



TO: Members, Calcasieu Parish School Board

FROM: Robert Barrentine, Chief Operations Officer

DATE: April 26, 2022

SUBJECT: Administrative and Personnel Committee Meeting
5:00 p.m.
3310 Broad Street, Lake Charles, LA 70615

AGENDA

A & P Committee Meeting Items

- School Board Ethics – BH
- Curriculum – ID
- Kindergarten, Compulsory School Attendance Ages – IDCC, JBA
- Cameras in Special Education Classrooms - IDDFC
- School Admission - JBC
- Public School Choice – JBCE
- Student Records – JR
- Sabbatical Leave, Sick Leave, Parent Conference, and Student Welfare – GBRHA, GBRIB, IHAD, JG
- Purchasing Policy, Bid and Quotations – DJE, DJED

A & P Committee Members:

Bliss Bujard
Russell Castille
Mack Dellafosse
John Duhon, Chair
Glenda Gay
Damon Hardesty

Fred Hardy
Aaron Natali
Dean Roberts
Alvin Smith
Desmond Wallace, Vice Chair

Building Foundations for the Future

Board Members:

Annette Ballard
Billy Breaux
Eric Tarver
Mark Young

Item 1

School Board Ethics

Act 199 revised, adding an exception to the prohibition on employing family members of Board members or the Superintendent. School Boards can now employ family members that are certified as school bus operators. Any member of the School Board or Superintendent whose family member is employed must recuse himself/herself from any decision involving the assignment or promotion of the employee. This new exception has been added to the policy School Board Ethics.

OLD

SCHOOL BOARD ETHICS

Recognizing that as a member of a public School Board and that each Calcasieu Parish School Board member is filling a position of public trust, responsibility, and authority endowed by the State of Louisiana, the Calcasieu Parish School Board, individually and collectively, shall subscribe to the principles of the Louisiana School Boards Association, by which a School Board member should be guided.

In addition, certain actions of elected officials may be considered improper, and in some circumstances, illegal. Actions which may present a conflict of interest, acceptance of gifts, or solicitations, or gratuities, abuse of authority of office or position, and decisions regarding the employment of a family member of an official are all subject to statutory restrictions. The ethical conduct of School Board members, as well as other designated officials, shall be in accordance with state law.

ETHICS EDUCATION AND TRAINING

All School Board members and employees shall be required to receive a minimum of one (1) hour of education and training on the Louisiana Code of Governmental Ethics annually. Education and training shall be provided by employees of the Louisiana Board of Ethics or others authorized to provide such training by the Louisiana Board of Ethics, and shall be administered through seminars or via the Internet.

GIFTS

Acceptance of personal gifts by any School Board member or employee of the Calcasieu Parish School Board from persons or firms doing business with the School Board, or any department or school thereof, is prohibited. Reduced cost and/or free travel expenses are also defined as gifts with regard to this policy provision. This policy provision does not preclude acceptance of food, drinks, or refreshment of a social nature or participation in a social event, provided the value of the food, drink, or refreshment does not exceed that amount permitted under state law. It also shall not preclude the acceptance of campaign contributions for use in meeting campaign expenses by any employee or School Board member who is or becomes a candidate for election to any public office.

NEPOTISM

No member of the immediate family of an agency head shall be employed in his/her agency. No member of the immediate family of a member of a governing authority or the chief executive of a governmental entity shall be employed by the governmental entity, with limited exception as outlined below.

Subject to other limitations contained in School Board policy, the provisions above shall not prohibit the continued employment of any public employee nor shall it be construed

to hinder, alter, or in any way affect normal promotional advancements for such public employee where a member of a public employee's immediate family becomes the agency head of such public employee's agency, provided that such public employee has been employed in the agency for a period of at least one year prior to the member of the public employee's immediate family becoming the agency head. Notwithstanding the foregoing, after the end of the 2016-2017 school year, no member of the immediate family of a school principal may be assigned to the school at which the principal is assigned, unless such immediate family member was first assigned to the school prior to the end of the 2016-2017 school year, and such assignment complies with the *Louisiana Code of Governmental Ethics*.

No public servant and no elected official, except as provided in La. Rev. Stat. Ann. §42:1120, shall participate in a transaction involving the School Board in which, to his/her actual knowledge, any of the following persons has a substantial economic interest:

1. Any member of his/her immediate family.
2. Any person in which he/she has a substantial economic interest of which he/she may reasonably be expected to know.
3. Any person of which he/she is an officer, director, trustee, partner, or employee.
4. Any person with whom he/she is negotiating or has an arrangement concerning prospective employment.
5. Any person who is a party to an existing contract with such public servant, or with any legal entity in which the public servant exercises control or owns an interest in excess of twenty-five percent (25%), or who owes any thing of economic value to such public servant, or to any legal entity in which the public servant exercises control or owns an interest in excess of twenty-five percent (25%), and who by reason thereof is in a position to affect directly the economic interests of such public servant.

Every School Board employee shall disqualify himself/herself from participating in a transaction involving the School Board when a violation of this prohibition against participation would result, and a disqualification plan shall be submitted to the Louisiana Board of Ethics.

Exceptions

Any School Board member or Superintendent whose immediate family member is employed or who may be employed, as excepted below, shall recuse himself/herself from any decision involving the promotion or assignment of teaching or service location of such employee.

1. Any member of the immediate family of any School Board member or the Superintendent may be employed as a classroom teacher provided that such family member is *certified to teach* or is *temporarily authorized to teach while pursuing certification*.
2. Any immediate family member of a member of the School Board or the Superintendent who is employed pursuant to paragraph 1 above may be promoted to an administrative position, provided that such family member has the appropriate qualifications and certifications for the promotional position. For the purposes of such promotions, the term *certifications* shall not include any temporary or provisional certification or certifications.
3. An immediate family member of an athletic director of a school may be employed as a coach at such school.
4. Any member of the immediate family of any School Board member or of the Superintendent may be employed as a school bus operator provided that such family member is certified as a school bus operator.

ABUSE OF OFFICE

No School Board member, Superintendent, or employee shall use the authority of his/her office or position, directly or indirectly, in a manner intended to compel or coerce any person or other public servant to provide himself/herself, any other public servant, or other person with any thing of economic value.

No School Board member, Superintendent, or employee shall use the authority of his/her office or position, directly or indirectly, in a manner intended to compel or coerce any person or other public servant to engage in political activity.

No School Board member shall act in an individual capacity to use the authority of his/her office or position as a member of the School Board in a manner intended to interfere with, compel or coerce any personnel decision, including the hiring, promotion, discipline, demotion, transfer, discharge, or assignment of work to any school employee.

No School Board member shall use the authority of his/her office or position as a member of the School Board in a manner intended to interfere with, compel, or coerce any school employee to make any decision concerning benefits, work assignment, or membership in any organization.

TRANSACTIONS AFTER TERMINATION OF PUBLIC SERVICE

No former agency head or elected official shall, for a period of two (2) years following the termination of his/her public service as the head of such agency or as an elected public official serving in such agency, assist another person, for compensation, in a transaction,

or in an appearance in connection with a transaction, involving that agency or render any service on a contractual basis to or for the School Board. No former member of the School Board shall, for a period of two (2) years following the termination of his/her public service on such School Board, contract with, be employed in any capacity by, or be appointed to any position by the School Board, except that the School Board may employ a former member for any classroom teaching position which requires a valid Louisiana teaching certificate or a school psychologist with a valid certificate in school psychology, provided the former School Board member holds such a certificate.

No former School Board employee shall, for a period of two (2) years following the termination of his/her employment, assist another person, for compensation, in a transaction, or in an appearance in connection with a transaction in which such former public employee participated at any time during his/her public employment and involving the School Board by which he/she was formerly employed, or for a period of two (2) such years following termination of his/her employment, render any service which such former public employee has rendered to the School Board during the term of his/her public employment on a contractual basis, regardless of the parties to the contract, to, for, or on behalf of the School Board with which he/she was formerly employed.

FEDERAL GUIDELINES: CONFLICT OF INTEREST

In addition to other ethics provisions, in receiving federal funds the School Board shall ensure compliance with federal guidelines covering conflict of interest and governing the actions of officers and employees engaged in the selection, award and administration of contracts. No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by federal funds if a real or apparent conflict of interest would be involved. Such a conflict may arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in, or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the School Board shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to contracts.

Employees and volunteers shall be required to report any actual, possible, or perceived conflict of interest which they or others have, or may have, to their immediate supervisor as soon as they become aware of the conflict. A School Board member shall report the perceived conflict of interest to the Superintendent and School Board attorney.

Anyone who engages in activities that violate these provisions, including failure to disclose a conflict of interest, may be subject to disciplinary action up to and including termination of employment, and/or other appropriate sanctions.

DEFINITIONS

Agency means a department, office, division, agency, commission, board, committee, or

other organizational unit of a governmental entity. For public servants of political subdivisions, it shall mean the agency in which the public servant serves, except that for members of any governing authority and for the elected or appointed chief executive of a governmental entity, it shall mean the governmental entity.

Agency head means the chief executive or administrative officer of an agency or any member of a board or commission who exercises supervision over the agency.

Immediate family as the term relates to a public servant means his/her children, the spouses of his/her children, his/her brothers and their spouses, his/her sisters and their spouses, his/her parents, his/her spouse, and the parents of his/her spouse.

Public servant means a public employee or an elected official.

Revised: October, 1997
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Revised: August, 2003
Revised: September, 2006
Revised: December, 2008
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Revised: June, 2012
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Revised: August, 2021

Ref: 2 CFR 200.318 (*General Procurement Standards*); La. Rev. Stat. Ann. §§17:81, 17:428, 42:1101, 42:1102, 42:1112, 42:1115, 42:1115.1, 42:1116, 42:1119, 42:1120, 42:1121, 42:1123, 42:1170; Board minutes, 10-14-03, 2-6-07, 4-21-09, 2-8-11, 8-7-12, 3-8-16, 9-13-16, 3-14-17.

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Item 2

Curriculum

The Curriculum policy has been revised to include the parent or guardian in the process of developing and reviewing the student's Individual Graduation Plan. Revisions made to a student's Individual Graduation Plan must be approved in writing by the student's parent or legal guardian.

OLD**CURRICULUM**

The Calcasieu Parish School Board has the responsibility to establish and maintain a quality program of instruction for the elementary and secondary schools of the school district.

The Superintendent shall be responsible for coordinating and maintaining the instructional program in accordance with the provisions of the state constitution, state statutes, rules and regulations of the Louisiana Board of Elementary and Secondary Education (BESE), and the policies of the Board.

The organization and scheduling of subjects in the curriculum of the school district shall conform to BESE requirements and statewide content standards for required subjects. The curriculum shall provide learning experiences and prospective achievement for each child according to their individual needs and offer pupils a basic body of understanding, attitudes, knowledge, and skills.

By the end of the eighth (8th) grade, every student, with the assistance of his/her parent or other legal custodian and school counselor, and for a student with an exceptionality, except a student identified as gifted or talented and who has no other exceptionality, the student's *Individualized Education Program* team, in conjunction with the student's parent or legal guardian, if applicable, shall begin to develop an *Individual Graduation Plan* to guide future academic course work in order for the student to explore education and career possibilities. The plan shall be reviewed annually and **updated** revised as necessary to identify the courses to be taken each year until all required core courses are completed. Upon completion of the review, each student's *Individual Graduation Plan* shall be signed by the student, the student's parent or other legal ~~custodian~~ guardian, and the school counselor.

Prior to revising a student's individual graduation plan, the school counselor shall meet with the student's parent or legal guardian either in person or virtually to explain the possible impacts the revisions to the plan might have on the student's graduation requirements and postsecondary education goals. Any revisions to a student's plan shall be approved in writing by the student's parent or legal guardian.

CAREER MAJOR

The curriculum design within the high schools shall include a career major comprised of challenging academic courses and modern career and technical studies. Such a curriculum design shall allow each high school student to choose a career option at the high school level, which includes activities designed to introduce students to occupations in demand in Louisiana. The School Board shall develop and offer one or more career major programs aligned to state and regional workforce demands, pursuant to policies adopted by BESE.

ELECTIVES

The Board of Elementary and Secondary Education (BESE) has granted school systems the authority to develop, review, and approve all locally-initiated electives, in accordance with the *Louisiana Handbook for School Administrators*, Bulletin 741. The process shall ensure alignment with standards-based initiatives, compliance with current BESE policies, and all laws and regulations pertaining to students with disabilities. Elective courses shall enhance, expand, and/or refine the core curriculum. Elective courses shall not replace, duplicate, or significantly overlap the content of core curriculum or other approved electives.

Proper documentation of all approved electives shall be maintained by the School Board.

Revised: December, 1997

Revised: August, 2021

Revised: July, 1999

Revised: October, 2001

Revised: December, 2009

Revised: July 16, 2013

Revised: February 10, 2015

Ref: La. Rev. Stat. Ann. §§17:154, 17:181, 17:182, 17:183, 17:183.1, 17:183.2, 17:183.3, 17:183.5, 17:261, 17:262, 17:2925; *Louisiana Handbook for School Administrators*, Bulletin 741, Louisiana Department of Education; Board minutes, 5-7-02, 3-16-10, 7-16-13, 2-10-15.

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Item 3

Kindergarten Compulsory School Attendance Ages

Act 386 makes kindergarten mandatory for any child who reaches the age of five (5) years on or before September 30th of the year in which the school year begins, starting with the 2022-2023 school year. Revisions have been made to the policies Kindergarten and Compulsory School Attendance Ages to address the changes for the 2022-2023 school year.

OLD

KINDERGARTEN

The Calcasieu Parish School Board shall offer full-day kindergarten instruction to each ~~eligible~~ child who turns five (5) years of age on or before September 30th of the calendar year in which the school year begins. ~~and require every~~ Each child entering kindergarten for the first time shall be given a valid and reliable readiness assessment at the beginning of the school year. The results of this assessment shall be used for measuring student readiness for kindergarten and for planning instruction. ~~Each child entering kindergarten for the first time shall be assessed at the beginning of the school year.~~ The parent or guardian of each child shall be advised of the child's level of readiness.

New policy: August, 2011
Revised: July 16, 2013
Revised: August, 2021

Ref: La. Rev. Stat. Ann. "17:24.4, 17:151.3, 17:391.11; Louisiana Handbook for School Administrators, Bulletin 741, Louisiana Department of Education; Board minutes, 2-7-12, 7-16-13.

COMPULSORY SCHOOL ATTENDANCE AGES

Except as provided by law, every child in the state is required by state law to attend public or **private nonpublic** school from the child's seventh (7th) birthday until his/her eighteenth (18th) birthday, unless the child graduates prior to his/her eighteenth (18th) birthday. Any child below the age of seven (7) who legally enrolls in school shall also be required to attend school. If a child in these age brackets was a resident of this parish when school opened and enters school late without having attended another public or **private nonpublic** school or approved home study program during the current school session within or without the parish, a statement should be secured from the parents or guardian giving the reasons why the child has not been in school. If these reasons are not satisfactory, the matter should be referred to the Supervisor of Child Welfare and Attendance, who may find it necessary to refer it to the proper court.

Beginning with the 2022-2023 school year, the parent or legal guardian of a child who resides in Louisiana and who is age five (5) by September thirtieth of the calendar year in which the school year begins through eighteen (18) shall send the child to a public or nonpublic school, as defined by La. Rev. Stat. Ann. §17:236, unless the child's parent or legal guardian opted to defer enrollment of his/her child in kindergarten pursuant to La. Rev. Stat. Ann. §17:151.3(D) or the child graduates from high school prior to his/her eighteenth birthday. A child below the age of five (5) who legally enrolls in school shall also be subject to these provisions.

EXCEPTIONS

Certain exceptions to the compulsory attendance laws are allowed as provided by state law and included in policy *JBD, Absences and Excuses*. In addition, statutes provide for the following:

1. The parent, tutor, or other person responsible for the school attendance of a child between the ages of sixteen (16) and eighteen (18) who is enrolled in school may request that the student be allowed to attend an effective adult education program or a career and technical education program.
2. A child who is at least seventeen (17) years of age and who, after successfully completing a program established by the Louisiana Board of Elementary and Secondary Education, has been issued a Louisiana high school equivalency diploma in accordance with criteria established by the Louisiana Board of Supervisors of Community and Technical Colleges shall be considered exited from high school and shall not be subject to compulsory attendance laws.
3. Compulsory attendance does not apply to any child who is under the age of seventeen (17) and is attending or seeking admission to a National Guard Youth Challenge Program in Louisiana.

FAILURE TO COMPLY

Failure to abide by the compulsory school attendance laws of the state may result in a referral to *Families in Need of Services* (FINS) which is a state mandated program or to the District Court with jurisdiction.

Revised: August, 2001
Revised: June, 2002
Revised: August, 2005
Revised: December, 2008

Revised: August, 2010
Revised: August, 2011
Revised: August, 2021

Ref: La. Rev. Stat. Ann. §§[17:151.3](#), 17:221, 17:226, 17:226.1, 17:233; La. Children's Code, Art. 730; Bulletin 741, *Louisiana Handbook for School Administrators*, Louisiana Department of Education; Board minutes, 6-18-02, 9-17-02, 5-9-06, 4-21-09, 10-5-10, 2-7-12.

NEW

KINDERGARTEN

The Calcasieu Parish School Board shall offer full-day kindergarten instruction to each child who turns five (5) years of age on or before September 30th of the calendar year in which the school year begins. Each child entering kindergarten for the first time shall be given a valid and reliable readiness assessment at the beginning of the school year. The results of this assessment shall be used for measuring student readiness for kindergarten and for planning instruction. The parent or guardian of each child shall be advised of the child's level of readiness.

New policy: August, 2011
Revised: July 16, 2013
Revised: August, 2021

Ref: La. Rev. Stat. Ann. "17:24.4, 17:151.3, 17:391.11; Louisiana Handbook for School Administrators, Bulletin 741, Louisiana Department of Education; Board minutes, 2-7-12, 7-16-13.

COMPULSORY SCHOOL ATTENDANCE AGES

Except as provided by law, every child in the state is required by state law to attend public or nonpublic school from the child's seventh (7th) birthday until his/her eighteenth (18th) birthday, unless the child graduates prior to his/her eighteenth (18th) birthday. Any child below the age of seven (7) who legally enrolls in school shall also be required to attend school. If a child in these age brackets was a resident of this parish when school opened and enters school late without having attended another public or nonpublic school or approved home study program during the current school session within or without the parish, a statement should be secured from the parents or guardian giving the reasons why the child has not been in school. If these reasons are not satisfactory, the matter should be referred to the Supervisor of Child Welfare and Attendance, who may find it necessary to refer it to the proper court.

Beginning with the 2022-2023 school year, the parent or legal guardian of a child who resides in Louisiana and who is age five (5) by September thirtieth of the calendar year in which the school year begins through eighteen (18) shall send the child to a public or nonpublic school, as defined by La. Rev. Stat. Ann. §17:236, unless the child's parent or legal guardian opted to defer enrollment of his/her child in kindergarten pursuant to La. Rev. Stat. Ann. §17:151.3(D) or the child graduates from high school prior to his/her eighteenth birthday. A child below the age of five (5) who legally enrolls in school shall also be subject to these provisions.

EXCEPTIONS

Certain exceptions to the compulsory attendance laws are allowed as provided by state law and included in policy *JBD, Absences and Excuses*. In addition, statutes provide for the following:

1. The parent, tutor, or other person responsible for the school attendance of a child between the ages of sixteen (16) and eighteen (18) who is enrolled in school may request that the student be allowed to attend an effective adult education program or a career and technical education program.
2. A child who is at least seventeen (17) years of age and who, after successfully completing a program established by the Louisiana Board of Elementary and Secondary Education, has been issued a Louisiana high school equivalency diploma in accordance with criteria established by the Louisiana Board of Supervisors of Community and Technical Colleges shall be considered exited from high school and shall not be subject to compulsory attendance laws.
3. Compulsory attendance does not apply to any child who is under the age of seventeen (17) and is attending or seeking admission to a National Guard Youth Challenge Program in Louisiana.

FAILURE TO COMPLY

Failure to abide by the compulsory school attendance laws of the state may result in a referral to *Families in Need of Services* (FINS) which is a state mandated program or to the District Court with jurisdiction.

Revised: August, 2001
Revised: June, 2002
Revised: August, 2005
Revised: December, 2008

Revised: August, 2010
Revised: August, 2011
Revised: August, 2021

Ref: La. Rev. Stat. Ann. §§17:151.3, 17:221, 17:226, 17:226.1, 17:233; La. Children's Code, Art. 730; Bulletin 741, Louisiana Handbook for School Administrators, Louisiana Department of Education; Board minutes, 6-18-02, 9-17-02, 5-9-06, 4-21-09, 10-5-10, 2-7-12.

Item 4

Cameras in Special Education Classrooms

Forethought Consulting has drafted a new policy Cameras in Special Education Classrooms to address provisions of Act 456. That Act requires School Boards to adopt policies “relative to the installation and operation of cameras that record both video and audio in a classroom upon the written request of a parent or legal guardian.” It defines classroom as “a self-contained classroom or other special education setting in which a majority of students in regular attendance are provided special education and related services for at least fifty percent of the instructional day.” It does not include classrooms where the only students with exceptionalities are those deemed to be gifted and talented and have not been identified as also having a disability. Among items required by the Act are:

- School Boards must provide written notice of the placement of the cameras to persons who enter a classroom with the cameras.
- Retention, storage, and disposal of recorded data, and that it shall be retained for at least one month from the recording date.
- Limiting viewing to the Superintendent or designee, and the parent or legal guardian of a recorded student.
- Procedures for approval or disapproval of a request for installation of cameras.

School Boards are given the authority to accept and use federal, state, and local funds, and public or private grants or donations, and when appropriate and feasible, nonmonetary resources for services, equipment, and installation of cameras. The provisions of Act 456 are required to be implemented as specific funding for the Act becomes available.

OLD

CAMERAS IN SPECIAL EDUCATION CLASSROOMS

A parent or legal guardian may submit a written request to have cameras that record both video and audio installed in a special education classroom. The Calcasieu Parish School Board shall consider such request according to the procedures developed pursuant to this policy, and upon approval of such request, will facilitate the installation and operation of the cameras requested, in accordance with state law, and the policy and procedures of the School Board. The implementation of this policy and any request shall be contingent upon adequate funding being available.

For purposes of this policy, *classroom* shall mean a self-contained classroom or other special education setting in which a majority of students in regular attendance are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least fifty percent (50%) of the instructional day and for which a parent or legal guardian has requested a camera to be installed. Classroom *shall not* mean special education classrooms and other special education settings where the only students with exceptionalities receiving special education and related services are those who have been deemed to be gifted or talented and have not been identified as also having a disability.

The School Board shall ensure/provide:

1. Proper location and placement of cameras. The recording of the interior of a restroom or any area designated for students to change or remove clothing shall be prohibited.
2. Written notice of the placement of the cameras shall be provided to persons who enter a classroom where a camera is installed, including teachers and other school employees, students in the classroom, the students' parents and legal guardians, and authorized visitors.
3. Training concerning the provisions of this policy for any teacher or other school employee who provides services in a classroom where cameras are installed.
4. Procedures for proper retention, storage, and disposal of the video and audio data recorded. Recordings shall be retained for at least one month from the recording date.
5. Protection of student privacy and development of procedures for determining to whom and under what circumstances the recordings may be disclosed including:
 - A. Limiting viewing of the recordings to the Superintendent or his/her designee and the parent or legal guardian of a recorded student upon request.

- B. Requiring any person who views a recording and who suspects the recordings show a violation of state or federal law to report the suspected violation to the appropriate law enforcement agency.
- 6. Each camera installed shall be in compliance with the National Fire Protection Association's Life Safety Code.
- 7. Procedures for the approval or disapproval of a request for the installation and operation of cameras in a classroom.
- 8. Procedures regarding how a parent or legal guardian may request to review a recording, under what circumstances a request may be made, and any limitations to a request.

Recordings made pursuant to this policy shall be confidential and shall not be public record. However, a recording may be viewed by the Superintendent or his/her designee, the parent or legal guardian of a recorded student, or by law enforcement officials as provided in the policies required by item number 5 above.

The recordings shall not be considered "personally identifiable information" as defined in La. Rev. Stat. Ann. §17:3914.

New policy: August, 2021

Ref: La. Rev. Stat. Ann. §17:1948.

NEW

CAMERAS IN SPECIAL EDUCATION CLASSROOMS

A parent or legal guardian may submit a written request to have cameras that record both video and audio installed in a special education classroom. The Calcasieu Parish School Board shall consider such request according to the procedures developed pursuant to this policy, and upon approval of such request, will facilitate the installation and operation of the cameras requested, in accordance with state law, and the policy and procedures of the School Board. The implementation of this policy and any request shall be contingent upon adequate funding being available.

For purposes of this policy, *classroom* shall mean a self-contained classroom or other special education setting in which a majority of students in regular attendance are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least fifty percent (50%) of the instructional day and for which a parent or legal guardian has requested a camera to be installed. Classroom *shall not* mean special education classrooms and other special education settings where the only students with exceptionalities receiving special education and related services are those who have been deemed to be gifted or talented and have not been identified as also having a disability.

The School Board shall ensure/provide:

1. Proper location and placement of cameras. The recording of the interior of a restroom or any area designated for students to change or remove clothing shall be prohibited.
2. Written notice of the placement of the cameras shall be provided to persons who enter a classroom where a camera is installed, including teachers and other school employees, students in the classroom, the students' parents and legal guardians, and authorized visitors.
3. Training concerning the provisions of this policy for any teacher or other school employee who provides services in a classroom where cameras are installed.
4. Procedures for proper retention, storage, and disposal of the video and audio data recorded. Recordings shall be retained for at least one month from the recording date.
5. Protection of student privacy and development of procedures for determining to whom and under what circumstances the recordings may be disclosed including:
 - A. Limiting viewing of the recordings to the Superintendent or his/her designee and the parent or legal guardian of a recorded student upon request.

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Recordings made pursuant to this policy shall be confidential and shall not be public record. However, a recording may be viewed by the Superintendent or his/her designee, the parent or legal guardian of a recorded student, or by law enforcement officials as provided in the policies required by item number 5 above.

The recordings shall not be considered "personally identifiable information" as defined in La. Rev. Stat. Ann. §17:3914.

New policy: August, 2021

Ref: La. Rev. Stat. Ann. §17:1948.

Item 5

School Admission

Act 208 creating special provisions for School Boards to register children of military families prior to residency. The School Admission policy has been revised to include language for the registration of students whose parents are being transferred to a military installation or comparable location based on an official military order. Although the Act provides for registering children of military families prior to their residency, it does require proof of residency in accordance with School Board policy prior to attendance.

OLD

SCHOOL ADMISSION

The Calcasieu Parish School Board shall admit students to the schools of the school district once the student has been registered for school by the parent or legal guardian, under such rules and regulations as the School Board may prescribe.

The School Board shall grant admission or readmission to school to any person who meets all of the following criteria:

1. Resides within the geographic boundaries of the school system.
2. Meets the eligibility requirements for school entrance pursuant to statutory provisions
3. Is nineteen (19) years of age or younger on September 30th of the calendar year in which the school year begins or is twenty (20) years of age on September 30th of the calendar year in which the school year begins and has sufficient course credits that he/she will be able to graduate within one (1) school year of admission or readmission.
4. Has not received a high school diploma or its equivalent.
5. Is otherwise eligible for enrollment in a public school pursuant to state law and the policies of the School Board and the Louisiana Board of Elementary and Secondary Education.

If a person meets all of the criteria stated above, the School Board shall not deny admission or readmission based on any of the following characteristics:

1. The person voluntarily withdrew from school.
2. The person is pregnant.
3. The person is a parent.
4. The person is married.

The admission or readmission of a person who will be twenty (20) years of age on September 30th of the calendar year in which the school year begins shall be limited to grade twelve (12).

The admission or readmission of a person with an exceptionality shall be subject to federal and state law governing the age of eligibility for services for students with exceptionalities.

No child shall be admitted to school for the first time until his/her parents do the following:

1. Obtain a *Permit to Register* form from the Office of Child Welfare and

Attendance.

2. Present to school officials an official birth certificate. A short-form birth certification card shall be acceptable. Only records from the local or state registrar of vital statistics shall be accepted for children born in Louisiana, except as otherwise provided herein. Children born in Louisiana shall be given a fifteen (15) day grace period to secure a copy of their birth record. Children born out of Louisiana shall be given thirty (30) days grace in which to produce a copy of their birth record. In cases where birth certificates and/or birth verification forms cannot be obtained, the school principal may accept whatever positive proof of age, race and parentage is available. It shall be left to the discretion of the Superintendent or designee as to whether or not a child shall continue in school upon failure to comply herewith.
3. Present to school officials satisfactory evidence of immunity to or immunization against vaccine-preventable diseases according to the age appropriate schedule approved by the Office of Public Health, Department of Health and Hospitals.
4. Present to school officials all official school records of school previously attended or information needed to access such records when transferring from another school to one inside the School District, including necessary authorization to obtain and/or access any and all records of the enrolling student.
5. Present to school officials as a prerequisite to enrolling in the first grade, evidence of having attended at least a full-day public or private kindergarten for a full school year; or satisfactorily passed academic readiness screening administered by the school system prior to the time of enrollment in first grade.
6. Present to school officials evidence of being bona fide residents of the school district, with limited exception. However, children temporarily residing within the jurisdiction of the School Board who have no permanent address, who have been abandoned by their parents, or who are in foster care shall be admitted to school, except as may be allowed by statute.

ADMISSION OF CHILDREN OF MILITARY FAMILIES

The School Board shall allow a dependent child of an active duty member of the United States Armed Forces, of the military reserve forces, or of the National Guard or a Department of Defense civilian to register and preliminarily enroll in a public school under its jurisdiction by remote means, including electronic means, prior to becoming a resident of the state, provided all of the following apply:

1. The student's parent or legal guardian is transferred or pending transfer to a military installation or comparable duty location in Louisiana pursuant to an official military order.
2. The student's parent or legal guardian provides a copy of the official military order transferring the parent or legal guardian to a military installation or comparable duty location in Louisiana to the School Board.
3. The student's parent or legal guardian completes and submits all required registration and enrollment forms and documentation, except that proof of residency shall not be required until ten (10) days after the arrival date specified on the parent or legal guardian's transfer orders.

The School Board shall provide a student of a military family who remotely registers the same enrollment opportunities available to resident students, including requesting and applying for school assignment, registering for courses, participating in extracurricular activities, and applying to any school or program that requires an additional request, including a lottery for admission to a specific school or program.

A student of a military family registered and enrolled shall not attend school until proof of residency is provided in accordance School Board policy.

ADMISSION OF EXPELLED STUDENTS

No student who has been expelled in accordance with state law from any school in the state shall be admitted to any school in the school system except upon the review and approval of the School Board.

No student who has been expelled from any school outside the state of Louisiana or any nonpublic school within Louisiana for committing any of the offenses enumerated in state law shall be admitted to any school in the school system except upon the review and approval of the governing body of the admitting school.

ADMISSION FROM UNAPPROVED SCHOOLS AND HOME STUDY

Students requesting admission from an unapproved school or home study program shall meet all admission requirements specified by state and local statutes and policies.

ADMISSION OF STUDENTS WHO COMMIT A FELONY

The conviction of any student of a felony or the incarceration of any student in a juvenile institution for an act, whether committed in Louisiana or any other state or country, which had it been committed by an adult would have constituted a felony in Louisiana, may be sufficient cause for the Superintendent to refuse admission of the student to any school in the school district, except upon review and approval of a *majority of the elected*

members of the School Board when a request for admission has been made to the School Board.

ADMISSION OF HOMELESS STUDENTS

Except as provided above with regard to students who have been expelled, no provision in this or any other Calcasieu Parish School Board policy shall be interpreted to impede the immediate or continued enrollment of homeless youth, as addressed in policy *JBCBB, Homeless Students*.

ADMISSION OF STUDENTS WITH SPECIAL NEEDS

Neither the School Board nor any public school shall require the parent or legal guardian of any student to disclose the student's medical information or special education needs prior to enrolling the student in a public school, unless otherwise specifically required by law.

Nothing herein shall prohibit a public school from providing an enrollment preference to a student with special needs when the student's parent or legal guardian has voluntarily provided the school with information regarding such needs.

Revised: November, 1993
Revised: December, 1995
Revised: December, 1995
Revised: March, 1999
Revised: August, 2000
Revised: June 3, 2003
Revised: August, 5, 2008
Revised: October 5, 2010

Revised: February 10, 2015
Revised: February 14, 2017
Revised: August, 2021

Ref: 42 USC 11431 et seq. (*Stewart B. McKinney Homeless Assistance Act*); La. Rev. Stat. Ann. §§[17:101](#), 17:151.3, 17:167, 17:221, 17:221.2, 17:222, 17:235.1, 17:238, 17:416, 17:3914; *Singleton v. Jackson Municipal Separate School District*, 419 F. 2d 1211 (5th Cir., 1970); *Louisiana Handbook for School Administrators*, Bulletin 741, Louisiana Department of Education; Board minutes, 4-3-01, 6-3-03, 8-5-08, 10-5-10, 2-10-15, 2-14-17.

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4. Has not received a high school diploma or its equivalent.
5. Is otherwise eligible for enrollment in a public school pursuant to state law and the policies of the School Board and the Louisiana Board of Elementary and Secondary Education.

If a person meets all of the criteria stated above, the School Board shall not deny admission or readmission based on any of the following characteristics:

1. The person voluntarily withdrew from school.
2. The person is pregnant.
3. The person is a parent.
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5. Present to school officials as a prerequisite to enrolling in the first grade, evidence of having attended at least a full-day public or private kindergarten for a full school year; or satisfactorily passed academic readiness screening administered by the school system prior to the time of enrollment in first grade.
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1. The student's parent or legal guardian is transferred or pending transfer to a military installation or comparable duty location in Louisiana pursuant to an official military order.
2. The student's parent or legal guardian provides a copy of the official military order transferring the parent or legal guardian to a military installation or comparable duty location in Louisiana to the School Board.
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A student of a military family registered and enrolled shall not attend school until proof of residency is provided in accordance School Board policy.

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Nothing herein shall prohibit a public school from providing an enrollment preference to a student with special needs when the student's parent or legal guardian has voluntarily provided the school with information regarding such needs.

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Item 6

Public School Choice

Act 420 which governs Louisiana Public School Choice, imposing additional notice and deadline requirements. The Act requires School Boards to define “capacity” for each school and set a transfer request period which begins no later than March 1st and end no earlier than March 28th, annually. Parents of any student enrolled in a school which received a D or F school performance letter grade for the most recent school year must be informed of the provisions of Louisiana Public School Choice; the schools which received A, B, or C school performance grades, if any; the process for submitting transfer requests; and the page on the Louisiana Department of Education’s website that contains school performance data. The policies must be posted on the School Board’s website no later than January 1, 2022, and reported to the state Department of Education no later than January 30, 2022. The Public-School Choice policy has been revised to include these new requirements.

OLD**PUBLIC SCHOOL CHOICE**PUBLIC SCHOOL CHOICE

The Calcasieu Parish School Board is required by both Federal law and the Louisiana School Accountability Program to develop and maintain a *Public School Choice* policy for any school with a *School Performance Score* (SPS) below levels set by the Louisiana Board of Elementary and Secondary Education (BESE). *School Choice* allows eligible students to transfer to an academically acceptable school.

Once schools eligible to receive students have been identified, a school-site utilization study shall be conducted as needed in all schools to determine the extent to which capacity exists to possibly accommodate students from schools offering choice, including students with special needs and/or students with disabilities. Only those schools that are labeled *academically acceptable* shall be considered eligible to receive students.

The Superintendent and staff shall be responsible for developing and managing a *School Choice Plan*, which shall determine the schools to which students may transfer, which students shall have priority in transferring, and all other regulations and procedures for supervising school choice within the school district.

Notification

Notification of parents of their school choice options shall be sent as early as possible, but not later than the first day of the school year for the schools that are required to offer choice. If there are no choice options available, this information shall be included in the notification sent parents.

Eligibility of Students

All students in a school required to offer choice shall be eligible to transfer. However, the School Board shall give priority to students from the lowest performing schools.

LOUISIANA PUBLIC SCHOOL CHOICE

Unless a violation of a court order, the parent or legal guardian of any student may seek to enroll his/her child in the public school of his/her choice, without regard to residence, school system geographic boundaries, or attendance zones, provided that:

1. The public school in which the student was most recently enrolled, or would otherwise attend, received a school performance letter grade of D or F for the most recent school year, and
2. The school to which the student seeks to enroll received a school

performance letter grade of A, B, or C, for the most recent school year, and has sufficient capacity at the appropriate grade level.

The School Board shall define "capacity" for each school, and determine a transfer request period which shall begin no later than March first and end no earlier than March twenty-eighth, annually. Prior to the transfer request period, the School Board shall notify parents and legal guardians of students enrolled in schools that received a D or F school performance letter grade of the following:

1. The provisions of the Louisiana Public School Choice policy;
2. Schools under the jurisdiction of the School Board that received an A, B, or C school performance letter grade, if any;
3. The process for submitting student transfer requests; and,
4. The page on the Louisiana Department of Education's website that contains school performance data.

Transportation shall not be provided to a student who enrolls in a public school that is located outside the geographic boundaries of the School Board in which the student resides, if providing such transportation will result in additional cost to the School Board.

The Superintendent shall be authorized to develop pertinent administrative regulations and procedures governing students seeking enrollment under the *Louisiana Public School Choice* section of this policy. Such regulations and procedures shall include entering into interdistrict agreements with other city, parish, or local School Boards to provide for the admission of students, and the transfer of school funds or other payments by one School Board to another for, or on account of, such attendance.

Enrollment under *Louisiana Public School Choice* shall only be for one school year, or applicable portion thereof if a student enrolls after the start of the school year.

Revised: February 10, 2015

Revised: August, 2021

Ref: 20 USC 6316 (*No Child Left Behind*, Section 1116); La. Rev. Stat. Ann. §§17:105, 17:4035.1; *Louisiana School, District, and State Accountability System*, Bulletin 111, Louisiana Department of Education; Board minutes, 12-7-04, 2-10-15.

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Once schools eligible to receive students have been identified, a school-site utilization study shall be conducted as needed in all schools to determine the extent to which capacity exists to possibly accommodate students from schools offering choice, including students with special needs and/or students with disabilities. Only those schools that are labeled *academically acceptable* shall be considered eligible to receive students.

The Superintendent and staff shall be responsible for developing and managing a *School Choice Plan*, which shall determine the schools to which students may transfer, which students shall have priority in transferring, and all other regulations and procedures for supervising school choice within the school district.

Notification

Notification of parents of their school choice options shall be sent as early as possible, but not later than the first day of the school year for the schools that are required to offer choice. If there are no choice options available, this information shall be included in the notification sent to parents.

Eligibility of Students

All students in a school required to offer choice shall be eligible to transfer. However, the School Board shall give priority to students from the lowest performing schools.

LOUISIANA PUBLIC SCHOOL CHOICE

Unless a violation of a court order, the parent or legal guardian of any student may seek to enroll his/her child in the public school of his/her choice, without regard to residence, school system geographic boundaries, or attendance zones, provided that:

1. The public school in which the student was most recently enrolled, or would otherwise attend, received a school performance letter grade of D or F for the most recent school year, and
2. The school to which the student seeks to enroll received a school performance letter grade of A, B, or C, for the most recent school year, and has sufficient capacity at the appropriate grade level.
3. A transfer request was received from the parent between March 1st and end during the second week of May, annually.

As used in this policy, the term “capacity” for each school means that such school has an anticipated enrollment of less than 80% of its optimal total student capacity in the grade in which the student seeks to enroll, provided that a school utilizing portable or modular buildings shall be considered at capacity. Capacity determinations may also be adjusted downward due to COVID-19 social distancing requirements, damage resulting from natural disasters, or other factors of a similar nature.

NOTICE

School choice is governed by the provisions of La. Rev. Stat. §17:4035.1 which may be viewed at <https://legis.la.gov/Legis/Law.aspx?d=920128>

Prior to March 1 of each year, the School Board shall post on its website a listing of those schools which received a D or F school performance letter grade. Transfer applications which also set out the transfer request process may be obtained at the front desk of the Central Office during normal business hours. School performance data may be accessed at <https://www.louisianabelieves.com/resources/library/performance-scores>.

OTHER PROVISIONS

Transportation shall not be provided to a student who enrolls in a public school that is located outside the geographic boundaries of the School Board in which

the student resides, if providing such transportation will result in additional cost to the School Board.

The Superintendent shall be authorized to develop pertinent administrative regulations and procedures governing students seeking enrollment under the *Louisiana Public School Choice* section of this policy. Such regulations and procedures shall include entering into interdistrict agreements with other city, parish, or local School Boards to provide for the admission of students, and the transfer of school funds or other payments by one School Board to another for, or on account of, such attendance.

Enrollment under *Louisiana Public School Choice* shall only be for one school year, or applicable portion thereof if a student enrolls after the start of the school year.

Revised: February 10, 2015

Ref: La. Rev. Stat. Ann. §§[17:105](#), [17:4035.1](#)
[*Louisiana School, District, and State Accountability System, Bulletin 111*](#), Louisiana Department of Education
Board minutes, [12-7-04](#), [2-10-15](#)

Calcasieu Parish School Board

Item 7

Student Records

The Student Records policy has been revised to include Act 407's changes. These changes include the addition of "race and ethnicity data" to the definition of personally identifiable information, and changes under the section addressing disclosure of student information regarding reporting to the Board of Regents and the use of the information released. The information regarding notification to the student's parents has been consolidated and included separately at the end of the section.

OLD

STUDENT RECORDS

Parents and guardians have the right to inspect and review any school records dealing with their children. Students eighteen (18) years of age or older have the right to inspect and review their respective student records. Limited access to student records may also be granted certain school officials and others as outlined in this policy. Any access to, or disclosure and release of student information shall be in accordance with federal and state law and regulations.

DEFINITIONS

1. *Aggregate data* shall be defined as, for purposes of this policy, statistics and other information that relate to broad classes, groups, or categories from which it is not possible to distinguish the identities of individuals.
2. *Custodian of student records* shall be defined as the person who has physical custody and control of books, records, or documents. Generally, this person is the Superintendent or such person designated as custodian of student records by the Superintendent.
3. *Disclosure* shall mean the release, transfer, provision of, access to, or divulging in any manner, of information outside the person or entity holding the information.
4. *Educational records* shall be defined as records which are directly related to a student and are maintained by the School Board or school by a person acting for the School Board or school. Excluded from the term *educational records* are records of instructional, supervisory or administrative personnel which are in the sole possession of the maker and are not accessible or revealed to any other individual except a substitute.
5. *Legitimate educational interest* shall be defined as the interest that requires regular access for purposes of adding material, periodic review, filing new student data and/or removing inadequate, ambiguous, no longer relevant data; the interest having the educational wellbeing of the student in mind for purposes of continuing, improving or changing the education program of the student and the interest in which the person has a legitimate need to know.
6. *Parent or legal guardian* shall mean a student's parent, legal guardian, or other person or entity responsible for the student.
7. *Personally identifiable information* shall be defined as information about an individual that may be used on its own or with other information to identify, contact, or locate a single individual, including but not limited to the following:

- A. Any information that can be used to distinguish or trace an individual's identity such as social security number, date and place of birth, mother's maiden name, ~~or~~ biometric records, or race and ethnicity data.
 - B. Any other information that is linked or linkable to an individual such as medical, educational, financial, and employment information.
 - C. Two (2) or more pieces of information that separately or when linked together can be used to reasonably ascertain the identity of the person.
8. *School official* shall be defined as an administrator, supervisor, principal, support staff, or any person employed by or under contract to the School Board, or authorized volunteer, to perform a function or service on behalf of the School Board.

ANNUAL NOTIFICATION

All parents/guardians shall be notified annually of their rights under the *Family Educational Rights and Privacy Act of 1974* (FERPA) and applicable state law. Such notification shall be made annually by publication in student handbooks, newsletters, notification to student's home by students, by mail, or publication in the official journal or in such manner as deemed appropriate by the Calcasieu Parish School Board.

ACCESS TO RECORDS

- 1. A person employed in a public school or other person authorized by the Superintendent may be provided or have access to a student's records.
- 2. Any person who is authorized by state law or the Superintendent to access a student's records on a public school computer system, except a parent or legal guardian, shall maintain the confidentiality of any student information to which he/she has access. Failure to maintain the confidentiality of such information shall be punishable as provided in La. Rev. Stat. Ann. §17:3914.
- 3. Except as provided below, no person or public or private entity shall access a public school computer system on which student information is stored. No official or employee of the School Board shall authorize access to such a computer system to any person or public or private entity except as authorized below.
- 4. The following persons may access a public school computer system on which student information for students at a particular school is stored:
 - A. A student who has reached the age of eighteen (18) or is judicially emancipated or emancipated by marriage and the parent or legal guardian of a student who is under the age of eighteen (18) and not emancipated. Such access shall be limited to information about the student. A student

who has reached the age of eighteen (18) or is emancipated and the parent or legal guardian of a student who has not reached the age of eighteen and is not emancipated may authorize, in writing, another person to access such information.

- B. A teacher of record. Such access shall be limited to information about his/her current students.
 - C. The school principal and school registrar.
 - D. A School Board employee employed at the school and designated by the principal. Such access shall be limited to student information necessary to perform his/her duties.
 - E. A person authorized by the Superintendent to maintain or repair the computer system or to provide services that the School Board would otherwise provide.
 - F. A person authorized by the state to audit student records.
5. The following persons may access a computer system of the School Board on which student information for students from throughout the system is stored:
- A. The Superintendent.
 - B. A School Board employee designated by the Superintendent. Such access shall be limited to student information necessary to perform his/her duties.
 - C. A person authorized by the Superintendent to maintain or repair the computer system or to provide services that the school system would otherwise provide.
 - D. A person authorized by the state to audit student records.
6. Persons permitted access to a student's records shall only have access to those education records in which they have a *legitimate educational interest*. Proper administrative regulations and procedures shall be maintained to ensure compliance with this provision.
7. The School Board shall maintain a record of each request for access to the records of each student. The School Board shall maintain a record of all requests for access with the education records of the student, as long as the records are maintained.

DISCLOSURE OF STUDENT INFORMATION

Except as permitted by this policy or by State or federal law or regulations, no official or employee of the School Board shall provide personally identifiable student information to any member of the School Board or to any other person or public or private entity, except such an official or employee may, in accordance with applicable state and federal law:

1. Provide a student's identification number and aggregate data to the School Board, the Louisiana Department of Education, or the Louisiana Board of Elementary and Secondary Education (BESE) solely for the purpose of satisfying state and federal reporting requirements.
2. Provide to the Louisiana Department of Education, for the purpose of satisfying state and federal assessment, auditing, funding, monitoring, program administration, and state accountability requirements, information from which enough personally identifiable information has been removed such that the remaining information does not identify a student and there is no basis to believe that the information alone can be used to identify a student. ~~Notice of what items of student information collected and that disclosure shall be restricted to Louisiana postsecondary education institutions or to the and of a parent's right to withdraw their previously provided consent shall be provided annually.~~ The Louisiana Department of Education may make further disclosures of personally identifiable information to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, or as expressly authorized by statute, if applicable requirements are met.
3. Provide to the Louisiana Board of Regents, and the office of student financial assistance, as a program under its jurisdiction, to be used ~~only by Board of Regents~~ by staff for required grant program reporting, ~~staff~~ for the purposes of providing reports to each public school governing authority on the postsecondary remediation needs, retention rates, and graduation rates for each high school under its jurisdiction and ~~to evaluate~~ for the purpose of evaluating comparative postsecondary performance outcomes based upon student transcript data in order to develop policies designed to improve student academic achievement. ~~Notice of what items of student information collected and that disclosure shall be restricted to the Board of Regents solely for the purposes of providing reports to the school governing authority and developing policies designed to improve student academic achievement and of a parent's right to withdraw their previously provided consent shall be provided annually.~~
4. Provide personally identifiable information regarding a particular student to any person or public or private entity if the sharing of the particular information with the particular recipient of the information has been authorized in writing by the parent or legal guardian of the student, or by a student who has reached the age of legal majority, or if the information is provided to a person authorized by the state,

including the legislative auditor, to audit processes including student enrollment counts. Except as permitted by said authorization, any recipient of such information shall maintain the confidentiality of such information. Any person who knowingly and willingly fails to maintain the confidentiality of such information shall be subject to the penalties provided in La. Rev. Stat Ann. §17:3914.

5. Provide for the transfer of student information pursuant to the provisions of La. Rev. Stat Ann. §17:112.

A statement shall be provided notifying the student's parent or legal guardian of exactly what items of student information will be collected and that disclosure of the student information collected shall be restricted to Louisiana postsecondary education institutions to be used for the purposes of processing applications for admission and for compliance with state and federal reporting requirements to the Board of Regents and to the office of student financial assistance, as a program under the board's jurisdiction, to be used for the purposes of processing applications for admission and for state and federal financial aid, for required grant program reporting, for providing reports to the school governing authority on the postsecondary education remediation needs, retention rates, and graduation rates for each high school under its jurisdiction, and for evaluating comparative postsecondary education performance outcomes based on student transcript data in order to develop policies designed to improve student academic achievement. Annual notification shall be provided to the student's parent or legal guardian as to the right and process used to withdraw consent.

With limited exception as allowed by state or federal law or regulation, by policy of the Calcasieu Parish School Board authorized by state or federal law or regulation, or by authorization of the parent or student who is eighteen years of age or older, any redisclosure and/or release of personally identifiable information shall require a *legitimate educational interest* of the recipient.

Release of Student Information

1. In accordance with federal statutory provisions, schools shall honor the requests of military recruiters for names, addresses and phone numbers of high school students, unless parents have specified that such information not be released to such recruiters.
2. In accordance with La. Rev. Stat. Ann. §17:112, the principal of a public elementary or secondary school shall provide for the transfer of the education records, including special education records, if applicable, of any current or former student at his/her school upon the written request of any authorized person on behalf of a public or nonpublic elementary or secondary school, or an educational facility operated within any correctional or health facility, whether within or outside the state of Louisiana, where such student has become enrolled or is seeking enrollment. Under no circumstances may a school or school district refuse to promptly transfer the records of any child withdrawing or transferring from the

school. Transfer of records, whether by mail or otherwise, shall occur no later than ten (10) business days from the date of receipt of a written request.

3. Student records shall be furnished in compliance with judicial orders or pursuant to any lawfully issued subpoena if the parents, legal guardian and students are notified in advance.
4. Once the parent, guardian, or student of majority age has granted permission for collection of certain data in accordance with La. Rev. Stat. Ann. §17:3914 K, such data shall be disclosed solely for purposes of processing a student's application to a Louisiana postsecondary education institution or to the Louisiana Office of Student Financial Assistance for receipt of financial aid, and for compliance with state and federal reporting requirements.
5. The School Board may disclose personally identifiable information from student records to appropriate parties, including the parents of a student 18 years old or older, in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or other individuals.
6. The School Board and employees may disclose education records or information from education records, *without the consent* of the parent or guardian of the student who is the subject of the records, to certain law enforcement officials. Disclosure of such records or information shall be in accordance with the following provisions:
 - A. Disclosure of education records or information from education records shall *only* be made to state or local law enforcement officials or to other officials within the juvenile justice system. Verification of the official's position may need to be made before the disclosure of records or information.
 - B. The disclosure of the education record or information must relate to the ability of the juvenile justice system to serve, prior to adjudication, the student whose records or information is to be disclosed.
 - C. The officials to whom the records or the information are disclosed shall certify in writing that that person, and any agency or organization with which that person is affiliated, shall keep the personally identifiable portions of the records or the information confidential and shall not disclose the personally identifiable portions of the records or the information to any person, agency, or organization except a person, agency, or organization within the juvenile justice system having an independent right to the information.
 - D. Any other provisions necessary to comply with federal law or rules.

A record of all authorizations for release of information shall be maintained by the School Board and all such authorizations shall be included in the student's records.

7. Access to and disclosure of educational records and personally identifiable student information may be authorized by the Superintendent in accordance with the provisions of Calcasieu Parish School Board Policy JR-AP.

INSPECTION OF STUDENT RECORDS BY THE PARENT

1. Schools shall provide for the review of student records by parents or guardians, or any student eighteen (18) years of age or older. Parents and students shall be given notification of their right to review the student records.

Access to school records shall not be denied to a parent solely because he/she is not the child's custodial or domiciliary parent.

2. The parent or legal guardian of a student shall be provided access to student records upon written request to the principal maintaining those records within the school system no more than ten (10) days after the date of receipt of the request. There shall be no charge for a parent or legal guardian to receive student records electronically. If the parent or legal guardian requests hard copies of the records, a charge for copies as approved by the School Board shall be assessed per page of records.

The parent, legal guardian or student, if the student is eighteen (18) or over, shall, upon written request to the principal maintaining those records, have the opportunity to receive an interpretation of those records, have the right to question those data, and if a difference of opinion is noted, shall be permitted to file a letter in said cumulative folder stating their position. If further challenge is made to the record, the parent, legal guardian, or student if 18 or older, may request a hearing.

3. If, as a result of the hearing, the School Board decides that the information is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it shall:
 - A. Amend the record accordingly; and
 - B. Inform the parent or eligible student in writing.

If, as a result of the hearing, the School Board decides that the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the School Board or both.

4. The hearing shall be held within a reasonable time after receipt of the request for the hearing from the parent or eligible student.

The hearing shall be conducted by the Superintendent or his designee. At the

hearing the parent or student eighteen (18) or over shall be given a full and fair opportunity to present evidence relevant to issues raised. The parent or student may, at his/her own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.

The Superintendent or his designee shall make his/her decision in writing within a reasonable period of time after the hearing. The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision. The decision shall be communicated to the school and parent in writing within ten (10) working days following the date of the hearing.

5. The School Board is not required to provide to a parent or eligible student a copy of the student's education record unless failure to do so would effectively prevent the parent or eligible student the right to inspect and review the records.

If the record involves answers to a standardized test, the School Board will not provide a parent a copy of standardized test questions.

TYPES, LOCATIONS, AND CUSTODIANS OF EDUCATION RECORDS

The following is a list of the types of records that the District maintains, their location, and their custodians.

<u>TYPES</u>	<u>LOCATION</u>	<u>CUSTODIAN</u>
Cumulative School Records	School	School principal
Cumulative School Records (former students)	School	School principal
Health Records	School	School principal
Speech Therapy Records	Office of Education for the Handicapped	Supervisor of Speech
Psychological Records	Office of Education for the Handicapped	Supervisor of Pupil Appraisal
School Transportation Records	Transportation Office	Director of Transportation
Special Test Records	School/District Administrative	School principal/ District

	Office	Administrative Office
* Occasional Records	School	School principal

* Student education records not identified above, such as those in Superintendent's Office, in the school attorney's office, or in the possession of teachers.

Nothing herein is intended to supersede the provisions of the Family Educational Rights and Privacy Act, and to the extent any provisions of this policy conflict with FERPA or federal regulations issued pursuant thereto, the provision of FERPA or its regulations which limit or prohibit disclosure of educational records shall prevail.

Revised: July, 1992
Revised: October, 1993
Revised: October, 2001
Revised: February, 2003
Revised: December, 2009
Revised: July 16, 2013
Revised: January, 2014
Revised: July, 2015

Revised: August 11, 2015
Revised: March 13, 2018
Revised: December 11, 2018
Revised: August, 2021

Ref: 20 USC 1232(g-i), (*Family Educational Rights and Privacy Act*), 20 USC 7908, (*Armed Forces Recruiter Access to Student Information*), 34 CFR 99.1-99.67, (*Family Educational Rights and Privacy – Federal Regulations*); La. Rev. Stat. Ann. §§9:351, 17:81, 17:112, 17:221.3, 17:3914, 44:4, 44:4.1, 44:31, 44:32; La. Civil Code, Art. 131, 134, 250; Board minutes, 6-2-92, 10-5-93, 5-7-02, 6-3-03, 3-16-10, 7-16-13, 8-11-15, 3-13-18, 12-11-18.

NEW

STUDENT RECORDS

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3. *Disclosure* shall mean the release, transfer, provision of, access to, or divulging in any manner, of information outside the person or entity holding the information.
4. *Educational records* shall be defined as records which are directly related to a student and are maintained by the School Board or school by a person acting for the School Board or school. Excluded from the term *educational records* are records of instructional, supervisory or administrative personnel which are in the sole possession of the maker and are not accessible or revealed to any other individual except a substitute.
5. *Legitimate educational interest* shall be defined as the interest that requires regular access for purposes of adding material, periodic review, filing new student data and/or removing inadequate, ambiguous, no longer relevant data; the interest having the educational wellbeing of the student in mind for purposes of continuing, improving or changing the education program of the student and the interest in which the person has a legitimate need to know.
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ANNUAL NOTIFICATION

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ACCESS TO RECORDS

- 1. A person employed in a public school or other person authorized by the Superintendent may be provided or have access to a student's records.
- 2. Any person who is authorized by state law or the Superintendent to access a student's records on a public school computer system, except a parent or legal guardian, shall maintain the confidentiality of any student information to which he/she has access. Failure to maintain the confidentiality of such information shall be punishable as provided in La. Rev. Stat. Ann. §17:3914.
- 3. Except as provided below, no person or public or private entity shall access a public school computer system on which student information is stored. No official or employee of the School Board shall authorize access to such a computer system to any person or public or private entity except as authorized below.
- 4. The following persons may access a public school computer system on which student information for students at a particular school is stored:
 - A. A student who has reached the age of eighteen (18) or is judicially emancipated or emancipated by marriage and the parent or legal guardian of a student who is under the age of eighteen (18) and not emancipated. Such access shall be limited to information about the student. A student

who has reached the age of eighteen (18) or is emancipated and the parent or legal guardian of a student who has not reached the age of eighteen and is not emancipated may authorize, in writing, another person to access such information.

- B. A teacher of record. Such access shall be limited to information about his/her current students.
 - C. The school principal and school registrar.
 - D. A School Board employee employed at the school and designated by the principal. Such access shall be limited to student information necessary to perform his/her duties.
 - E. A person authorized by the Superintendent to maintain or repair the computer system or to provide services that the School Board would otherwise provide.
 - F. A person authorized by the state to audit student records.
5. The following persons may access a computer system of the School Board on which student information for students from throughout the system is stored:
- A. The Superintendent.
 - B. A School Board employee designated by the Superintendent. Such access shall be limited to student information necessary to perform his/her duties.
 - C. A person authorized by the Superintendent to maintain or repair the computer system or to provide services that the school system would otherwise provide.
 - D. A person authorized by the state to audit student records.
6. Persons permitted access to a student's records shall only have access to those education records in which they have a *legitimate educational interest*. Proper administrative regulations and procedures shall be maintained to ensure compliance with this provision.
7. The School Board shall maintain a record of each request for access to the records of each student. The School Board shall maintain a record of all requests for access with the education records of the student, as long as the records are maintained.

DISCLOSURE OF STUDENT INFORMATION

Except as permitted by this policy or by State or federal law or regulations, no official or employee of the School Board shall provide personally identifiable student information to any member of the School Board or to any other person or public or private entity, except such an official or employee may, in accordance with applicable state and federal law:

1. Provide a student's identification number and aggregate data to the School Board, the Louisiana Department of Education, or the Louisiana Board of Elementary and Secondary Education (BESE) solely for the purpose of satisfying state and federal reporting requirements.
2. Provide to the Louisiana Department of Education, for the purpose of satisfying state and federal assessment, auditing, funding, monitoring, program administration, and state accountability requirements, information from which enough personally identifiable information has been removed such that the remaining information does not identify a student and there is no basis to believe that the information alone can be used to identify a student. The Louisiana Department of Education may make further disclosures of personally identifiable information to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, or as expressly authorized by statute, if applicable requirements are met.
3. Provide to the Louisiana Board of Regents, and the office of student financial assistance, as a program under its jurisdiction, to be used by staff for required grant program reporting, for the purposes of providing reports to each public school governing authority on the postsecondary remediation needs, retention rates, and graduation rates for each high school under its jurisdiction and for the purpose of evaluating comparative postsecondary performance outcomes based upon student transcript data in order to develop policies designed to improve student academic achievement.
4. Provide personally identifiable information regarding a particular student to any person or public or private entity if the sharing of the particular information with the particular recipient of the information has been authorized in writing by the parent or legal guardian of the student, or by a student who has reached the age of legal majority, or if the information is provided to a person authorized by the state, including the legislative auditor, to audit processes including student enrollment counts. Except as permitted by said authorization, any recipient of such information shall maintain the confidentiality of such information. Any person who knowingly and willingly fails to maintain the confidentiality of such information shall be subject to the penalties provided in La. Rev. Stat Ann. §17:3914.
5. Provide for the transfer of student information pursuant to the provisions of La. Rev. Stat Ann. §17:112.

A statement shall be provided notifying the student's parent or legal guardian of exactly what items of student information will be collected and that disclosure of the student information collected shall be restricted to Louisiana postsecondary education institutions to be used for the purposes of processing applications for admission and for compliance with state and federal reporting requirements to the Board of Regents and to the office of student financial assistance, as a program under the board's jurisdiction, to be used for the purposes of processing applications for admission and for state and federal financial aid, for required grant program reporting, for providing reports to the school governing authority on the postsecondary education remediation needs, retention rates, and graduation rates for each high school under its jurisdiction, and for evaluating comparative postsecondary education performance outcomes based on student transcript data in order to develop policies designed to improve student academic achievement. Annual notification shall be provided to the student's parent or legal guardian as to the right and process used to withdraw consent.

With limited exception as allowed by state or federal law or regulation, by policy of the Calcasieu Parish School Board authorized by state or federal law or regulation, or by authorization of the parent or student who is eighteen years of age or older, any redisclosure and/or release of personally identifiable information shall require a *legitimate educational interest* of the recipient.

Release of Student Information

1. In accordance with federal statutory provisions, schools shall honor the requests of military recruiters for names, addresses and phone numbers of high school students, unless parents have specified that such information not be released to such recruiters.
2. In accordance with La. Rev. Stat. Ann. §17:112, the principal of a public elementary or secondary school shall provide for the transfer of the education records, including special education records, if applicable, of any current or former student at his/her school upon the written request of any authorized person on behalf of a public or nonpublic elementary or secondary school, or an educational facility operated within any correctional or health facility, whether within or outside the state of Louisiana, where such student has become enrolled or is seeking enrollment. Under no circumstances may a school or school district refuse to promptly transfer the records of any child withdrawing or transferring from the school. Transfer of records, whether by mail or otherwise, shall occur no later than ten (10) business days from the date of receipt of a written request.
3. Student records shall be furnished in compliance with judicial orders or pursuant to any lawfully issued subpoena if the parents, legal guardian and students are notified in advance.
4. Once the parent, guardian, or student of majority age has granted permission for collection of certain data in accordance with La. Rev. Stat. Ann. §17:3914 K, such

data shall be disclosed solely for purposes of processing a student's application to a Louisiana postsecondary education institution or to the Louisiana Office of Student Financial Assistance for receipt of financial aid, and for compliance with state and federal reporting requirements.

5. The School Board may disclose personally identifiable information from student records to appropriate parties, including the parents of a student 18 years old or older, in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or other individuals.
6. The School Board and employees may disclose education records or information from education records, *without the consent* of the parent or guardian of the student who is the subject of the records, to certain law enforcement officials. Disclosure of such records or information shall be in accordance with the following provisions:
 - A. Disclosure of education records or information from education records shall *only* be made to state or local law enforcement officials or to other officials within the juvenile justice system. Verification of the official's position may need to be made before the disclosure of records or information.
 - B. The disclosure of the education record or information must relate to the ability of the juvenile justice system to serve, prior to adjudication, the student whose records or information is to be disclosed.
 - C. The officials to whom the records or the information are disclosed shall certify in writing that that person, and any agency or organization with which that person is affiliated, shall keep the personally identifiable portions of the records or the information confidential and shall not disclose the personally identifiable portions of the records or the information to any person, agency, or organization except a person, agency, or organization within the juvenile justice system having an independent right to the information.
 - D. Any other provisions necessary to comply with federal law or rules.

A record of all authorizations for release of information shall be maintained by the School Board and all such authorizations shall be included in the student's records.

7. Access to and disclosure of educational records and personally identifiable student information may be authorized by the Superintendent in accordance with the provisions of Calcasieu Parish School Board Policy JR-AP.

INSPECTION OF STUDENT RECORDS BY THE PARENT

1. Schools shall provide for the review of student records by parents or guardians, or any student eighteen (18) years of age or older. Parents and students shall be

given notification of their right to review the student records.

Access to school records shall not be denied to a parent solely because he/she is not the child's custodial or domiciliary parent.

2. The parent or legal guardian of a student shall be provided access to student records upon written request to the principal maintaining those records within the school system no more than ten (10) days after the date of receipt of the request. There shall be no charge for a parent or legal guardian to receive student records electronically. If the parent or legal guardian requests hard copies of the records, a charge for copies as approved by the School Board shall be assessed per page of records.

The parent, legal guardian or student, if the student is eighteen (18) or over, shall, upon written request to the principal maintaining those records, have the opportunity to receive an interpretation of those records, have the right to question those data, and if a difference of opinion is noted, shall be permitted to file a letter in said cumulative folder stating their position. If further challenge is made to the record, the parent, legal guardian, or student if 18 or older, may request a hearing.

3. If, as a result of the hearing, the School Board decides that the information is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it shall:
 - A. Amend the record accordingly; and
 - B. Inform the parent or eligible student in writing.

If, as a result of the hearing, the School Board decides that the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the School Board or both.

4. The hearing shall be held within a reasonable time after receipt of the request for the hearing from the parent or eligible student.

The hearing shall be conducted by the Superintendent or his designee. At the hearing the parent or student eighteen (18) or over shall be given a full and fair opportunity to present evidence relevant to issues raised. The parent or student may, at his/her own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.

The Superintendent or his designee shall make his/her decision in writing within a reasonable period of time after the hearing. The decision must be based solely on the evidence presented at the hearing, and must include a summary of the

evidence and the reasons for the decision. The decision shall be communicated to the school and parent in writing within ten (10) working days following the date of the hearing.

5. The School Board is not required to provide to a parent or eligible student a copy of the student's education record unless failure to do so would effectively prevent the parent or eligible student the right to inspect and review the records.

If the record involves answers to a standardized test, the School Board will not provide a parent a copy of standardized test questions.

TYPES, LOCATIONS, AND CUSTODIANS OF EDUCATION RECORDS

The following is a list of the types of records that the District maintains, their location, and their custodians.

<u>TYPES</u>	<u>LOCATION</u>	<u>CUSTODIAN</u>
Cumulative School Records	School	School principal
Cumulative School Records (former students)	School	School principal
Health Records	School	School principal
Speech Therapy Records	Office of Education for the Handicapped	Supervisor of Speech
Psychological Records	Office of Education for the Handicapped	Supervisor of Pupil Appraisal
School Transportation Records	Transportation Office	Director of Transportation
Special Test Records	School/District Administrative Office	School principal/ District Administrative Office
* Occasional Records	School	School principal

- * Student education records not identified above, such as those in Superintendent's Office, in the school attorney's office, or in the possession of teachers.

Nothing herein is intended to supersede the provisions of the *Family Educational Rights and Privacy Act*, and to the extent any provisions of this policy conflict with FERPA or federal regulations issued pursuant thereto, the provision of FERPA or its regulations which limit or prohibit disclosure of educational records shall prevail.

Revised: July, 1992
Revised: October, 1993
Revised: October, 2001
Revised: February, 2003
Revised: December, 2009
Revised: July 16, 2013
Revised: January, 2014
Revised: July, 2015

Revised: August 11, 2015
Revised: March 13, 2018
Revised: December 11, 2018
Revised: August, 2021

Ref: 20 USC 1232(g-i), (*Family Educational Rights and Privacy Act*), 20 USC 7908, (*Armed Forces Recruiter Access to Student Information*), 34 CFR 99.1-99.67, (*Family Educational Rights and Privacy – Federal Regulations*); La. Rev. Stat. Ann. §§9:351, 17:81, 17:112, 17:221.3, 17:3914, 44:4, 44:4.1, 44:31, 44:32; La. Civil Code, Art. 131, 134, 250; Board minutes, 6-2-92, 10-5-93, 5-7-02, 6-3-03, 3-16-10, 7-16-13, 8-11-15, 3-13-18, 12-11-18.

Item 8

Sabbatical Leave, Sick Leave, Parent Conferences, and Student Welfare

ACT 275 amended multiple statutes, replacing the term guidance counselor, with school counselor. The term has been replaced in many policies common to all School Boards. Several of the policies revised previously included this change. The additional policies included with this adjustment are Sabbatical Leave, Sick Leave, Parent Conferences, and Student Welfare.

OLD**SABBATICAL LEAVE**

The Superintendent may grant sabbatical leave for the purpose of professional or cultural improvement or for medical leave to all teaching personnel in accordance with statutory provisions. *Teaching personnel* shall include any person employed by the School Board who holds a valid teaching certificate issued by the Louisiana Board of Elementary and Secondary Education and any social worker, school counselor, school nurse, audiologist, educational diagnostician, speech-language pathologist, or school psychologist employed by the School Board who holds the appropriate valid professional ancillary certificate issued by the Louisiana Department of Education.

ELIGIBILITY

Sabbatical leave may be granted on the ratio of two (2) semesters for twelve (12) or more consecutive semesters of active service within the employ of the School Board or one (1) semester for six (6) or more consecutive semesters of such service.

At no time may more than five percent (5%) of the total number of teachers employed in a school system be on leave. Selection of employees among those who qualify for sabbatical leave must be based on years of continuous service and other criteria as specified by statute.

MEDICAL SABBATICAL LEAVE

A teacher may make application for *medical sabbatical leave*, which shall be accompanied by a statement from a licensed physician certifying that the leave is medically necessary.

If the Superintendent, upon review of the application, questions the validity or accuracy of the certification, the Superintendent may require the applicant, as a condition for continued consideration of the application, to be examined by a licensed physician selected by the Superintendent. In such a case, the School Board shall pay all costs of the examination and any tests determined to be necessary. If the physician finds a medical necessity, the leave application shall be granted.

If the physician disagrees with the certification of the physician selected by the applicant, then the Superintendent may require the applicant, as a condition for continued consideration of the application, to be examined by a third licensed appropriate physician whose name appears next in the rotation of physicians on a list established by the local medical society for such purpose and maintained by the School Board. All costs of an examination and any required tests by a third physician shall be paid by the School Board. The opinion of the third physician shall decide the issue.

The opinion of all physicians consulted shall be submitted 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.

SABBATICAL LEAVE FOR PROFESSIONAL OR CULTURAL IMPROVEMENT

Every person on sabbatical leave for the purpose of professional or cultural improvement, shall during each semester of leave, pursue a program of study, earning at least nine (9) undergraduate credit hours, provided such hours directly improve the person's skills and knowledge as a teacher, or six (6) graduate credit hours, or be certified as a full-time student at an institution of higher learning accredited by the respective State Board of Education or territorial board in which such institution is located. If less than fifteen (15) weeks is spent as specified above, the number of weeks less than fifteen (15) shall be spent in either of the two (2) alternatives specified below:

1. Pursue a program of independent study, research, authorship or investigation which involves an approximately equivalent amount of work and which is *approved by the School Board*.
2. Engage in travel which is so planned as to be of definite educational value and which has been *approved by the School Board*.

Final authority for granting such leave shall rest with Superintendent.

PROCEDURE FOR APPLICATION

1. Application for sabbatical leave shall be made on a form provided by the Superintendent. Applications shall be sent to the Superintendent by registered mail at least sixty (60) days preceding the beginning of the semester of the scholastic year for which leave is requested, except that when a teacher or other professional employee has become sick during a semester and requests medical sabbatical leave, it shall be sufficient if the application is mailed thirty (30) days prior to the date upon which the requested leave is to commence.

The Superintendent shall inform the teacher of the approval or denial of sabbatical leave at least thirty (30) days preceding the beginning of the semester of the school year for which the leave is requested, except that, where a teacher has become sick during a semester and has requested medical sabbatical leave, the Superintendent shall inform the teacher of approval or denial of such leave as soon as possible after receipt of his/her request for leave.

2. Whenever, in accordance with statutory provisions, some of the applications cannot be granted, from among those which would otherwise be granted, those to be granted shall be determined in the following manner:
 - A. Preference in every case shall be given to the applicant who has rendered

active service in the school system for the greatest number of consecutive semesters immediately preceding the period for which leave is requested.

- B. Where any two (2) applicants rank equally in point of continuous service, preference in every case shall be given to the applicant who has rendered service in the school system for the greater total number of semesters.
 - C. Where any two (2) applicants rank equally in both point of continuous service and in point of total service, preference in every case shall be given to the applicant whose date of birth is earlier.
 - D. In cases where all factors are equal, the tie shall be broken by the drawing of lots in the presence of the employees.
3. Applicants whose applications are filed in the first thirty (30) days of the semester shall be given a preference over those who seek medical sabbatical leave under the special provision relating to sickness during a school semester.
4. Every application for sabbatical leave shall specify **all** of the following:
- A. The period for which leave is requested;
 - B. Whether leave is requested for the purpose of professional or cultural improvement, or for the purpose of medical leave;
 - C. The precise manner, in so far as possible, in which such leave, if granted, shall be spent;
 - D. The semesters spent in active service in the school system from which leave is requested; and
 - E. The date of birth of the applicant.

The application shall contain a statement, over the signature of the applicant, that he/she shall agree to comply with all sabbatical leave provisions.

COMPENSATION

A teacher granted sabbatical leave shall be paid compensation at the rate of **sixty-five percent** (65%) of the person's salary at the time the sabbatical leave begins. A teacher on sabbatical leave with pay must continue his/her retirement contribution. Time spent on such leave is considered as active service for retirement purposes.

CONDITIONS OF SABBATICAL

1. Each person granted sabbatical leave, as a condition of the sabbatical leave, shall be prohibited from being employed during the sabbatical leave by any public or private elementary or secondary school in Louisiana or any other state.
2. Every person on *medical sabbatical leave* shall be prohibited from undertaking any gainful employment during such leave unless all of the following conditions are met:
 - A. The teacher can demonstrate that he/she will be working not more than twenty (20) hours a week in a part-time job that he/she has been working for not less than one hundred and twenty (120) days prior to the beginning of such leave.
 - B. The doctor certifying the medical necessity of the leave indicates that such part-time work does not impair the purpose for which the leave is granted.
 - C. The Superintendent authorizes such part-time work.

Violation of the part-time work provisions shall result in the medical sabbatical leave being rescinded.

3. Each person granted sabbatical leave shall sign an agreement or contract as specified with the School Board stipulating that, as a condition of sabbatical leave and in order to be eligible for compensation during such leave, he or she will return to service for one (1) semester for each semester of leave upon completion of the sabbatical leave. Said service shall ordinarily be performed in this School District.

No person who, upon the expiration of his/her sabbatical leave, immediately begins employment with a state-operated educational agency, city, parish, or other local school board, department, school, college or university instead of returning to the school system which granted him/her such leave, shall be required to forfeit that portion of compensation paid to him/her by the State while he/she was on such leave. However, such person shall be required to reimburse the school system any salary paid to him/her by the School Board while he/she was on leave, unless the Superintendent opts to exercise the waiver provision as explained under *Waiver of Intention to Return to Service Clause* below.

As per statutory requirement, any employee taking sabbatical leave who fails to return to service in this School District upon expiration of the leave as specified above for any reason other than incapacitating illness as certified by two (2) physicians, shall forfeit all salary compensation received during the leave period. The Superintendent shall have the authority to waive this requirement in accordance with its pre-published criteria, as noted under *Waiver of Intention to*

Return to Service Clause below, if he/she deems such to be in the best interest of the School District, provided that such a waiver shall not be of a discriminatory nature against any employee or applicant because of his or her job description, age, race, or sex.

4. An employee on professional sabbatical leave shall observe the above stipulations concerning graduate or undergraduate credit hours to be earned and/or alternatives such as productive research or travel. The Superintendent shall have the authority to require written reports of work done and work to be done at any time during the period of leave. In addition, written reports are required within thirty (30) days after the beginning of each semester of leave and within thirty (30) days after the end of leave.
5. Any employee who fails to comply with statutory provisions may have his/her leave terminated by the Superintendent at any time.
6. Every person on sabbatical leave shall notify the Superintendent of his/her intention to return to work not less than thirty (30) days prior to the beginning of the semester in which he/she expects to return.

An employee who has been granted sabbatical leave shall, upon expiration of the leave, be returned to the same position in the same school held at the time of said sabbatical leave was granted unless otherwise agreed to by the individual.

GUIDELINES FOR WAIVING INTENTION TO RETURN TO SERVICE CLAUSE

The return to service provision, as stated in *Conditions of Sabbatical*, Item 3 above, may be waived by the Superintendent, after careful review and consideration in any of the following instances:

1. Any person whose spouse is transferred out of the parish (job requirement not anticipated before leave) during the time the teacher is on leave or within one (1) year immediately following the termination of such leave (certification must be provided by spouse's employer).
2. Any person who receives a position to the State Department of Education, to another public school system within the State of Louisiana, or to a state-operated educational agency. In such instances, the person granted sabbatical leave, upon the expiration of leave, shall be permitted to retain that portion of compensation paid by the state while he/she was on leave. However, such person shall be required to reimburse the School Board any compensation paid by the School Board while on leave.
3. Incapacitating illness, as certified by two (2) physicians.
4. Incapacitating illness of member of immediate family (mother, father, sister, brother,

husband, wife, child), as certified by two (2) physicians, wherein employee must remain at home to care for said family member, within one year immediately following termination of the sabbatical.

5. Whenever, in the Superintendent's opinion, such a waiver would be in the best interest of the School District.

Revised: December, 1997
Revised: August, 1999
Revised: August, 2003
Revised: September, 2004
Revised: July, 2010
Revised: July, 2012

Ref: La. Rev. Stat. Ann. "11:755, 14:125, 17:1170, 17:1171, 17:1172, 17:1173, 17:1174, 17:1175, 17:1176, 17:1177, 17:1178, 17:1179, 17:1180, 17:1181, 17:1182, 17:1183, 17:1184, 17:1185, 17:1187; Board minutes, 10-2-12.

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 - C. The Superintendent authorizes such part-time work.

Violation of the part-time work provisions shall result in the medical sabbatical leave being rescinded.

3. Each person granted sabbatical leave shall sign an agreement or contract as specified with the School Board stipulating that, as a condition of sabbatical leave and in order to be eligible for compensation during such leave, he or she will return to service for one (1) semester for each semester of leave upon completion of the sabbatical leave. Said service shall ordinarily be performed in this School District.

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2. Any person who receives a position to the State Department of Education, to another public school system within the State of Louisiana, or to a state-operated educational agency. In such instances, the person granted sabbatical leave, upon the expiration of leave, shall be permitted to retain that portion of compensation paid by the state while he/she was on leave. However, such person shall be required to reimburse the School Board any compensation paid by the School Board while on leave.
3. Incapacitating illness, as certified by two (2) physicians.
4. Incapacitating illness of member of immediate family (mother, father, sister, brother,

husband, wife, child), as certified by two (2) physicians, wherein employee must remain at home to care for said family member, within one year immediately following termination of the sabbatical.

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NEW

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, school 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, physician assistant providing health care services in accordance with Louisiana law, or nurse practitioner providing health care services in accordance with Louisiana law, 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
Revised: December, 1995
Revised: June, 1999
Revised: August, 1999
Revised: September, 1999
Revised: August, 2001
Revised: September, 2001
Revised: June, 2003
Revised: September, 2004
Revised: September, 2008

Revised: January, 2010
Revised: July, 2010
Revised: September, 2012
Revised: September 9, 2014
Revised: March 13, 2018
Revised: March 19, 2019
Revised: February 9, 2021

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, 3-19-19, 2-9-21.

PARENT CONFERENCES

The Calcasieu Parish School Board realizes that close communication between home and school is an important factor in establishing a highly effective school program. Planned conferences between parents and teachers are an important way to bring about understanding and close cooperation between the home and school. Close communication should be maintained through conferences with all parents, not just with those where academic or other problems suggest the need for closer communication.

ACADEMIC CONFERENCES

At least two (2) parent-teacher conferences shall be scheduled by teachers during the first semester of each school year. At least one (1) parent or guardian of the child shall attend or participate in at least one (1) of the scheduled parent-teacher conferences. A teacher need not require a parent or guardian to attend a conference if the conference would be unnecessary due to the student's academic record. Other conferences may be scheduled as the need arises.

If a middle school or high school student has more than one teacher, the parent or guardian may participate in the conference by conference call.

The School Board shall direct the Superintendent to recommend regulations regarding the failure of the parent or guardian to attend at least one (1) of the scheduled parent-teacher conferences. Said regulations shall not include any negative action against the student as a result of the parents/guardians not attending the required parent-teacher conference.

The principal or supervisor should be present at any parent-teacher conference when there is reason to anticipate an atmosphere of hostility.

If a student's academic performance is such that it could threaten the student's ability to be promoted to the next grade level, the student's parent/guardian shall be offered an in-person meeting with the child's classroom teacher and school leader to discuss any resources or strategies available to support and encourage the student's academic improvement.

DISCIPLINARY CONFERENCES

Parents may be required to attend a conference with their student's teacher/principal/school counselor under the following circumstances:

1. When a pupil is removed from a classroom by the teacher, the teacher may require that the parent, tutor, or legal guardian of the pupil have a conference with the teacher in the presence of the principal or his/her

designee before the pupil is readmitted to the classroom.

2. Upon the *third* removal from the same classroom during the school year, a conference between the teacher or other appropriate school employee and the pupil's parent, tutor, or legal guardian shall be required prior to the pupil being readmitted to the classroom.
3. In any case where a teacher, principal, or other school employee requires the parent, tutor, or legal guardian of a pupil under eighteen (18) to attend a conference or meeting regarding the pupil's behavior, and, after notice, the parent, tutor, or legal guardian willfully refuses to attend, the principal or designee shall file a complaint with a court exercising juvenile jurisdiction.
4. Subsequent to the suspension or recommendation for expulsion of a student, a conference shall be scheduled with the student's parent, tutor, or legal guardian and the principal, as a requirement for readmitting the student to school. Notification of the conference shall be by telephone, or in certain cases, by certified letter. Such conference shall be held within five (5) school days of mailing the certified letter or other contact. On not more than one occasion each school year when the parent, tutor, or legal guardian refuses to respond, the principal may determine whether readmitting the pupil is in the best interest of the student. On any subsequent occasions in the same school year, the pupil shall not be readmitted unless the parent, tutor, legal guardian, court, or other appointed representative responds.
5. When a pupil is suspended a second time within one school year, the principal may require that a counseling session be held with the parent, pupil, and the school counselor. If no counselor is available, the principal may require a conference between the parent, pupil and all the pupil's teachers and the principal or other administrator.
6. Upon a student's *third* unexcused absence or unexcused tardy, the principal or his/her designee shall notify the parent or legal guardian in writing and shall hold a conference with the parent or legal guardian. The parent or legal guardian shall sign a receipt acknowledging notification. *Tardy*, for the purposes of this enumerated item, shall be as defined in La. Rev. Stat. Ann. §17:233.

Revised: September, 2008

Revised: January, 2013

Revised: December 11, 2018

Ref: La. Rev. Stat. Ann. "17:233, 17:406.7, 17:406.9, 17:416; La. Children's Code, Art. 730, 731; Board minutes, 10-7-08, 2-5-13, 12-11-18.

STUDENT WELFARE

While the Calcasieu Parish School Board recognizes the potential for inappropriate behavior by students and/or adults toward the children enrolled in parish schools, it shall, to the best of its ability, take precautions and institute regulations and procedures to provide a safe and secure environment for its students in all public schools of the parish.

In its efforts to protect its students, the Board shall require, at a minimum, the following:

1. No employee or volunteer shall be alone with a student in any classroom, office, meeting room, or other similarly enclosed area on school property unless during the full time of such interaction between the student and employee, another school employee, the student's parent, or other authorized adult is present, or the student and employee are clearly visible by persons outside such area through either an open door or entrance, or through a window or other means that provides an unobstructed view of the student and employee.

Interactions may be permitted between:

- A. a student and school counselor
 - B. a student and a school employee during the administration of a test when the student's Individualized Education Program (IEP) precludes the presence of other individuals
 - C. a student and a school nurse or between a student and a school employee engaged in the performance of noncomplex health procedures
 - D. Any other interaction permitted as determined by the Louisiana Board of Elementary and Secondary Education (BESE)
2. Roles of employees, and especially of volunteers, in working with students shall be clearly documented. Volunteers shall sign an agreement form stating they understand the regulations and procedures governing contact with students and agree to any criminal background checks the Board may require. Thorough training shall be given all employees and volunteers regarding the child abuse prevention program.

New policy: August, 2008

Adopted: October 7, 2008

Ref: La. Rev. Stat. Ann. §§14:403, 17:7, 17:81.6, 23:161, 23:162, 23:163; La. Children's Code, Art. 603, 609; Board minutes, 10-7-08.

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SABBATICAL LEAVE

The Superintendent may grant sabbatical leave for the purpose of professional or cultural improvement or for medical leave to all teaching personnel in accordance with statutory provisions. *Teaching personnel* shall include any person employed by the School Board who holds a valid teaching certificate issued by the Louisiana Board of Elementary and Secondary Education and any social worker, school counselor, school nurse, audiologist, educational diagnostician, speech-language pathologist, or school psychologist employed by the School Board who holds the appropriate valid professional ancillary certificate issued by the Louisiana Department of Education.

ELIGIBILITY

Sabbatical leave may be granted on the ratio of two (2) semesters for twelve (12) or more consecutive semesters of active service within the employ of the School Board or one (1) semester for six (6) or more consecutive semesters of such service.

At no time may more than five percent (5%) of the total number of teachers employed in a school system be on leave. Selection of employees among those who qualify for sabbatical leave must be based on years of continuous service and other criteria as specified by statute.

MEDICAL SABBATICAL LEAVE

A teacher may make application for *medical sabbatical leave*, which shall be accompanied by a statement from a licensed physician certifying that the leave is medically necessary.

If the Superintendent, upon review of the application, questions the validity or accuracy of the certification, the Superintendent may require the applicant, as a condition for continued consideration of the application, to be examined by a licensed physician selected by the Superintendent. In such a case, the School Board shall pay all costs of the examination and any tests determined to be necessary. If the physician finds a medical necessity, the leave application shall be granted.

If the physician disagrees with the certification of the physician selected by the applicant, then the Superintendent may require the applicant, as a condition for continued consideration of the application, to be examined by a third licensed appropriate physician whose name appears next in the rotation of physicians on a list established by the local medical society for such purpose and maintained by the School Board. All costs of an examination and any required tests by a third physician shall be paid by the School Board. The opinion of the third physician shall decide the issue.

The opinion of all physicians consulted shall be submitted 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.

SABBATICAL LEAVE FOR PROFESSIONAL OR CULTURAL IMPROVEMENT

Every person on sabbatical leave for the purpose of professional or cultural improvement, shall during each semester of leave, pursue a program of study, earning at least nine (9) undergraduate credit hours, provided such hours directly improve the person's skills and knowledge as a teacher, or six (6) graduate credit hours, or be certified as a full-time student at an institution of higher learning accredited by the respective State Board of Education or territorial board in which such institution is located. If less than fifteen (15) weeks is spent as specified above, the number of weeks less than fifteen (15) shall be spent in either of the two (2) alternatives specified below:

1. Pursue a program of independent study, research, authorship or investigation which involves an approximately equivalent amount of work and which is *approved by the School Board*.
2. Engage in travel which is so planned as to be of definite educational value and which has been *approved by the School Board*.

Final authority for granting such leave shall rest with Superintendent.

PROCEDURE FOR APPLICATION

1. Application for sabbatical leave shall be made on a form provided by the Superintendent. Applications shall be sent to the Superintendent by registered mail at least sixty (60) days preceding the beginning of the semester of the scholastic year for which leave is requested, except that when a teacher or other professional employee has become sick during a semester and requests medical sabbatical leave, it shall be sufficient if the application is mailed thirty (30) days prior to the date upon which the requested leave is to commence.

The Superintendent shall inform the teacher of the approval or denial of sabbatical leave at least thirty (30) days preceding the beginning of the semester of the school year for which the leave is requested, except that, where a teacher has become sick during a semester and has requested medical sabbatical leave, the Superintendent shall inform the teacher of approval or denial of such leave as soon as possible after receipt of his/her request for leave.

2. Whenever, in accordance with statutory provisions, some of the applications cannot be granted, from among those which would otherwise be granted, those to be granted shall be determined in the following manner:
 - A. Preference in every case shall be given to the applicant who has rendered

active service in the school system for the greatest number of consecutive semesters immediately preceding the period for which leave is requested.

- B. Where any two (2) applicants rank equally in point of continuous service, preference in every case shall be given to the applicant who has rendered service in the school system for the greater total number of semesters.
 - C. Where any two (2) applicants rank equally in both point of continuous service and in point of total service, preference in every case shall be given to the applicant whose date of birth is earlier.
 - D. In cases where all factors are equal, the tie shall be broken by the drawing of lots in the presence of the employees.
3. Applicants whose applications are filed in the first thirty (30) days of the semester shall be given a preference over those who seek medical sabbatical leave under the special provision relating to sickness during a school semester.
4. Every application for sabbatical leave shall specify **all** of the following:
- A. The period for which leave is requested;
 - B. Whether leave is requested for the purpose of professional or cultural improvement, or for the purpose of medical leave;
 - C. The precise manner, in so far as possible, in which such leave, if granted, shall be spent;
 - D. The semesters spent in active service in the school system from which leave is requested; and
 - E. The date of birth of the applicant.

The application shall contain a statement, over the signature of the applicant, that he/she shall agree to comply with all sabbatical leave provisions.

COMPENSATION

A teacher granted sabbatical leave shall be paid compensation at the rate of **sixty-five percent** (65%) of the person's salary at the time the sabbatical leave begins. A teacher on sabbatical leave with pay must continue his/her retirement contribution. Time spent on such leave is considered as active service for retirement purposes.

CONDITIONS OF SABBATICAL

1. Each person granted sabbatical leave, as a condition of the sabbatical leave, shall be prohibited from being employed during the sabbatical leave by any public or private elementary or secondary school in Louisiana or any other state.
2. Every person on *medical sabbatical leave* shall be prohibited from undertaking any gainful employment during such leave unless all of the following conditions are met:
 - A. The teacher can demonstrate that he/she will be working not more than twenty (20) hours a week in a part-time job that he/she has been working for not less than one hundred and twenty (120) days prior to the beginning of such leave.
 - B. The doctor certifying the medical necessity of the leave indicates that such part-time work does not impair the purpose for which the leave is granted.
 - C. The Superintendent authorizes such part-time work.

Violation of the part-time work provisions shall result in the medical sabbatical leave being rescinded.

3. Each person granted sabbatical leave shall sign an agreement or contract as specified with the School Board stipulating that, as a condition of sabbatical leave and in order to be eligible for compensation during such leave, he or she will return to service for one (1) semester for each semester of leave upon completion of the sabbatical leave. Said service shall ordinarily be performed in this School District.

No person who, upon the expiration of his/her sabbatical leave, immediately begins employment with a state-operated educational agency, city, parish, or other local school board, department, school, college or university instead of returning to the school system which granted him/her such leave, shall be required to forfeit that portion of compensation paid to him/her by the State while he/she was on such leave. However, such person shall be required to reimburse the school system any salary paid to him/her by the School Board while he/she was on leave, unless the Superintendent opts to exercise the waiver provision as explained under *Waiver of Intention to Return to Service Clause* below.

As per statutory requirement, any employee taking sabbatical leave who fails to return to service in this School District upon expiration of the leave as specified above for any reason other than incapacitating illness as certified by two (2) physicians, shall forfeit all salary compensation received during the leave period. The Superintendent shall have the authority to waive this requirement in accordance with its pre-published criteria, as noted under *Waiver of Intention to*

Return to Service Clause below, if he/she deems such to be in the best interest of the School District, provided that such a waiver shall not be of a discriminatory nature against any employee or applicant because of his or her job description, age, race, or sex.

4. An employee on professional sabbatical leave shall observe the above stipulations concerning graduate or undergraduate credit hours to be earned and/or alternatives such as productive research or travel. The Superintendent shall have the authority to require written reports of work done and work to be done at any time during the period of leave. In addition, written reports are required within thirty (30) days after the beginning of each semester of leave and within thirty (30) days after the end of leave.
5. Any employee who fails to comply with statutory provisions may have his/her leave terminated by the Superintendent at any time.
6. Every person on sabbatical leave shall notify the Superintendent of his/her intention to return to work not less than thirty (30) days prior to the beginning of the semester in which he/she expects to return.

An employee who has been granted sabbatical leave shall, upon expiration of the leave, be returned to the same position in the same school held at the time of said sabbatical leave was granted unless otherwise agreed to by the individual.

GUIDELINES FOR WAIVING INTENTION TO RETURN TO SERVICE CLAUSE

The return to service provision, as stated in *Conditions of Sabbatical*, Item 3 above, may be waived by the Superintendent, after careful review and consideration in any of the following instances:

1. Any person whose spouse is transferred out of the parish (job requirement not anticipated before leave) during the time the teacher is on leave or within one (1) year immediately following the termination of such leave (certification must be provided by spouse's employer).
2. Any person who receives a position to the State Department of Education, to another public school system within the State of Louisiana, or to a state-operated educational agency. In such instances, the person granted sabbatical leave, upon the expiration of leave, shall be permitted to retain that portion of compensation paid by the state while he/she was on leave. However, such person shall be required to reimburse the School Board any compensation paid by the School Board while on leave.
3. Incapacitating illness, as certified by two (2) physicians.
4. Incapacitating illness of member of immediate family (mother, father, sister, brother,

husband, wife, child), as certified by two (2) physicians, wherein employee must remain at home to care for said family member, within one year immediately following termination of the sabbatical.

5. Whenever, in the Superintendent's opinion, such a waiver would be in the best interest of the School District.

Revised: December, 1997

Revised: August, 1999

Revised: August, 2003

Revised: September, 2004

Revised: July, 2010

Revised: July, 2012

Ref: La. Rev. Stat. Ann. "11:755, 14:125, 17:1170, 17:1171, 17:1172, 17:1173, 17:1174, 17:1175, 17:1176, 17:1177, 17:1178, 17:1179, 17:1180, 17:1181, 17:1182, 17:1183, 17:1184, 17:1185, 17:1187; Board minutes, 10-2-12.

Item 9

Purchasing Policy and Bids and Quotations Policy

ACT 102 revised several statutes. Consulting services was added to those procurements for which a reverse auction can be used.

Accordingly, consulting services has been included with procurements in the Purchasing policy, as well as the Bids and Quotations policy, in which it is referenced. We also revised the language to remove the description "competitive online solicitation process."

OLD

PURCHASING

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

USE OF FEDERAL FUNDS

All procurement of materials, supplies, and services, as well as the construction of public works, funded in whole or in part with federal funds shall comply with the requirements contained in Title 2, Section 200, of the Code of Federal Regulations. All procurements using federal funds, in whole or in part, shall employ one of the procedures identified in 2 CFR 200.320, if more stringent than those procedures required by Louisiana law. Should the School Board adopt the Louisiana Procurement Code, whether in part or in its entirety, the accompanying administrative regulations as promulgated in the Louisiana Procurement Code, as well as guidelines and policies issued by the Louisiana's Office of State Purchasing relevant to the particular adoption(s) may be applicable to the purchase, if more stringent.

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 authorized by Louisiana law.

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. If required, 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 accordance with La. Rev. Stat. Ann. §§33:1321-1337 or La. Rev. Stat. Ann. §38:321.1.

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*.

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 either the price is less than that for the same or substantially similar materials, equipment, or supplies on the state contract or bid list, or if the same or substantially similar materials, equipment, or supplies are not under state contract or on the state bid list. Nothing included in this paragraph shall be construed to authorize the School Board to purchase materials, equipment, or supplies from or through an entity or vendor other than a qualified group purchasing organization as defined herein without using a procurement process otherwise provided by state law.

~~Competitive Online Solicitation~~ Reverse Auction

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. Reverse auction means a competitive online solicitation process on the Internet for the purchase of equipment, supplies, and other materials or consulting services.

Prior to the use of ~~a competitive online solicitation process~~ the reverse auction, 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 the purchases of materials, supplies, equipment, or consulting services 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: September, 2021

Revised: November, 2011

Revised: February 10, 2015

Revised: February 14, 2017

Revised: March 19, 2019

Revised: February 9, 2021

Ref: 2 CFR 200 (*Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*); 48 CFR 2.101 (*Definitions*); La. Rev. Stat. Ann. §§33:1321-1337, 33:4712.7, 38:321.1, 38:2212, 38:2212.1, 38:2214, 38:2218, 38:2219, 38:2271, 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, 3-19-19, 2-9-21.

NEW

PURCHASING

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 *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.

USE OF FEDERAL FUNDS

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USE OF STATE FUNDS

Procurement of materials and supplies when using state or locally generated funds shall follow the procurement method as authorized by Louisiana law.

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. If required, 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.

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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 accordance with La. Rev. Stat. Ann. §§33:1321-1337 or La. Rev. Stat. Ann. §38:321.1.

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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*.

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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 either the price is less than that for the same or substantially similar materials, equipment, or supplies on the state contract or bid list, or if the same or substantially similar materials, equipment, or supplies are not under state contract or on the state bid list. Nothing included in this paragraph shall be construed to authorize the School Board to purchase materials, equipment, or supplies from or through an entity or vendor other than a qualified group purchasing organization as defined herein without using a procurement process otherwise provided by state law.

Reverse Auction

The School Board may use a reverse auction 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. *Reverse auction* means a competitive online solicitation process on the Internet for the purchase of equipment, supplies, and other materials or consulting services.

Prior to the use of the reverse auction, 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 the purchases of materials, supplies, equipment, or consulting services using a reverse auction 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: March 19, 2019
Revised: February 9, 2021

Revised: September, 2021

Ref: 2 CFR 200 (*Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*); 48 CFR 2.101 (*Definitions*); La. Rev. Stat. Ann. §§33:1321-1337, 33:4712.7, 38:321.1, 38:2212, 38:2212.1, 38:2214, 38:2218, 38:2219, 38:2271, 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, 3-19-19, 2-9-21.

OLD

BIDS AND QUOTATIONS

1. Public Works

The Calcasieu Parish School Board shall advertise and let by contract, except in cases of emergencies, as provided below, all public work exceeding \$250,000 per project. The contract shall be awarded to the lowest responsible bidder who has bid according to the contract, plan, and specifications advertised, unless stipulated otherwise by the School Board.

As an evidence of good faith, each bidder for public works project shall attach to its bid, a bid bond, certified check, or cashier's check in an amount equal to five percent (5%) of the bid amount.

When using state or locally generated funds, under no circumstances shall there be a division or separation of any public work project into smaller projects, which division or separation would have the effect of avoiding the requirement that public work be advertised and let by contract to the lowest responsible bidder in accordance with statutory provisions.

All advertisements for bids shall appear in the newspaper selected as the official journal for the School Board, except in emergencies as may be declared by the School Board, or designee. The advertisement, when published, shall appear once a week for three (3) different weeks, the first advertisement to appear at least twenty-five (25) days prior to the opening of bids. In addition to newspaper advertisements, the School Board may also publish advertisements and accept bids by electronic media available to the general public in accordance with uniform standards promulgated by the state. In any advertisement, the first publication shall not occur on a Saturday, Sunday, or legal holiday.

All bids shall be opened in public in the presence of one or more witnesses at the time and place designated in the invitation for bids. Each bid, together with the name of the bidder, shall be recorded and open to public inspection. The Superintendent and/or other appropriate administrators shall review, summarize and report bids to the School Board with recommendations for final action.

Contracts for public works aggregating \$250,000 or less shall be subject to the following:

A. \$10,000 - \$250,000

Contracts for public works aggregating \$10,000.00 or more, but less than \$250,000 shall be made by obtaining no fewer than three (3) documented written, facsimile, or electronic quotations. A written confirmation of the

accepted offers shall be obtained and made part of the purchase file. If quotations lower than the accepted quotation are received, the reasons for their rejection shall be recorded in the purchase file.

B. \$0.00 - \$9,999.99

Competitive quotations may be received at the discretion of the purchasing department head (quotes recommended).

The School Board shall retain the option of requiring all bids that are let out for public works be submitted electronically.

2. Supplies, Materials and Equipment

The School Board shall advertise and let by contract all purchases of supplies, materials and equipment aggregating \$30,000 or more. All advertisements for bids shall appear in the newspaper selected as the official journal for the School Board. The advertisement, when published, shall appear at least fifteen (15) days prior to the date set forth therein for the opening of bids. In addition, the School Board shall also publish an advertisement by electronic media available to the general public. Notice shall also be given in writing to persons in a position to furnish the supplies, materials and equipment as shown by the purchasing department's records.

When using state or locally generated funds, purchases cannot be divided by departments or by a school if the effect is to evade the state's public bid law. Purchases of commodities that are bought in small but recurring amounts through the year shall be bid on an annual basis.

All bids shall be opened in public in the presence of one or more witnesses, at the time and place designated in the invitation for bids. Each bid, together with the name of the bidder, shall be recorded and open to public inspection.

The School Board may require, as evidence of good faith that each bidder for the purchase of supplies, materials or equipment, attach to its bid a bid bond, certified check or cashier's check in an amount equal to five percent (5%) of the bid amount.

Purchases of supplies, material and equipment aggregating less than \$30,000.00 shall be subject to the following:

- A. Purchases of \$10,000.00 or more, but less than \$30,000 shall be made by obtaining no fewer than three (3) documented quotations. A written confirmation of the accepted offers shall be obtained and made part of the purchase file. If quotations lower than the accepted quotation are received, the reasons for their rejection shall be recorded in the purchase file.

- B. \$0.00 - \$9,999.99 Competitive quotations may be received at the discretion of the purchasing department head (quotes recommended).

The School Board shall retain the option of requiring all bids that are let out for materials and supplies be submitted electronically.

In lieu of formal bids, the School Board may use a *reverse auction* ~~or competitive online solicitation process~~ for the purchase of equipment, supplies, and other materials or consulting services, as outlined in policy *DJE, Purchasing*.

3. Bid Award

In order to protect the integrity of the competitive bidding process, the determination of responsiveness by the bidder must be made from the bid documents at the time of the bid opening. Any deviation from or failure to supply information required by the bid documents, may result in the bid being rejected as *non-responsive*.

The Superintendent and/or other appropriate administrators shall review, summarize and report bids to the School Board with recommendations for bid award unless the School Board grants permission for staff to evaluate, award, and notify the School Board at a later date.

4. Disqualification of Bidder for Non-Responsibility

If the School Board proposes to disqualify any bidder for *non-responsibility* (the possibility that the bidder may not satisfactorily fulfill the contract being bid), the School Board shall:

1. Give written notice of the proposed disqualification to such bidder, and include in the written notice all reasons for the proposed disqualification;
2. Give such bidder, who is proposed to be disqualified, the opportunity to be heard at an informal hearing to be conducted not later than five (5) business days after the issuance of the notice of the proposed disqualification, at which such bidder is afforded the opportunity to refute the reasons for the disqualification; and
3. Conduct the informal hearing prior to the award of the public work.

No award of the contract for the public work shall be made by the School Board prior to the expiration of at least five (5) working days following the date of issuance of the written ruling from the informal hearing.

5. Exclusion/Rejection of Bids

The School Board, after the opening of bids, shall require each bidder or bidding entity to attest or submit an attestation that the sole proprietor, partner, incorporator, director, manager, officer, or other like individual who owns at least ten percent (10%) of the bidding entity, has not been convicted of, or has not entered a plea of guilty or nolo contendere (no contest) to any of the crimes or equivalent federal crimes listed in La. Rev. Stat. Ann. §38:2227.

In awarding bids or contracts, the School Board shall be authorized to reject the lowest bid from a business in which any individual with ownership interest of five percent (5%) or more has been convicted of, pled guilty or nolo contendere to any a state felony crime or equivalent federal crime committed in the solicitation or execution of a contract or bid under the state laws governing public contracts; professional, personal, consulting, and social services procurement; or the Louisiana Procurement Code.

Any contract between the School Board and a person or entity entered into as a result of fraud, bribery, corruption, or other criminal acts, for which a final conviction has been obtained, shall be null and void.

Any person whose conviction causes the nullity of a contract shall be responsible for payment of all costs, attorney fees, and damages incurred in the rebidding of the contract.

6. In cases of an emergency or extreme emergency when time is not sufficient to advertise for bids for public works or purchase of materials, the School Board or designee is permitted by law to declare through resolution that a public emergency or extreme public emergency exists and extend a contract for more than the sums mentioned without going out to bid. However, in such cases every effort shall be made by School Board personnel to secure competitive quotations. The accepted quote shall be confirmed and documented in writing. State law permits a person designated by the School Board to declare the existence of an *extreme public emergency*. This designated person shall be the Superintendent and/or his/her designee. Notices of an *emergency* or *extreme emergency* shall be published in the School Board's official journal within ten (10) days of the emergency being certified by the School Board or designee.

An *emergency* is defined by La. Rev. Stat. Ann. §38:2211 as

"An unforeseen mischance bringing with it destruction or injury of life or property or the imminent threat of such destruction or injury or as the result of an order from any judicial body to take any immediate action which requires construction or repairs absent compliance with the formalities of this Part, where the mischance or court order will not admit of the delay incident to advertising as provided in this

Part."

An *extreme public emergency* is defined by La. Rev. Stat. Ann. §38:2211 as

"A catastrophic event which causes the loss of ability to obtain a quorum of the members necessary to certify the emergency prior to making the expenditure to acquire materials or supplies or to make repairs necessary for the protection of life, property, or continued function of the public entity."

Revised: November, 1987
Revised: November, 1989
Revised: December, 1991
Revised: December, 1992
Revised: June, 1995
Revised: December, 1995
Revised: November, 1997
Revised: August, 1999
Revised: October, 1999
Revised: December, 1999
Revised: November, 2001
Revised: June, 2002

Revised: November, 2003
Revised: November, 2006
Revised: June, 2010
Revised: November, 2010
Revised: November, 2011
Revised: May, 2017
Revised: February 9, 2021
Revised: September, 2021

Ref: 2 CFR 200 (*Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*), 48 CFR 2.101 (*Definitions*); La. Rev. Stat. Ann. §§9:2716, 9:2717, 38:2181, 38:2182, 38:2211, 38:2212, 38:2212.1, 38:2212.9, 38:2214, 38:2218, 38:2227, 38:2241, 38:2251, 38:2271, 39:1551, 39:1552, 39:1553, 39:1554, 39:1554.1, 39:1556, 39:1557, 39:1558, 39:1597, 39:1710; Board minutes, 10-17-89, 3-17-92, 3-7-95, 1-16-96, 5-7-02, 9-17-02, 5-11-04, 2-6-07, 5-11-10, 2-8-10, 2-7-12, 2-9-21.

NEW

BIDS AND QUOTATIONS

1. Public Works

The Calcasieu Parish School Board shall advertise and let by contract, except in cases of emergencies, as provided below, all public work exceeding \$250,000 per project. The contract shall be awarded to the lowest responsible bidder who has bid according to the contract, plan, and specifications advertised, unless stipulated otherwise by the School Board.

As an evidence of good faith, each bidder for public works project shall attach to its bid, a bid bond, certified check, or cashier's check in an amount equal to five percent (5%) of the bid amount.

When using state or locally generated funds, under no circumstances shall there be a division or separation of any public work project into smaller projects, which division or separation would have the effect of avoiding the requirement that public work be advertised and let by contract to the lowest responsible bidder in accordance with statutory provisions.

All advertisements for bids shall appear in the newspaper selected as the official journal for the School Board, except in emergencies as may be declared by the School Board, or designee. The advertisement, when published, shall appear once a week for three (3) different weeks, the first advertisement to appear at least twenty-five (25) days prior to the opening of bids. In addition to newspaper advertisements, the School Board may also publish advertisements and accept bids by electronic media available to the general public in accordance with uniform standards promulgated by the state. In any advertisement, the first publication shall not occur on a Saturday, Sunday, or legal holiday.

All bids shall be opened in public in the presence of one or more witnesses at the time and place designated in the invitation for bids. Each bid, together with the name of the bidder, shall be recorded and open to public inspection. The Superintendent and/or other appropriate administrators shall review, summarize and report bids to the School Board with recommendations for final action.

Contracts for public works aggregating \$250,000 or less shall be subject to the following:

A. \$10,000 - \$250,000

Contracts for public works aggregating \$10,000.00 or more, but less than \$250,000 shall be made by obtaining no fewer than three (3) documented written, facsimile, or electronic quotations. A written confirmation of the

accepted offers shall be obtained and made part of the purchase file. If quotations lower than the accepted quotation are received, the reasons for their rejection shall be recorded in the purchase file.

B. \$0.00 - \$9,999.99

Competitive quotations may be received at the discretion of the purchasing department head (quotes recommended).

The School Board shall retain the option of requiring all bids that are let out for public works be submitted electronically.

2. Supplies, Materials and Equipment

The School Board shall advertise and let by contract all purchases of supplies, materials and equipment aggregating \$30,000 or more. All advertisements for bids shall appear in the newspaper selected as the official journal for the School Board. The advertisement, when published, shall appear at least fifteen (15) days prior to the date set forth therein for the opening of bids. In addition, the School Board shall also publish an advertisement by electronic media available to the general public. Notice shall also be given in writing to persons in a position to furnish the supplies, materials and equipment as shown by the purchasing department's records.

When using state or locally generated funds, purchases cannot be divided by departments or by a school if the effect is to evade the state's public bid law. Purchases of commodities that are bought in small but recurring amounts through the year shall be bid on an annual basis.

All bids shall be opened in public in the presence of one or more witnesses, at the time and place designated in the invitation for bids. Each bid, together with the name of the bidder, shall be recorded and open to public inspection.

The School Board may require, as evidence of good faith that each bidder for the purchase of supplies, materials or equipment, attach to its bid a bid bond, certified check or cashier's check in an amount equal to five percent (5%) of the bid amount.

Purchases of supplies, material and equipment aggregating less than \$30,000.00 shall be subject to the following:

- A. Purchases of \$10,000.00 or more, but less than \$30,000 shall be made by obtaining no fewer than three (3) documented quotations. A written confirmation of the accepted offers shall be obtained and made part of the purchase file. If quotations lower than the accepted quotation are received, the reasons for their rejection shall be recorded in the purchase file.

- B. \$0.00 - \$9,999.99 Competitive quotations may be received at the discretion of the purchasing department head (quotes recommended).

The School Board shall retain the option of requiring all bids that are let out for materials and supplies be submitted electronically.

In lieu of formal bids, the School Board may use a *reverse auction* for the purchase of equipment, supplies, and other materials or consulting services, as outlined in policy *DJE, Purchasing*.

3. Bid Award

In order to protect the integrity of the competitive bidding process, the determination of responsiveness by the bidder must be made from the bid documents at the time of the bid opening. Any deviation from or failure to supply information required by the bid documents, may result in the bid being rejected as *non-responsive*.

The Superintendent and/or other appropriate administrators shall review, summarize and report bids to the School Board with recommendations for bid award unless the School Board grants permission for staff to evaluate, award, and notify the School Board at a later date.

4. Disqualification of Bidder for Non-Responsibility

If the School Board proposes to disqualify any bidder for *non-responsibility* (the possibility that the bidder may not satisfactorily fulfill the contract being bid), the School Board shall:

1. Give written notice of the proposed disqualification to such bidder, and include in the written notice all reasons for the proposed disqualification;
2. Give such bidder, who is proposed to be disqualified, the opportunity to be heard at an informal hearing to be conducted not later than five (5) business days after the issuance of the notice of the proposed disqualification, at which such bidder is afforded the opportunity to refute the reasons for the disqualification; and
3. Conduct the informal hearing prior to the award of the public work.

No award of the contract for the public work shall be made by the School Board prior to the expiration of at least five (5) working days following the date of issuance of the written ruling from the informal hearing.

5. Exclusion/Rejection of Bids

The School Board, after the opening of bids, shall require each bidder or bidding entity to attest or submit an attestation that the sole proprietor, partner, incorporator, director, manager, officer, or other like individual who owns at least ten percent (10%) of the bidding entity, has not been convicted of, or has not entered a plea of guilty or nolo contendere (no contest) to any of the crimes or equivalent federal crimes listed in La. Rev. Stat. Ann. §38:2227.

In awarding bids or contracts, the School Board shall be authorized to reject the lowest bid from a business in which any individual with ownership interest of five percent (5%) or more has been convicted of, pled guilty or nolo contendere to any a state felony crime or equivalent federal crime committed in the solicitation or execution of a contract or bid under the state laws governing public contracts; professional, personal, consulting, and social services procurement; or the Louisiana Procurement Code.

Any contract between the School Board and a person or entity entered into as a result of fraud, bribery, corruption, or other criminal acts, for which a final conviction has been obtained, shall be null and void.

Any person whose conviction causes the nullity of a contract shall be responsible for payment of all costs, attorney fees, and damages incurred in the rebidding of the contract.

6. In cases of an emergency or extreme emergency when time is not sufficient to advertise for bids for public works or purchase of materials, the School Board or designee is permitted by law to declare through resolution that a public emergency or extreme public emergency exists and extend a contract for more than the sums mentioned without going out to bid. However, in such cases every effort shall be made by School Board personnel to secure competitive quotations. The accepted quote shall be confirmed and documented in writing. State law permits a person designated by the School Board to declare the existence of an *extreme public emergency*. This designated person shall be the Superintendent and/or his/her designee. Notices of an *emergency* or *extreme emergency* shall be published in the School Board's official journal within ten (10) days of the emergency being certified by the School Board or designee.

An *emergency* is defined by La. Rev. Stat. Ann. §38:2211 as

"An unforeseen mischance bringing with it destruction or injury of life or property or the imminent threat of such destruction or injury or as the result of an order from any judicial body to take any immediate action which requires construction or repairs absent compliance with the formalities of this Part, where the mischance or court order will not admit of the delay incident to advertising as provided in this

Part."

An *extreme public emergency* is defined by La. Rev. Stat. Ann. §38:2211 as

"A catastrophic event which causes the loss of ability to obtain a quorum of the members necessary to certify the emergency prior to making the expenditure to acquire materials or supplies or to make repairs necessary for the protection of life, property, or continued function of the public entity."

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Revised: November, 1989
Revised: December, 1991
Revised: December, 1992
Revised: June, 1995
Revised: December, 1995
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Revised: November, 2010
Revised: November, 2011
Revised: May, 2017
Revised: February 9, 2021
Revised: September, 2021

Ref: 2 CFR 200 (*Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*), 48 CFR 2.101 (*Definitions*); La. Rev. Stat. Ann. §§9:2716, 9:2717, 38:2181, 38:2182, 38:2211, 38:2212, 38:2212.1, 38:2212.9, 38:2214, 38:2218, 38:2227, 38:2241, 38:2251, 38:2271, 39:1551, 39:1552, 39:1553, 39:1554, 39:1554.1, 39:1556, 39:1557, 39:1558, 39:1597, 39:1710; Board minutes, 10-17-89, 3-17-92, 3-7-95, 1-16-96, 5-7-02, 9-17-02, 5-11-04, 2-6-07, 5-11-10, 2-8-10, 2-7-12, 2-9-21.