of four (4)~~ physician's statements ~~are~~ shall be needed to administer the leave effectively and to provide the employee with maximum benefits. Physician statements shall be submitted as follows:

- ~~1. First Statement should be submitted as an attachment to the application for maternity leave and should verify an expected delivery date.~~
- ~~2. Second Statement is due after six (6) consecutive absences and should verify the beginning and ending dates of disability.~~
- ~~3. Third Statement is due not later than ten (10) days after the delivery of the child and should verify the ending date of the disability period.~~
- ~~4. Fourth Statement is due on or about six (6) weeks after the birth of the child and should verify the date the physician will release the employee due to the disability relating to pregnancy.~~

1. Physician Excuse – This is due after six consecutive absences and should verify the beginning of the leave. This shall allow for continuation of paychecks. The Extended Leave Physician's Statement form shall be used if the extended sick leave is being used for any part of the absence. Physicians' excuses are valid for a maximum of six (6) weeks.

2. Release to Return to Work – This is due on or about six (6) - eight (8) weeks after the birth of the child and should verify the date the physician releases the employee due to the pregnancy or adoption. An employee must have a release to return to work.

ADOPTIVE LEAVE

The School Board shall grant leaves of absence not to exceed thirty (30) days to regular employed teachers after the legal adoption of a child. If multiple children are adopted on the same date, the event shall be considered a

single qualifying event. The granting of such leave shall not affect any of the tenure rights with the teacher may have acquired under state law.

Each teacher granted adoptive leave in accordance with state law who has no remaining sick leave days available may also be granted up to thirty (30) days of extended sick leave in each six-year period of employment for personal illness related to illness of an infant, or for required medical visits certified by a physician as relating to infant health.

Adoptive leave shall not interrupt the consecutive service for sabbatical leave purposes.

Revised: December, 2018

Ref: La. Rev. Stat. Ann. "17:1171, 17:1201, 17:1202, 17:1211, [23:334](#), [23:341](#), [23:342](#), ~~23:1007~~.

**FILE: GBRIC
Cf: GBRIB, GBRIBA**

MATERNITY AND ADOPTIVE LEAVE

MATERNITY LEAVE

The Calcasieu Parish School Board shall grant leaves of absence to regular employees for a reasonable time before and after the birth of a child. *Reasonable period of time* means that period during which the female employee is disabled on account of pregnancy, childbirth, or related medical conditions. *Regular employees*, for purposes of this policy, shall mean teachers serving under contract (not to include substitute teachers or teachers replacing others on leave) and other female employees who are employed by the School Board on a regular basis. Such leave shall be granted upon proper application to the School Board for maternity leave.

An applicant for maternity leave must select one (1) of four (4) plans denoted below in order to receive maximum maternity leave benefits, and each applicant is encouraged to confer with an appropriate supervisor in order to ensure the selection of the best plan of benefits. Options for taking maternity leave are as follows:

1. Plan A - The employee shall be absent and have enough accrued sick leave to cover the entire leave period.
2. Plan B - The employee shall be absent and will exhaust all accrued sick leave and will use the extended sick leave provision in accordance with policy *GBRIB, Sick Leave*.
3. Plan C - The employee shall be absent and will exhaust all accrued sick leave and all extended sick leave and will be docked the daily rate of pay for all absences not covered by sick leave.
4. Plan D - The employee shall be on *leave without pay* only.

Maternity leave shall not affect the accrual of sabbatical leave or tenure provisions to which the employee may be entitled.

Disability due to pregnancy shall be treated as any other personal illness; therefore, a physician's statement shall be needed to administer the leave effectively and to provide the employee with maximum benefits. Physician statements shall be submitted as follows:

1. *Physician Excuse* – This is due after six consecutive absences and should verify the beginning of the leave. This shall allow for continuation of paychecks. The Extended Leave Physician's Statement form shall be used if the extended sick leave is being used for any part of the absence. Physicians' excuses are valid for a maximum of six (6) weeks.
2. *Release to Return to Work* – This is due on or about six (6) - eight (8) weeks after the birth of the child and should verify the date the physician releases the employee due to the pregnancy or adoption. An employee must have a release to return to work.

ADOPTIVE LEAVE

The School Board shall grant leaves of absence not to exceed thirty (30) days to regular employed teachers after the legal adoption of a child. If multiple children are adopted on the same date, the event shall be considered a single qualifying event. The granting of such leave shall not affect any of the tenure rights with the teacher may have acquired under state law.

Each *teacher* granted adoptive leave in accordance with state law who has no remaining sick leave days available may also be granted up to thirty (30) days of extended sick leave in each six-year period of employment for personal illness related to illness of an infant, or for required medical visits certified by a physician as relating to infant health.

Adoptive leave shall not interrupt the consecutive service for sabbatical leave purposes.

Revised: December, 2018

Ref: La. Rev. Stat. Ann. "17:1171, 17:1201, 17:1202, 17:1211, 23:334, 23:341, 23:342.

**Agenda Item #1j
CPSB Policy Revisions**

GBD-AP – Procedures for Selection of Administrative and Supervisory Personnel

FILE: GBD-AP
Cf: [GBD](#)

**CALCASIEU PARISH SCHOOLS
ADMINISTRATIVE PROCEDURES**

DATE ISSUED: 5-9-06

SUBJECT: STAFF HIRING

PROCEDURES FOR SELECTION OF ADMINISTRATIVE AND SUPERVISORY PERSONNEL

Upon the creation of a new administrative or supervisory position, or a vacancy in an existing position, except for the position of Superintendent of Schools, the Superintendent shall notify all schools and departments within the school system that applications are being accepted. This shall be done by sending an ~~letter to each principal and department head who shall post this letter in a conspicuous place within the school or department~~ [email to all Calcasieu Parish School board employees](#). In addition, job postings are immediately posted on the CPSB website under Job Opportunities. Potential employees have the option to create an online profile and request email notifications for new job postings.

1. The time period for submitting applications and other pertinent criteria shall be stated as applicable.
2. Application forms will be available ~~in the Personnel Department, and the completed application form with a copy of a current teaching certificate shall be filed in the Personnel Department.~~ [Online at www.cpsb.org](http://www.cpsb.org).
3. All applications will be reviewed and processed by the Personnel Department.
4. A list of applicants for the position will be forwarded to the Superintendent and Board Members.
5. The appropriate interviewers will interview those correctly certified applicants pursuant to the Interviewing Register (See attachment).
6. Applicants may be required to respond in writing to a position statement or a set of questions.

7. After the interviewers have completed all interviews, they will submit a written recommendation to the Superintendent wherein a rationale for the recommendation is included.
8. The Superintendent will meet with the appropriate administrators to evaluate the position and applicants, [as needed](#).
9. Unless otherwise provided by law, the Superintendent shall hire personnel.
10. A copy of the recommendations from the interviewers and the Superintendent will be filed with the Personnel Department.

Time Frames

The announcement of a vacancy should include sufficient time for the applicants to respond.

Ideally, a fourteen (14) day announcement period would be established for accepting applications. Subsequently, all applicants would be interviewed, and the interviewers would provide the Superintendent with a recommendation following the completion of the interview process.

Many times, the district needs to employ a replacement and/or a new hire immediately; therefore, these emergency assignments will be made on a temporary basis and only for so long a period of time as is required to implement the normal placement process.

Interviewing Register - Administrative Positions

<u>Available Position</u>	<u>Interviewers In Ascending Order</u>
Associate Superintendent Chief Operating Officer Chief Academic Officer Chief Financial Officer Chief Technology Officer	Superintendent
Assistant Superintendent Directors	Superintendent/Assistant Superintendent of Personnel, Associate Superintendent Pursuant to organizational chart including Personnel Dept. Staff Member(s)

Supervisors Pursuant to organizational chart and generally, Personnel Dept. Staff Members and Chief Academic Officer/Chief Operating Officer

Principals ~~Assistant Superintendent~~, Director, Personnel Dept. Staff Members, and/or Chief Academic Officer or designees

Assistant Principal Principal, Director, and Personnel Dept. Staff Members, ~~Assistant Superintendent~~

- Notes:
- (1) Superintendent reserves the right to interview any and/or all candidates as appropriate.
 - (2) The Superintendent may establish a committee or assign persons to assist the interviewers in the interview process.

SELECTION PROCESS

Applicants shall be responsible for reviewing their personnel records in the Calcasieu Parish School Board Personnel Office to assure that all pertinent information and records are on file for use by the reviewing committee.

Calcasieu Parish School Board will use the following non-discriminatory standards for the selection of administrative personnel. Any individual to be considered for an administrative position will be evaluated by the following criteria:

PHASE I	Maximum Points
<u>Application Letter</u>	1
<u>Professional Preparation</u>	7
1. Doctorate Degree	3 points
2. Specialist Degree	2 points
3. Masters + 30	1 point
4. Leadership Academy/Parish Adm. Workshops	1 point
<u>Grade point Average (Graduate Level)</u>	2

- | | | |
|----|------------|----------|
| 1. | 3.5 to 4.0 | 2 points |
| 2. | 3.0 to 3.4 | 1 point |

Teaching Experience Classroom 3

- | | | |
|----|---------------|----------|
| 1. | 11 + years | 3 points |
| 2. | 6 to 10 years | 2 points |
| 3. | 1 to 5 years | 1 point |

Professional and Civic Organizations

- | | | |
|----|---------------------|---------|
| 1. | Membership | 1 point |
| 2. | Leadership Position | 1 point |

Administrative Experiences (Educational) 11

- | | | |
|----|--|----------|
| 1. | Principal (5 if level under consideration) | 4 points |
| 2. | Assistant Principal | 2 points |
| 3. | Supervisor | 2 points |
| 4. | Director/Other | 2 points |

When appropriate, applicants will be required to respond in writing to a position statement or set of questions worth a maximum of 5 points. 5

PHASE I - MAXIMUM SCORE 31

PHASE II

An interview committee from the administrative staff shall be appointed by the Superintendent for the purpose of conducting an oral examination of each applicant. The committee will consist of the appropriate personnel, administrator, and the appropriate interviewers listed on the Interviewing Register. The central office staff and review committee will develop questions, appropriate for any given position, to be asked of each applicant during the interview. The interview will not exceed a total of 30 points.

PHASE III

When all available information on the candidates has been collected, including the criteria for evaluating applicants in Phase I and II, the members of the committee,

through the appropriate Associate Superintendent, will make written recommendation for the position to be filled to the Superintendent along with the rationale for, the recommendation. The Superintendent will make a recommendation to the Board from the applicants submitted to him by the interview committee.

Ref: Board minutes, [5-9-06](#)

Calcasieu Parish School Board

FILE: GBD-AP

Cf: [GBD](#)

**CALCASIEU PARISH SCHOOLS
ADMINISTRATIVE PROCEDURES**

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Principals	Director, Personnel Dept. Staff Members, and/or Chief Academic Officer or designees
Assistant Principal	Principal, Director, and Personnel Dept. Staff Members

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Calcasieu Parish School Board