Employee Handbook

NOTICE

This *employee handbook* attempts to summarize briefly and discuss various policies and procedures of our school system for the information and convenience of our employees. This handbook carries a condensed version of many Ouachita Parish School Board policies and administrative procedures and **should not** be substituted for the official Policy Manual. The Policy Manual contains the actual operational policies of the Board and is revised continuously. Copies of the Ouachita Parish School Board Policy Manual can be found at the school board office and on our website at www.opsb.net. If there are any discrepancies between this handbook and the official Policy Manual, **the Policy Manual will prevail**. Likewise, if there are any discrepancies between this handbook and state or federal law, the applicable law will prevail.

This handbook has been prepared as a guide for employment and includes practices, responsibilities, and benefits for the employees of the Ouachita Parish School Board. All employees are expected to read, understand, and comply with the provision of the handbook. If you have any questions about any handbook provisions, consult the Personnel Department to have your question answered. Employees are highly encouraged to fully review the School Board's complete policies found online, or at the School Board Office.

The language in this handbook is not intended to create a contract between the Ouachita Parish School Board and its employees, and it should not be construed as promising or guaranteeing continued benefits or employment. Unless you have a written contract of employment with the Ouachita Parish School Board, all employment with the Ouachita Parish School Board is at-will and nothing contained in this handbook is intended to alter the at-will status of its employees.

EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

It is the policy of the Ouachita Parish School Board that no person in the school district shall, on the basis of age, race, color, creed, disability, religion, national origin, veteran status in its educational programs and activities, sex, or similar personal distinction be denied the benefits of, or be subject to discrimination in regard to employment, retention, promotion, transfer, or dismissal in any educational program or activity under the jurisdiction of the board.

Any individual having a question about this policy or concern that the policy is not being followed should immediately contact the Superintendent at 1600 North 7th Street, West Monroe, LA, 71291, or 318-432-5000.

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I. EMPLOYMENT OF PERSONNEL

Employees are hired by notification from the Personnel Director and/or Superintendent. Upon receipt of the employment notification, newly hired employees are required to submit (to) the following: (a) necessary information for a criminal background check; (b) applicable required employment paperwork. Initial employment is always contingent upon satisfactory reports from the criminal background check. Teachers are required to send verification of employment forms to all former employers in order to receive credit for prior experience and vested sick leave.

II. CRIMINAL HISTORY OF APPLICANTS

The School Board shall require, in accordance with state law, certain applicants for employment with the School Board to submit necessary information regarding their backgrounds. A prospective employee that may be employed in a position having responsibility for the care, control, supervision and/or discipline of minor children shall be required to provide authorization for the disclosure of any information regarding past criminal activities.

The Ouachita Parish School Board Personnel Office conducts all criminal background checks of our employees unless otherwise noted. Any cost associated with fingerprinting or the disclosure of background information on an applicant may be passed on to the applicant.

(1) No person who has been convicted of or has plead *nolo contendere* to crimes outlined in state law shall be hired as a teacher, substitute teacher or other professional employee who might reasonably be expected to be placed in a position of supervisory or disciplinary authority over school children unless approved in writing by a district judge and the district attorney with jurisdiction in this parish. This statement of approval shall be kept on file at all times at the location wherein the employee is assigned and shall be produced upon request by any law enforcement officer. (2) Every such prospective employee shall be subjected to fingerprinting and each person's fingerprints shall be submitted to the proper authorities for a criminal history review. (3) A person who has submitted his/her fingerprints may be temporarily hired pending the results of the inquiry. (4) Any permanent teacher who has supervisory or disciplinary authority over school children upon the final conviction of such teacher of any crimes enumerated, or who has plead nolo contendere, may be dismissed following a hearing held in accordance with statutory provision.

(5) Any other school employee having supervisory or disciplinary authority over school children may be dismissed if such employee is convicted of or pleads nolo contendere to enumerated crimes.

(6) The Board may reemploy a teacher or other school employee who has been convicted of enumerated crimes, only upon written approval of a district judge and the district attorney who has jurisdiction in this parish, or upon written documentation from the court in which the conviction occurred stating that the conviction had been reversed, set aside, or vacated.

III. THE PERSONNEL DEPARTMENT

Please contact the Personnel Department for assistance in the following situations:

- Changes in name and address.
- Updates of Teaching Certificates, including applications for higher certificates or extensions; adding certification in an area; adding a higher degree; changing your name. Applications are available at the Central Office. All renewals must be submitted to the school board office as the employing authority must sign.

TEACHER CERTIFICATION:

Louisiana allows participants to add degrees, request name changes, add teaching endorsements, receive higher certificates, receive duplicate certificates, extend certificates, reinstate certificates, and request evaluations. When a complete application is received, a determination will be made regarding the requested action. If additional information is needed or a deficiency exists, you will be notified in writing. Please contact the OPSB Personnel Department to determine your eligibility for initial, renewal or extension of teacher certification.

CHANGING A NAME ON A CERTIFICATE:

To request a change of name on a certificate, submit a completed application, a copy of marriage license or document of legal name change, and professional conduct form. A $50.00 certification fee is required.

ADDING A DEGREE OR CERTIFICATE:

To request the addition of a degree(s) to a certificate, submit an official transcript or e-script from the university, completed application, and professional conduct form. A $50.00 fee is required for up to 2 additions or $50 for 3 or more.

EXTENDING OR RENEWING TEACHING CERTIFICATES:

An expired teaching certificate may be extended or renewed upon the request of a Louisiana employing authority. However, if the holder of a Type C, B, A, or Level 1, Nonpublic* Level 2* or 3* certificate has not been employed as the teacher of record for at least one semester during a period of five years, additional requirements may have to be met depending upon the circumstances. To request the extension or reinstatement of a certificate, submit an official transcript (when applicable), completed application, professional conduct form and proof of employment within a school system. A $50.00 fee is required.

Level 2 and level 3 certificates are valid for five years initially and may be renewed thereafter for a period of five years at the request of a Louisiana employing authority. For renewal of level 2 and level 3 certificates, candidates must successfully meet the standards of effectiveness for at least three years during the five-year initial or renewal period pursuant to Bulletin 130 and mandated by Act 54 of the Louisiana 2010 Legislative Session. To request the renewal, extension or reinstatement of a certificate, submit an official transcript (when applicable), completed application, and professional conduct form. A $50.00 fee is required.

REQUESTING A HIGHER LEVEL CERTIFICATE:

Teachers with a Level 1 Professional Certificate must successfully meet the standards of effectiveness for three years pursuant to Bulletin 130 and mandated by Act 54 of the Louisiana 2010 Legislative Session to receive a Level 2 Professional Certificate.

Teachers who hold or meet eligibility requirements for a level 2 certificate are eligible for a Level 3 certificate if they hold a master's degree, and teach for five years in the certified area.

To request a higher level certificate, visit personnel in the Central Office with an official transcript

(when applicable), you will complete an application, experience verification form, and professional conduct form. A $25.00 fee is required and the employing authority signature is required.

OUT OF STATE APPLICATIONS

All Out of State applications fees are $50 (credit or debit card only) and must be signed by employing authority – valid for 3 years.

INITIAL LEVEL I CERTIFICATES

All Initial Level I certificates are $50 (credit or debit card only) and must be signed by employing authority and valid for 3 years.

EVALUATION AND/OR ADDITION OF ENDORSEMENTS:

To have additional teaching and/or administrative endorsements added to a teaching certificate, teachers should submit official transcripts and PRAXIS scores (if applicable), completed application, and professional conduct form. The required certification fee of $25.00 will allow this office to perform two evaluations and/or unlimited additions to the existing certificate. These evaluations and/or additions must be requested at the time of submission. If you are applying for your Ed Leadership for the first time the fee will be $50 and everything must be submitted at the Central Office.

APPLICATION PROCESS:

To request any of the above changes, contact the Personnel Department to complete the necessary paperwork.

The following items are required as part of a complete application packet:

1. ***Application for Change and/or Action*** form with all information provided
2. ***Official transcript*** - if applicable (copies not acceptable)
3. ***Copy*** of marriage license - if applicable
4. ***Experience Verification*** form signed by the appropriate employing authority verify teaching experience - if applicable
5. ***Special Education Experience Verification*** form signed by the appropriate special education supervisor as well as the appropriate employing authority (if applicable)
6. ***Experience Verification*** form signed by the appropriate employing authority verifying administrative/supervisory experience (if applicable)
7. ***Professional Conduct*** form with <u>all</u> questions answered and signed and dated by the applicant
8. ***Non-refundable*** certification fee (All fees must be paid by debit or credit card through the Central Office)

All application materials are to be sent to the Louisiana Department of Education as a single packet through the Central Office only. Once the materials are received, the application packet will be evaluated for purposes of processing the requested action. The State Department is unable to process application packets that are missing any of the required materials; incomplete packets will be returned to the employing school district or the applicant requesting the change on the certificate, identifying needed documentation to complete application. All paperwork that is submitted during an office business day will be dated and scheduled for processing with that daily

correspondence. Once your updated certificate has been issued it will be emailed to you and your school principal by our personnel office.

CERTIFICATION UPGRADES AND RENEWALS:

Please be aware that although the Personnel Department monitors certification upgrades and renewals each summer and attempts to notify teachers of their certification status, it is ultimately the responsibility of each teacher to know the date his/her teaching certificate expires and to report to the Personnel Department to complete the necessary paperwork to renew or upgrade his/her certificate. Teachers can access their current certificate at www.teachlouisiana.net to determine certificate expiration dates as well as requirements to renew or add-on to an existing certificate.

If you have any questions, please do not hesitate to call the Personnel Department at 318-432-5223.

IV. PERSONNEL RECORDS (see *Policy GAK*)

Personnel records for all employees are kept in the School Board Office. Each employee has the right to view his/her personnel file. She/he should contact the Personnel Director to make arrangements to do this. The contents of a school employee's personnel file shall not be divulged to third parties without the expressed written consent of the school employee, except when ordered by a court or a subpoena, or in accordance with School Board policy (see Policy GAK) or state law.

No document (except routine record keeping) shall be placed in an employee's personnel file until that school employee has been presented with the original document and a copy prior to filing. The employee shall sign the original document acknowledging receipt of the copy. The signature shall not be construed as an agreement on the contents of the document. If an employee refuses to sign a document pertaining to a disciplinary action taken against an employee, the Supervisor presenting the documents should have two (2) witness sign to attest that the employee was presented with the document but refused to sign prior to the document being placed in that employee's personnel file. **Refusal to sign the documents may result in other disciplinary actions**.

Any rebuttal or response to a document placed in an employee's personnel file shall be submitted by the employee within fifteen (15) school days of the date the original document was signed. The time period may be extended for ten (10) days provided a written request is made for such an extension within the original fifteen (15) day period.

V. PAYROLL

A. Paychecks will be distributed about the 26th of each month. If the 26th falls on a weekend or holiday, those checks will be distributed on the last working day prior to the 26th. Dates of paychecks and pay period cutoff dates will be made available to employees each year. All employees will be paid over a 12 month period.

B. Direct Deposit of paychecks is mandatory for all employees. To begin direct deposit of your paycheck, please contact the Payroll Department. Employee will need to provide a voided check or signed statement from the financial institution verifying account information. Payroll Department must be notified prior to closing bank account to ensure deposits are not interrupted.

C. Mandatory Deductions. Law requires the following payroll deductions:

- Withholding for federal and state income taxes
- Medicare deductions for employees hired after May 1, 1986
- Retirement (FICA for part-time employees)
- Garnishments, tax levies, etc.

D. Voluntary Deductions

- Medical Insurance
- Life Insurance
- Vision Insurance
- Dental Insurance
- Disability Insurance
- Professional Dues
- Credit Union
- 403(b) Annuity
- United Way
- Organization Dues
- Other Supplemental Insurance

E. Credit for Experience and Advanced Degrees

An employee on the Teacher Salary Schedule will be placed on the experience level corresponding to the number of years of qualified experience that has been verified *on our official form.* Qualified experience includes full time experience in a state-approved public or private school or in an American school in a foreign country. Full-time university experience (but not graduate assistantships) is also counted, as is experience at the State Department of Education, if the position requires a teaching certificate. A teacher must work at least one full semester in a school year to be given credit for it. Only one year of experience may be earned in any one school year. She/he will be paid for the highest educational degree that appears on his/her teaching certificate. When a teacher is awarded an advanced degree, she/he will be paid according to the salary schedule for that degree, beginning with the next year's contract.

A new employee not on the Teacher Salary Schedule will be placed at the zero step of the pay schedule, which corresponds, to his/her position, in accordance with policy GCA.

F. Compensatory Time (See Policy GBAA)

Personnel who are eligible for overtime compensation shall be allowed to bank overtime as compensatory (comp) time for the time worked in excess of forty (40) hours per week. Worked hours refers to actual hours paid during the workweek, including vacation, holiday, and sick leave.

Eligible employees are those employees who have been classified as nonexempt for purposes of overtime compensation in accordance with the Fair Labor Standards Act. Therefore, as a condition of employment and for use of compensatory time in lieu of overtime payment, the Ouachita Parish School Board shall allow the use of compensatory time off in lieu of payment at a rate of time and a half. The following conditions shall apply:

1. Compensatory time may be accrued up until 240 hours (160 overtime hours).
2. Employees will be allowed to use comp time with prior approval of their immediate supervisor.
3. Any employee that has 80 hours bank comp time must get approval from the appropriate director before working any overtime.

All existing compensatory time, with the approval of the appropriate supervisor, must be used or cash payment issued for the time owed. Employees who have met retirement eligibility are required to use any comp time before entering retirement.

VI. MEDICAL INSURANCE (see *Policy EGA*)

Medical Insurance may be elected by full-time employees through the Ouachita Parish School Board Medical Insurance Plan. The School System pays a portion of the premium, and the employee pays the remainder as a payroll deduction. Employees may elect not to have coverage. Where applicable, employees have an option to obtain dental and vision coverage, and may elect these coverages for family members. Open Enrollment for health insurance occurs each year, usually in the month of October, in which employees may choose among the options offered. This election will be effective for the following benefit year, beginning on January 1. In general, coverage for employees hired at the beginning of the school year will begin on the first day of October. Please check with the Insurance Department to verify your coverage.

Employees should notify the Insurance Department as soon as possible of any changes in dependents or beneficiaries so that there will be no lapse in coverage. To add coverage for a newborn child, the employee must complete an enrollment form within 30 days of the child's birth. Employees should also notify the insurance department as soon as a covered dependent becomes ineligible for medical insurance. (Dependents become ineligible at age 26 and coverage ends on the last day of the month in which the dependent turns 26.) To add/drop/change insurance coverage due to a life event as defined by the State of Louisiana Office if Group Benefits, an employee must make the request in writing to the Insurance Department as well as provide any required information within 30 days of the life event.

VII. EMPLOYEE ABSENCES

A. **Reporting Absences.** All employees are required to notify their immediate supervisor as soon as reasonably possible in advance of any absence. In addition, all employees are required to enter absences in SmartFind where permitted or have that leave entered into SmartFind by their site supervisor as instructed. Failure to abide by this policy will result in a corresponding deduction from the employee's accrued leave. Violations of this policy may also result in disciplinary action up to and including termination.

B. **Employee Attendance.** The following procedures will be used to enforce the OPSB Employee Attendance Policy.
    a. If an employee is absent beyond his or her sick leave allocation for the current year, he or she will have a conference with the Principal or Supervisor to discuss the excessive absences.
        i. Written documentation will be kept by the Principal or Supervisor indicating that a conference was held to discuss excessive absences.
        ii. A copy of the documentation will be given to the employee and to the Personnel Department for filing in the employee's personnel file.
    b. If an employee continues to be absent, a second conference will be held with the employee and the Principal or Supervisor.

i. An official written reprimand stating consequences for "willful neglect of duty" will be signed by the employee during this conference.
ii. A copy of the documentation will be sent to the Personnel Department for filing in the employee's personnel file.

c. If an employee's absences continue, the Principal or Supervisor will submit a letter of recommendation to the Superintendent for appropriate action to be taken for "willful neglect of duty."
   i. A copy of this letter will be given to the employee and the Personnel Department for filing in the employee's personnel file.
   ii. In a conference with the employee, the Principal or Supervisor and, the Superintendent or designee will discuss recommendations, which may include suspension and/or termination.

d. Additionally, excessive and repeated tardiness will be documented and appropriate action will be taken.

C. Time Clock Policy

I. All employees (nonexempt) are required to use the time clock system (TimeClock Plus) to record their hours worked. Nonexempt employees are required to clock in and out for payroll and attendance purposes. At the discretion of the Supervisor, exempt employees may be required to use a time clock for attendance purposes as well.

II. Employees should clock in no sooner than seven (7) minutes before or after the scheduled shift and clock out no later than seven (7) minutes before or after the scheduled shift. If an employee misses the window for clocking into the timekeeping system, the employee should notify the supervisor as soon as possible. The supervisor will manually enter the employee's work hours via TimeClock Plus. Employees who repeatedly miss time clock entries will be subject to disciplinary action.

Prohibited Time Clock Actions

III. **Employees are strictly prohibited from using another employee's assigned employee number to clock in or clock out for another employee**. Any employee found clocking in/out for another employee will be subject to disciplinary actions up to and including termination. Any employee allowing another employee to use his/her employee number to clock in/out for that person will also be subject to disciplinary actions up to and including termination.

D. Sick / Emergency (See *policy GBRIB*).

All employees shall be granted 10 days absence per year because of personal illness or other emergencies without loss of pay. However, no employee shall be allowed any sick leave until she/he reports for duty and actually performs work. Such leave, when not used, shall be allowed to accumulate to the credit of the employee without limitation. Any employee who begins employment in the second month of the school year or later, will earn sick leave according to the following schedule:

Begins Work	Paid Sick Days
July/August of school year	10 days
September of school year	9 days

October of school Year	8 days
November of school year	7 days
December of school year	6 days
January of school year	5 days
February of school year	4 days
March of school year	3 days
April of school year	2 days
May of school year	1 day
June of school year	0 days

Employees on Louisiana, leave without pay compensation will not automatically receive their sick leave at the beginning of the fiscal year, but will receive their sick days once they physically report to work each fiscal year.

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

- Illness or death within the immediate family--husband, wife, children, mother, father, son-in- law, daughter-in-law, mother-in-law, father-in-law, brother, sister, grandparents, grandchildren (including step relations);
- Weather conditions - hurricane, tornado, snowstorm, flood, accident, when approved by the Superintendent or his/her designee;
- Other unusual circumstances as approved by the Superintendent or his/her designee.

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

All sick leave accumulated by a teacher or school employee, but not a bus driver, shall be vested in the teacher or employee. If a teacher or employee transfers to another public school system in Louisiana, s/he shall be credited with the number of days vested, according to Policy GBRIB

The School Board will pay an employee upon retirement or to the employee's heirs or assigns upon his /her death prior to retirement, for any unused sick leave, not to exceed 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 School Board who participates in the *Deferred Retirement Option Program* (DROP) shall be eligible for and may elect to receive on **an 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.

E. **Bereavement (see *policy GBRIB*)**. Five (5) days bereavement leave shall be granted to employees in the event of the death of an immediate family member with the absence(s) being charged to either sick leave or vacation leave (when applicable).

Immediate family shall be defined as spouse and children; mother and father or that of the spouse; brothers and sisters and their spouses or that of the spouse; and the employee's grandparents, spouse's grandparents, grandchildren, daughter-in-law, and son-in-law.

In such cases where additional time might be needed, the employee shall confer with the principal or supervisor. The principal or supervisor shall then present the case to the Superintendent or Personnel Director at which time a determination shall be made on any additional time off for the employee.* If they are out of days, it will be consider LWOP.

F. **Extended Sick Leave (see *policy GBRIB*)**. If an employee is absent after having exhausted all of his/her accumulated sick leave, she/he shall be docked a full day's pay for each day's absence, with the following exception:

A full time employee who has exhausted all accumulated sick leave and is absent due to a medical necessity in his/her immediate family (for the purposes of this type of extended leave, immediate family is defined as spouse, child, or parent of the employee) shall be granted up to 90 days of extended sick leave in a six-year period. The original application for extended sick leave, accompanied by a statement from a licensed physician certifying the need for the leave, must be submitted to the human resource department prior to the extension of such leave. If an employee is unable to submit the application and physician's statement prior to the commencement of the leave, the application and statement shall be submitted as soon as practicable but no later than five days from the date the employee returns to work. Applications not received within the required time will be denied. Employees on approved extended medical leave shall be paid at a rate of 65% of the salary that they were making at the time the leave began.

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

- 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.
- 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 leave is required.

Medical necessity shall be the result of a catastrophic illness or injury, which means a life-threatening, chronic, or incapacitating condition.

G. **Personal Leave**. Teachers and all other employees, except bus drivers and those who receive annual leave (vacation) are eligible for two days of personal leave during each school year. Personal leave is to be used for such purposes as may be determined by the individual. Notice must be given to the employee's immediate supervisor at least 24 hours prior to taking such leave. The two personal days are neither cumulative nor payable upon death or retirement. Personal leave shall be charged to and deducted from current or accumulated sick leave. If no accumulated sick leave remains, the employee's full pay shall be docked.

H. **Maternity Leave**. The Ouachita Parish School Board declares that any employee who becomes pregnant shall be eligible for maternity leave (leave without pay). The expectant employee shall be given the option of choosing maternity leave or using current and accumulated sick leave for the period of medical disability occasioned by pregnancy and childbirth. Generally, sick leave for maternity purposes is limited to approximately six (6) weeks for vaginal delivery and seven (7) weeks for Caesarian delivery. However, additional sick leave for maternity purposes may be granted if

recommended as medically necessary by the employee's physician, subject to approval by the Ouachita Parish Medical Committee, as appointed by the Board and/or Superintendent. Employees who use current and/or accumulated sick leave for maternity leave purposes shall be subject to all policy provisions, regulations and procedures affecting sick leave.

An employee who becomes pregnant must notify the Superintendent or his/her designee in writing (by completing the *Request for Maternity Leave* form) at least thirty (30) days prior to the beginning of the date of leave, except in emergency situations. The form must be accompanied by a statement from a physician verifying the stage of pregnancy and the expected dates of disability due to pregnancy. Failure to comply with the notice and other requirements of this policy may be considered willful neglect of duty and may result in termination of employment.

Maternity leave of absence (leave without pay) may be granted to regularly employed women for a reasonable time before and after childbirth for a maximum of one year. Maternity leave without pay does not affect tenure, teaching or working experience acquired prior to the leave. Maternity leave granted only for the period of disability occasioned by pregnancy and/or childbirth shall not interrupt the consecutive service for sabbatical leave purposes.

I. **Annual (Vacation) Leave (see *Policy GBRK*).** All full-time personnel employed on a twelve (12) month fiscal year basis by the Ouachita Parish School Board shall be entitled to annual leave to be granted at the rate of ten (10) days annual leave at the beginning of the fiscal year. Those employees having worked for less than a full year on July 1 when the new fiscal year starts shall have their annual leave days prorated to the number of months worked the previous year.

Upon completion of five (5) consecutive years of full time service with the Ouachita Parish School Board, an employee shall be granted one (1) additional day annual leave for each additional year of consecutive employment through the tenth (10^{th}) year of service, with a maximum of fifteen (15) days of annual being granted after ten (10) years of full time consecutive service.

Employees shall be permitted to accumulate and carry over five (5) unused annual leave days into the next year, with a maximum accumulation of twenty (20) annual leave days.

Annual leave eligibility commences July 1 each year and expires June 30 of the following year. Annual leave may be used at any time during the year, but should be taken when it is least detrimental to the continuous efficiency of a particular department and with the approval of the employee's immediate supervisor. Annual leave that has accumulated in the previous school year may be used in July and August so that employees may schedule vacation throughout the year.
Upon termination, resignation, or retirement, any unused annual leave shall be paid at the employee's current daily rate of pay. Payment shall be made to the employee or his/her heirs on or before the next regular payday for the pay cycle during which the employee was working at the time of separation or no later than fifteen (15) days following the date of separation, whichever occurs first.

<u>DEFERRED RETIREMENT OPTION PROGRAM (DROP)</u>

Any employee of the Ouachita 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 payment for unused annual leave upon entering DROP on the same basis as any other employee who retires or otherwise leaves employment; otherwise, any accrued annual leave shall be paid only upon final retirement of the employee.

J. **Professional Leave (see *Policy GBRH*)**. An employee may be granted professional leave to attend an educationally related conference, meeting, or convention, if such attendance is considered to be in the best interest of the school system. The Director and/or Superintendent must approve professional leave in advance. The request for professional leave must be submitted on the official request form in duplicate at least two weeks in advance of the

requested leave.

K. **Sabbatical Medical Leave (see *Policy GBRHA*)**.

L. **Sabbatical Leave for Professional Development (see *Policy GBRHA*).**

M. **Military Leave (see *Policy GBRID*).** Leave without pay for military purposes shall be granted to 12-month employees or to employees called to emergency duty during the school year. All requests for military leave shall be presented to the School Board for approval and must be accompanied by proper documents attesting to call to duty.

N. **Family and Medical Leave** (see Policy GBRIBA). The Ouachita Parish School Board shall permit qualified employees to take up to twelve (12) workweeks of unpaid leave in a twelve (12) month period for family and medical reasons. Employees qualifying for family and temporary medical leave shall have been employed by the Board for the previous twelve (12) months prior to the date of the leave to be taken. For the purposes of this policy, the 12 month period shall be the same as the fiscal year, July 1 to June 30. Such unpaid leave may only be taken for the following reasons:

1. For the birth of the employee's child and subsequent care;
2. For the placement of a child with the employee for adoption or foster care;
3. In order to care for the spouse, child or parent of the employee who has a serious health condition; or
4. When the serious health condition of the employee renders the employee unable to perform the essential functions of his or her job.

Leave may be taken for birth or placement of a child only within twelve (12) months of the birth or placement.

Generally, the time taken for family and medical leave shall be on a continuous basis. However, the employee shall be permitted to take leave on an intermittent or reduced basis to care for a seriously ill family member or the employee's own illness when medically necessary. An employee may take intermittent leave for the birth or adoption of a child only with the Board's approval.

If a teacher's period of absence on intermittent leave amounts to more than 20% of classroom time, the teacher may be required to take continuous leave throughout the treatment period or be placed in an equivalent position that would not be so disruptive to the classroom.

A teacher may be required to extend leave through the end of the semester if the intended date of return is within the last two (2) or three (3) weeks of the semester, depending on the date on which leave began and the length of the leave.

An employee shall be required to request leave by providing the Board at least thirty (30) days notice prior to any leave being taken for the birth or adoption of a child, or for any planned or foreseeable medical treatment. For emergency treatment, or circumstances where thirty (30) days notice cannot be provided, the employee shall notify the Board of the leave to be taken as soon as possible. Medical certification may be required by the Board at the time leave is requested.

The employee shall be required to substitute any accumulated sick leave and/or annual

leave for any family and medical leave time requested. If paid leave is used by an employee, the Board shall provide only enough unpaid family and medical leave time to total the allowed twelve (12) week period.

Any employee taking family and medical leave shall have the right to return to their previous position or an equivalent position with no loss in benefits at the end of the leave period. An employee returning to service at the end of their leave period for personal medical reasons shall be required to present to the Board a letter from their doctor certifying that the employee is able to return to work.

O. **Leave Without Pay (see *Policy GBRIJ*)**. The Board may grant leave of absence, without pay, to any regularly employed teacher or other employee at its discretion for periods of time not to exceed one year. Such leave shall be granted by the Board, upon proper request in writing by the employee, whenever in the discretion of the Board such leave is in the best interest of the school district. In the event leave without pay is granted for a period beyond 12 weeks, the employee will be responsible for 100% of benefit premiums after the initial 12 week period.

- ♦ NOTE: Extended leave will not be granted for the purpose of obtaining employment elsewhere.

P. **Jury Duty**. The Board shall grant a leave of absence to any regularly employed person of the school system who has been called or subpoenaed to serve jury duty. Such leave shall be granted for the period of time required to serve such jury duty without loss of sick, emergency, or personal leave or any other benefit. Jury duty shall not be deemed to interrupt service accumulated toward sabbatical leave.

Anyone serving on jury duty shall receive his regular salary and may keep the compensation received as juror. Said employee shall be responsible for submitting verification of call or subpoena for jury duty to the Superintendent or his designee to be eligible to receive leave for jury duty. Any employee abusing said leave shall be subject to disciplinary action.

All legal matters requiring an employee's presence (i.e. deposition, hearing, etc.) not in connection with the employee's official duties shall be charged against employee's sick leave or annual leave (if applicable).

Q. **Probation**. Upon initial employment, teachers shall remain on an at-will employment status until they have successfully met the statutory criteria to be granted tenure with the school system. During this period, the teacher may be terminated by the Superintendent after providing the teacher with written reasons for termination, an opportunity to respond within ten (10) days.

Contract appointees hired under a promotional or performance contract shall not be entitled to any probationary period.

All newly hired school employees (who are not teachers) shall be placed on six (6) month probationary basis upon employment. Successful completion of the probationary period shall in no way convey any expectation of continued employment. School employees shall be hired on an at-will employment basis and subject to dismissal by the School Board upon the written recommendation of the Superintendent.

VIII. EMPLOYEE CONDUCT

Ouachita Parish School Board's Employee Conduct and Work Rules ensures orderly operations and provide the best possible work environment. Ouachita Parish School Board expects employees and others who may from time to time be engaged to provide services, such as temporary personnel, consultants and independent contractors, to follow these rules of conduct while on Ouachita Parish School Board premises, attending OPSB functions or otherwise performing work-related activity.

In addition to maintaining and enforcing this policy to protect the interests and safety of all employees and the organization, Ouachita Parish School Board complies with all applicable federal, state and local laws and regulations concerning employer/employee rights and obligations.

EMPLOYEE DRESS CODE (See Policy GAMB)

The Ouachita Parish School Board expects all personnel to conduct themselves with a high level of professional decorum and to dress in such a manner as to reflect positively on the individual, the school, and the education profession. Personal appearance and hygiene has direct bearing on the authority, confidence, and self-esteem of teachers, administrators, and staff; and inappropriate dress may create distractions to the teaching/learning process.

The School Board shall not discriminate against an employee on the basis of a natural, protective or cultural hairstyle. *Natural, protective, or cultural hairstyle* shall include, but is not limited to, afros, dreadlocks, twists, locs, braids, cornrow braids, Bantu knots, curls, and hair styled to protect hair texture or for cultural significance.

The standards of dress and provisions of this policy are applicable to all system employees, substitutes, resident teachers or interns and volunteers in accordance with job descriptions. Clerical workers, secretaries, aides, and others who work inside the school, central office, or any other system site will comply with the employee dress code. The program/building administrator will address individually those in violation of the approved dress code policy.

1. Women

<u>Acceptable</u>:

- Sleeveless dresses/tops which meet top of arm at shoulder or are covered by a jacket
- Skirts/dresses that are no shorter than two inches (2") above the knee
- Leggings may only be worn under skirts/dresses that are no shorter than two inches (2") above the knee
- Pants, pantsuits, capris (mid-calf or longer)
- Jeans with no skin showing and with the waistband resting where the body is not exposed (no low-riders) *worn on designated spirit days only*
- Additional jean days may be designated by the principal and must be business-casual (NO T-shirts)
- T-shirts depicting school teams/seasonal themes *worn on designated spirit or theme days only*

Not Acceptable:

- Bare midriff shirts or tops and any shirt/tops revealing any cleavage
- See-through or tight-fitting tops/pants/skirts
- Sweatsuits/jogging suits
- Shorts * (see #3 for dress code exemptions)
- Pajamas or Overalls
- Rubber/sport/shower sandals/flipflops or house shoes
- Jewelry worn in piercings other than ears.

2. Men

Acceptable:

- Slacks/trousers/dress pants
- Shirts: polo, oxford, sweaters
- Jeans with no skin showing and with the waistband resting where the body is not exposed (no low-riders) *worn on designated spirit days only*
- T-shirts depicting school teams/seasonal themes *worn on designated spirit or theme days only*

Not Acceptable:

- Sleeveless shirts
- Wind suits/sweatsuits/jogging suits
- Shorts* (see #3 for dress code exemptions)
- Pajamas or Overalls
- Rubber/sport/shower sandals/flipflops or house shoes
- Any visible jewelry piercings.

3. Dress Code Exceptions

- Specific appropriate attire may be worn on spirit days or school dress up days as announced or designated by the principal. Jean days "sold" to fundraise for United Way, Relay for Life, etc., can total only one (1) month throughout the school year. (Days do not have to be consecutive.)
- Teachers of agriculture and industrial arts may wear appropriate jeans.
- Physical Education (P.E.) Instructors may wear walking/coaching shorts (not stretch) in gym during P.E. classes. If a P.E. instructor teaches any other class during the day, he/she will change clothes or cover clothing with windsuit while in academic classrooms.
- Bus operators/bus aides may wear appropriate jeans and t-shirts (without offensive statements or slogans) during the school year and knee-length shorts during the warmer months. Bus operators are NOT permitted to wear backless shoes, flipflops, or open-toe footwear due to safety concerns.
- Maintenance and custodial employees may wear overalls, jeans, scrubs and t-shirts (without offensive statements or slogans) during the school year and knee-length shorts during the warmer months.
- School nurses and Occupational/Physical Therapists (OT/PT) should follow the employee dress code with the following exception: Nurses and OT/PT may wear scrubs.
- Uniform scrubs may be worn in PreK/K/Early Childhood and self-contained classrooms when implemented in an organized manner. Schoolwide scrubs at elementary level must be approved by the Superintendent or his/her designee by submission of a plan of implementation.

Students learn by example; therefore, it is important that employees serve as role models. Any clothing considered inappropriate for students shall be considered inappropriate for system employees. Each employee of the Ouachita Parish School System will contribute to the formation of a positive, professional public image by maintaining high standards of personal appearance through appropriate dress and grooming regardless of job category.

Theft

Ouachita Parish School Board will not tolerate monetary or property theft of any type. The School Board considers property theft to include the unauthorized use of Ouachita Parish School Board services or its facilities as well as the taking of any unauthorized property for personal use. No item purchased or supplied by Ouachita Parish School Board should ever be removed from the School Board premises without the expressed authorization of the School Board. Employees that violate this policy will be subject to disciplinary actions up to and including possible termination and prosecution.

Staff/Student Relations

The relationship between staff members and students in the school district should be one of cooperation, understanding and mutual respect. All employees have the responsibility to provide an atmosphere conducive to learning, which should be accomplished through effective individual and group discipline. All students and staff will treat each other with respect.

Differences and problems that arise between an employee and student are typically best worked out by conferences with those involved or between the parent of the student and staff member. Furthermore, all meetings with students and staff members should have a witness present during the meeting. If no witnesses are present during a meeting between a staff member and student, the staff member is responsible for ensuring that there is an open door or window so that the interaction between the student and staff member is visible to others. However, employees and students should immediately report a violation or perceived violation of the district's nondiscrimination and anti-harassment policy, regardless of whether a conference has been held.

No employee may use his or her status as an employee to adversely influence a student of the district. No employee may date, make advances toward, or engage in any sexual relationship with a district student, regardless of the student's age, the perceived consensual nature of the relationship, where the advances are made or whether the employee directly supervises the student. Further, no employee may discuss or plan a future romantic or sexual relationship with a student.

CHILD ABUSE POLICY (FILE: JGCE)

The Louisiana Child Abuse Statute (L.R.S. 14:403) mandates that all cases of suspected child abuse and neglect be reported by certain persons having reasonable cause to believe that any child is endangered, and it specifically designates principals, teachers, counselors, nurses, psychologists, social workers, educational consultants, speech and hearing consultants, and any other school employees who must report. (Failure to do so may result in a fine or imprisonment.) ***To report child abuse, call the LA Child Abuse Hotline at 1-855-452-5437.***

STEPS TO FOLLOW IN CASE OF SUSPECTED CHILD ABUSE:

1. When a mandated reporter (as defined in the above paragraph) in the Ouachita Parish School System has reason to believe that a child has been abused or neglected, he/she will immediately notify the Department of Children and Family Services at 318-362-5417 or local law enforcement.
2. As much information as possible will be provided regarding the child, parents, location, and the reason that abuse/neglect is suspected.
3. There will be no attempt on the part of the school staff to prove the allegation of abuse/neglect before reporting. All that is required to report is a reasonable suspicion of abuse/neglect. Investigation and determination of the validity or invalidity of a report is the responsibility of the Department of Children and Family Services (DCFS).
4. School staff will not notify the parent or guardian of the abused/neglected child that the Department of Children and Family Services is conducting the investigation. It is the agency's responsibility to notify the parents. No contact by the school will be made with the parent unless requested by after the report has been made.
5. School staff will not notify the child subject of the arrival of the child protection worker.
6. When the child protection worker wishes to interview the child in the school, he/she will telephone the principal stating the need to interview the child and verifying that the child is attending school that day. The child protection worker will give the principal his/her name and a phone number which can be used to verify identity.
7. Upon arrival at the school, the child protection worker will present identification and sign the school visitor's register.
8. The principal will send for the child subject and provide a private space for the interview with the child.
9. A school staff person whom the child knows and with whom he/she feels comfortable may be present during the interview if the child is in agreement with this. If the child objects, a school staff person will not sit in for the interview. Although, if a school staff person sits in on any interview, it is understood that they may be subpoenaed to court in any subsequent court proceedings, and their anonymity as a reporter may be challenged.

IX. EMPLOYEE DISCIPLINE (See *Policy GBK*)

The Superintendent and his/her designee shall possess the authority to discipline employees when an employee's behavior warrants such action. A principal shall have the authority to recommend to the Superintendent when appropriate that employees at the school in which he/she is employed should be disciplined.

Discipline of an employee shall be progressive in nature such that penalties for poor job performance or broken rules become increasingly harsh as similar or related conditions continue or infractions are repeated. Such progressive discipline, however, shall not inhibit the Superintendent's authority or, in the case of certain employees, the School Board's authority, to discipline, suspend, or terminate an employee based on the circumstances of any single event. Documentation of employee behavior, employee performance, and any disciplinary action taken shall be properly and thoroughly recorded.

Should any disciplinary measure become necessary, any documentation shall be considered *confidential* and treated in accordance with statutory provisions and School Board policy.

X. TERMINATION OF EMPLOYMENT

A. Retirement (see *Policy GBQ*).

All employees shall be required, as a condition of employment, to become members of the retirement system for which they are eligible. Employees shall also be required to officially inform the Ouachita Parish School Board in writing of their plans to retire.

In general, the amount of a retiree's annual benefit is computed as follows: multiply two or two and one half (see types of retirement, below) times the total years of service credit times the average of the highest three years salary. The retirement benefit will vary depending on the Retirement Option chosen.

TYPES OF RETIREMENT -
The two-percent formula. To retire under the two-percent formula, an employee must be:

- Age 60 with at least 10 years of service credit, excluding military service purchased after Sept. 10, 1982
- Any age with 20 years of service credit, excluding military service purchased after Sept. 10, 1982

The two-and-one-half-percent formula. To retire under this formula, an employee must be:

- Age 65 with 20 years of service credit, excluding any military service
- Age 55 with 25 years of service credit
- Any age with 30 years of service credit

Employees contemplating retirement should contact the Personnel Department at least six months prior to the date of retirement. Employees have a duty to check with the appropriate retirement system to assure they are qualified to retire prior to making any retirement decisions.

B. Resignation (see *Policy GBO*). Employees who wish to resign their position should complete a signed letter of resignation or resignation form indicating the reason for the resignation, and submit it to the Superintendent or designee for acceptance. The form can be obtained from the Personnel Department.

Once the Superintendent or designee has accepted the resignation, it may not be withdrawn by the employee. The resignation and its acceptance should be reported as information to the Board at the next regular meeting. Any employee who intends to resign after the end of the school session shall be urged to submit his/her letter of resignation as soon as possible.

C. Dismissal. Administrators will strive to assist personnel in every way possible to perform their duties satisfactorily. Every reasonable effort shall be made to avoid the necessity of dismissing personnel at any level. However, the Board may dismiss any employee in accordance with state laws and regulations. Please refer to the following School Board policies concerning dismissal: GBG, GBI, GBK, GBKA, GBL, GBN, GCL, GCN, and GCR.
If an employee is absent for ten (10) or more days without explanation or approved leave, the School Board may consider the job as abandoned and the employee may be terminated, unless the employee can provide acceptable and verifiable evidence of extenuating circumstances. The Superintendent or his/her designee shall be responsible for determining acceptability of evidence of extenuating circumstances.

XI. TRANSFER POLICY (see *Policy GBM*)

A. Voluntary Transfers.

Employees who voluntarily request a transfer to another location or position shall submit such request to the Superintendent or his/her designee or principal in writing. Such requests shall be submitted on or before the date specified in the policy in order to be considered for the next school year. A written notation of the request to transfer shall also be sent to the employee's principal or immediate supervisor.

A teacher transferred to a school or position must be certified and qualified for the position to which transferred. Should a person request reassignment to a lesser position, such personnel, upon reassignment, shall be placed in the salary schedule at the level of the new position.

A teacher or other school employee who has been a victim of physical abuse by any student(s) shall be given the opportunity to transfer to another position for which he/she is certified or otherwise qualified and in which he/she shall not have contact with the student(s), provided there is a position available.

B. Involuntary Transfers.

The Superintendent may transfer any teacher or other employee, including personnel employed as principals and supervisors, from one position, school or grade to another by giving written notice to the teacher or employee of such intention to transfer. Such transfers shall not be for political or personal reasons. No transfers of instructional personnel shall be initiated during the regular school term, except in emergencies or promotional instances where transfers are required to preserve quality instruction.

Transfer decisions shall be based upon performance, effectiveness, and qualifications as applicable to each specific position. *Effectiveness*, as determined by the Board's personnel evaluation program, shall be the primary reason for considering a transfer. Conversely, seniority or tenure shall not be used as the primary reason when making any decisions to transfer an employee.

XII. WORKER'S COMPENSATION (see *Policy EGAA*)

The Ouachita Parish School Board shall authorize and direct the Superintendent to ensure workers' compensation coverage for its employees. Employees injured while acting in their official capacity shall be entitled to appropriate workers' compensation benefits prescribed under state statutes for the period of time while injured. Any employee reporting an injury or incapacitation due to a work-related accident shall be required to submit proper certification of the injury and/or incapacitation from a licensed physician.

At the time of employment, all employees shall be required to complete a questionnaire about their health and any previous accidents, injuries, or workers' compensation claims submitted, which shall be maintained in the employee's personnel file.

REPORTING OF ACCIDENTS (See Policy EGAA)

Should an accident occur to an employee while in the course of his/her duties, the employee **shall immediately** notify his/her supervisor. Once reported, a detailed report shall be submitted by the employee's supervisor to the Superintendent or designee within five (5) days of the accident. Additional written commentary about the accident may also be required from the employee's supervisor. Periodic medical exams and subsequent reports verifying prolonged disability may be required as needed.

Immediately following any accident, whether or not injury occurs, the administrator of the school or facility shall file an *Investigation of Accident Report* with the Superintendent or designee. If an injury occurs, an LWC-WC IA-1 Form (*Louisiana Workforce Commission Worker's Compensation -First Report of Injury or Illness)* must also be completed.

ACCIDENTS/INJURIES OF STUDENTS

All teachers must immediately report any personal or student injuries or accidents to an administrator. **Teachers are required to complete a report relative to such accidents and injuries.**

Student first-aid attention should be handled as much as possible by the teacher. However, do not neglect to call serious problems to an administrator's attention.

ALCOHOL AND DRUG USE

No workers' compensation benefits shall be allowed for an injury caused by the injured employee's intoxication at the time of injury.

In order to support a finding of intoxication due to alcohol or drug use, the School Board shall have the right to administer drug and alcohol testing or demand that the employee submit to drug and alcohol testing immediately after the alleged job accident. If the results of the drug test are positive, or the alcohol tests show blood alcohol equal to or greater than the limits outlined in state law, the employee shall be considered intoxicated, in which case the employee shall not be entitled to any workers' compensation benefits.

If the employee refuses to submit to drug and alcohol testing immediately after the accident, then it shall be presumed that the employee was intoxicated at the time of the accident, in which case the employee shall not be entitled to any workers' compensation benefits.

All drug and alcohol testing shall be in accordance with state law and School Board policy (see procedures in policies *GAMEA, Alcohol and Drug Abuse and Testing - General Employees,* and *GAMEB*, *Alcohol and Drug Abuse and Testing – Holders of Commercial Drivers' Licenses*).

XIII. COMPLAINTS AND GRIEVANCES (see *Policy GAE*)

Any employee of the Ouachita Parish School Board shall have the right to appeal the application of policies and administrative decisions affecting him/her. The employee shall be assured freedom from restraint, interference, coercion, discrimination, or reprisal in presenting his/her appeal with respect to a personal grievance. All grievances shall be handled as follows:

Step 1. After informally and thoroughly discussing any grievance with his/her immediate supervisor, upon reaching no satisfactory resolution of the grievance, an employee shall promptly present the grievance in writing to the immediate supervisor. Such notice shall be presented to the immediate supervisor within ten (10) days of the date of the alleged complaint. The written grievance submitted shall state the nature of the grievance and the harm or injury caused that initiated the grievance. The employee and the immediate supervisor shall meet attempt to resolve the grievance within five (5) days of submission. The immediate supervisor shall make a proper disposition of the grievance and shall reply to the employee within five (5) working days following the date of the meeting. If the grievance is not submitted within the time prescribed, the employee shall be deemed not to have further right with respect to said grievance.

Step 2. In the event the employee wishes to appeal the decision in Step 1 or if no decision has been rendered in the time specified, the appeal must be presented in writing to the Superintendent or designee. Such appeal shall be presented within five (5) working days of the Step 1 decision. Such appeal shall contain a statement of the grievance and specific references to the action taken causing the grievance. Additionally, the Step appeal should contain a copy of the disposition rendered in Step 1 by the immediate supervisor. If the employee fails to request the review within the time limit set out above, the employee shall have no further right to proceed through the complaint/grievance process. The Superintendent or designee shall within ten (10) working days provide a written notice to the employee(s) of the disposition of the grievance based upon the file presented to the Superintendent or designee. The date of receipt by the employee of the written notice of disposition shall be documented in the file.

Step 3. In the event the grievant wishes to appeal the decision at Step 2, the appeal must be presented to the Superintendent or designee in writing within five (5) working days of the receipt of the Step 2 decision. A copy of the Step 3 appeal, together with Step 1 and Step 2 decisions shall be submitted to the Superintendent or designee. Upon receipt of such a written appeal, the Superintendent or his/her designee shall schedule a hearing at a specific date and time and send proper notice of the scheduled hearing to the grievant. The Superintendent or designee, at the date and time specified, shall conduct a full hearing on the grievance, and in doing so; maintain a transcript of the proceedings. Following the hearing the Superintendent or designee shall make a written recommendation for disposition of the grievance and provide a copy of the transcript to the School Board at a meeting of the Board.

Step 4. After reviewing the transcript of the grievance hearing and the recommendation of the Superintendent or designee, the Board then shall dispose of the grievance.

School Board Policy GAE gives a complete listing of all rules and regulations concerning grievances.

XIV. INDEMNIFICATION AND LEGAL DEFENSE OF SCHOOL BOARD EMPLOYEES (see *Policy GAMH*)

In accordance with ACT 619 of the 1997 Louisiana Legislature, the Ouachita Parish School Board will abide by the following regulations:

A. Should any Ouachita Parish School Board employee be sued for damages by any student or any person qualified to bring suit on behalf of any student based on any action or statement or the omission of any action or statement by such employee when in the proper course and scope of his duties as defined by the School Board, then it shall be the obligation

of the Ouachita Parish School Board to provide such defendant with a legal defense to such suit including reasonable attorney fees, investigatory costs, and other related expenses. Should any such employee be cast in judgment for damages in such suit, it shall be the obligation of the School Board to indemnify him fully against such judgment including all principal, interest, and costs, except that the School Board shall not be responsible for any costs which the court stipulates are to be borne by a party other than the employee or the School Board.

B. If the School Board provided the defense and the judgment makes an award to the employee for damages or other awards for costs or any fees, the employee shall reimburse the School Board for its costs incurred for the defense. The requirement of reimbursement by the employee shall not exceed the award received by the employee.

Nothing in this Section shall require a school board to indemnify an employee against a judgment wherein there is a specific decree in the judgment that the action of the employee was maliciously, willfully, and deliberately intended to cause bodily harm or to harass or intimidate the student.

XV. EMPLOYEE ELECTRONIC COMMUNICATION WITH STUDENTS (*see Policy GAMIA*)

The Ouachita Parish School Board shall require that all communications between employees and students be appropriate and in accordance with state law. All electronic or any other communications by employees to students at any time shall be expected to be professional, acceptable in content to any reasonable person, and limited to information that is school-related or is acceptable to both student and parent.

All electronic communication, including electronic mail, by an employee to any student enrolled in a public school in this school district relative to the educational services provided to the student shall use a means provided by or otherwise made available by the school system for this purpose and the School Board shall prohibit the use of all such system means to electronically communicate with a student for a purpose not related to such educational services, except communication with an immediate family member if such communication is specifically authorized by the School Board.

Any electronic communication made by an employee to any student enrolled in a public school in this school district or that is received by an employee from any student enrolled in a public school in this school district using a means other than one provided by or made available by the school system shall be reported by the employee in a manner deemed appropriate by the School Board. Records of any such reported communication shall be maintained by the School Board for a period of at least one (1) year.

The School Board may authorize a school principal, or his/her designee, to permit an employee at the school to contact one or more specifically identified students enrolled at the school and be contacted by such student or students using a means other than one provided by or made available by the school, provided the employee has requested and received permission from the principal, or his/her designee, to do so and has provided documentation in writing to the principal, or his/her designee, stating the purpose or purposes for such contact. Such purposes may include but need not be limited to necessary communications relative to extracurricular activities, student athletic activities, community-based youth activities such as scouting, and faith-based activities such as a youth group sponsored by a religious organization.

DEFINITIONS

1. *Electronic Communication* includes any direct communication facilitated by voice or text-based telecommunication devices, or both, computers, as well as those devices that facilitate indirect communication using an intermediate method, including but not limited to Internet-based social networks. It shall also include transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature in whole or in part by wire, radio, electromagnetic, photoelectric, or photo-optical system and pertains to both personal and School Board issued devices.

2. *Electronic mail* – the transmission of text-based information or communication by use of the Internet, computers, a facsimile machine, a pager, a cellular telephone, a video recorder, or any other electronic device or means sent to a person identified by a unique address or address number and received by that person.

3. *Computers* – pertains to any and all computers.

4. *Social networks* – locations on the Internet where users may interact with other users -- examples are Facebook, MySpace, YouTube, and other social networks sites available on the internet.

5. *Improper or inappropriate communications* – any communication between employee and student, regardless of who initiates the communication, that may be viewed as derogatory, sexual or lewd in content, threatening or harassing, discriminatory, simple fraternization, or suggestive in nature.

6. *Acceptable or proper communications* – any verbal, written, or wireless communication that would be viewed by any reasonable person to be harmless, wholesome, and void of wording that may be considered questionable in content.

NOTIFICATION

The School Board shall ensure that at the beginning of each school year each employee, student, and parent, or other person responsible for a student's attendance, be notified of the provisions of this policy and any related procedures or practices regarding communications between employees and students.

The parent or other person responsible for a student's attendance shall also be notified of his/her right to request that his/her child not be contacted through electronic communication by any school employee unless the purpose of such communication is directly related to the child's educational services and is sent to and received by more than one student at the school.

INAPPROPRIATE COMMUNICATIONS

The Ouachita Parish School Board is aware that changes in technology have revolutionized the methods and devices now available to communicate with others. While these changes have expanded the ability to communicate, the Ouachita Parish School Board is concerned about inappropriate use of these communication devices between school employees and students. The School Board is aware that the reputations and careers of students and educators across the nation have been destroyed due to inappropriate communications. Therefore, it is the intent of the Ouachita Parish School Board to make all

employees and students aware of the expectations and procedures of the school system and the School Board in regard to proper use of all telecommunication devices and computers if used to communicate with one another. The policy is not intended to limit the use of technology as an effective teaching tool.

In addition to reporting communication to or from students not made through the means provided by the school system, employees must report to their supervisor at the first opportunity available, *any* student-initiated communication that may be construed as inappropriate.

Employees shall be required to comply with all policies, procedures, and practices established by the School Board regarding direct communications with a student, and any failure to do so may result in disciplinary action, up to and including termination of employment. Extreme circumstances may constitute willful neglect of duty. Should an employee's failure to comply also violate state or federal law, the Superintendent or his/her designee shall report such violation to the proper authorities.

REGULATIONS

1. All electronic or other communications by employees to students at any time shall be expected to be professional, acceptable in content to any reasonable person, and limited to information that is school-related or is acceptable to both student and parent. Any wireless communication must be APPROVED as required in the policy.

2. Employees shall be required to have a clear understanding of this policy and adhere to it.

3. Employees MUST report to their supervisor at the first opportunity available, any student-initiated communication that may be construed as inappropriate or has not met the required permission-to-contact approval.

4. Any employee who has a legitimate need to communicate with students by any means of electronic and/or telecommunication devices MUST follow the required procedure as follows:

    A. Request from their supervisor the necessary form for approval.

    B. The supervisor shall approve or deny the written request as indicated on the form with his/her signature.

    C. If permission is denied, the supervisor shall retain the denied request for documentation.

    D. If approved, the employee shall be given the approved form. The employee shall then make a copy for each student he/she is approved to contact and shall proceed with securing the required signatures from students and parents. The signatures indicate that all parties who sign are in agreement with the stipulations listed on the form.

    E. The completed forms are to be kept on file by the supervisor for the duration of the school year in which it is signed.

F. If a parent wishes to rescind this agreement, the parent must contact both the approving supervisor and the employee with a written, signed, and dated request to do so. The supervisor shall file the request with the original authorization form for documentation. At this point in time, the employee/ student shall be required to cease all telecommunications with one another.

VIOLATIONS

1. Any violation of this policy shall be immediately investigated by the employee's supervisor. The investigation shall include dates, the name of the person reporting the allegation, and the specific allegation made.

2. The supervisor shall meet with the employee to document his/her response to the allegation. The employee shall be required to cooperate fully with the investigation.

3. All information of the investigation shall be provided to the Superintendent and the Personnel Director by the supervisor.

4. Sanctions of the employee may include, but are not limited to, any of the following:

   A. a written reprimand by the supervisor;

   B. revoking any or all of the approved contact forms of the employee;

   C. the employee being placed on leave with or without pay by the Superintendent; or,

   D. the employee being asked to resign or being recommended for dismissal, in accordance with Board policy.

XVI. ELECTRONIC MAIL AND INTERNET POLICY (see Policy EFA)

The Ouachita Parish School Board shall authorize the Superintendent and staff to establish appropriate guidelines for exploring and using Internet resources within the school district to enhance learning and teaching activities. Acceptable use of these resources shall be consistent with the philosophy, goals, and objectives of the School Board. Any employee who wishes to use school district computers, including the Internet and/or e-mail services, must sign the Ouachita *Technology Acceptable Use Agreement* agreeing to abide by all district regulations.

The School Board shall incorporate the use of computer-related technology or the use of Internet service provider technology designed to block access or exposure to any harmful materials or information, such as sites that contain obscene, pornographic, pervasively vulgar, excessively violent, or sexually harassing information or material. Sites which contain information on the manufacturing of bombs or other incendiary devices shall also be prohibited. However, the School Board does not prohibit authorized employees or students from having unfiltered or unrestricted access to Internet or online services, including online services of newspapers with daily circulation of at least 1,000, for legitimate scientific or educational purposes approved by the Board.

INTERNET USAGE

Any use of the Internet that adversely affects its operation in pursuit of teaching and learning or jeopardizes its use or performance for other community members is prohibited and may result in loss of Internet privileges, suspension or other appropriate disciplinary action. The provisions of this policy shall also apply to the use of private e-mail accounts when access is attained using School Board equipment or networks and to access attained through any authorized personal digital device while on School Board property. The Ouachita Parish School Board does not condone the use of the Internet for any illegal or inappropriate activities and shall not be responsible for any such use by staff or students.

The School Board may suspend or terminate any privilege to use the Internet at any time solely at the School Board's discretion. Any policies and/or regulations of the School Board defining use of the Internet serve as guidelines but do not warrant or guarantee access to or use of the Internet. Consequently, the School Board may, at any time and in its sole discretion, end the privilege of any individual to use the Internet without notice, cause, or reason.

ACCOUNTABILITY

Faculty and staff use of school computers or the Internet shall be reserved for academic purposes and the conducting of business aspects of the school system. All personnel using school computers or a computer network located on school property, or computers accessing the Internet shall be accountable for their use. Teacher or class files on the network shall be treated as district property subject to control and inspection by School Board personnel. Access codes or passwords shall be kept on file in a secured location by the principal or his/her designee in case an inspection is warranted. Use of the Internet and/or any computers shall be considered a privilege and any inappropriate use may result in appropriate disciplinary action and loss of privileges to use district computers or the Internet.

UNAUTHORIZED AND ILLEGAL USE

Faculty and staff shall not be under direct supervision but must abide by Board policy.

Tampering with selection menus, procedures, or icons for the purpose of misleading or confusing other users shall be prohibited. Any use by any person of the district's internal network that incurs expenses to the school other than the monthly user fees and rates shall be strictly prohibited. Furthermore, the computer system shall not be used for commercial, political or religious purposes.

Use of the network for any illegal activities shall also be prohibited. Illegal activities include (a) tampering with computer hardware or software, (b) unauthorized entry into computers and files (hacking), (c) knowledgeable vandalism or destruction of equipment, and (d) deletion of computer files. Such activity is considered a crime under state and federal law.

SECURITY

Teachers and personnel who have computers in their charge shall be responsible for the security of those computers in terms of both hardware and software. Computers must be secured such that students acting without the consent or supervision of a teacher or administrator cannot enter the system or the Internet.

TERMS AND CONDITIONS OF USE

The following regulations, terms, and conditions for the use of computers and other technology equipment and the School Board's network and Internet resources are not all-inclusive, but are only representative and illustrative. A user who commits an act of misconduct or inappropriateness which is not listed may also be subject to disciplinary action or suspension, or termination, or be subject to appropriate criminal or civil prosecution.

1. Personal Privacy and Safety

    A. Users shall not reveal or publish online any personal contact information about themselves or any other person.

    B. Users shall not meet with someone they have met on the Internet without appropriate approval. Inappropriate contacts should be reported to school authorities immediately.

2. Illegal Activities

    A. Users shall not transmit any material or engage in any activities in violation of any national, state, or local regulations.

    B. Users shall not attempt to gain unauthorized access to any network resources including (but not limited to) computer systems and other users' accounts or files.

    C. Users shall not attempt to disrupt the network or network resources or destroy data by spreading computer viruses or worms or by any other means.

    D. Users shall not engage in any illegal acts, such as selling drugs, engaging in criminal activities, or threaten the safety of any person or persons, etc.

    E. Users shall not attempt to impersonate another individual or organization using network resources for any reason.

3. Security

    A. Users shall immediately notify system administrators if a possible security problem is identified. However, purposely looking for security problems may be considered an illegal attempt to gain access.

    B. Users shall only use storage media (disks, CDs, pen drives, etc.) that have been scanned and found to be free of viruses.

    C. Users shall not attach any device to the network without approval by the system administrators.

    D. Users shall be aware that all network traffic (including Internet usage and email) is regularly monitored by school system personnel for inappropriate use.

    E. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to network resources.

4. Network Resources

   A. Users shall only use network resources in support of the educational goals and objectives of the Ouachita Parish School System.

   B. Users shall not intentionally waste network bandwidth (listening to online radio stations, viewing streaming videos, downloading large files, etc.).

   C. Users shall not use network resources for commercial purposes.

   D. Users shall not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language in network communications. This includes personally attacking or harassing another person.

   E. Users shall not display, download, or transmit any inappropriate materials (including offensive messages, images, and videos).

   F. OPSB.net email accounts are for employees ***only***. Students shall not be assigned OPSB.net email accounts.

   G. Users shall not send or forward email "chain letters" or send annoying or unnecessary messages.

   H. Users shall not send mass email or "spam" any users (internal or external) with unauthorized communications or solicitations.

   I. Users shall respect copyrighted material and other intellectual property. Users may not duplicate or distribute electronic resources without the appropriate permissions, documentations, or citations.

5. Software

   A. Users shall not download, store, or install any unapproved or unlicensed software on school system computers.

   B. Users shall not install any unauthorized or unlicensed school system software on their personal/home computers.

6. Content Filtering

   A. Precautions have been taken to eliminate inappropriate content. However, it is impossible to restrict access to all inappropriate content.

   B. Users shall immediately report to school authorities any website they access that contains inappropriate content.

   C. Users shall not attempt to bypass the district's content filters to view inappropriate content.

7. Consequences of Inappropriate Use

A. The use of the Internet is a privilege, not a right, and inappropriate use may result in the temporary or permanent cancellation of that privilege and/or other disciplinary action (including suspension, expulsion, or legal action) as deemed appropriate by administration, faculty, and staff. Inappropriate use of the network may also result in legal action and/or prosecution, and may require restitution for costs associated with system restoration, hardware, or software costs.

B. No information on the network (including email and personal files) is guaranteed to be private. Information relating to or in support of illegal activities must be reported to the authorities.

C. Users bringing illegal and/or inappropriate materials onto the network shall be subject to disciplinary action.

DISCLAIMER

The Ouachita Parish School Board technology network and computer system is provided on an "as is, as available" basis. The School Board does not make any warranties, whether expressed or implied, including, without limitation, those of fitness for a particular purpose with respect to any services provided by the system and any information or software contained therein. The School Board uses a variety of vendor-supplied hardware and software. Therefore, the School Board does not warrant that the functions or services performed by, or that the information or software contained on the system will meet the user's requirements. Neither does the School Board warrant that the system will be uninterrupted or error-free, nor that defects will be corrected. Opinions, advice, services, and all other information expressed by system users, information providers, service providers, or other third party individuals in the system are those of the providers and not necessarily the School Board.

The School Board will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of the School Board's computer systems and networks.

XVII. EMPLOYEE DRUG AND ALCOHOL POLICY (*POLICY GAMEA)*

GENERAL PROVISIONS:

The Ouachita Parish School Board fully supports the concept of drug-free and alcohol-free workplaces and employees. Though the School Board is cognizant of the privacy rights of individuals, it also believes that the safety and well-being of its students and employees requires that it take legally permissible steps to prevent or eliminate the use of drugs and/or abuse of use of alcohol by its employees. Board policy now prohibits the unlawful manufacturing, distribution, dispensing, possession, or intoxication due to or as a result of use of a controlled substance by its employees in any workplace operated by the system or in any other location. For any such violation, disciplinary action is required. Also, Board policy prohibits the possession, use or distribution of alcohol or being under the influence of alcohol by its employees on any school system property, whether owned, leased or used by the school system, at any school sponsored or supervised activity, in any Board owned, leased or used vehicle including any school bus, or at any employee workplace.

As a condition of employment within the school system, all individuals seeking employment must submit to drug screening prior to final appointment. Persons who refuse to undergo drug screening and persons whose test sample results in a positive drug screen result may not be given further consideration for

employment within the Ouachita Parish School Board and shall not be reconsidered for employment within the school system for at least six (6) months from receipt of the test results.

As a condition of continued employment, the Ouachita Parish School Board may require samples from a school system employee for alcohol/drug testing in the following circumstances:

1. When an employee is involved in any accident during the course and scope of his or her employment, and alcohol or drugs are suspected to have contributed to the cause of the accident;

2. Under circumstances which result in a reasonable suspicion that drugs are being used by the employee;

3. As part of a monitoring program, to assure employee compliance with a rehabilitation or treatment agreement;

4. In connection with any required periodic medical exams; or

5. As part of a program of random drug testing of designated employees who occupy safety-sensitive or security-sensitive positions.

In addition, when an employee is injured as a result of a job-related accident and who after alcohol/drug testing is determined to be intoxicated under the standards set forth in La. Rev. Stat. Ann. §23:1081 or the employee refuses to immediately submit to such testing, then in accordance with state law such employee shall be presumed to be intoxicated at the time of the accident and may be denied workers' compensation benefits in addition to any other authorized action.

Also, a positive confirmatory drug test result may be used as a basis to terminate an employee for wrongful conduct and to deny unemployment compensation as set forth in La. Rev. Stat. Ann. §23:1601, or as the basis of other disciplinary action.

An employee involved in any of the above situations may be directed by his/her supervisor to submit to alcohol/drug testing. An employee, who provides a sample on the basis of any of the above authority and whose sample is determined to be positive as to the presence of drugs or alcohol after a confirmatory test will be required to undergo a rehabilitation or treatment program at the employee's expense and/or be subject to disciplinary action.

SAFETY AND/OR SECURITY-SENSITIVE POSITIONS:

For the purposes of the random testing of employees, the following definitions apply:

- *Safety-sensitive* refers to a position which requires as part of the employee's assigned duties, primarily or specifically, the operation, maintenance or repair of a motor vehicle; or responsibility for supervising or attending to children on a motor vehicle used to transport children to and from school; or inspecting, servicing, maintaining or using gas fired equipment or gas utility systems. An employee who has the responsibility of supervising, either directly or indirectly, employees who perform any of the above described duties shall also be considered as occupying a *safety-sensitive* position.

- *Security-sensitive* refers to a position which may require an employee, primarily or specifically, to employ deadly force in the exercise of his/her duties and whose duties are directly related to the security of employees and students, a school or facility of the Ouachita Parish School Board, and which, if not performed properly, could result in serious injury or death to the employee, student, other employees or the general public as a result of the use of a firearm, or any other deadly force. An employee who has the responsibility of supervising, either directly or indirectly, employees who perform any of the above described duties shall be considered as occupying a *security-sensitive* position.

THE FOLLOWING POSITIONS ARE DESIGNATED AS SAFETY-SENSITIVE OR SECURITY SENSITIVE POSITIONS: school bus operators; any person who operates a school system vehicle; mechanics who perform maintenance or repairs of school buses or other school system vehicles; all persons supervising or attending children on a school bus or any other vehicle used to transport school children; security guards or personnel; maintenance department employees who inspect, repair, or in any other manner service any equipment, pipeline or apparatus which uses natural or propane gas or is connected to natural or propane gas; and all who exercise any supervision over such persons. Persons in any of the above positions shall be subject to unannounced random alcohol/drug testing. A positive confirmatory test as a result of random testing may require the employee to undergo treatment at the employee's expense or be subjected to disciplinary action.

TESTING PROCEDURES

All testing/screening shall be conducted in accordance with applicable state and federal laws and regulations. The Superintendent shall promulgate administrative regulations and procedures to implement the provisions of this policy.

In addition to this policy, for those employees who are required by the nature of their job to hold a commercial driver's license (CDL), the provisions of policy *GAMEB Alcohol and Drug Abuse and Testing-Commercial Drivers' License Holders,* are also applicable.

DISCIPLINARY ACTION

Failure to comply with the provisions of this policy shall be grounds for disciplinary action including but not limited to written reprimands, suspension from work, and discharge.

An employee shall be subject to immediate discharge if the employee refuses to cooperate with any of the enforcement provisions of the policy or is believed to have tampered or purposefully tried to alter the outcome of drug and alcohol tests. Additionally, the employee may be discharged if found using, manufacturing, selling, or distributing drugs or alcohol while on School Board premises. Any employee arrested for a drug related offense has five (5) working days from the day of the arrest to notify the School Board. Should an employee at any time be convicted of a drug related offense, they shall be terminated immediately.

XVIII. SEXUAL HARASSMENT POLICY (See Policy GAEAA)

Sexual harassment is a form of sex discrimination which is prohibited by federal and state law. It is the policy of the Ouachita Parish School Board to maintain a learning and working environment that is free from sexual harassment. The policy of the School Board shall specifically prohibit all forms of sexual harassment.

It shall be a violation of this policy for any employee, student, non-employee volunteer, or Board Member of the Ouachita Parish School Board to harass a student, an employee or non-employee volunteer through conduct or communication of sexual nature as defined by this policy.

The School Board, through the Superintendent or his/her designee, shall act to investigate all complaints, either formal or informal, verbal or written, of sexual harassment and to discipline any employee or non-employee volunteer who sexually harasses a student, employee, or non-employee volunteer of the School Board.

I. SEXUAL HARASSMENT DEFINED

A. Sexual harassment shall include, but not be limited to, unwelcome sexual advance, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct or communication is, either explicitly or implicitly, made a term or condition of obtaining or retaining employment, or promotion, or a student's education; or

2. Submission to or rejection of such conduct or communication is used as a factor in decisions affecting an individual's employment or promotion or a student's education including any aid, benefits, services or treatment; or

3. Such conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's work performance or education, or creating an intimidating, hostile or offensive working or education environment.

B. Sexual harassment may include, but is not limited to:

1. Verbal harassment or abuse;
2. Uninvited letters, telephone calls, or materials of a sexual nature;
3. Inappropriate and uninvited leaning over, cornering, patting or pinching;
4. Uninvited sexually suggestive gestures;
5. Intentional brushing against a student's or an employee's body;
6. Uninvited pressure for dates;
7. Demanding sexual favors accompanied by implied or overt threats concerning an individual's employment, promotion, or educational status;
8. Uninvited sexual teasing, jokes, remarks, or questions;
9. Demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual's employment, promotion or educational status;
10. Any sexually motivated unwelcome touching;
11. Attempted or actual rape or sexual assault; or
12. Any offensive posters, cards, cartoon, graffiti and drawings to which the ordinary reasonable person would take offense.

II: REPORTING PROCEDURES

Any person who believes he or she has been the victim of sexual harassment by any employee or non-employee volunteer of the Ouachita Parish School Board, or any third person with knowledge or belief of conduct which may constitute sexual harassment should report the alleged acts immediately to an appropriate School Board employee as designated by this policy. If the complaint involves the employee designated by this policy to receive the report, the report should be made to the highest ranking administrator at the particular school or other site designated by this policy to receive such reports or directly to the Superintendent or his/her designee. If criminal activity is involved, a victim should also report the incident to the police.

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

A. <u>At Each School Site</u>. The principal is designated to receive oral or written reports of sexual harassment at each school site. The assistant principal and counselor(s) will assist the principal in providing both male and female representation as needed in each case. Students, employees, or non-employee volunteers are directed to make reports to the principal. If the principal is accused of harassment, notification should be made to the Superintendent or his/her designee. Upon receipt of a report involving a student, an employee or non-employee volunteer, the principal shall notify the Superintendent. A

written report will be forwarded simultaneously to the Superintendent. If the report was given verbally, the principal, assistant principal or counselor shall reduce it to written form within twenty-four (24) hours and forward to the Superintendent. Failure to forward any sexual harassment report or complaint as provided herein shall result in disciplinary action. Complaints may also be filed directly with the Superintendent. If the Superintendent is accused of sexual harassment, the President of the Ouachita Parish School Board shall be notified.

B. Other Sites. The persons designated by the Superintendent at each administrative, support or maintenance site are responsible for receiving oral or written reports. Upon receipt of a report, the designated person shall follow the procedure outlined in paragraph A above and notify the Superintendent or his/her designee.

C. System-wide. The Superintendent shall receive reports or complaints of sexual harassment from an individual, employee or victim of sexual harassment and also from the building administrators or designated persons as outlined above. If the complaint involves the Superintendent or his/her designee, the complaint shall be filed directly with the President of the School Board.

D. Notice of Policy. Each principal or other person in charge of a building or site owned or operated by the Ouachita Parish School Board shall conspicuously post in each building or site the names of the persons or alternates designated to receive complaints and the name of the Superintendent and or his/her designee, including a mailing address and telephone number, together with a copy of this policy.

E. Submission of a complaint or report of sexual harassment shall not be used to affect the individual's future employment, promotion, grades, or work assignments.

F. Use of formal reporting forms is not mandatory.

III. INVESTIGATION AND RECOMMENDATION

A. The Superintendent, upon receipt of a report or complaint alleging sexual harassment by an employee or non-employee volunteer, shall immediately authorize an investigation. This investigation may be conducted by School Board employees or by a third party designated by the Superintendent. The investigating party shall provide a written report of the status of the investigation within ten (10) working days to the Superintendent or his/her designee.

B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator or the Superintendent.

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

D. The Superintendent may utilize informal procedures to handle complaints when the harasser agrees to a penalty and apologizes to the victim.

E. The person designated to investigate the complaint shall make a report to the Superintendent upon completion of the investigation. The report may include a finding that the complaint was unfounded, informally resolved, or a recommendation made to the Superintendent for disciplinary action.

IV. ACTIONS

A. Upon receipt of a recommendation that the complaint is valid involving an employee or non-employee volunteer, which has not been formally resolved, the Superintendent shall take such action as appropriate based on the results of the investigation.

B. The result of the investigation of each complaint filed under these procedures involving an employee or non-employee volunteer shall be reported in writing to the complainant and the alleged harasser by the Superintendent. The report will document any action taken as a result of the complaint.

V: RETALIATION PROHIBITED

The School Board shall discipline any individual who retaliates against any person who reports alleged sexual harassment or who retaliates against any person who testifies, assists or participates in an investigation, proceeding or hearing relating to a sexual harassment complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment at the time of a report or any time after a report, including premature celebrations.

VI: SEXUAL HARASSMENT AS SEXUAL ABUSE

Under certain circumstances, sexual harassment of a student may constitute sexual abuse under the Louisiana Children's Code. In such situations, School Board personnel shall comply with Article 609(A) of the Louisiana Children's Code and directly report the sexual abuse to the Child Protection Unit of the Louisiana Department of Social Services.

VII. DISCIPLINE

Any action taken pursuant to this policy shall be consistent with requirements of applicable statutes and School Board policies. The School Board and Superintendent shall take such disciplinary action for employees and non-employee volunteers deemed necessary and appropriate, including warning, transfer, suspension, or immediate discharge to end sexual harassment and prevent its recurrence, all in compliance with applicable statutory provisions.

FUNDRAISERS:

All fund raising activities must be planned ahead of time and approved by the school administration. A **Fund Raising Form** must be completed **prior** to the fund raising activity. The Fund Raising Form can be obtained from the school's bookkeeper.

PUPIL PROGRESSION PLAN:

All grading policies for the Ouachita Parish School System are detailed in the current Pupil Progression Plan that can be viewed on the OPSB website.